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## 14. Policies and Plans

### 14.1. Introduction

14.1.1. This chapter assesses the scheme in terms of the wider context of national, regional, strategic and detailed local planning policies.

14.1.2. This assessment is intended to identify the potential for the scheme to either hinder or enhance the implementation of the planning policies.

#### **Regulatory Framework**

14.1.3. The following documents were consulted:

- Scottish Planning Policy (SPP)
- The National Planning Framework 2 (NPF2)
- South Ayrshire's Local Transport Strategy 2009-2014
- Ayrshire Joint Structure Plan, 2007
- South Ayrshire Local Plan, 2007
- Scotland's National Transport Strategy, December 2006
- Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007
- Air Quality (Scotland) Regulations 2000 (subsequently amended 2007)
- The UK Biodiversity Action Plan (UKBAP) (1994)
- The Scottish Biodiversity List (2005)
- The Control of Pollution Act 1974
- Conservation (Natural Habitats &c.) Regulations 1994 (as amended)
- The Nature Conservation (Scotland) Act 2004
- Environmental Protection Act 1990
- Land Compensation (Scotland) Act 1973
- Noise Insulation (Scotland) Regulations (NISR) 1975.
- Planning Advice Notes:
  - (PAN) 33- Development of Contaminated Land
  - 2/2011- Planning and Archaeology
  - 51- Planning, Environmental Protection and Regulation
  - 1/2011- Planning and Noise
  - 58 (superseded by 1/2013)- Environmental Impact Assessment
  - 60- Planning for Natural Heritage

- 61-Planning and Sustainable Urban Drainage Systems
- 63- Waste Management Planning
- 66- Best Practice in Handling Planning Applications affecting Trunk Roads
- 75- Planning for Transport
- 79- Water and Drainage

## **14.2. Methodology**

14.2.1. The scheme proposals are considered in the context of relevant policies, proposals and guidance. The assessment is undertaken in accordance with the DMRB Volume 11, 1993, Section 3, Part 12: Impact of Road Schemes on Policies and Plans comprises reference at national (NPF2, SPP, PAN), regional (Structure Plans), and local (Local Plans) level to identify existing and emerging issues, policy initiatives and Local Plan proposals relevant to the consideration of the scheme, and its development implications. It is worth noting that since this DMRB chapter was written certain plans and policies have been amended and are no longer applicable.

14.2.2. Reference was also made to Circular 01/06: Guidance on Changes to the Development Control System. This Circular provides guidance on changes to the operation of the development control system and covers:

- The power for local planning authorities to make local development orders;
- Changes to the outline planning permission process;
- The requirement for design and access statements to accompany applications for certain types of permission and consent;
- Powers controlling certain internal floor space additions – such as mezzanines;
- Changes to the decision period for major planning applications.

14.2.3. The DMRB states that the objective at Stage 3 is to undertake sufficient assessment to determine the significance of the impacts arising from the construction of the preferred route on the achievement of national, regional, and local policy objectives.

14.2.4. The DMRB Volume 11 provides guidance on the assessment of the road scheme in relation to National, Regional and Local Policies however it does not set out criteria to assign impacts. Therefore impact criteria is identified and reported as being positive, negative or neutral. Impact criteria is described as the following:

- A positive impact indicates that the proposed scheme would comply with or contribute to the realisation of policy or plan objectives and commitments.
- A negative impact indicates that the proposed scheme would not comply with policy or plan objectives and commitments.

- A neutral impact indicates that the proposed scheme would represent instances where, on assessment, the policy or plan objectives and commitments neither comply or non-comply with the proposals or are not relevant.

#### **Consultation**

- 14.2.5. Consultation was sought by Amey in May 2013 with South Ayrshire Council. A response was received on 24<sup>th</sup> May 2013 (see Chapter 3).

### **14.3. National Planning Policy Context**

#### **Scottish National Planning Framework**

- 14.3.1. The National Planning Framework for Scotland 2 published in June 2009 is a planning document that analyses the underlying trends in Scotland's policy decisions and spending, development plans and planning decisions to guide Scotland's development to 2030. Various sections apply to the proposed Maybole bypass: these include:

- Transport Policy, which promotes economic growth, social inclusion and accessibility, sustainable transport and environmental impact minimisation.
- Key issues and Drivers for Change, which includes addressing the problems of congestion on the trunk roads network.

#### **Scottish Government's Planning Policies**

- 14.3.2. The Scottish Governments planning policies are set out in the Scottish Planning Policy (SPP) February 2010 on land use planning and contains:

- The Scottish Governments view of the purpose of planning.
- The core principles for the system and the objectives for key parts of the system.
- Statutory guidance on sustainable development and planning under section 3E of the planning etc. (Scotland) Act 2006.
- Concise subject planning policies, including the implications of development planning and development management, and
- The Scottish Governments expectation of the intended outcomes of the planning system.

- 14.3.3. The SPP replaces SPP and National Planning Policy Guidelines (NPPG) as a single document. The policies within the SPP considered relevant to the scheme are listed below:

- Economic development, describes existing government policy in relation to economic development. The policy recognises the link that location and provision of infrastructure have on the ability of an area to be economically competitive and achieve continued growth.

- Rural Development policy describes existing government policy in relation to rural development. The aim should be to enable development in all rural areas which support prosperous and sustainable communities whilst protecting and enhancing environmental quality.
- Historic Environment policy promotes protecting ancient monuments and archaeological sites and landscapes, and deals with listed buildings, conservation areas, historic gardens, and designated landscapes, contributing to economic growth and the ability to accommodate change whilst retaining its special character.
- Landscape and Natural Heritage policy provides Guidance on government policies for the conservation and enhancement of Scotland's natural heritage within land use planning. This includes International designations, Local designations, protected species and trees and woodland.
- Flooding and Drainage policy provides guidance on flooding issues and prevention of additional land and development being put at risk from flooding.
- Transport policy promotes an integrated approach to land use, economic development, transport and the environment. The primary purpose of the strategic transport network is to provide a safe and efficient movement of strategic long distance traffic between major centres and rural local functions.

#### **Planning Advice Notes (PAN'S)**

- 14.3.4. PAN33 Development of Contaminated Land provides advice on the implications of the contaminated land regime for the planning system, the development of contaminated land, the approach to contaminated land in development plans and the determination of planning applications where the site is, or may be contaminated.
- 14.3.5. PAN2/2011 Planning and Archaeology – (supersedes PAN42). Offers planning advice on archaeological sensitive sites.
- 14.3.6. PAN51 Planning and Environmental Protection (revised 2006) provides information relating to the statutory responsibilities of environmental protection bodies, as well as informing these bodies about the planning system. It also covers regimes for integrated pollution control, local air pollution control, pollution of controlled waters, drinking water quality, contaminated land, radioactive substances, statutory nuisance and noise, litter, and light.
- 14.3.7. PAN1/2011 Planning and Noise (2011) covers general principles, noise policies in development plans, development control, mitigating noise impact, noisy development, designated areas and the countryside, planning conditions, enforcement, environmental assessment, and other statutory controls.
- 14.3.8. PAN 58 has been replaced by PAN 1/2013 to bring EIA guidance fully into line with the latest regulations. PAN 1/2013 concerns EIAs undertaken within the Planning EIA regime, as required by The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 ('the EIA Regulations').

- 14.3.9. PAN60 Planning for Natural Heritage (2000) offers guidance on the treatment of natural heritage in development plans and supplementary policy guidance on assessing the resource and setting objectives, landscape character and biodiversity, and local designations and green space.
- 14.3.10. PAN61 Planning and Sustainable Urban Drainage Systems(2001) Provides good practice which compliments the Sustainable Urban Drainage System Design Manual for Scotland and Northern Ireland in the design and planning of SUDS.
- 14.3.11. PAN66 Best Practice in Handling Planning Applications Affecting Trunk Roads, offers good practice, advice and background information on transport and planning related matters. Within PAN 66 paragraph 10 states *'the primary purpose of the network is to provide for the safe and effective movement of long distance through traffic. This means that the full implications of traffic flow and road safety are taken into account when proposals are made for new development in the vicinity of trunk roads. It is recognised, however, that in some cases the trunk road provides the only road access to a development or forms an important and inseparable part of the local road network. In such cases care is needed to ensure a balance is struck between local and wider interests when assessing proposals'*.
- 14.3.12. PAN75 Planning for Transport (2005) aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information.
- 14.3.13. PAN79 Water and Drainage (2006). The planning advice note provides advice on good practice in relation to the provision of water and drainage in a planning context. It encourages joint working with local agencies such as Scottish Water and Scottish Environment Protection Agency in order to ensure a common understanding of any capacity constraints and agreement of their removal, alteration or new water features.
- 14.3.14. PAN 3/2010 Community Engagement. This PAN links directly to the National Standards for Community Engagement and provides guidance on the involvement of stakeholders, community councils and other bodies at an early stage during planning.

#### **Regional and Local Guidance**

- 14.3.15. The planning and land use policies for the area which may be directly affected by the development proposals are provided in the following documents:
- 14.3.16. Ayrshire Joint Structure Plan 'Growing a sustainable Ayrshire' (2007)
- 14.3.17. The structure plan provides the strategic planning context for local planning in South Ayrshire. There are five key objectives to the plan:
- To stabilise the population in 2025 at current levels.
  - To support measures that encourage economic development underpinned by a sustainable population.
  - To seek improved accessibility both within, and to opportunities outside, Ayrshire.

- To develop strong and vibrant communities by realising their potential for regeneration and growth and through the promotion of appropriate development for rural areas.
  - To safeguard and enhance the quality of the environment.
- 14.3.18. The Ayrshire Joint Structure Plan 2007 identifies the A77 as part of the strategic road network in need of investment. It identifies that improvements to the A77 are a priority stating that:
- 14.3.19. 'Upgrading the A77 between Kilmarnock and Stranraer that is experiencing increasingly high volumes of traffic and traffic safety issues on many parts of the route. If the potential from new development opportunities is to be realised, together with the development of a new port facility at Cairnryan, improvements over several stretches of this road are required.'
- 14.3.20. 'In the investment corridors there are communities located on the strategic road network that suffer economic, amenity and social disadvantage from through traffic resulting in community severance, localised air and noise pollution as well as road safety issues.'
- 14.3.21. The proposed bypass will support measures to improve safety on the strategic road network diverting heavy traffic flow away from the accident hotspot at Smithson Bridge and providing overtaking lanes; it will better accommodate and facilitate travel for long distance traffic and freight movements and HGV's. Alleviating congestion and reducing adverse impacts on the community of Maybole
- 14.3.22. 'Trans 3 Strategic Road Development' of the Ayrshire Joint Structure Plan is relevant to the A77 Maybole bypass scheme. 'Improvement to A77 between Kilmarnock and Stranraer' as Maybole lies between these locations.
- 14.3.23. The Ayrshire Joint Structure Plan identifies the A77 trunk road as integral to the trans-European network confirming its status in the overall structural framework of the European community. The plan recognises the various costs associated with travel. There is concern over the level of air pollution generated by motor vehicles, the unacceptable level of traffic passing through settlements, high levels of pedestrian casualties and the economic costs of congestion to businesses.
- 14.3.24. The plan also recognises that the economy of Ayrshire relies on an efficient road haulage system for the movement of goods. The proposed bypass would reduce congestion giving rise to improved traffic flow.
- 14.3.25. The following policies are relevant to the scheme:
- ENV1 – The quality of Ayrshire's landscape and its distinctive characteristics such as nature, heritage and community aspects should be maintained through development projects.
  - ENV4 – Green Network –Proposed development within, adjacent to or affecting the areas identified in the Green Networks should be designed to enhance the landscape quality and enhance the habitats within the area.

- ENV6 – Protection of Built Heritage – All listed buildings of historic interest, conservation areas, historic gardens and archaeological locations do not conform to the Structures Plans, they are detailed in the South Ayrshire’s Local Plan.
- ENV7 – National Heritage Designations – Recognise the Statutory protection of international and national designated sites and contribute to local sites such as Local Nature Reserves.
- ENV8 – Flooding – In accordance with the SPP development proposals which would be at significant risk of flooding will encourage flood preventative methods to preserve, enhance or create water storage areas.
- ENV9 – Water Framework Directive (WFD) – Councils will work closely with local agencies to incorporate the WFD into local plans and policies.
- ENV11 – Air, Noise and Light Pollution – Local councils take into account the levels of noise and air pollution in respect of any proposed development.
- IMP2 – Water and Sewerage Infrastructure – The plan encourages the partnership and any liaison with Scottish Water and Scottish Environment Protection Agency.
- TRANS 3- Strategic Road Development- policy to ensure traffic flows will be channelled to the strategic network, that priority will be given to the study and development of various trunk road projects, to develop and promote improvements to other parts of the strategic road network in the investment corridors, and to support measures to improve safety on the strategic road network and ensure it is maintained to a suitable standard.

South Ayrshire Local Plan

- 14.3.26. The South Ayrshire Local Plan sets out the policies, proposals and recommendations of the South Ayrshire Council as the local planning authority, for the development and other use of land, the protection of environmental resources and for the management of transport and traffic within the administrative area of South Ayrshire Council. The plan groups all of the issues to be considered under six main headings, each of which forms a chapter of the plan; they are settlement strategy, economic development, the environment, housing, public facilities/services and implementation.
- 14.3.27. The plan recognises the importance of an efficient and effective transport system. The proposed bypass will aid the efficiency of transport in South Ayrshire through eliminating the congestion through Maybole.
- 14.3.28. Relevant local policies include:
- SERV1 which states “The Council will encourage and support proposals for the upgrading of infrastructure Services throughout South Ayrshire, where in accordance with the aims and objectives of the Plan” and

- SERV4 which states “The Council will review the transport network with the relevant controlling authority, to identify and implement, or encourage implementation of appropriate solutions to any problems on the transport network which may arise”.
- STRAT5 – Settlement Strategy states guidelines in relation to environmental quality and is a requirement for development proposals.

South Ayrshire Local Development Plan

14.3.29. The Local Development Plan (LDP) is the emerging strategic land use document that will eventually replace the South Ayrshire Local Plan and the Ayrshire Joint Structure Plan as part of the wider modernisation of planning. It will set out strategic spatial priorities and policies for South Ayrshire and will secure land zoning for specified uses (e.g. land for housing/industry etc.) to provide increased certainty for development. This plan is expected to be adopted in 2014.

Ayrshire Local Biodiversity Action Plan (2007-2010)

14.3.30. The Ayrshire Local Biodiversity Action Plan sets out the proposals and actions which translate the UK Government Biodiversity Action Plan and Steering Group Report into effective action at a local level. It clearly identifies priority habitats and species which require attention. It sets out the specific actions which are required, who should implement such action and a timetable to achieve the results.

South Ayrshire Local Transport Strategy

14.3.31. This Local Transport Strategy sets out the transport policy position of the Council and the transport project programme up to 2014. It also identifies longer term schemes beyond this date that need to be considered.

14.3.32. The town of Maybole is affected by considerable through traffic, reducing the quality of the environment within the town and slowing strategic through trips. Opportunities exist to bypass this town thus removing a large proportion of traffic in the town. This would have a significant effect on freight traffic in the area, especially traffic destined for the Loch Ryan ports, and timber traffic from the Galloway Forest.

A Regional Transport Strategy for the West of Scotland 2008-21

14.3.33. The regional transport strategy identifies the applicable regional transport outcomes and strategic priorities that set the scope for Strathclyde Partnership for Transport (SPTs) role in achieving four key transport outcomes: improved connectivity, access for all, reduced emissions and reliable travel.



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## **14.4. Impact Assessment**

- 14.4.1. The above documents were reviewed in the context of the scheme, and a summary of relevant policies and information provided below.
- 14.4.2. Table 14.1 sets out the likely impacts of the proposed bypass route and their compliance with planning policies for the following topics;
- General
  - Air Quality- Chapter 4
  - Cultural Heritage- Chapter 5
  - Ecology and Nature Conservation- Chapter 6
  - Landscape Effects- Chapter 7
  - Land Use- Chapter 8
  - Noise and Vibration- Chapter 9
  - Pedestrians, Cyclists, Equestrians and Community Effects- Chapter 10
  - Vehicle Travellers- Chapter 11
  - Road Drainage and the Water Environment- Chapter 12
  - Geology, Soils and Contaminated Land- Chapter 13
- 14.4.3. All policies, national, regional and local are discussed further in Table 14.1. Overall it is considered that the scheme will comply with national, regional and local policies.

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
General	National	National Planning Framework Scotland 2		Yes	The bypass will contribute and support the Scottish Framework POSITIVE
		PAN 1/2013- Environmental Impact Assessment	Provides information and advice on background legislation to Environmental impact Assessment	Yes	This is a relevant project under schedule 2 of EIA Regulations. NEUTRAL
		PAN 66	Best practice in Handling Planning applications affecting trunk roads	Yes	NEUTRAL
	Regional	Ayrshire Joint Structure Plan - TRANS 3 Strategic Road Development	The Ayrshire Joint Structure Plan identifies the A77 as part of the strategic road network in need of investment. It identifies that improvements to the A77 are a priority stating that: ' <i>Upgrading the A77 between Kilmarnock and Stranraer that is experiencing increasingly high volumes of traffic and traffic safety issues on many parts of the route</i> '	Yes	The proposed bypass will support measures to improve safety on the Strategic Road Network and ensure it is maintained to a suitable standard to accommodate long distance traffic and HGV's.  POSITIVE
	Local	South Ayrshire Local Development Plan	The Local Development Plan (LDP) is the new strategic land use document that will replace the South Ayrshire Local Plan and the Ayrshire Joint Structure Plan as part of the wider modernisation of planning. It will set out strategic spatial priorities and policies for South Ayrshire and will secure land zoning for specified uses (e.g. land for housing/industry	N/A	As this is an emerging policy it cannot be appropriately assessed.

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			etc.) to provide increased certainty for development. This plan is expected to be adopted in 2014.		
Air Quality	National	PAN 51 Planning and Environmental Protection	Outlines the main environmental protection and pollution control legislation.	Yes	All predicted pollutant levels will be well below national air quality objectives, and with mitigation measures in place pollution during construction will be controlled and kept to a minimum. (Refer to Chapter 4 - Air Quality)  POSITIVE
		Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007	Sets national air quality standards to protect human health.	Yes	
		Air Quality (Scotland) Regulations 2000 (subsequently amended 2007)	Sets national air quality standards to protect human health.	Yes	
	Regional	Ayrshire Joint Structure Plan ENV11 – Air, Noise and Light Pollution	The Ayrshire Councils will not be supportive of new development that would expose large numbers of people to unacceptable levels of air, noise and light pollution.	Yes	
Cultural Heritage	National	Scottish Planning Policy (SPP) Historic Environment (paragraphs 110-112)	Protection, conservation and enhancement of ancient monuments, archaeological sites and landscapes, historic buildings, townscapes parks gardens and designated landscapes.	Yes	No designated assets of cultural heritage are present within the scheme boundaries.  NEUTRAL

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		SPP Listed Buildings (paragraphs 113-114)	Preservation and protection of the building or its setting, protection of its special interest. New development should retain and enhance the special interest, character and setting of the listed building.	Yes	There is one listed building within 300m of the proposed scheme. There will be a minor adverse impact on East Enoch House.  NEUTRAL
		SPP Conservation Areas (paragraphs 115-117)	Preservation or enhancement of character or appearance of the conservation area.	Yes	The conservation area covers the centre of Maybole and is not considered a constraint to development. Furthermore the reduction in traffic will have a beneficial effect and enhance the character and appearance of the area. POSITIVE
		SPP Scheduled Monuments and Designated Wrecks (paragraphs 118-119)	Protection of monuments and their settings.	Yes	No scheduled monuments within the route of the scheme.  NEUTRAL
		SPP World Heritage Sites (paragraphs 120-121)	Protection and enhancement of the site and its settings.	(Yes n/a)	No designated World Heritage Sites within the route of the scheme.  NEUTRAL
		SPP Gardens and Designated Landscapes (paragraphs 122-124)	Protection, preservation and enhancement of gardens and designed landscapes.	(Yes n/a)	No Gardens or Designed Landscapes within the route of the scheme.  NEUTRAL
		Planning Advice Note	Offers planning advice on	Yes	From the Cultural Heritage chapter a



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		(PAN) 2/2011: Planning and Archaeology	archaeological sensitive sites.		Historic Building is located at East Enoch House (298m from new alignment) and has been described as a long low facade probably marking an earlier structure. An archaeological watching brief will be carried out during any excavation work as a precaution to prevent damage to unrecorded sites or finds of archaeological interest. Any findings or risk to artefacts will be mitigated.  NEUTRAL
		PAN42 Archaeology	Covers sites and monument records, development plans and applications. Specific requesting an EA and the provision of an ES outlining the effects of development on the environment including archaeological and cultural heritage features.	Yes	There is potential to discover previously unidentified archaeological remains during excavations. A specialist archaeological sub-contractor will be on site during this phase. Any discoveries will be reported to Historic Scotland and the West of Scotland Archaeological Service.  NEUTRAL
		PAN60 Planning for Natural Heritage	Offers guidance on the treatment of natural heritage in development plans. Specifically guidance in safeguarding landscape quality in designated areas and the assessments required.	Yes	
	National	SHEP (Scottish Historic Environmental Policy) (Dec 2011)	Protection and enhancement of the historic environment.	Yes	The scheme is in line with the policy documents for Built Heritage and with mitigation measures in place the

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
	Regional and Local	Ayrshire Joint Structure Plan (JSP) – ENV 6 – Protection of Built Heritage	Local plans shall prepare detailed policies to protect and enhance built heritage resources.	Yes	scheme will be compliant with any policies and plans.  NEUTRAL
		BE2 South Ayrshire Local Plan Retention of Listed Buildings	This policy requires the Council to protect listed buildings and their settings from inappropriate development.	Yes	There is one listed building within 300m of the proposed scheme. There will be a minor adverse impact on East Enoch House.  NEUTRAL
		BE3 South Ayrshire Local Plan Safeguard character of conservation area	The policy requires all new developments to preserve or enhance the character or appearance of a conservation area. There are 19 areas within South Ayrshire designated as conservation areas due to their architectural or historic merit.	Yes	The conservation area covers the centre of Maybole and is not considered a constraint to development. Furthermore the reduction in traffic will have a beneficial effect and enhance the character and appearance of the area.  POSITIVE
		BE4 South Ayrshire Local Plan Encourage upgrading and enhancement of conservation areas.	This policy requires the Council to encourage, and where feasible, implement the upgrade and enhancement of conservation areas.	Yes	
		BE5 South Ayrshire Local Plan Design Guidance Standards within	This policy prescribes design criteria for proposed developments sited within a conservation area.	Yes	

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		conservation areas (design panel)			
		BE6 South Ayrshire Local Plan Protection of ancient monuments and archaeological sites	This policy requires the Council to protect scheduled ancient monuments and archaeological sites.	Yes	There is potential to discover previously unidentified archaeological remains during excavations. A specialist archaeological sub-contractor will be on site during this phase. Any discoveries will be reported to Historic Scotland and the West of Scotland Archaeological Service.  NEUTRAL
		BE7 South Ayrshire Local Plan Recording of archaeological resources required prior to development affecting them.	If the benefits of a proposed development outweigh the benefits of preserving archaeology resources, developers must ensure proper excavation and recording of possible remains.	Yes	
Ecology and Nature Conservation	National	PAN60 Planning for Natural Heritage	Offers guidance on biodiversity.	Yes	Ecological surveys have been undertaken, fields signs of badgers (protected in the UK) and their setts were observed.  No bat roosts were identified within the proposed alignment however moderate bat activity was observed, Bats are a European Protected Species.  Otter are active in many of the watercourses and habitat through which the proposed route will pass. Otter, a European Protected Species are also a
		The UK Biodiversity Action Plan (UKBAP) (1994)	The UK government s commitment to the world-wide aim of conserving biodiversity.	Yes	
		The Scottish Biodiversity Strategy (2004)	A strategy for the conservation and enhancement of biodiversity in Scotland. The strategy maps out a 25 year framework for action to conserve and enhance biodiversity for the health, enjoyment and well-being of all the people of Scotland.	Yes	



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		The Scottish Biodiversity List (2005)	The Scottish Biodiversity List is a list of animals, plants and habitats that are considered to be of principal importance for biodiversity conservation in Scotland. The list was published in 2005 to satisfy the requirement under the Nature Conservation (Scotland) Act 2004	Yes	Scottish Biodiversity List species and have a Species Action Plan in place under UKBAP. The scheme area is of ornithological importance supporting a number of RSPB red and amber listed birds of conservation concern, also UKBAP priority species.
		SPP Local Designations (paragraphs 139-141)	Covers protection and enhancement of local designations.	Yes	Appropriate mitigation is to be put in place.
		SPP Protected Species (paragraphs 142–145)	Covers planning and development consideration and decisions in relation to protected species.	Yes	Refer to Chapter 6 Ecology and Nature Conservation for further details.  NEUTRAL
		SPP International Designations (paragraphs 134-136)	Covers development affecting Natura 2000 sites, SACs, SPA's Ramsar Sites and SSSI's.	Yes (n/a)	There are no statutory designated site located within 2km of the proposed scheme, and no SAC's, cSAC's, orpSAC's located within 30km of the scheme with bats as a qualifying interest.  NEUTRAL
		SPP Trees and Woodland (paragraphs 146-148)	Covers protection and enhancement of woodland.	Yes	Loss of trees will be remedied by replacement planting. There is also scope to include some small areas of woodland planting, and consideration will be given to off-site planting





**Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies**

Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
					schemes. The proposed route alignment does not encroach on the Redbrae Tree Preservation Order (TPO) therefore there will be no impact on the trees growing within the TPO.  POSITIVE
	Regional and Local	Ayrshire Joint Structure Plan 2007 ENV2 – Landscape protection	In sensitive Landscape Character Areas the protection and enhancement of the landscape shall be given full consideration in the preparation of local plans and the determination of planning applications.	Yes	Proposed scheme is in close proximity to areas designated as ‘Sensitive Landscape Character/Landscape Protection area’  NEUTRAL
		Ayrshire Joint Structure Plan ENV4 - Green Network	Development within, adjacent to or affecting areas identified as ‘Green Network’ should be designed to enhance the landscape quality and expand habitat potential within the area.	Yes	Scheme runs through area designated as ‘Green network’  NEUTRAL
		Ayrshire Joint Structure Plan 2007 ENV7 – Natural Heritage Designations	Ayrshire Councils shall support the identification of additional Local Nature Reserves and continue to work with other stakeholders to implement the Ayrshire Local Biodiversity Action Plan.	Yes	Otter are a Key Ayrshire Species on the Ayrshire Biodiversity Action Plan.  NEUTRAL
		Ayrshire Local Biodiversity Action Plan (2007-2010)	Identifies priority habitats and species which require attention. It sets out the		

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			specific actions which are required.		
		South Ayrshire Local Plan ENV1	<p>To protect existing and proposed – -SAC's and SPA's unless there are imperative reasons of over-riding public interest and there is no alternative solution: and</p> <ul style="list-style-type: none"> <li>- SAC's and SPA's unless there are imperative reasons of over-riding public interest and there is no alternative solution: and</li> <li>- SSSI unless any adverse effects are outweighed by social or economic benefits of national importance</li> </ul>	Yes	<p>There are no statutory designated site located within 2km of the proposed scheme, and no SAC's, cSAC's, orpSAC's located within 30km of the scheme with bats as a qualifying interest.</p> <p>NEUTRAL</p>
		South Ayrshire Local Plan ENV2	<p>Policy in favour of safeguarding the integrity of sites of local natural heritage value:</p> <ul style="list-style-type: none"> <li>- Local Nature reserves; and</li> <li>- Sites containing species protected by the Habitats Directive, Wildlife and Countryside Act 1981 or the Badgers Act 1992; and</li> <li>- Wildlife sites and provisional wildlife sites; and</li> <li>- Ornithological sites.</li> </ul>	Yes	<p>Field surveys have identified badger setts within the scheme area.</p> <p>The scheme area supports a number of RSPB red and amber listed birds of conservation concern, also UKBAP priority species</p> <p>NEUTRAL</p>



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Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		South Ayrshire Local Plan ENV3	A policy set out to safeguard nature conservation features (including woodlands, hedgerows, lochs, ponds, watercourses, wetlands and wildlife corridors in accordance with the wildlife strategy.	Yes	Hedgerows with trees will be bisected as a result of the proposed scheme. A small amount of trees will also be lost. With appropriate replanting and mitigation in place the effects will be kept to a minimum.  NEUTRAL
		South Ayrshire Local Plan ENV5	A policy set out to safeguard from development all green spaces which are important to local amenity or recreational use.	Yes	No green spaces will be affected by the proposed scheme.  POSITIVE
		South Ayrshire Local Plan ENV7	A policy to protect the banks of the River Doon and River Ayr for their nature conservation interests, landscape importance and informal recreation	Yes	The proposed scheme is not located within the vicinity of the River Ayr or River Doon.  POSITIVE
		South Ayrshire Local Plan ENV11	A policy detailing the Councils support for tree planting/greening and woodland planting schemes to improve the landscape and provide ecological benefits.	Yes	Loss of trees will be remedied by replacement planting. There is also scope to include some small areas of woodland planting, and consideration will be given to off-site planting schemes.
		South Ayrshire Local Plan ENV12	The council is required to assess proposals involving loss of, or works to, trees in particular those covered by a provisional or confirmed tree	Yes	The proposed route alignment does not encroach on the Redbrae Tree Preservation Order (TPO) therefore the will be no impact on the trees growing

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			preservation order.		within the TPO.  POSITIVE
Landscape Effects	National	PAN60 – Planning for Natural Heritage	Offers guidance on the treatment of natural heritage in development plans. Specifically guidance in safeguarding landscape quality in designated areas and the assessments required. How development and the planning system can contribute to conservation, enhancement, enjoyment and understanding of Scotland’s Natural environment and encourages developers to be positive and creative in addressing natural heritage issues.	Yes	The proposed works are in general all compliant with the national policies. Impacts on landscape and visual effects will be kept to a minimum and appropriate mitigation measures will be put in place to ensure this.  – see Chapter 7 Landscape effects.  NEUTRAL
		PAN65 Planning and Open Spaces	Gives advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces.	Yes	
		SPP Landscape and Natural Heritage (paragraphs 125-133)	Covers planning to support the landscape and natural heritage, planning authorities should seek benefits for species and habitats from new development and prevent further fragmentation or isolation of habitats and identify opportunities to restore	Yes	

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			links which have been broken, aim to facilitate positive change whilst maintaining and enhancing distinctive character.		
	Regional and local	South Ayrshire Local Plan ENV5	The Council will presume in favour of safeguarding from development all green spaces which are important to local amenity or recreational use. Recreational spaces includes sports fields, pitches, greens and other similar open air facilities. Those green spaces which are identified on the Proposals Map make, in addition to their local importance a valued and valuable contribution to the wider environment.	Yes	A local recreational site, currently used as a football pitch, is located on the north-west corner of Maybole, to the rear of Enoch Road. However, the proposed scheme does not pass through this site.  POSITIVE
		South Ayrshire Local Plan ENV8 Protection of Scenic areas	This policy looks at the acceptability of proposals located within or having an impact on, scenic areas, and considers: <ul style="list-style-type: none"> <li>• The significance of impacts and cumulative impacts on the environment, particularly landscape and visual impacts; and where relevant</li> <li>• The extent of any economic benefit; or</li> <li>• Specific, justified requirement for a rural location.</li> </ul>	Yes	The scheme is located within or in close proximity to an area defined as 'Sensitive Landscape Character/Landscape protection area'.(AJSP) or National Scenic Area (SALP)  Approximately 1km north-west of Maybole the Carrick Hills and mainly upland area of South Carrick have been awarded Scenic Area status.  No impacts are predicted from the scheme on Sensitive Landscape areas.
		Ayrshire Joint Structure	Development that affects a National		Yes

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		Plan ENV2 Landscape Protection	Scenic Area will only be permitted where it had been demonstrated ; a) the overall objective of the designated area and the overall integrity of the area would not be compromised; or b) any significant adverse effects on the quality for which the area has been designated are clearly outweighed by social or economic benefits of national importance. c) In Sensitive Landscape Character Areas the protection and enhancement of the landscape shall be given full consideration in the preparation of local plans and the determination of planning applications.		Potential impacts on the environment and landscape will be considered even though the scheme is not specifically identified as being within a designated scenic area.  NEUTRAL
		South Ayrshire Local Plan ENV10	The council will seek to safeguard historic gardens and designed landscapes. Proposals affecting these areas will be considered in terms of landscape impact and in relation to their history, architecture, horticulture and nature conservation.	Yes	The local area contains one landscape, Culzean Castle Garden and Designed Landscape, however this is not included in the study area.  NEUTRAL
		Ayrshire Joint Structure Plan ENV1 Landscape Quality	The quality of Ayrshire’s landscape and its distinctive local characteristics shall be maintained and enhanced. In providing for new development, particular care shall be taken to	Yes	Impacts on landscape and visual effects will be kept to a minimum with appropriate mitigation measures as discussed in chapter 7.

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			<p>conserve those features that contribute to local distinctiveness including;</p> <p>A) Settings of communities and buildings within the landscape;</p> <p>B) patterns of woodland, fields, hedgerows and tree features;</p> <p>C) special qualities of rivers, estuaries and coasts;</p> <p>D) historic landscapes; and</p> <p>E) skylines and hill features, including prominent views.</p>		NEUTRAL
		Ayrshire Joint Structure Plan ENV4 – Green Network	<p>A) To develop and promote a Green Network for Ayrshire.</p> <p>B) Development within, adjacent to or affecting the areas identified in the Green Network should be designed to enhance the landscape quality and expand the habitat potential of the areas concerned.</p> <p>C) Within the investment corridors the three Councils shall ensure that landscape setting of communities, and the opportunities to link green spaces within and outside communities shall be an integral consideration in the assessment of all local development proposals.</p>	Yes	<p>The A77 and proposed bypass passes through an area designated as ‘ Green Network (Ayrshire Joint Structure Plan) / Rural Protection Area (South Ayrshire Local Plan)’</p> <p>NEUTRAL</p>

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		South Ayrshire Local Plan STRAT3 – Rural protection Area	<p>Whilst the Greenbelt covers closely defined areas and protects sensitive environments susceptible to development pressure, some areas beyond the Greenbelt are also under pressure for development, especially those areas within a short travel time from major towns. The designation of the Rural Protection Area is recognition of these pressures and the need to protect the area from inappropriate non rural – based uses or sporadic development.</p> <p>STRAT3 states: Development within the Rural Protection Area (including a change of use or intensification of use) will require to be justified, to the satisfaction of the Council in terms of being: A non residential use requiring a rural location due to its inappropriateness within a settlement;</p>	Yes	
		Ayrshire Joint Structure Plan ENV5 Woodland Strategy	Proposals for woodland and forestry will be supported where they are consistent with the objectives and key actions of the Ayrshire and Arran Woodland Strategy and consistent with policies in both the structure plan	Yes	The proposed route alignment does not encroach on the Redbrae Tree Preservation Order (TPO) therefore there will be no impact on the trees growing within the TPO.





Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			and local plans.		
		South Ayrshire Local Plan ENV11	The Council will generally support tree planting/greening and woodland planting schemes which will improve the landscape and provide ecological benefits, especially where these also offer benefits for public access, recreation, education provision or will assist in the restoration of despoiled or degraded land	Yes	Loss of mature trees will be remedied by replacement of standards within the hedge.  There is also scope to include some small areas of woodland planting, both tree, hedge and an understorey of native shrubs, and consideration will be given to off-site planting schemes.
		South Ayrshire Local Plan ENV12	In assessing development proposals involving loss of, or works to, trees the Council will consider the extent of any adverse impact on the locality and will include as part of its assessment of such development proposals measures to safeguard trees, especially those covered by a provisional or confirmed tree preservation order.	Yes	Loss of ash trees will be remedied by planting semi-mature trees of different species in accordance with guidance recommended in relation to ash dieback replacement  Loss of any mature trees in the study area will be remedied by planting semi-mature trees of the owner's choice and at least on a 2:1 basis  POSITIVE
Land Use	National	PAN33 Development of Contaminated Land	Provides information on identifying, assessing and developing contaminated land.	Yes	No contaminated land is anticipated to be impacted by the proposed bypass.  POSITIVE
		SPP Rural Development	Enable development in all rural areas which supports prosperous and sustainable communities	Yes	The scheme will have a positive effect on Maybole town centre environment. Mitigation measures will be put in place

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			whilst protecting and enhancing environmental quality. New developments should fit into the landscape and seek to achieve high design and environmental standards.		to enhance habitats and biodiversity.  POSITIVE
	Local	South Ayrshire Local Plan ENV13 – Protection of prime quality agricultural land.	There is a presumption in favour of protecting prime quality agricultural land where an alternative location for the development may exist.	Yes	The proposed bypass will result in unavoidable loss of agricultural land, the predominant land use through the scheme is agricultural Grade 3.  NEUTRAL
		Ayrshire Joint Structure Plan (2007) – TRANS 3 – Strategic road development	States that ‘The three Ayrshire Councils shall work in partnership with relevant transport bodies to:  Give priority to the study and if appropriate the promotion and development of:  Improvements to A77 between Kilmarnock and Stranraer’	Yes	The proposed bypass lies between Kilmarnock and Stranraer. It will lead to a safer route for vehicle travellers, and reduced congestion in Maybole town Centre.  POSITIVE
		South Ayrshire Local Plan BE 8 – Development within countryside estates.	This policy considers development within country estates. There are 21 properties within South Ayrshire considered to be ‘Country Estates’	Yes (n/a)	Drumellan Country House is located south of the A77, 800m north east of Maybole. It is designated as a “Country Estate” however it is not within the scheme extents.  NEUTRAL

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
Noise and Vibration	National	PAN1/2011:Planning and Noise	Provides advice on the role of the planning system in helping to prevent and limit adverse effects from noise. It covers general principles, noise policies in development plans, development control, mitigating noise impact, noisy development, designated areas and the countryside.	Yes	South Ayrshire Council's Environmental Health Department will be consulted in relation to noise impacts associated with construction activities and to discuss the proposed duration and working hours. Engagement with Local Authority and residential properties will be sought during the works.  There are no environmental designations surrounding the area which may be impacted upon.  Refer to Chapter 9 – Noise and Vibration  POSITIVE
		PAN51 Planning, Environmental protection and regulation	Information relating to noise and statutory nuisance, gives guidance on noise levels and acceptable levels in relation to the effect on human health.		
		The Control of Pollution Act 1974	Section 61 of this act sets out procedures for those undertaking works to obtain a 'prior consent' for construction works within agreed noise limits		
	Regional	Land Compensation (Scotland) Act 1973	Where noise from a new or altered road exceeds a certain trigger level and meets other qualifying criteria the Act provides for insulation work to be carried out or a grant to be made in respect of that insulation work. Under the NISR (Noise Insulation Regulations (Scotland) Regulations1975) the Act has the right to compensation for depreciation in the value of land	Yes	With the proposed scheme no dwellings qualify for noise insulation under NISR  POSITIVE

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			caused by public works. Claims can be made under Part 1 of the Act from one to seven years after opening of the road project.		
		Noise Insulation (Scotland) Regulations (NISR) 1975.	Provides information regarding statutory nuisance and noise. Imposes a duty on authorities to provide, or make a grant towards installation of noise insulation at eligible properties affected by new roads or an altered road, specifically residential properties within 300m and the noise level reaches or exceeds 68 dB(A)L10(18hr) with at least 1dB(A) resulting from the increase in traffic.		With the proposed scheme no dwellings qualify for noise insulation under NISR  POSITIVE
	Regional	Ayrshire Joint Structure Plan ENV11 – Air, Noise and Light Pollution	The Ayrshire Councils will not be supportive of new development that would expose large numbers of people to unacceptable levels of air, noise and light pollution.	Yes	With the proposed scheme large numbers of people will not be exposed to unacceptable levels of air, noise and light pollution. Noise and vibration impacts will be kept to a minimum with appropriate mitigation measures.  POSITIVE
Pedestrians, Cyclists,	National	PAN75 Planning for Transport	Provides linkages between transport, including walking and cycling, and	Yes	Within the study area six roads have been identified as having importance to

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
Equestrians and Community Effects			land use planning. The general aim of this policy is to achieve better and earlier integration between transport and land use planning at national, regional and local level		pedestrians. Impacts on pedestrians, cyclists, equestrians and the community will be kept to a minimum with appropriate mitigation measures.  NEUTRAL
		SPP (Transport)	Planning for Transport promotes an integrated approach to land use, economic development, transport and the environment. To achieve this requires consideration of the following objectives:  To meet European and UK commitments and targets on greenhouse gases and local air quality  To maintain and enhance the natural and built environment, through avoiding or mitigating adverse environmental impacts, minimising environmental intrusion and retaining, improving and enhancing areas for biodiversity  To maintain and enhance the quality of urban life, particularly the vitality.	Yes	The proposed bypass will have a positive impact on local economic, safety and environmental issues.  POSITIVE
	Regional	Ayrshire Joint Structure Plan TRANS 3 Strategic Road Development.	Develop and promote improvements to other parts of the strategic road network in the investment corridors, including traffic relief for communities	Yes	Reduced through traffic for Maybole town centre will improve safety for pedestrians within the town, the bypass will provide a more suitable road link for



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			and the safeguarding of land for strategic road network enhancement where appropriate. To support measures to improve safety on the strategic road network and ensure it is maintained to a suitable standard to accommodate long distance traffic and freight movements.		long distance traffic and freight.  POSITIVE
		South Ayrshire Local Plan SERV8	The council will seek the provision, improvement and protection from loss or detriment of pedestrian routes, footpaths, cycleways and cycle parking facilities throughout South Ayrshire and will seek their inclusion in new or redevelopment sites.	Yes	South Ayrshire Councils Interim Draft Core Path Plan (Feb 2009) identifies Core Path SA1 (National Cycle Route 7) within the study area. This will not be affected long term.  Consultation with ScotWays indicated that within the National Catalogue of Rights of Way, there are no rights of way affected by the bypass.
		South Ayrshire Local Plan SERV9 -	The council will protect disused railway lines, riverside walkways and recognised rights of way which are currently of recreational value, or which contribute to an established footpath or cycleway network and will seek to protect others for potential future footpath/cycleway provision.	Yes	The needs of pedestrians and others are taken into account and no significant impact is predicted in pedestrian and others journey length or travel patterns.  POSITIVE
		South Ayrshire Local Transport Strategy – Rural speed management	The councils aim is to monitor; investigate, identify the causes and put in place schemes to reduce the	Yes	The proposed bypass avoids an accident hotspot at Smithson Railway Bridge north of Maybole.

Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			number and severity of the accidents.		POSITIVE
Vehicle Travellers	National	PAN75 Planning for Transport	Planning for Transport provides linkages between transport, and land use planning. The general aim of this policy is to achieve better and earlier integration between transport and land use planning at national, regional and local level.	Yes	This will have a significant positive effect on the STN and PAN75. The proposed scheme for a bypass will improve the route along the A77 for vehicle travellers.  Refer to chapter 11 – Vehicle Travellers POSITIVE
		SPP Strategic Transport Network (STN) (Paragraphs 174-176)	The strategic transport network, which includes the trunk road, motorway and railway networks, is critical in supporting a level of national connectivity that facilitates sustainable economic growth. The STN’s primary purpose is to provide for the safe and efficient movement of strategic long distance traffic between major centres.	Yes	
	Regional and local	Ayrshire Joint Structure Plan TRANS 3 Strategic Road Development	This policy directs councils to promote and develop improvements to the key strategic network, focussing specifically on four key routes including ‘ <i>Improvements to A77 between Kilmarnock and Stranraer</i> ’.  Also to support measures to improve safety on the strategic road network	Yes	The scheme lies within one of the key routes – A77 between Kilmarnock and Stranraer.  The proposed bypass will have a positive impact on vehicle travellers including freight vehicles, improved road conditions, reduced travel times with less congestion and avoiding Smithson



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
			and ensure it is maintained to a suitable standard to accommodate long distance traffic and freight movements.		Railway bridge (an accident hotspot) will provide a safer route for all travellers with reduced driver stress.  POSITIVE
		South Ayrshire Local Plan SERV4	Sets out the proposals and policies for the management of transport and traffic. The council will review the transport network with the relevant controlling authority, to identify and implement, or encourage implementation of appropriate solutions to any problems on the transport network which may arise.	Yes	Maybole town centre is adversely affected by high volumes of traffic. Construction of a bypass will divert the heavy traffic flow away from the town centre reducing congestion, climbing lanes will enable safe overtaking opportunities and there will be a reduction in traffic passing the Smithson Railway Bridge accident hotspot area.  POSITIVE
		South Ayrshire Local Plan STRATEGIC POLICY SERV5	RECOMMENDATION 1 The Council strongly advocates the following road improvement schemes and recommends to the relevant implementing agency that they be treated as priority schemes. - A77 trunk bypass route for Maybole	Yes	Maybole bypass is listed as a priority scheme within this policy and it therefore in accordance with 'Recommendation 1'  POSITIVE





Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
Road Drainage and the Water Environment	National	SPP Flooding and Drainage (paragraphs 196-211)	Guidance on development which should not take place if the development is liable to flooding itself or to increase the likelihood of flooding elsewhere. Flood risk should be taken into account before committing to development. Also flood risk management, risk framework, flood protection, land-raising and drainage and culverts.	Yes	According to SEPA's flood mapping, the proposed scheme is not located within any areas prone to flooding however, South Ayrshire Council Development and Environment highlighted that part of the route is located on an identified local flood risk site at Bankend Bridge.  NEUTRAL
		PAN51 Planning and Environmental Protection	Provides information relating to pollution of controlled waters and drinking water quality. Predominantly concerned with the total effects which a development has on its surrounding water environment.	Yes	South Ayrshire Council Environmental Health confirmed that there will be no effect on private water supply. NEUTRAL
		PAN61: Planning and Sustainable Urban Drainage Systems	Offers practical advice for planners and the development industry on Sustainable Urban Drainage Systems.	Yes	Run off from the road will be treated via installation of a suitably designed outfall culvert to a SuDS basin at the south tie-in where the scheme commences.  NEUTRAL
		PAN79: Water and Drainage	Defines the role of the planning authority in the planning and delivery of new water infrastructure in a co-ordinated way. It explains the roles of Scottish Water and SEPA and encourages joint working.	Yes	South Ayrshire Council Development and Environment highlighted that part of the route is located on an identified flood risk site at Bankend Bridge.



**Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies**

Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
	local	South Ayrshire Local Plan SERV16	In areas that the council considers to be of potential flood risk, the advice of the Scottish Environment Protection Agency (SEPA) will be sought to ensure that development only takes place where the applicant is able to prove that the proposal is not threatened by flood risk, or that the threat can be managed to the satisfaction of SEPA.		Amey have consulted with SEPA 16 <sup>th</sup> May 2013 to discuss the proposed scheme and its implications on road drainage and the water environment. Further to this SEPA commented that there will be no objection to this proposal but state that, "Run off from the road must be treated via a suitably designed SuD system."
		Ayrshire Joint Structure Plan ENV9 Water Framework Directive (WFD)	Ayrshire Councils will work closely together with other agencies to introduce the WFD into planning policies.		POSITIVE
		Ayrshire Joint Structure Plan ENV8 Flooding	In accordance with the policy in SPP, development proposals which would be at significant risk of flooding or which would increase the probability of flooding elsewhere will not be permitted. Local plans will apply the policy in the light of SEPA's flood risk maps.  Ayrshire councils will take into account the need to preserve, enhance and create water storage areas such as flood meadows, to reduce the risk of flooding in built up areas.	Yes	According to SEPAs flood mapping, the proposed scheme is not located within any areas prone to flooding however, South Ayrshire Council Development and Environment highlighted that part of the route is located on an identified local flood risk site at Bankend Bridge.  NEUTRAL
		Ayrshire Joint Structure Plan IMP2 – Water and	The plan encourages the partnership and liaison with Scottish Water and	Yes	During the compilation of the environmental statement consultation



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
		Sewerage Infrastructure	Scottish Environment Protection		with Scottish Water and SEPA with regards to the drainage system  POSITIVE
Geology, Soils and Contaminated Land	National	PAN33 Development of Contaminated Land	Provides information on identifying, assessing and developing contaminated land.	Yes	Amey's contamination investigations (Amey, 2012& 13) have identified no risks to human health or groundwater with the exception of Made Ground encountered between chainage 3000 and 3250 exhibiting concentrations of contaminants in slight exceedance of applicable Environmental Quality Standards. This risk will effectively be removed during construction as the Made Ground lies within an area of proposed cutting.  NEUTRAL
		PAN63 Waste Management Planning	Policy providing guidance on waste	Yes	Earthworks quantities for the bypass are as follows:
		SPP Waste Management (paragraphs 212-224)	Provides guidance on waste management in relation to development, waste management facilities, landfill.	Yes	Excavated – 545,000m <sup>3</sup> Imported – 0m <sup>3</sup> Reused – 545,000m <sup>3</sup> Disposal – 0m <sup>3</sup>  All re-usable material on site will be utilised for embankment or landscape fill construction. This will reduce the



Table 14.1 Impacts and Compatibility with proposed A77 Maybole bypass with Plans and Policies					
Topic	Level of Policy	Policy Document	Description	Compliance	Policy Assessment
					amount of waste leaving the site which will reduce carbon emissions.  POSITIVE
		SPP Rural Development (paragraphs 97)	Provides guidance on government policies for development on agricultural soils/land.	Yes	The potential loss of some agricultural soils and potential loss of quality in any soils which are retained for re-use would have an impact. However, careful soil handling would ensure that there would be no absolute loss of agricultural soils and that any loss of quality would be minimised,  NEUTRAL
	Local	South Ayrshire Local Plan RE3 – Safeguarded Mineral Deposits	Seek to ensure that known mineral deposits are not permanently sterilised by development proposals	Yes	There would be no adverse effects on geology arising from the proposed Maybole Bypass as there are no existing designated geological sites in the study area. During the earthworks phase of construction, geologically important strata may be exposed in cuttings and excavations. If geologically important strata are identified, their potential value would be assessed. Geological monitoring would be undertaken during the earthworks phase of construction as appropriate.  NEUTRAL

## **14.5. Conclusions**

- 14.5.1. The design and location of the proposed realignment of a section of the A77 Trunk Road to bypass Maybole addresses relevant planning policy and guidance. The scheme addresses existing traffic problems for the community of Maybole and the bottleneck for strategic traffic through the town, partly due to the large number of cars and heavy goods vehicles (HGVs) using the A77 to travel to the port facilities at Cairnryan. The bypass, with climbing lanes for overtaking incorporated into the design, will have a positive impact on driving conditions, improving traffic flow, reducing congestion and reducing driver stress. Road safety is also promoted within the scheme through addressing a fatal accident cluster at the Smithson railway bridge north of Maybole. This trunk road improvement proposal is also one of a series of improvements designed to assist the integration of road freight transport and the ferry ports.
- 14.5.2. A landscape design has been developed for the scheme with proposals considering any potential visual impacts of the scheme in terms of the surrounding landscape. The aim is to blend the new route into the existing landscape as much as possible, and enhance native species growth and biodiversity.
- 14.5.3. The scheme meets the objectives of assessing road schemes against economy, safety, environmental impact, accessibility and integration issues. In addition the scheme also reflects the objective of minimising the impacts of roads and traffic on the global and more local environment through the implementation of appropriate mitigation measures as discussed in each chapter.
- 14.5.4. The majority of materials that will be produced from areas of cutting are considered to be suitable for re-use in the scheme. This may include using it to fill areas to form embankments or for general use in site re-profiling. There is a very small constituent of soils showing elevated levels of leachable contaminants however these could also be re-used if placed under areas of hard standing. Considering the volumes that require cutting (545,000m<sup>3</sup>) and up-filling (475,000m<sup>3</sup>) there would be an excess material balance of 70,000m<sup>3</sup> of material. Sustainable options for reuse of this material include, on-site landscaping or off-site use as construction products subject to compliance with a waste recovery protocol such as WRAP (*The Quality Protocol for the production of aggregates from inert wastes in Scotland, 2004*).
- 14.5.5. The proposed scheme is therefore compliant with national, regional and local planning policies.