South Lanarkshire Local Plan

Volume II
Development Policies
Guidance and Appendices

Adopted 23rd March 2009

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## Contents

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Introduction</td>
<td>6</td>
</tr>
<tr>
<td>2 Countryside and Rural Economy</td>
<td>8</td>
</tr>
<tr>
<td>Stimulating the Rural Economy</td>
<td>14</td>
</tr>
<tr>
<td>Guidance Notes for Countryside and Rural Economy Policy</td>
<td>17</td>
</tr>
<tr>
<td>3 Industrial Areas</td>
<td>22</td>
</tr>
<tr>
<td>4 Transportation Policies</td>
<td>26</td>
</tr>
<tr>
<td>5 Protection of the Natural and Built Environment</td>
<td>30</td>
</tr>
<tr>
<td>Natural and Built Heritage</td>
<td>34</td>
</tr>
<tr>
<td>Landscape</td>
<td>40</td>
</tr>
<tr>
<td>6 Design</td>
<td>44</td>
</tr>
<tr>
<td>Rural Design</td>
<td>50</td>
</tr>
<tr>
<td>7 Water, Foul Drainage and Sewerage Supply</td>
<td>54</td>
</tr>
<tr>
<td>8 Sustainable Urban Drainage Systems</td>
<td>58</td>
</tr>
<tr>
<td>9 Renewable Energy</td>
<td>60</td>
</tr>
<tr>
<td>10 Waste Management</td>
<td>66</td>
</tr>
<tr>
<td>11 Development Management Policies</td>
<td>70</td>
</tr>
<tr>
<td>Development Management, Enforcement and Monitoring Policies</td>
<td>70</td>
</tr>
<tr>
<td>House Extensions and Alterations</td>
<td>73</td>
</tr>
<tr>
<td>Guidance Note - House Extensions and Alterations</td>
<td>73</td>
</tr>
<tr>
<td>Sub-Division of Garden Ground</td>
<td>78</td>
</tr>
<tr>
<td>Conversion of Outbuildings</td>
<td>80</td>
</tr>
<tr>
<td>Granny Annexes</td>
<td>80</td>
</tr>
<tr>
<td>Sub-Division of Residential Property</td>
<td>81</td>
</tr>
<tr>
<td>Demolition and Redevelopment for Residential Use</td>
<td>83</td>
</tr>
<tr>
<td>Hot Food Shops</td>
<td>84</td>
</tr>
<tr>
<td>Advertisement Hoardings</td>
<td>86</td>
</tr>
<tr>
<td>Telecommunications Development</td>
<td>88</td>
</tr>
<tr>
<td>Working from Home</td>
<td>91</td>
</tr>
</tbody>
</table>

*Volume II: Development Policies, Guidance and Appendices*
Contents

Mobile Snack Vans .................................................................................................................. 93

12 Housing Land .................................................................................................................... 96

13 Glossary of Terms ............................................................................................................. 114

14 Environmental Designated Sites ....................................................................................... 124

List of Policies and Proposals

CRE 1 Housing in the Countryside Policy .......................................................................... 8
CRE 2 Stimulating the Rural Economy Policy .................................................................. 14
ECON 13 Non-conforming Uses in Industrial Areas Policy ............................................. 22
TRA 9 Leisure Uses Parking Policy .................................................................................. 26
TRA 10 Town Centre Parking Policy ................................................................................. 27
ENV 20 Natura 2000 Sites Policy ...................................................................................... 30
ENV 21 European Protected Species .................................................................................. 31
ENV 22 New Lanark Development Assessment Policy ..................................................... 33
ENV 23 Ancient Monuments and Archaeology Policy ....................................................... 34
ENV 24 Listed Buildings Policy .......................................................................................... 35
ENV 25 Conservation Areas Policy ...................................................................................... 37
ENV 26 Sites of Special Scientific Interest/National Nature Reserves Policy ................. 38
ENV 27 Local Nature Conservation Sites Policy ............................................................... 38
ENV 28 Historic Gardens and Designed Landscapes Policy ........................................... 39
ENV 29 Regional Scenic Area and Areas of Great Landscape Value Policy .................... 40
ENV 30 New Development Design Policy ......................................................................... 44
ENV 31 New Housing Development Policy ...................................................................... 46
ENV 32 Design Statements Policy ....................................................................................... 48
ENV 33 Design Guides and Development Briefs Policy .................................................... 49
ENV 34 Development in the Countryside Policy ................................................................. 51
ENV 35 Water Supply Policy ............................................................................................... 54
ENV 36 Foul Drainage and Sewerage Policy ..................................................................... 54
ENV 37 Sustainable Urban Drainage Systems Policy ....................................................... 58
ENV 38 Renewable Energy Site Assessment Policy .......................................................... 60
ENV 39 Waste Management Site Assessment Policy ....................................................... 66
DM 1 Development Management Policy .......................................................................... 70
DM 2 General Enforcement Policy .................................................................................... 71
DM 3 General Monitoring Policy ......................................................................................... 72
DM 4 House Extensions and Alterations Policy ............................................................... 73
DM 5 Sub-Division of Garden Ground Policy ..................................................................... 78
DM 6 Conversion of Outbuildings Policy .......................................................... 80
DM 7 Granny Annexes Policy ........................................................................ 80
DM 8 Sub-Division of Residential Property Policy ........................................... 81
DM 9 Demolition and Redevelopment for Residential Use Policy .................. 83
DM 10 Hot Food Shops Policy ....................................................................... 84
DM 11 Advertisement Hoardings Policy ........................................................... 86
DM 12 Telecommunications Development Policy ............................................ 88
DM 13 Working from Home Policy .................................................................. 91
DM 14 Mobile Snack Vans Policy .................................................................. 93
1.0 Introduction
1 Introduction

Introduction

The South Lanarkshire Local Plan Volume II – Development Policies and Guidance, contains the development management policies which are most commonly used when assessing planning applications. They provide detailed criteria against which proposals will be considered, arising from the context set by the strategic policies contained within the Volume I of the Written Statement. It also contains development management policies which address particular forms of development which justify a specific policy response, together with additional guidance to assist applicants.

The document is divided into the following sections:

Countryside and Rural Economy
Industrial Areas
Transportation Policies
Protection of the Natural and Built Environment
Design
Water, Foul Drainage and Sewerage Supply
Sustainable Urban Drainage Systems
Renewable Energy
Waste Management
Development Management Policies
Appendices
1. Housing Land
2. Glossary of Terms
3. Environmental Designated Sites
2.0 Countryside and Rural Economy
2 Countryside and Rural Economy

CRE 1

Housing in the Countryside Policy

I New Houses

In the countryside, new houses will only be permitted in the circumstances outlined in policies STRAT 3, STRAT 4, STRAT 5 and STRAT 6 within Volume I Development Strategy. For new individual houses in the countryside there are a number of circumstances that may be acceptable, these are set out in parts 1 to 5 below.

All new housing proposals in the countryside will be subject to assessment against the following criteria:

a. The development of the proposed site will not extend, expand or intensify the grouping to the detriment of the local amenity and/or traffic safety.

b. The design and location of the proposed development does not adversely affect the character and amenity of its surroundings, particularly landscape, countryside amenity and nature conservation and built heritage interests.

c. The proposal for development of any particular site shows a satisfactory standard of integration with the adjoining development.

d. The proposed development complements the scale and character of the existing adjoining properties.

e. The proposed development meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.

f. The proposal complies with the Council’s policy on siting and design as contained in ENV 34 ‘Development in the Countryside Policy’.

g. The Council will require all new houses to incorporate on-site renewable energy equipment to reduce predicted carbon dioxide emissions by at least 10%.

II Extension of Existing Houses

Proposals for the extension of existing houses in the countryside shall be treated on their merits and subject to the following criteria:

a. The proposed extension should be of an appropriate scale and design to the original building and as a general rule, should appear secondary to the original building.
b. Extensions should be well integrated with the existing building and should not be prominent in the landscape. (Detailed guidance on house extensions also applies to residential properties in the countryside)

c. There should be no adverse impacts on natural or built heritage, or wildlife interests, including European Protected Species. Where such species exist on site, supporting information must be submitted with planning applications to demonstrate that there is no adverse impact on them.

Part 1 - Agricultural Dwellings

Favourable consideration for the erection of a new dwelling related to an agricultural holding/unit in the countryside will only be permitted where it can be demonstrated to the Council’s satisfaction that it is required to accommodate a full-time agricultural worker or worker employed in an appropriate countryside activity; and subject to assessment against the following criteria:

a. There are no opportunities to re-use, convert or renovate an existing building.

b. The new dwelling is located, wherever possible, beside or within an existing farmsteading.

c. The design and location of the proposed dwelling does not adversely affect the character and amenity of its surroundings, particularly landscape, countryside amenity and nature conservation interests.

d. The new dwelling complements the scale of the existing farmhouse and complies with the Council’s policy on siting and design as contained in ENV 34 ‘Development in the Countryside Policy’.

e. The new dwelling meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.

f. There is no adverse impact on or conflict with the operations of the existing farm or other operations.

Part 2 - Proposed dwelling with proposed associated business or enterprise

Where a proposed business or enterprise is to be located within the countryside (or where the business exists but has not yet been established as viable for a period of at least two years), and where these proposals include the erection of a new dwelling for occupation by a worker employed in that business, then the Council may issue permission for temporary residential accommodation on the site, subject to assessment against the following criteria:

a. The enterprise must constitute an appropriate countryside use, with evidence submitted to support its requirement for a countryside location;

b. Evidence is submitted to demonstrate a firm intention and ability to develop the enterprise;
Evidence that the proposed business has been planned on a sound financial basis and is economically viable (a business plan will require to be submitted);

d. Evidence is submitted which demonstrates that on-site residential accommodation is essential to the functional needs of the enterprise, not merely convenient;

e. The functional need for a worker cannot be fulfilled by another existing dwelling on the site, or by any other existing accommodation in the area which is suitable and available for occupation by the worker concerned;

f. There are no opportunities to re-use, convert or renovate an existing building on the site;

g. The design and location of the proposed temporary accommodation does not adversely affect the character and amenity of its surroundings, particularly landscape, countryside amenity and nature conservation interests;

h. The temporary accommodation complements the scale, design and character of the locality and complies with the Council’s policies on siting and design;

i. The temporary accommodation meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.

If the above criteria can be met, the Council will:

i. Limit the permission for temporary accommodation for a period of at most two years

ii. Limit the occupation of the accommodation to a person solely employed in the business/enterprise

iii. Require the removal of the temporary accommodation within 6 weeks of either the expiry of the permission or occupation of any subsequent permanent dwelling granted permission. Following the granting of a consent for temporary accommodation, any application for its replacement with permanent accommodation will be assessed against the criteria in Part 3.

**Part 3 - Existing business or enterprise with proposed associated dwelling**

Where an existing business or enterprise is located within the countryside, proposals for a new dwelling for occupation by a worker employed in that business will be assessed against the following criteria:

a. Evidence must be submitted to demonstrate that the existing business or enterprise has been established and viable for at least two years and is financially sound with a clear prospect of remaining so. A business plan must demonstrate that the income from the business can support the worker’s needs, the business premises and the associated residential accommodation which, with regard to financial viability, should be treated as part of the infrastructure of the business.
b. Evidence is submitted which demonstrates that the proposed dwelling is essential to the functional needs of the enterprise, not merely convenient

c. The need for a worker cannot be fulfilled by another existing dwelling on the site, or by any other existing accommodation in the area which is suitable and available for occupation by the worker concerned

d. There are no opportunities to re-use, convert or renovate an existing building on the site.

e. The new dwelling is located, wherever possible, beside existing buildings on the site.

f. The design and location of the proposed dwelling does not adversely affect the character and amenity of its surroundings, particularly landscape, countryside amenity and nature conservation interests.

g. The new dwelling complements the scale, design and character of the locality and complies with the Council’s policy on siting and design as contained in ENV 34 ‘Development in the Countryside Policy’.

h. The new dwelling meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.

i. There is no adverse impact on or conflict with the operations of the existing business or other operations.

j. The new dwelling should be of a size commensurate with the established functional requirement of the business. Dwellings that are unusually large and/or expensive to construct in relation to the needs of the business and/or long term business turnover will not normally be permitted.

Note

Applicants will require to submit sufficient evidence to enable the Council to assess whether a new dwelling/temporary accommodation is justified. This should take the form of an independent report/business plan prepared by a suitably qualified professional which should address the criteria detailed above, including reference, where appropriate, to:

i. Whether the stated intentions for developing the business are genuine

ii. Whether the business is reasonably likely to develop, including reference to demand for the business and any needed skills/services which it will bring to the area

iii. Whether the business is financially capable of being sustainable, its labour requirements, including whether it will employ at least one full-time employee, together with an ability to support the cost of creating/developing the business, the business premises and the associated residential accommodation (or accounts demonstrating that this has been achieved)

iv. Reasons why the residential accommodation is essential to the functional needs of the business, not merely convenient and why it needs to be located on the site
If the above criteria can be met, the Council will limit the occupation of the accommodation to a person solely employed in the business/enterprise.

**Part 4 - Reuse or Conversion of an existing Building for Housing**

Proposals for the rehabilitation or change of use of disused or redundant traditional buildings for residential purposes in the countryside will be given favourable consideration subject to the following criteria:

a. Where it can be demonstrated to the Council’s satisfaction that the building is no longer required, appropriate or marketable for agricultural purposes or other appropriate countryside uses;

b. The building is of a traditional design or of some architectural/historical interest;

c. A structural survey is submitted to demonstrate that the building is structurally sound and largely intact;

d. The building is of a size that is capable of accommodating the proposal without the need for major extensions or alterations;

e. Alterations are sensitively designed in order to retain the traditional character of the building and the indigenous architectural character of the area. Similarly, landscaping, car parking provision, hardstanding and boundary treatments must be in keeping with the character of their rural location;

f. The new dwelling meets access and parking standards and can be readily provided with services such as water, drainage and sewerage;

g. The rehabilitation or change of use of the building will not be to the detriment of local amenity or traffic safety and is compatible with existing adjoining land use;

h. There are no adverse impacts on natural or built heritage or wildlife interests, including European Protected Species. Where such species exist on site, supporting information must be submitted with planning applications to demonstrate that there is no adverse impact on them.

i. In cases where existing buildings that are considered to make a negative contribution to the landscape, amenity and/or character of the area and are interspersed with traditional steading buildings, consideration will be given, exceptionally, to allowing their replacement with an appropriate style of houses where this is justified to enable the retention of the other existing buildings. Any such buildings allowed must respect the size, form and materials of the other retained buildings on the site.

**Part 5 - Replacement Dwellings**

Proposals will only be considered favourably if all the following criteria are met:

a. The dwelling is clearly capable of habitation or being made habitable without works requiring planning permission, including fire damaged buildings.

b. The external walls and roof are substantially intact.

c. Justification is submitted that clearly shows why replacement rather than rehabilitation is required.
d. The existing dwelling is not a listed building, nor does it make any positive contribution to the landscape, amenity or character of any area.

e. The proposed dwelling shall not generally result in a significant increase in the floorspace of the original dwelling. In particular, it shall respect local design character, use building materials appropriate to the rural area and must integrate satisfactorily with its surroundings.

f. The proposed dwelling shall comply with the Council’s policy on siting and design as contained in ENV 34 ‘Development in the Countryside Policy’.

g. The proposed dwelling meets access and parking standards and can be readily provided with services such as water, drainage and sewerage.

h. There are no adverse impacts on natural or built heritage or wildlife interests, including European Protected Species. Where such species exist on site, supporting information must be submitted with planning applications to demonstrate that there is no adverse impact on them.

Reasoned Justification

2.1 Settlement boundaries are established by the Local Plan, taking into account Settlement and Area Strategic Policies. This plan led approach has identified appropriate settlement expansions which seek to provide a sustainable pattern of development. Outwith these settlement boundaries, for individual or small housing developments the above Housing in the Countryside policy applies.

2.2 The protection of the countryside is essential in order to retain a quality rural environment to ensure the attractiveness of the area to encourage investment in existing settlements and prevent the coalescence of settlements. However, certain residential development may be suitable for the countryside and where this is the case, a high standard of development will be required.

2.3 The policy relating to proposals for the replacement of dwellings within the countryside does not apply to the replacement of derelict, dilapidated or ruinous buildings. In these circumstances, the view is taken that no dwelling presently exists and that a proposal to replace or rebuild the structure will effectively constitute the introduction of a new dwelling in the countryside. Similarly, the presumption in favour of replacement does not extend to proposals which differ dramatically in scale or character from the existing dwelling.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Settlement and Area Strategic policies are detailed in Volume I: Development Strategy.

- STRAT 3 - The Green Belt and Urban Settlements in the Green Belt
Stimulating the Rural Economy

CRE 2

Stimulating the Rural Economy Policy

In the rural area, the Council will initially seek to direct business and industrial proposals to sites within existing settlements identified for these purposes in the local plan, or within defined village envelopes where acceptable environment standards can be met. The Council will, however, endeavour to maximise job creation in rural areas outwith established settlements by encouraging development as set out below.

1. Agricultural or Appropriate Uses in the Rural Area – Non-Residential Development

The Guidance Notes for Countryside and Rural Economy Policy provides guidance on the range of uses that the Council would consider appropriate in principle within the countryside. It is not a definitive list of acceptable uses, but sets out the more common type of proposal that would be appropriate in the countryside subject to other planning considerations such as traffic, access, sustainable transport, design, amenity and impact on the environment being satisfactorily met.

Where the proposal is considered to offer a clear agricultural or economic justification for development in a rural location, it will be permitted where it can be demonstrated to the Council’s satisfaction that:

a. The development supports agricultural or other appropriate uses in the rural area in terms of demonstrating a specific locational need;

b. There are no opportunities to convert or renovate an existing building;

c. The development cannot be integrated into an established settlement or building group;

d. The development respects the landscape, countryside amenity and nature conservation interests;

e. The development complements the scale, design and character of the locality and complies with the Council’s policies on siting and design as contained in ENV 34 ‘Development in the Countryside Policy’.
f. The development meets access and parking standards and can be readily provided with services such as water, drainage and sewerage;

g. The proposal promotes environmental enhancement.

2. Re-use or Conversion of an Existing Redundant Rural Building – Non Residential Development

In the countryside, proposals for the rehabilitation or conversion of disused or redundant rural buildings* for non-residential purposes, including proposals for low-impact business or information technology/telecommunications related development will be considered favourably, subject to the following general requirements:

a. Being of a scale and design appropriate to the rural area.

b. Ensuring sustainability by minimising private transport movements.

c. Protecting and enhancing the environment

d. Meeting access, traffic, impact mitigation, parking and servicing standards

e. Providing local employment opportunities

* Note – the building need not be of a traditional design or appearance, however it will require to meet the conditions outlined in ENV 34 ‘Development in the Countryside Policy’.

Where the proposed use is considered acceptable in light of the above requirements the following specific criteria will be considered:

i. Where the existing building is of traditional design or appearance, the proposed use must be accommodated without significant alteration or extension to its size or character

ii. Any alterations or extensions must be designed to retain the traditional character and scale of the building and must not adversely affect the rural character of the area

iii. Landscaping, boundary treatments, car parking and provision of areas of hardstanding must respect existing character.

iv. Ancillary uses should preferably form part of the rehabilitation of the building or be incorporated within a small extension physically attached to it.

v. The building can be safely accessed and readily provided with services such as water, drainage and sewerage.

vi. The proposed use is compatible with adjoining land uses. In particular, the proposed use shall not create adverse traffic or environmental conditions.
vii. There is no adverse impact on ancient monuments, archaeological sites, rural amenity, landscape character or nature conservation.

viii. The development meets access, traffic impact mitigation, parking and servicing standards.

3. Extension of Existing Properties

Proposals for the extension of existing properties in the countryside for business or industrial purposes will be considered favourably subject to the following criteria:

a. The proposed extension should be of an appropriate scale and design to the original building and as a general rule, should appear secondary to the original building.

b. The proposed extension should be well integrated with the existing building and should not be prominent in the landscape.

c. There should be no adverse impacts on natural or built heritage or wildlife interests including, European Protected Species. Where such species exist on site, supporting information must be submitted with planning applications to demonstrate that there is no adverse impact on them.

d. Extensions of buildings that intensify the business activity will only be granted if, in addition to the above, they have no adverse impact on the area in terms of traffic or amenity.

e. Proposals must be accompanied by a scheme for screening, landscaping or general environmental improvement of the site

Reasoned Justification

2.4 In the rural area the Council will look favourably on any proposals which help to maintain or stimulate the rural economy. Any proposals will have to be considered against specific criteria and will have to be sympathetic to the landscape, environment and existing buildings. (Refer to ENV 34 ‘Development in the Countryside Policy’).

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Settlement and Area Strategic policies are detailed in Volume I: Development Strategy.

- ECON 6 - Rural and Farm Diversification Policy
Guidance Notes for Countryside and Rural Economy Policy

1. **Occupancy Conditions**  
   Where a new dwelling is to be permitted to accommodate a full-time agricultural worker or worker employed in an appropriate countryside activity there may be special planning reasons where a condition will be imposed to limit the occupancy of the new dwelling to a person solely employed locally and full-time in agriculture or the specific countryside activity (or a dependent of such a person). An occupancy condition will also be imposed on any new dwelling, which replaces an existing dwelling if the existing dwelling already has an occupancy condition applying to it.

2. **Section 75 Agreement – Occupancy and Anti-Severance Issues**  
   In assessing the need for a new agricultural or forestry dwelling, the Council will take into consideration all dwellings associated with the holding, regardless of whether or not they have an agricultural occupancy condition attached.

   Where a new agricultural worker's dwelling is to be approved, the Council may, in appropriate circumstances, apply an occupancy condition. Where appropriate the Council may also require a section 75 agreement or planning obligation to ensure the retention of all the dwellings on the holding for agricultural use, and to regulate the disposal, lease or sale, which through incremental disposal may undermine the justification for the new development. In particular the section 75 agreement or planning obligation will prohibit the sale of the new dwellinghouse separately from the land is related to the business which justifies the new dwellinghouse.

3. **Severance**  
   Where an existing agricultural dwelling has been sold independently of the associated agricultural land or where the land is sold off as one or more holdings, there can be no assumption that the Council will grant permission for the erection of a replacement or additional dwelling in a countryside location. In such circumstances, the justification for the severance will need to be explained and a full justification for any new dwelling(s) provided.

4. **Removal of Occupancy Conditions**  
   Applications for the removal of restrictive occupancy conditions in the countryside will not normally be granted unless the applicant can satisfactorily demonstrate that the long term need for dwellings for agricultural workers (or for workers related to the particular countryside activity), both on the particular farm and in the locality, no longer justifies reserving the occupancy of the house for that purpose.

   In order for the Council to agree to the removal of occupancy conditions in the countryside, the Council will require suitable evidence of the property being unsuccessfully marketed for occupancy by agricultural or other prescribed occupancy. Marketing must be shown to have been correctly targeted, financially realistic and for a sustained period e.g. 3 months. Evidence should involve more than one of the following:

   - Placement of the property with estate agents or firms dealing in agriculturally related properties and associated advertising.
2.5 In addition, the Council will assess demand through an analysis of the number of agricultural dwelling applications received in recent years in the locality and the number of farm dwellings sold in the area without a requirement for the removal of occupancy conditions.

5. **Appropriate Uses in the Countryside**

This list provides guidance on the range of uses that the Council would consider appropriate in principle within the countryside. It is not intended as a definitive list of acceptable uses, but sets out the more common type of proposal that would be appropriate subject to other planning considerations such as traffic, access, sustainable transport, design, amenity and impact on the environment being satisfactorily met. A full range of acceptable uses cannot be given as, in certain instances, very special circumstances may exist that would justify approval of a proposal that would otherwise be contrary to policy.

i. **Agricultural Related Developments**

- **Agricultural buildings** – for the keeping of animals, storage of crops or machinery (developments of this type may be ‘permitted development’ and planning permission may not be required – consult with the Area Planning & Building Standards Office to find out if permission is required). Developments relating to the breeding and keeping of livestock – including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in farming the land.

- **Farm diversification proposals** – proposals that take advantage of the particular features and characteristics of the farm and of the potential public demand for the foodstuffs/goods produced. For example, visitor accommodation, craft workshops, ‘pick-your-own’ and associated retail, farm parks, farm shops (see below), coffee shops/tea-rooms

- **Farm shops** – planning permission will only be required if the produce for sale has not been wholly grown or reared on the holding. Where more than 10% of produce is ‘imported’ for sale, planning permission will be needed. Where required the Council may ask for evidence of this. In such cases, restrictions are likely to be imposed on the range of goods that can be sold, in order that the nature of the use as a ‘farm shop’ is retained. In most cases, only fruit, vegetables and other items directly related to agricultural and horticultural produce should be sold.

ii. **Horticulture**

- Development related to fruit growing, seed growing, market gardens and nursery gardens, together with ancillary retailing of produce. In order that the intended nature of these developments is retained it will be expected that only fruit, vegetables and other items directly related to agricultural and horticultural produce should be sold.
iii. Woodland/Forestry Related Development

- Including sawmills, timber processing or timber recycling facilities.

iv. Outdoor Sport and Recreation

- This will only be appropriate where the proposal requires the land resource and where it is compatible with the functions of the countryside – for example, to provide for the enjoyment of the countryside.

Redundant buildings may be appropriate for re-use where ancillary buildings are needed in connection with the development. Otherwise, any new buildings associated with the outdoor-recreational use must be well designed, modest in scale and unobtrusive in appearance. Applications for outdoor sport and recreation will be considered on their merits, within the context of the Local Plan’s policies and objectives. Advice on specific uses is detailed below.

- **Golf Courses** – New development will only be suitable where minimal environmental impact will occur and where there will be no associated development other than a clubhouse/equipment storage facilities. Associated development such as new housing (other than ancillary accommodation for greenkeeper/worker) or more extensive indoor leisure facilities, will be unacceptable unless justifiable as part of an overall strategic appraisal of housing land requirements in the Structure Plan.

- **Golf Driving ranges** – would be more appropriately located at the edge of the urban area, but may be acceptable in the countryside only where sensitively designed and where the need for buildings, fencing and floodlighting does not adversely affect landscape character.

- **Equestrian activities** – riding schools, livery, stabling and schooling of horses, stud farms and racing stables are all appropriate uses.

v. Tourist Related Development

- **Tourist/visitor accommodation** – this relates to the conversion/change of use of existing or redundant buildings and does not extend to new-build proposals (unless associated with a tourist/visitor attraction – see below)

- **Tourist/visitor attractions** – requiring a rural location, for example:
  - Low-impact developments such as paths and small car parks
  - Farm/rare breed parks
  - Fisheries
  - Cultural/heritage attractions on a particular building/site or feature within the countryside (wildlife, nature attractions or scenic quality)
vi. Other Developments

- Craft centres/workshops
- Small-scale industrial uses linked to existing agricultural activity
- Agricultural engineering
- Rural/agricultural repair services (a direct linkage to the farming industry must be shown)

vii. Natural Resource Based Industries

- Energy-related developments which meet the criteria in ENV 38 ‘Renewable Energy Site Assessment Policy’.

viii. Re-use of Redundant Agricultural Buildings by Small Scale Business Users

- Where opportunities exist for the re-use/conversion of redundant agricultural or rural buildings and where the proposals will support the economic and social needs of the area, low-impact business or information-technology/telecommunications-related development will be acceptable, subject to:
  a. being of an appropriate scale
  b. ensuring sustainability by minimising private transport movements
  c. protecting or enhancing the environment
  d. meeting access, traffic impact mitigation, parking and servicing standards
  e. providing local employment opportunities (to a maximum of 3 full time or equivalent posts)
  f. linking up to services and infrastructure
  g. being of quality design and meeting the criteria of policy ENV 34 ‘Development in the Countryside Policy’.
3.0 Industrial Areas
3 Industrial Areas

3.1 The Council seeks to ensure that the industrial areas of South Lanarkshire are an effective resource, which offer a full range of industrial sites and that a long-term industrial land supply is maintained. However, most of the main industrial areas in South Lanarkshire continue to be the subject of development pressure for retailing and other non-conforming uses. It is recognised that certain categories of non-industrial uses are facing genuine difficulties in finding sites and locations suited to their requirements which are also acceptable in terms of sustainability, maintaining industrial land supply of choice, quality, range and quantity and impact on the operation of industrial areas. Proposals for non-conforming industrial uses in non-strategic industrial areas will be assessed against the following policy.

ECON 13
Non-conforming Uses in Industrial Areas Policy

In all non-strategic industrial areas proposals for uses which do not conform to the general industrial policy will be assessed against the following criteria.

a. The effect the loss of the site will have on the continuity of the industrial land supply in terms of quantity, range and quality
b. That the development of the site or premises would not adversely affect the industrial operation, amenity, industrial character and function of the area
c. The site or premises has been subject to an independent development viability and marketing appraisal for classes 4, 5 and 6 to the Council’s satisfaction
d. The site or premises is located at the edge of an industrial area and can easily be accessed from main road routes and have satisfactory access by walking, cycling and public transport unless the proposal is ancillary to an existing industrial use
e. The site/premises is or can be served by public transport
f. The development will not adversely affect public safety
g. The infrastructural implications including the impact on the transport network of the development are acceptable or can be mitigated to an acceptable level.
h. The development will not adversely affect the natural or built environment
i. The development makes provision for cycling, walking and public transport and/or has a Green Travel Plan, as appropriate

Reasoned Justification

3.2 Industrial areas should primarily be reserved for conforming uses and only in specifically defined circumstances will non-conforming uses be permitted. Within strategic locations for work and business (Policy ECON 3 areas) proposals for non conforming uses will not be supported with the exception of ancillary service provision (refer to glossary of terms).
3.3 In the event of a site being acceptable, in principle, for a non-conforming use in an industrial area, the proposal must not undermine the vitality and viability of existing town and village centres within South Lanarkshire. An appropriate non-conforming use should seek to serve the industrial area within which it is located.

3.4 In relation to criterion c. the appraisal should be carried out by an independent consultant appointed by the developer following discussion with the Council.

3.5 Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Land for Work and Business policies are detailed in Volume I: Development Strategy.

- ECON 1 – Industrial Land Use Policy
- ECON 3 – Strategic Locations for Work and Business Policy
4.0 Transportation Policies
4 Transportation Policies

Leisure Uses Parking Policy

4.1 SPP17 – Planning for Transport, states that in order to help meet sustainable transport objectives through encouraging greater use of public transport, walking and cycling, each Council is required to adopt a set of maximum parking standards for on-site parking at new development. These standards will be subject, for development at and above specified size thresholds in respect of specific land uses, to national maximum parking standards. Councils will have to undertake special procedures in development planning and development management if they wish to breach the national standards.

TRA 9

Leisure Uses Parking Policy

Where a proposal is for leisure purposes of a scale that requires the Scottish Government’s National maximum parking standards to be met, the Council will support an application for exemption from the National Standard in certain circumstances. This will only occur if:

- the parking provided conforms to the Council’s Recommended Parking Provision for leisure uses
- sustainable transport alternatives have been fully investigated
- identified sustainable transport facilities will be provided.

Reasoned Justification

4.2 The Scottish Government has set out maximum car parking standards for leisure uses over 1000m² GFA or 1500 seats where a stadium is proposed. However, the Scottish Government’s National maximum parking standards do not take account of the wide range of leisure activities and it is the Council’s experience that different levels of parking provision are necessary to support different types of leisure activities.

Town Centre Parking Policy

4.3 Many of the town centres in South Lanarkshire are typically centres that have developed incrementally over many years/decades to the point where their function as retail centres and as transport nodes can be in conflict. In terms of car parking the tight urban fabric that exists in the centres can give rise to difficulties in providing allocated car park spaces within a development site. However alternative parking locations in the wider town centre may exist. In smaller centres, identified local parking problems may be addressed through local studies, within the context of the other policies in the development plan and the Local Transport Strategy.
TRA 10

Town Centre Parking Policy

In East Kilbride, Hamilton, Rutherglen, Cambuslang, Lanark, Larkhall, Carluke, Biggar, Blantyre and Strathaven town centres, where applications are made for non residential development on a gap site or for a change of use, developers may be asked to make a contribution in lieu of the provision of all, or some of the on-site parking provision, if this cannot be accommodated on site and the number of spaces required will be no less than the minimum standard. The funds accrued by the Council will be held in a fund to enable parking, public transport and walking/cycling improvements to be carried out in the vicinity of the development.

Reasoned Justification

4.4 To ensure that there is sufficient town centre parking, developers may be asked to make a contribution in lieu of the provision of all, or some of the on-site parking provision, if this cannot be accommodated on-site.

4.5 The funds accrued by the Council will be held in a fund to enable parking, public transport or other improvements to the transport networks to be carried out. Contributions to this fund will be over and above a developer’s obligation to fund transport network improvements identified as part of the Transport Assessment process.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Travel Demand policies are detailed in Volume I: Development Strategy.

- TRA 8 – Car Parking Policy
5.0 Protection of the Natural and Built Environment
5 Protection of the Natural and Built Environment

European Interests

A. European “Natura 2000” Conservation Sites

5.1 Sites classified as Special Protection Areas (SPA) under the Wild Birds Directive and selected as Special Areas of Conservation (SAC) under the Habitats Directive are intended to form a European Community-wide network of protected areas for those habitats and species which are endangered, vulnerable, rare or otherwise require special attention. Within the Council area these sites are listed in Appendix 3 and are identified on the Environmental Designations Map.

5.2 In cases where an assessment of the proposal is also required under the Environmental Impact Assessment (Scotland) Regulations 1999, applicants should ensure that the environmental statement prepared in respect of the proposal meets the requirements of both the regulations and the above directives.

ENV 20

Natura 2000 Sites Policy

Development likely to have a significant effect on a Natura 2000 site will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where:

a. there are no alternative solutions; and

b. there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).

The assessment in compliance with this policy must take full account of impacts on the qualifying interests of all Natura 2000 sites including those which adjoin, or are located out with the boundary of South Lanarkshire.

Reasoned Justification

5.3 The Conservation (Natural Habitats) Regulations 1994 place a statutory duty on Councils to meet the requirements of the Habitats Directive. Where a Council concludes that a development proposal is likely to have a significant effect on a Natura 2000 site, then it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated. This need extends to proposed development outwith the boundary of the designated area where this may affect
the interests protected within the site. Guidance on the assessment of proposals is set out in NPPG 14: Natural Heritage and in Scottish Government Environment Department Circular 6/1995. Policy ENV 4 sets out the Local Plan position for these sites.

B. European Protected Species

5.4 Outwith Natura 2000 Sites certain habitats and species are protected as defined in the following parts of European directives –

- Habitats and species listed in Annex I, II, IV and V of the EC Habitats Directive; and
- Habitats of naturally occurring wild birds listed in Annex I of the EC Birds Directive

5.5 The Local Plan is therefore obliged to seek the protection of these habitats and species wherever they occur. The following policy therefore applies.

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**ENV 21**

**European Protected Species**

The Council will encourage the management and maintenance of areas supporting the following habitats and species, where these contribute to the coherence of the Natura network or are of major importance:

1. Habitats and species listed in Annex I of the EC Habitats Directive;
2. Habitats and species of community interest listed in Annexes II, IV and V; and
3. Habitats of naturally occurring wild birds, particularly those in Annex I of the EC Birds Directive and migratory species

This policy will also apply to species listed in Schedules 1, 5 and 8 of the Wildlife and Countryside Act 1981 as amended.

All these resources will be given full consideration in the assessment of development proposals that may affect them and developments that are judged to have significant detrimental effects shall not accord with the plan. In respect of animals and plants identified in Annex IV, planning permission will not be granted unless it is demonstrated that the proposal will either not adversely affect any European Protected Species in the area, or that all three tests in Regulation 44 of the Habitats Regulations are likely to be satisfied.
Reasoned Justification

5.6 The Wildlife and Countryside Act 1981 and the Nature Conservation Act (Scotland) Act 2004 provide protection of certain animal and plant species, some of which are protected as ‘European Protected Species’ under the Conservation (Natural Habitats &c.) Regulations 1994 (amended in 2004), relevant species to South Lanarkshire include bats, otters and great crested newts.

5.7 The Conservation (Natural Habitats) Regulations 1994 place a statutory duty on Councils to meet the requirements of the EC Habitats and Birds Directives. Where a Council concludes that a development proposal is likely to have a significant effect on a Natura 2000 site, then it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated. This need extends to proposed development outwith the boundary of the designated area. Guidance on the assessment of proposals is set out in NPPG 14: Natural Heritage and in Scottish Government Environment Department Circular 6/1995. Policy ENV 4 sets out the Local Plan position for these sites.

5.8 Circumstances can arise in which it may be appropriate to authorise – by licence and before work commences - actions which would otherwise be in breach of the protection afforded by the 1994 Regulations. Three tests require to be satisfied before such a licence can be granted by Scottish Ministers.

1. The applicant must be able to show that the licence (and the action which it authorises) is necessary in order to allow work to proceed for the purpose of preserving public health or public safety or that the proposed action is essential for some other “imperative reason of overriding public interest”;

2. There is no satisfactory alternative (to the granting of a licence); and

3. That the action authorised will not be detrimental to the maintenance of the population of the European Protected Species concerned at a favourable conservation status in their natural range.

New Lanark World Heritage Site

5.9 The Council recognises that the World Heritage Site and its setting require specific policy to acknowledge its special environment and historical qualities. The central aim of the policy is to protect the ‘critical heritage capital’ of the World Heritage Site, which are those features which are irreplaceable. For example, listed buildings, skylines and specially designated sites such as SSSIs.

5.10 In determining planning, conservation area and listed building consent applications, and in undertaking its overall responsibilities the Council will give significant weight to the values of the World Heritage Site, which include its setting (buffer zone). Decisions will take account of the aims and objectives of the Management Plan.
ENV 22

New Lanark Development Assessment Policy

In determining planning, conservation area and listed building consent applications within the World Heritage Site and its setting (buffer zone), the Council will not permit development that adversely affects the:

- historical and topographical character and landscape quality;
- skylines and views to and from the Site;
- area’s natural diversity and ecology; and
- landscape and ecological links with the surrounding areas.

The following criteria will be applied when assessing proposals:

- Development must preserve, protect and enhance the character, integrity and quality of the New Lanark World Heritage Site and its setting (buffer zone);
- Development shall be of a design and form which respects the visual envelope of the area and reinforces the essential character of the World Heritage Site and its setting (buffer zone) in its topographical and wider landscape setting;
- Development shall be of a design quality to reflect and compliment the character, townscape and form of that part of the World Heritage Site to which it relates and shall respect historic plot patterns, street patterns, layout, building frontages, key views, landmarks and skyline.
- Design of buildings shall reflect the scale, form, massing, proportions, roofscape, features and details of their context and materials will need to be of an appropriate size, colour and texture to the World Heritage Site and its setting.
- Development will not be permitted where it will result in the loss of important built or landscape features such as walls, traditional boundary treatments, ancillary buildings, trees or hedgerows.
- Development shall take full account of the archaeology of the site.
- Development will not be permitted on open spaces which make a positive contribution to the character of the World Heritage Site and its setting (buffer zone), or which provide important settings for, or views to and from, existing buildings and features.
- Development will not be permitted which leads to the coalescence of the World Heritage Site and the settlement of Lanark.
Proposals must also conform to ENV 24 ‘Listed Buildings Policy’ and ENV 25 ‘Conservation Areas Policy’.

Reasoned Justification

5.11 This policy aims to control the quality of new development in the World Heritage Site and its setting (buffer zone). It is of paramount importance that any future development in the World Heritage Site and its setting (buffer zone) conserves and reinforces its local distinctiveness and character and is undertaken to a high standard and in accordance with best practice.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- ENV 4 – Protection of the Natural and Built Environment

Natural and Built Heritage

5.12 Ancient Monuments and Archaeology

5.13 Archaeological remains form part of our history and identity as a nation, as well as having a local role in terms of education and tourism. Within South Lanarkshire there are many sites included on the Schedule of Ancient Monuments compiled by Historic Scotland. These sites are given special protection through SPP23 - Planning and the Historic Environment.

ENV 23

Ancient Monuments and Archaeology Policy

Scheduled ancient monuments and other identified nationally important archaeological resources shall be preserved in situ and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances.

All other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications.
The developer may be requested to supply a report of an archaeological evaluation prior to
determination of the planning application. Where the case for preservation does not prevail, the
developer shall be required to make appropriate and satisfactory provision for archaeological
excavation, recording, analysis and publication, in advance of development.

Reasoned Justification

5.14  The Ancient Monuments and Archaeological Areas Act 1979 protects many nationally important
archaeological sites and monuments. In addition there are sites and monuments which are of regional
or local significance. All of these, whether scheduled or not, are fragile and irreplaceable. It is also
important that the integrity of the setting of archaeological sites is safeguarded.

5.15  Scottish Planning Policy 23 - Planning and the Historic Environment (SPP23) states that Councils
should ensure that archaeological factors are as thoroughly considered as any other material factor.
SPP23 also recognises that not all remains are of equal importance and that Councils should consider
the various categories of archaeological remains.

Listed Buildings

5.16  Buildings of special architectural or historic interest are listed by the Scottish Ministers and
divided into categories A, B or C(S). The purpose of listing is to ensure that any demolition, alteration,
repair or extension that would affect the building’s special interest is controlled. When determining
planning applications, the Council must have special regard to the desirability of preserving a listed
building or its setting or any features of special architectural or historic interest which it has. SPP23
provides the national policy context for listed buildings.

5.17  Listed buildings make an important contribution to the townscape and architectural heritage of
South Lanarkshire and the Council attaches the utmost importance to their preservation, protection and
proper maintenance. There are approximately 1100 listed buildings in South Lanarkshire.

ENV 24

Listed Buildings Policy

Development affecting a listed building or its setting shall, as a first principle, seek to preserve the
building and its setting, or any features of special architectural interest which it has.

The layout, design, materials, scale, siting and use of any development shall be sensitive to, and
respect the character and appearance of, the listed building and its setting. Any proposals for
repairs, alterations, and extensions to listed buildings should demonstrate a sound knowledge and
understanding of the building, and demonstrate a full awareness of its cultural significance and all
phases of its development.
Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of keeping it. This will be demonstrated by inclusion of evidence to the Council that the building:

a. has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a purchaser; and

b. is incapable of physical repair and re-use through the submission and verification of a thorough structural report.

Reasoned Justification

5.18 Repairs, alterations and extensions to Listed Buildings can damage their architectural integrity unless carried out with great care. Conservation of the original fabric is always important and the presumption will be in favour of retaining all original features of interest. Repair, alterations or extension works must relate sensitively to the original building. In almost all cases, the materials used for alterations, extensions or repairs should be sympathetic to the original and distinguishable as new works and reversible.

5.19 The setting of a listed building is of great importance and should not be adversely affected by unsympathetic neighbouring development. Development which adversely affects the setting of a listed building or an important view of a listed building will not normally be permitted.

5.20 The general presumption is that all buildings on the statutory list will be preserved because of their architectural and/or historic interest. There may, however, be an exceptional case where the balance of needs on planning grounds and the comparative quality of the existing and proposed buildings is such that permission for demolition or part demolition may be granted subject to the approval of the Scottish Ministers.

Conservation Areas

5.21 Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is considered to be important to preserve or enhance. The main implication of designation is that consent will be required for specific types of development that would not otherwise require it.

5.22 When determining planning applications, there is a duty on Councils to have special regard to the desirability of preserving or enhancing the character or appearance of the relevant designated area. SPP23 provides the national policy context for conservation areas and is a material consideration in the determination of planning applications.
ENV 25

Conservation Areas Policy

Development and demolition within a conservation area or affecting its setting shall preserve or enhance its character and be consistent with any relevant conservation area appraisal or management plan that may have been prepared for the area.

The design, materials, scale and siting of any development shall be appropriate to the character of the conservation area and its setting. Trees which are considered by the Council to have amenity value shall be preserved. Given the importance of assessing design matters, outline planning applications will not normally be considered appropriate for developments in conservation areas.

Where an existing building, whether listed or not, contributes positively to the character of the conservation area, then ENV 24 ‘Listed Buildings Policy’, shall apply. Where it does not, proposals for demolition will not be considered in the absence of a detailed planning application for a replacement development that enhances or preserves that character. Demolition will not begin until evidence is given of contracts let for the approved development.

Reasoned Justification

5.23 All proposals for new development require to be considered in the light of their effect on the character and appearance of the conservation area. Alterations and extensions to buildings in conservation areas must also preserve or enhance the character or appearance of the area.

5.24 In all cases, the Council will expect applications to provide sufficient information about the proposed development to enable the effect of the proposal on the character and appearance of the conservation area to be fully assessed. In this regard, outline applications will not be accepted for development within a Conservation Area.

Sites of Special Scientific Interest/National Nature Reserves

5.25 Sites of Special Scientific Interest (SSSIs) are areas of land which are considered by Scottish Natural Heritage (SNH) to be of special interest by reason of their natural features i.e. their flora, fauna or geological or geomorphological features. It should be noted that all National Nature Reserves are also SSSIs. SNH has a statutory duty under the Nature Conservation (Scotland) Act 2004 to notify SSSIs and, in common with all public bodies when exercising its functions affecting SSSIs, must take reasonable steps to further their conservation and enhancement. SSSIs provide the foundation for a range of natural heritage designations and are therefore at the core of national and international arrangements for the protection of species, habitats and geological or geomorphological features. Guidance on the assessment of proposals affecting SSSIs is set out in NPPG 14: Natural Heritage.
ENV 26

Sites of Special Scientific Interest/National Nature Reserves Policy

Development that affects a Site of Special Scientific Interest/National Nature Reserves will only be permitted where an appraisal has demonstrated:

a. the objectives of the designated area and the overall integrity of the area would not be compromised; or

b. any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.

Reasoned Justification

5.26 The Council is required to consult SNH when determining an application for a development which might affect a SSSI. Such sites are regarded as being of national significance and the Council will seek to protect them from development that would cause harm to their special characteristics. In some cases, damage could arise through development on land adjacent to the designated site, or even some distance away.

5.27 Development which has adverse impacts on an SSSI and which cannot be mitigated, will require to demonstrate clear social or economic benefits of national importance.

Local Nature Conservation Sites

5.28 NPPG14 sets out government policy on land use planning and the natural heritage in Scotland. It recognises that statutory and non-statutory designations can both make an important contribution to conserving and enhancing biodiversity, and can also be valuable for education. It states that the development of local site systems, and the level of protection accorded to them, should be a matter for the planning authority.

ENV 27

Local Nature Conservation Sites Policy

Development that affects a local nature conservation site will only be permitted where an appraisal has demonstrated:

a. that the objectives of the designated area and the overall integrity of the area would not be compromised; or

b. that any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by significant social or economic benefits; and
measures can be taken to conserve the nature conservation interest through planning conditions; and/or

the conservation interest loss can be compensated for by habitat creation or site enhancement elsewhere by planning agreements or conditions

Reasoned Justification

5.29 NPPG14 encourages planning authorities to safeguard and enhance the natural heritage beyond the confines of nationally designated areas. It gives guidance on the role non-statutory local sites can play as part of a strategic approach to natural heritage planning, based on a network of Local Nature Conservation Sites, landscape features and other forms of open space.

5.30 The above policy is intended to cover all currently established locally designated sites such as Sites of Importance for Nature Conservation and then the reviewed Local Nature Conservation Sites as referred to in Proposal ENV 6 in Volume I.

Historic Gardens and Designed Landscapes

5.31 Historic Scotland and Scottish Natural Heritage share joint responsibility for the compilation and maintenance of a national Inventory of Gardens and Designed Landscapes. The effect of a proposed development on a site included on this Inventory is a material consideration in the determination of a planning application. Councils must consult with Historic Scotland and Scottish Natural Heritage on any proposed development that may affect a site contained in the Inventory. Councils are encouraged to take measures to safeguard and enhance Inventory sites, and also other important gardens and designed landscapes.

ENV 28

Historic Gardens and Designed Landscapes Policy

Development affecting Historic Gardens and Designed Landscapes shall protect, preserve and enhance such places and shall not impact adversely upon their character, upon important views to, from and within them, or upon the site or setting of component features which contribute to their value.

Reasoned Justification

5.32 Historic Gardens and Designed Landscapes are an important part of the area’s history and character and they contribute to the enjoyment of the countryside and settlements. In some cases they provide a landscape setting for an important building, have rare plant collections or contain interesting woodland or wildlife habitats. For these reasons, the Council will seek to protect and where possible, allow for their enhancement.
Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- **ENV 4 – Protection of the Natural and Built Environment**

**Landscape**

5.33 South Lanarkshire’s extensive rural area contains landscapes of recognised quality. Landscape components were assessed in 1998 as part of the national assessment of landscape character carried out by Scottish Natural Heritage. Landscape character assessment identifies ‘landscape types’, which are tracts of land with a unity of character due to particular combinations of landform, land-cover and a consistent pattern of constituent elements. The ‘landscape types’ identified in South Lanarkshire cover farmlands, river valleys, urban valleys, upland glens, foothills, hills and plateau moorland.

5.34 Some of these areas are recognised for their scenic and landscape quality value. The Environmental Designations Map identifies a Regional Scenic Area (RSA) and areas designated as Areas of Great Landscape Value (AGLV). Landscape in general is a planning consideration when assessing development proposals, and as such is included in many policies. However, the RSA and AGLV require a greater degree of care and policy ENV 29 sets this out.

**Regional Scenic Areas and Areas of Great Landscape Value**

**ENV 29**

Regional Scenic Area and Areas of Great Landscape Value Policy

Within the Regional Scenic Area and Areas of Great Landscape Value, development will only be permitted if it satisfies the requirements of policies STRAT 3 - 6 (as appropriate) and can be accommodated without adversely affecting the overall quality of the designated landscape area.

Within and outwith these areas, in providing for new development, particular care shall be taken to conserve those features which contribute to local distinctiveness, including:-

- the setting of settlements and buildings within the landscape
- the pattern of woodland, fields, hedgerows and tree features, particularly where they define/create a positive settlement/urban edge
- special qualities of river corridors
- historic landscapes; and
- skyline and hill features, including prominent views.
Reasoned Justification

5.35 Applicants should take particular care to ensure that new development in or adjacent to an RSA or AGLV does not detract from the special qualities or character of the landscape. They should also ensure that, where possible, aspects of the siting, layout and design should enhance the qualities for which the area has been designated.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- ENV 4 – Protection of the Natural and Built Environment
6.0 Design
6 Design

6.1 The design of places plays a large part in determining what impact we have on the land and other scarce resources. The Scottish Government recognised the role design had to play in the planning system in their policy document ‘Designing Places’ in 2001. SPP1 – The Planning System clearly states that design is a material consideration when determining a planning application and that a proposal may be refused, and the refusal defended at appeal, solely on design grounds.

6.2 The design of new buildings, together with alterations and extensions to existing buildings, is vital to the quality of both the built and natural environment. New development must be appropriate in terms of its location, scale, design, materials and its relationship with the surrounding environment. Compatibility with good forms of nearby existing development and ensuring a positive contribution to the landscape/townscape in the vicinity are important factors in the Council’s requirement for a high standard of design throughout South Lanarkshire.

ENV 30

New Development Design Policy

New development will require to promote quality and sustainability in its design and layout and should enhance or make a positive contribution to the character and appearance of the urban or rural environment in which it is located.

In assessing new developments, the Council will require well designed proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities. Design which is of poor quality or which does not respect its context will be refused.

New developments will require to:

a. respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

b. be of a high quality design which is sympathetic to local traditions of form, detailing and materials. Modern, innovative design can reflect local tradition through scale, massing, siting and colour rather than replicating existing building forms. Where local tradition is indistinct or of poor quality, then development should be of an imaginative and innovative design which improves the visual quality of the area in which it is located and which creates a strong sense of place;

c. ensure that any archaeological, built heritage, landscape features and wildlife interests on the site are identified and incorporated into the overall layout and design of the development, with appropriate measures taken to enhance and/or protect the setting of these features;
d. address sustainable development issues including the incorporation of energy efficient designs and layouts, the use of environmentally friendly building materials from renewable or local sources, sustainable drainage systems, re-use/recycling of materials, water and waste and the use of alternative energy sources;

e. make provision for footpaths, cycle routes, access to public transport and create appropriate linkages to local centres and services;

f. ensure appropriate provision of open spaces and landscaping as an integral part of the development which may also provide an opportunity to enhance the biodiversity value of the local area, together with measures for maintenance of these. These spaces should create an attractive environment which, in larger schemes, link together to create an area with a clear identity and structure

g. ensure provision of an appropriate road layout in accordance, where appropriate, with the Council’s Guidelines for Development Roads. Proposals relating to residential development shall require to pay due regard to the guidance set down within SPP17: Planning for Transport; PAN 67: Housing Quality; and PAN 76: New Residential Streets;

h. ensure that there is no conflict with adjacent land uses and no adverse impact on existing or proposed properties in terms of overlooking, loss of privacy, overshadowing, noise or disturbance;

i. make provision in development proposals (including extensions, alterations and changes of use) for any building that the public may use, for the provision of safe, easy and inclusive access for all people regardless of disability, age or gender. This should include access to, into and within the building and its facilities, as well as appropriate car parking and access to public transport provision. Such buildings to include, but not limited to, shops, restaurants, community buildings, health and leisure facilities etc;

j. incorporate crime prevention and community safety considerations within the layout and design of the development;

k. minimise the generation of waste during its construction and operation and be designed to include appropriate provision for the recycling, storage, collection and composting of waste materials.

All new developments, whether based on traditional form or of innovative and contemporary design, will require to be sensitive to the local character of the area in which it is located. Where the local character is indistinct or of a poor quality, then the new development will be encouraged to create a distinct identity which improves the quality of the environment in which it is located.

A Design Statement will be required to accompany planning applications for new development in the circumstances defined by ENV 32 ‘Design Statements Policy’.
Reasoned Justification

6.3 New developments need to be designed and planned in the knowledge that social, economic and technological conditions will change. Arrangements for long term management and maintenance are as important as the actual design. Good design creates places that work, can reduce long term costs of energy, maintenance management and security and is a key to achieving social, economic and environmental goals laid down by central and local government.

ENV 31

New Housing Development Policy

New housing development will require to promote quality and sustainability in its design and layout and should make a positive contribution to the character and appearance of the urban or rural environment in which it is located. In assessing new housing developments, the Council will seek well designed proposals which integrate successfully with their surroundings and which are well related to existing development, public transport, local services and facilities. Poorly designed developments or developments which take no account of their context, will be refused.

Residential developments will require to:

a. respect the local context and be appropriate to the character and topography of the site in terms of layout, scale, proportion, massing and appearance of buildings, structures and landscaped and hard surfaced areas;

b. be of a high quality design which is sympathetic to local traditions of form, detailing and materials or, alternatively, where local tradition is indistinct or of poor quality, then it should be of an imaginative and innovative design which improves the visual quality of the area in which it is located and which creates a strong sense of place;

c. ensure that any archaeological, built heritage, landscape features and wildlife interests on the site are identified and incorporated into the overall layout and design of the development, with appropriate measures taken to enhance and/or protect the setting of these features;

d. address sustainable development issues including the incorporation of energy efficient designs and layouts, the use of environmentally friendly building materials from renewable or local sources, sustainable drainage systems, re-use/recycling of materials, water and waste and the use of alternative energy sources;

e. make provision for cycle routes, footpaths, access to public transport and create appropriate linkages to local centres, community and recreational facilities, shops, schools and services;

f. ensure appropriate provision of public and private open spaces, play areas and landscaping as an integral part of the development which may also provide an opportunity to enhance the biodiversity value of the local area, together with measures for maintenance of these;
g. ensure provision of an appropriate road layout in accordance, where appropriate, with the Council’s Guidelines for Development Roads. Proposals relating to residential development shall require to pay due regard to the guidance set down within SPP17: Planning for Transport; PAN 67: Housing Quality; and PAN 76: New Residential Streets;

h. ensure that there is no conflict with adjacent land uses and no adverse impact on existing or proposed properties in terms of overlooking, loss of privacy, overshadowing, noise or disturbance;

i. by virtue of their location and physical features, residential developments should meet the highest standards of accessibility and inclusion so that all potential users, regardless of disability, age or gender can use them safely and easily;

j. incorporate crime prevention and community safety considerations within the layout and design of the development;

k. minimise the generation of waste during its construction and operation and be designed to include appropriate provision for the recycling, storage, collection and composting of waste materials.

The design of new residential areas will require to be sensitive to the local character of the area in which they are located, however this should not inhibit imaginative and innovative schemes from coming forward. In addition, where the local character is indistinct or of a poor quality, then the new development will be encouraged to create a distinct identity which improves the quality of the environment in which it is located.

A Design Statement will be required to accompany planning applications for new development in the circumstances defined by ENV 32 ‘Design Statements Policy’. The extent to which the applicant has had regard to the above criteria should be set out in a Design Statement and should demonstrate how the proposal improves the quality of the environment. In addition, developers should make reference to and incorporate the criteria specified within the approved South Lanarkshire Council ‘Residential Development Guide’.

Residential development within the rural area should take account of ENV 34 ‘Development in the Countryside Policy’ and the guidance contained within the Council’s ‘Rural Building Conversion and New House Design Guidance’.

Reasoned Justification

6.4 A Policy Statement for Scotland – Designing Places, SPP3 – Planning for Housing, PAN 67 – Housing Quality, PAN 68 – Design Statements, PAN 72 – Housing in the Countryside and PAN 76 – New Residential Streets, all emphasise the importance of improving the quality of our residential environments. New housing developments offer an opportunity to create high quality environments through the good design of houses, spaces, roads and landscaping. Proposals for new housing should
conform to the New Housing Development Policy and other Design Policies contained within the Local Plan. In addition, account must be taken of the Council’s supplementary planning guidance on residential development and the rural design guide.

**ENV 32**

**Design Statements Policy**

Design statements will be required to accompany all planning applications for new development with the following exceptions:

- Applications which are solely for a change of use
- Minor elevational alterations e.g. erection of a satellite dish.
- Minor engineering operations e.g. formation of a vehicular access.

For householder and small scale commercial applications, most of the relevant information to assess the proposal can usually be shown on the submitted plans and supplemented as necessary by photographs and covering letter. However, it is necessary that all plans show the development in its context including relationship to adjoining buildings and spaces so that a proper assessment of the development impact and suitability of the design is demonstrated.

For all other proposals, the content of statements will depend on the nature of the site and the scale of the development proposed. Further advice is contained in Planning Advice Note 68 Design Statements.

**Reasoned Justification**

6.5 South Lanarkshire Council and the Scottish Government are committed to achieving the highest possible standard of design in all new developments. Good design is essential to ensure that new development contributes positively to the character of an area.

6.6 A design statement is a written statement setting out the design principles adopted for a proposed development, together with illustrative material where appropriate, demonstrating how the design solution proposed will respect and benefit the local environment. The Design Statement should set out the principles on which the development is based and explain the design solution, supported by high quality drawings.

6.7 The illustrative material may comprise photographs of the site and its surroundings, drawings of the proposed design and, where appropriate, plans of the proposed layout in relation to neighbouring uses and development. This material should show the wider context and not just the development site and its immediately adjacent buildings.

6.8 Planning Advice Note 68 – Design Statements (PAN 68) sets out in detail the information that should be included within the design statement:

- Background Information, including justification and options

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**Volume II: Development Policies, Guidance and Appendices**
Site Details
Site and Area Appraisals
Design Principles
Public Involvement
Programme
Design Solution

6.9 This should be supported by appropriate illustrative material selected from the following:

- Photographs
- Sketches
- Computer-based images
- Artists impressions

6.10 The aim is to obtain an understanding of the design approach and as such it is not appropriate to submit duplicate copies of the drawings accompanying the application.

ENV 33

Design Guides and Development Briefs Policy

In sensitive locations or where the Council determines that specific sites require a particular standard or type of development, then Design or Development Briefs will be prepared by the Council. New development will require to comply with this guidance which will be a material consideration in determining the planning application for the site.

The following will be considered for the production of design guidance:

- selected sites where development is proposed. In particular, larger sites, over 50 units, and those in sensitive locations.
- visually sensitive parts of the Council area such as conservation areas, where detailed guidance is required

Reasoned Justification

6.11  The Council is committed to encouraging high standards of design in all new developments. Advice on the form and design of development acceptable to the Council can assist all parties involved in the development process.

6.12  The Council will, from time to time, in consultation with the public and other bodies, prepare supplementary planning guidance to expand on various aspects of design and other policy.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- ENV 11 – Design Quality Policy

Rural Design

6.13  The Council is committed to improving the quality of new development both within rural settlements and across the wider rural area. Buildings which are inappropriately sited or which are of an inappropriate scale or design can have a significant adverse visual impact on their rural setting. Sensitive location and design is needed to avoid obtrusive sites, incongruous materials and in particular, where residential development is involved, house styles more characteristic of urban than rural areas.

6.14  South Lanarkshire includes a wide variety of urban and countryside environments which range widely in type and quality. A number of landscape and townscape areas have special designations including Conservation Areas, Listed Landscapes, Areas of Great Landscape Value (AGLV), the Regional Scenic Area (RSA) and the Green Belt. These designations are based on different specifications, but there are common themes of conservation in order to protect or improve visual amenity, sustainability, quality of life and the local economy. Listed Landscapes, the RSA and the AGLVs have been designated for their special qualities including beauty, cultural value, distinctiveness and representativeness.

6.15  Listed Landscapes, or more formally, sites in the Inventory of Gardens and Designed Landscapes are discrete sites such as Lee Castle, Barncluith, and the High and Low Parks at Chatelherault, which have been listed for their special qualities including landscape design, historic interest, uniqueness and cultural value. The listing gives these landscapes national significance.

6.16  The AGLVs and the RSA are landscapes recognised for their particular landscape character and scenic qualities. The Clyde and Avon Valley AGLV for example is recognised for its entrenched valley land form; the steep-sided flat-bottomed Clyde Valley; narrow, steep-sided and often incised upper and tributary valleys; valley woodlands; orchards, horticulture and fertile farmland; policy woodlands and designed landscapes; historic heritage including castles, bridges and houses; industrial heritage and valley settlements. Other natural heritage designations such as National Nature Reserves contribute to the landscape characteristics of the area.

Volume II: Development Policies, Guidance and Appendices
ENV 34

Development in the Countryside Policy

Proposed developments in the rural area will be permitted where it complies with policy STRAT 3 - 6 and it can be demonstrated to the Council’s satisfaction that the development:

a. conserves the natural and built environment and avoids significant adverse impacts on biodiversity, natural and built heritage resources

b. respects existing landscape form with new buildings and structures being designed to complement and enhance the surrounding landscape and built form

c. retains or reinstates trees, woodland and boundary features such as hedgerows particularly beech and hawthorn, and stone dykes which contribute to landscape character and support wildlife

d. avoids dominating or adversely interfering with existing views in and out of the site

e. adopts or is sympathetic to locally traditional patterns of scale, proportion and density, avoiding the introduction of suburban-style developments into the rural environment

f. is of a high quality traditional or contemporary, innovative design which interprets and adapts traditional principles and features. The design must be sensitive to and respect its immediate setting and wider surroundings, maintain a sense of place and support local identity. Standardised urban solutions which do not reflect local character will be unacceptable

g. makes use of appropriate materials which respect and reinforce local character and identity. The use of materials which contribute to sustainable development will be encouraged

h. addresses sustainable development issues including the incorporation of energy efficient designs and layouts, the use of environmentally friendly building materials from renewable or local sources, sustainable drainage systems, re-use/recycling of materials, water and waste and the use of alternative energy sources

i. avoids the use of inappropriate urban form, features and construction materials such as kerbs, pavements and high levels of external lighting, concrete and artificial building products

j. minimise the generation of waste during its construction and operation and be designed to include appropriate provision for the recycling, storage, collection and composting of waste materials.

Further more detailed guidance on design issues relating to residential development is contained within the Council’s ‘Rural Building Conversion and New House Design Guidance’ and all new housing developments must comply with this.
A Design Statement will be required to accompany planning applications for new development in the circumstances defined by Policy ENV 32 - Design Statements Policy.

Reasoned Justification

6.17 It is essential that new development or alterations to existing buildings relate well to their landscape setting and are of a quality design sensitive to locally distinct character. In addition, consideration should be given in all new developments to issues of siting, orientation and design to help improve energy efficiency, together with the use of environmentally friendly materials, sustainable drainage, water and waste recycling and the use of alternative energy.

6.18 While new development and alterations should respect the landscape and building traditions of their rural locale, it is also important to encourage the best of contemporary design. There is scope for creative and innovative design solutions whilst relating new development to the established character of the area. The overall aim should be to ensure that new development is carefully located, worthy of its setting and is the result of an imaginative, responsive and sensitive design process. PAN 72 – Housing in the Countryside, sets out the key design principles which contribute to achieving good quality rural housing design.

Related Policies within Volume I: Development Strategy

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- ENV 11 – Design Quality Policy
7.0 Water, Foul Drainage and Sewerage Supply
7 Water, Foul Drainage and Sewerage Supply

7.1 The availability of a suitable water supply and foul and surface water sewerage infrastructure is a material consideration in determining planning applications. Scottish Water is responsible for water and sewerage provision in South Lanarkshire and their advice should be sought before development proposals are submitted.

ENV 35

Water Supply Policy

Development will only be permitted where there is an adequate supply of water to serve the site including a supply of water for human consumption, adequate in quantity and quality as prescribed under EC Directive 80/778; the Water Supply (Water Quality) (Scotland) Regulations 1990 and the Private Water Supplies (Scotland) Regulations 1992.

ENV 36

Foul Drainage and Sewerage Policy

All development within or adjacent to publically sewered areas will require to connect to the public network unless:

a. the development is in a small settlement where no collection exists or where the collection system serves a limited number of dwellings. If the public collection system cannot be developed due to technical constraints or the connection being unacceptable to Scottish Water, then a private system may be permitted subject to the system not creating or exacerbating an environmental risk from cumulative development; or

b. the development is in an area where connection to the collection system is not permitted due to lack of capacity, but where Scottish Water has confirmed that investment has been allocated within its investment programme to address this constraint. In such cases:

- systems must be designed and built to a standard to allow adoption by Scottish Water
- systems must be designed so that in the future, they can be easily connected to the public sewer (drainage will require to be provided to a likely connection point). The developer will require to fund Scottish Water's completion of the connection following upgrading of the sewerage system.

Where multi-ownership developments are permitted, the developer will require to enter into a Section 75 agreement with the Council requiring the establishment of a single body or arrangement responsible in perpetuity for ongoing maintenance, operation and refurbishment.
Reasoned Justification

7.2 New development can create additional demands for water and sewage disposal. All proposals in the urban and rural areas will require to demonstrate that appropriate provision of water supply, foul drainage and sewerage can be achieved without creating or exacerbating pollution in receiving watercourses or groundwater.
8.0 Sustainable Urban Drainage Systems
8 Sustainable Urban Drainage Systems

ENV 37

Sustainable Urban Drainage Systems Policy

The Council will require the use of sustainable urban drainage systems (SUDS) in appropriate developments following liaison with SEPA, Scottish Water and the Council’s Flood Prevention Systems Officer. SUDS details should preferably be submitted at the planning application stage, whether outline or detailed, in order to demonstrate that the proposals can be satisfactorily incorporated within the site layout. Where full details are not submitted at the application stage, the Council will consider the use of conditions to secure the submission and implementation of SUDS as appropriate.

Reasoned Justification

8.1 New developments and the redevelopment of existing sites may result in a substantial increase in surface water run off as permeable surfaces are replaced by impermeable surfaces such as roofs, roads and paving. The use of SUDS can significantly reduce and diffuse pollutants arising from the site, and can also minimise the risk of flooding at both the site itself and existing properties downstream of the new development area. The Council is aware that SUDS systems can be implemented through various design solutions, ranging from engineering structures to more natural water/vegetation features. The visual impact of any given SUDS solution should be compatible with the location of the structure/feature. In effect this would direct above ground engineering features to be located within the built areas and consideration given to the appropriateness of water/vegetation features within countryside areas.
9.0 Renewable Energy
9 Renewable Energy

9.1 The Council supports the development of renewable energy as an alternative to more polluting methods of power generation. However, this must be balanced against the impact that such developments can have on the environment and communities.

ENV 38

Renewable Energy Site Assessment Policy

All proposals for windfarms and other renewable energy developments will be assessed against the under noted criteria:

A) International and National Natural Heritage Designations and the Green Belt

1. Developments affecting international and national natural heritage designations must accord with ENV4 - Protection of the Natural and Built Environment, and the specific environmental policies in Volume II as follows:
   - ENV 20 - Natura 2000 Conservation Sites (Special Protection Areas and Special Areas of Conservation including sites outwith the South Lanarkshire boundary)
   - ENV 21 - European Protected species
   - ENV 26 - National Nature Reserves and Sites of Special Scientific Interest

2. In accordance with SPP 6 all renewable energy developments in the Green Belt must comply with the requirements of SPP 21: Green Belts. Wind farm developments of over 20MW will only be permitted in exceptional circumstances, either as a national priority or to meet an established need, but only if no other suitable site is available.

B) Other Natural and Built Heritage Resources

1. The proposal can take place without unacceptable significant detrimental effects on landscape character and significant adverse visual impact, including the landscape quality of the Regional Scenic Area and the Areas of Great Landscape Value. The findings of the South Lanarkshire Landscape Capacity and Sensitivity Study 2005 will be reviewed by the Council as part of further work under ENV 15 Spatial Framework for Windfarms Proposal, and its conclusions set out in Supplementary Planning Guidance, that will be subject to full stakeholder consultation and subsequently taken into account. Full assessment, demonstrating potential impact, to a radius of 35km unless otherwise agreed with the Council, will be required using a range of techniques including Zones of Visual Influence, wire line diagrams and photo montages where appropriate.

2. The cumulative visual and landscape impacts of windfarm developments, in accordance with paragraph 51 of SPP 6, have been fully assessed and shown to be acceptable.
3. The development will have no unacceptable significant adverse impact on Local Nature Conservation Sites and priority species and habitats identified in the South Lanarkshire Local Biodiversity Action Plan. Where it is advised by SNH and RSPB at scoping stage that there may be significant cumulative impacts on ecological and/or ornithological interests, developers will be required to undertake a cumulative impact assessment.

4. Cumulative visual, landscape and ecological/ornithological impact assessments should include all operating and consented schemes and those that are the subject of valid but undetermined applications.

5. The development must comply with the Local Plan's built heritage policies as follows-
   - ENV 22 - New Lanark World Heritage Site & its setting
   - ENV 23 - Ancient Monuments and Archaeology Policy
   - ENV 24 - Listed Buildings Policy
   - ENV 25 - Conservation Areas Policy
   - ENV 28 - Historic Gardens and Designed Landscapes Policy

6. Developments should be designed to minimise soil disturbance when building and maintaining roads and tracks, turbine bases and other infrastructure to ensure that the carbon balance savings of the scheme are maximised. Where relevant, applicants will be expected to provide geotechnical and hydrological information in support of applications, identifying the presence of peat at each site, including the risk of landslide connected to any development work.

C) Other Considerations

1. The development will not unacceptably affect the amenity of residents of nearby towns, villages and other properties by means of noise, smell, visual dominance, shadow flicker, reflected light or other emission.

2. Views from key tourist routes and visitor attractions will not be adversely affected to an unacceptable degree.

3. The siting and external appearance of apparatus, including any locational or landscaping requirements, have been designed to minimise the impact of such apparatus on amenity, while taking account of operational efficiency.

4. Access for construction traffic can be achieved without compromising highway safety, residential amenity or causing significant permanent damage to the environment. Applicants will be required to provide a transportation statement setting out the traffic impact for the construction and operational periods and demonstrating suitability of the transport routes for turbine components from their source. It is likely that pre and post construction road surveys will be required by the...
Council and that the developer may be required to enter a Section 96 Agreement with the Council. Any impacts of road construction/upgrading on Natura 2000 sites must comply with criteria A1 above.

5. Where there are clear landscape or other sensitivities that will have to be addressed, as agreed with the council, the environmental effects of all new transmission lines between the development and the point of contact to the grid should have been assessed and shown to have no significant adverse environmental impact, or that such impacts can be suitably mitigated.

6. No electromagnetic disturbance is likely to be caused by the proposal to any existing transmitting or receiving system or, where such disturbances may be caused, that measures will be taken to remedy or minimise any such disturbances. In relation to TV reception, pre surveys should be carried out and agreed demonstrating the baseline position, and if required, appropriate mitigation measures and remedial procedures will be specified through a S75 Agreement with the Council.

7. The impact of the proposal on radar performance and other air safety considerations have been satisfactorily addressed and demonstrated to the satisfaction of the relevant technical authorities.

8. Where proposals are shown to have a significant adverse impact in respect of any of the above criteria, the developer will be required to demonstrate that appropriate mitigating measures will be applied.

9. For larger schemes, and for other schemes where specific species/habitats are affected, developers may be required to submit a Habitat Management Plan setting out the means of land management that will secure biodiversity objectives.

10. All windfarm applications should acknowledge the need for decommissioning, restoration and aftercare at the end of the permission or the life of the turbines, if earlier, and not renewed by the Council. Conditions, including a restoration bond where appropriate, will be imposed on any permission granted to this effect, requiring implementation measures to be agreed with the Council in accordance with best practice at the time.

11. The Council will require all applications for renewable energy developments which fall within the scope of the Environmental Assessment legislation to be accompanied by an Environmental Statement, and encourages these to be preceded by a pre-application scoping report.

12. Where appropriate, the Council will normally require an applicant to enter into a Section 75 Agreement to address community benefit payments, restoration bond requirements and other matters which cannot be controlled by the imposition of planning conditions.

13. Applications should include details of the environmental, social and economic benefits that will arise from the project, both locally and nationally, including the overall number of jobs and economic activity associated with the procurement, construction and operation of the development.

Reasoned Justification

Volume II: Development Policies, Guidance and Appendices
9.2 Renewable energy is the term used to cover those energy flows that occur naturally and repeatedly in the environment – from the sun, the wind and oceans and the fall of water. The heat from the earth itself is usually regarded as renewable, although locally it cannot always sustain continuous extraction. Plant material is an important source of renewable energy. Combustible or digestible industrial, agricultural and domestic waste materials are also regarded as renewable sources of energy. In the context of sustainable development, renewable energy offers unique advantages. As an energy source, it underpins development and contributes directly to society’s fundamental economic needs, and, as an unlimited source, it does so without depleting non-renewable resources like fossil fuels.

9.3 The Council does not wish to unnecessarily inhibit the provision and growth of renewable energy resources in South Lanarkshire. However, the environmental impacts must be carefully assessed, in particular, the impact on neighbours, the quality of landscape and heritage features.

9.4 In accordance with the Structure Plan, windfarm developments are defined as significant (over 20 MW) or not significant (20 MW and under). It should be noted that proposals exceeding 50 MW are subject to a Section 36 application under the Electricity Act and are determined by the Scottish Government.

9.5 The Council will expect any consent, either through the Town and Country Planning (Scotland) Act 1997 or the Electricity Act 1989, to have full regard to the dismantling of the development and the reinstatement of the site. In certain circumstances, a restoration bond with the developer and/or landowner may be appropriate and conditions attached to any planning permission or a requirement in a planning agreement will seek this safeguard. Whilst the full strategy for decommissioning is not expected to be developed at the time of the application, due to the likely length of the development, applications will be expected to acknowledge the need for this, and for agreement with the Council at the time of decommissioning, in accordance with best practice at that time. Appropriate conditions will be placed on any permission granted to ensure that this takes place.

**Related Policies within Volume I: Development Strategy**

In addition to those set out above, the following Environment policies are detailed in Volume I: Development Strategy.

- ENV 14 – Potential Windfarm Areas of Search Policy
- ENV 15 - Spatial Framework for Windfarms Proposal
- ENV 16 – Renewable Energy Development Policy
- ENV 17 – Renewable Energy Community Benefit Policy
10.0 Waste Management
10 Waste Management

**ENV 39**

**Waste Management Site Assessment Policy**

In considering applications for the management of waste, the Council will have regard to the policy framework of the Local Plan and the following specific criteria:

a. that there is a demonstrated need for the facility;

b. its location in relation to the main sources of waste;

c. the potential impact of the proposal on local communities and other sensitive land uses;

d. the development will have no significant adverse impact on any heritage feature including Conservation Areas, Listed Buildings or their settings, Scheduled Ancient Monuments, historic gardens and designed landscapes and other sites of archaeological or historic interest where these are material considerations;

e. the development will have no significant adverse impact on any natural heritage feature including the Green Belt, agricultural land, landscape, the natural environment including landscape character, habitats and species, including those given statutory protection;

f. the development will have no significant adverse impact in terms of local environmental effects including noise, dust, vibration, odour, attraction of vermin or birds, litter, potential for the pollution of surface water or ground water or contamination;

g. the design of the site including any buildings, floodlighting, nets for waste and pest control, visual impact and access, landscaping and screening;

h. hours of operation and length of time of the proposed operation;

i. mode of transport, including the potential use of alternative modes of transport other than by road; site access, traffic volumes and the effects on the road network and road safety;

j. the need to avoid a proliferation of sites in a locality that may lead to a detrimental impact by virtue of their cumulative impact;

k. where appropriate, the suitability of arrangements for the after use and restoration of the site;

l. the off-site impact of any odours, discharges of gas, effluent or leachate;

m. in general waste management facilities and transfer stations will be directed to industrial locations and/or existing waste management sites unless other material considerations indicate otherwise.
Reasoned Justification

10.1 In accordance with the guidance contained within SPP10 – Planning and Waste Management, the protection of the environment and the effect on amenity needs to be given due consideration in the assessment of planning applications for the disposal of waste. Any proposals will require to be considered against the specific criteria identified.

Related Policies within Volume I: Development Strategy

10.2 In addition to those set out above, the following Waste Management policies are detailed in Volume I: Development Strategy.

- ENV 18 – Waste Management Policy
11.0 Development Management Policies
11 Development Management Policies

Development Management, Enforcement and Monitoring Policies

11.1 This section sets out some of the more frequently used topic-based development management policies that, together with the strategic policies contained in Volume I, will be used to assess individual planning applications. It includes policies on extensions, alterations and other development affecting dwellings and their garden ground, hot-food shops, advertisement hoardings, telecommunications, working from home and mobile snack vans. Policies on enforcement of planning control and monitoring of development are also included.

11.2 In addition, this section provides detailed guidance on householder proposals such as extensions and associated alterations, the erection of garages, porches, garden sheds, greenhouses and walls/fences in open plan areas. Any planning application will be assessed against DM 4 ‘House Extensions and Alterations Policy’. However, the guidance sets out certain standards which if met, will make the proposal more likely to be approved. It will also be a material consideration in the determination of any planning application.

11.3 Applicants should be aware that securing planning permission does not remove the legal requirements to obtain authorisations or licences under other regulatory regimes. For example this may include Building Warrants, Road Construction Consent and authorisation from Scottish Environment Protection Agency in respect of the Water Environment (Controlled Activities) (Scotland) Regulations 2005, Waste Management Licensing Regulations 1994 (as amended), and The Pollution Prevention and Control (Scotland) Regulations 2000.

DM 1

Development Management Policy

All planning applications will require to take account of the local context and built form and should be compatible with adjacent buildings and surrounding streetscape in terms of scale, massing, design, external materials and impact on amenity.

Development will require to have no significant adverse impact on the local environment and to enhance its quality and appearance. When assessing applications, the Council will require proposals to comply with the following:

a. respect the local context;

b. be of a layout, form and design which makes a positive contribution to the area;

c. make use of materials appropriate to the locality;

d. have no significant adverse impact on visual amenity, landscape character, habitats or species, including those given statutory protection, or wider environmental amenity;

e. ensure accessibility for all;
f. incorporate safety and security measures within the proposal;

g. make appropriate open space and landscape provision;

h. provide suitable access, parking and have no adverse implications for public safety;

i. make appropriate infrastructure provision to serve the development;

j. address sustainability issues through energy efficient design, layout and environmentally friendly building practices;

k. Where appropriate demonstrate that the development will not result in negative impact on the water environment as required by the Water Framework Directive and related regulations;

l. there will be no significant adverse effects on air, water or soil quality and as appropriate, mitigation to minimise any adverse effects to be provided; and

m. take account of any supplementary design guidance prepared by the Council.

**Reasoned Justification.**

11.4 The Council will ensure that good quality design is given a high priority in development proposals. To achieve this all new buildings or alterations to existing buildings will require to be designed to high standards in terms of materials, style of development and scale. Whilst not wishing to stifle architectural expression, the Council wishes to safeguard basic amenity and promote sensitive design which respects and contributes positively to its surroundings.

**DM 2**

**General Enforcement Policy**

The Council will take enforcement action against any unauthorised development that unacceptably harms public amenity, public safety or the existing use of land and buildings meriting protection in the public interest. In considering whether to take enforcement action, the Council will assess the breach against the following:

a. local plan and enforcement policies

b. impact on residential amenity

c. impact on road safety

d. magnitude of the breach
e. sensitivity of the location
f. severity of harm to the environment

Reasoned Justification

11.5 SPP1 – The Planning System, states that the Scottish Ministers attach great importance to effective enforcement as a means of sustaining public confidence in the planning system. It is essential that planning procedures and decisions are respected and adhered to. The Town and Country Planning (Scotland) Act 1997 provides a range of powers for enforcing planning control, with primary responsibility for exercising these powers resting with the Council. The type of enforcement action taken shall be in proportion to the seriousness of the breach and formal action against trivial or technical breaches that cause no harm to amenity or safety shall not normally be taken. All action shall be taken in accordance with the Council’s ’Monitoring and Enforcement Guide’.

11.6 The Council will attempt to persuade an owner or occupier of land to voluntarily remedy any harmful effects of unauthorised development. However, any negotiations will not hamper or delay formal enforcement action that may be required to either stop the activity or make the development acceptable on planning grounds.

DM 3

General Monitoring Policy

Monitoring shall be undertaken to ensure that development is carried out in accordance with planning legislation, approved plans and conditions. Priority for monitoring shall be given to those developments which are most likely to have an impact on the environment and/or on neighbours and shall be in accordance with the Council’s ’Monitoring and Enforcement Guide’.

Reasoned Justification

11.7 Effective controls are necessary to ensure development is carried out strictly in accordance with planning legislation and planning consents. Problems may arise if development is not carried out in accordance with the planning permission which has been granted. For example; incorrect siting of buildings; inadequate protection to existing trees and hedgerows; inappropriate use of materials, or the use of inadequate hard and soft landscaping/boundary treatment.

11.8 In addition, conditions may have been imposed on a planning permission to address potential problems arising from a development. Effective monitoring is therefore required to ensure that development takes place in accordance with approved plans and conditions.
House Extensions and Alterations

DM 4

House Extensions and Alterations Policy

House extensions and alterations will be permitted where it can be demonstrated that the proposal complies with the following criteria:

a. the siting, form, scale, design and materials respect the character of the existing dwelling and the wider area. Within this context, high quality, innovative design will be encouraged where it complements the character of the building and its surroundings;

b. it does not dominate or overwhelm the existing dwelling, neighbouring properties or streetscene in terms of size, scale or height;

c. it does not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy, daylight or sunlight;

d. it retains adequate car parking and useable garden ground within the site;

e. it does not have an adverse impact on traffic or public safety; and

f. there is no significant adverse impact on European Protected Species.

Reasoned Justification

Many housing areas have a distinct character resulting from the quality of the buildings, their layout and landscaping. Every house contributes to the general character of its street and surrounding area and as such, it is important that extensions or external alterations are in keeping with both the original house and the context of the local area. Poor house extensions and alterations can have a detrimental effect on the visual appearance of an area and on the residential amenity of neighbours. Extending or altering the property to a high standard and in keeping with the original design helps to maintain or enhance the character of the local area.

Guidance Note - House Extensions and Alterations

11.9 Design proposals for house alterations and extensions should comply with DM 4 ‘ House Extensions and Alterations Policy ’ – House Extensions and Alterations. They should also comply with the following guidance which sets out the criteria against which specific proposals will be assessed. This guidance will be an important material consideration when considering applications for house extensions and alterations.
House Extensions and Alterations, including Formation of Timber Decking

11.10 In order to protect the amenity, character and appearance of existing residential areas, applications for extensions and alterations to existing houses, including the formation of timber decking, will be assessed against and should meet the following criteria:

a. The extension should not over dominate and its width, height and massing should be kept in proportion to the existing house. Its design should not detract from the appearance of either the house or the surrounding area and it should be finished in materials, which match or are compatible with those of the existing house; or which can be assessed in a wider context as beneficial to the area.

b. The extension or formation of timber decking should not result in a significant loss of privacy to adjoining/neighbouring houses or garden ground, particularly where the extension or decking occupies an elevated position which overlooks adjacent properties. The minimum distance between windows of directly facing habitable rooms (i.e. living rooms, dining rooms and bedrooms) should be no less than 20 m. This distance may be relaxed where windows are at an angle. The formation of timber decking should not result in significant overlooking and loss of privacy to adjacent properties.

c. The extension should not result in a significant loss of daylight/sunlight to neighbouring houses or garden ground nor cause overshadowing detrimental to the amenity of these adjacent properties.

d. The extension should not, by virtue of its sheer physical/visual presence, dominate adjacent properties such that amenity is adversely affected.

e. The extension should not be of a form or design which would result directly, or if repeated on adjoining properties, in the modification of detached or semi-detached properties to create either physically or visually, a terraced or continuous form of development when viewed from the street. Extensions should ideally be set back from property boundaries by a minimum of 1.0 metre.

f. The extension (whether single-storey or two-storey and whether located to the side, rear or front of the house) should only extend to the side boundary where it can be shown that there will be no significant adverse affect on the amenity/setting of the adjacent property.

g. Side windows will not usually be permitted at upper levels unless the areas involved are bathrooms, w.c.'s, halls, landings or stairways; or unless there is no overlooking or loss of privacy to adjacent houses.

h. Windows and other details of the extension should be aligned with those of the existing house.

i. If the extension is at the rear, an adequate amount of garden ground should be left. Generally, at least 50% of the rear garden should remain undeveloped.

j. The extension should not prevent the provision of satisfactory garaging or loss of off-street parking to serve the existing house, nor should it result in the creation of a sub-standard access or interfere with visibility splays.
k. It is desirable that the extension/alteration should be capable of being constructed and maintained from within the garden of the applicant's property and should not require access for these purposes to be taken from neighbouring property. It is therefore desirable that a gap of at least 1.0m is left from the boundary of any adjoining property.

l. Upper floor balconies will only be permitted where they do not cause any serious loss of privacy to neighbouring properties.

**Dormer Extensions**

11.11 The following guidelines should be taken into account when considering the formation of dormer windows:

a. The dormer should be of a size and scale such that it does not over dominate the original roof or dwellinghouse; nor significantly detract from the appearance or character of the street i.e. the dormer should not give the impression of being bulky and out of proportion to the existing house.

b. The dormer should be constructed below the ridgeline of the original roof and be drawn back as far as practicable from the eaves i.e. the dormer should have a substantial proportion of roof all around it and should not be full width or full height.

c. The dormer should not extend to the gable end nor extend the full width of the roof. Two small dormers on the same elevation can offer a suitable alternative to one large dormer, which may be out of scale with the existing house.

d. Where located on a prominent or visible frontage, the dormer should reflect or be influenced by the design of any traditional dormers in the locality.

e. Rear dormers will be assessed in relation to how visible they are from public view and how they impact on the privacy of adjacent houses and gardens.

f. In Conservation Areas and on Listed Buildings, where the principle of dormer extensions has been accepted, dormers should be designed in a traditional manner and be of a scale in keeping with the original property.

g. Dormers should relate to windows and doors below in character, proportion and alignment.

h. Dormers should be finished in external materials, which match or are compatible with the existing roof finish.

i. The use of roof-lights should be considered as an alternative to dormer extensions.
Single-Storey Extensions

11.12 Where an extension is visually prominent or exposed to public view, a pitched roof or roof the same style, as the existing house will usually be required. Flat roofed extensions are not generally encouraged, although they may be acceptable to the rear or where they are not highly visible or as additions to existing flat-roofed buildings.

11.13 In order to allow ease of access for refuse collection and to enable construction and maintenance of the walls of the extension, side extensions should ideally be set back from property boundaries by a minimum of 1.0 metre.

Two-Storey Extensions

11.14 Two-storey extensions should:

a. not have a flat roof unless the existing house is flat-roofed (the roof should tie into the existing roof).

b. carry through the line of the eaves of the existing house (except where differences in floor level do not permit).

c. be designed and positioned such that no significant loss of amenity occurs to neighbouring properties through overlooking, loss of light, overshadowing or sheer physical impact.

d. not, if repeated on detached/semi-detached properties, result in the formation of a continuous terrace

e. set ridge line below the existing ridge

f. set back 1.0m from front elevation and from side property boundaries by a minimum of 1.0m.

Garages and Car Ports

11.15 Garages/car ports should adhere to the following criteria:

a. Where located on a main frontage or visually prominent site, the garage/car port should be designed to respect the shape and form of the house. Roofs should be pitched or of the same style as the house and finished in slates/roof tiles or materials to match the roof of the house. The external walls should be finished in facing brick, roughcast or materials compatible with the existing house.

b. The garage/car port should preferably be set back from the front elevation of the house and should not obscure it, be overdominant or be positioned forward of the building line such that it looks out of place or forms an intrusive feature in the street.
c. A single garage should have minimum dimensions of 6 metres in length and 3 metres in width.

d. There should be a minimum distance of 6 metres from the heel of the kerb to the front of the garage/car port to ensure that a car can be parked in the driveway without overhanging the pavement.

Porches and Front Extensions

11.16 Proposals for the erection of porches or extensions to the front of the property should adhere to the following:

a. A front porch or extension should not project more than 2 metres beyond the front elevation of the house unless it can be shown that a greater degree of projection would not look out of place or form an intrusive feature in the street.

b. The porch should be in proportion to the size of the house and its height should relate to the front door height.

c. The porch or extensions roof should be pitched or sympathetic to the style of the existing house.

d. The porch or extension should be finished in materials that match or are compatible with the existing house.

e. It may be appropriate to design the porch to match one already adjacent; if possible, where properties have adjoining front doors it would be beneficial to match porches.

Garden Sheds and Greenhouses

11.17 Garden sheds and greenhouses should:

a. Be positioned, where possible, at the rear of the garden.

b. Be in proportion to the size of the garden - an adequate amount of garden ground (approximately 50%) should remain undeveloped by extensions, garages, garden sheds or greenhouses).

c. Not adversely affect neighbours by overshadowing or overlooking their property.

d. Always be ancillary use to the dwellinghouse and not for business/commercial purposes.

e. Be constructed of wood, glass or from modern materials, which have similar characteristics to these.
Housing Open Plan Areas

1. In view of the contribution that the open plan concept can make to environmental quality, there will be a general presumption against permitting front walls/fences within private residential areas where an open plan condition exists and where the open plan character has largely been maintained, with few breaches having occurred. Any new breaches of the open plan condition in these areas will result, in line with Policy DM 2 ‘General Enforcement Policy’ in the serving of a Breach of Condition and/or Enforcement notice in order to secure the removal of the unauthorised wall/fence.

2. In private residential areas where an open plan condition exists, but where a significant number of breaches have taken place which have resulted in the erosion or destruction of the open plan character to such an extent that it is no longer worth preserving, there will be a general presumption in favour of permitting front walls/fences subject to compliance with the following criteria:

   11.18 a. The introduction of a front wall/fence shall not adversely affect the visual amenity of an area by way of:-
   
   - relationship with adjacent properties within the layout,
   - effect on streetscape,
   - prominent/inappropriate location (with particular regard to corner plots, plots adjacent to footpaths and areas of public open space),
   - affecting the basic concept or character of the layout itself, and
   - affecting sightlines/visibility as required to access the property itself or adjacent properties.

   11.19 b. No fence or wall shall exceed 1 metre in height and shall be constructed in facing brick or finished in render to match the house. Alternative proposals of suitable design and colour may be permitted where considered appropriate.

Sub-Division of Garden Ground

DM 5

Sub-Division of Garden Ground Policy

There will be a presumption against the development of a new house (or houses) within the curtilage of an existing house unless all of the following criteria can be met:

a. The proposed house plot(s) and that remaining to the existing house are comparable with those nearby in terms of size, shape, and amenity (i.e. the proposal accords with the established pattern of development in the surrounding area).

b. The proposed house(s) will have a proper road frontage of comparable size with those of surrounding curtilages.
c. The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or adversely affect the amenity of adjacent properties by virtue of noise or loss of privacy.

d. The garden space allocated to the proposed house(s) and remaining for the existing house should be sufficient for the recreational, amenity and drying needs of the occupants.

e. The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings.

f. The proposed development will not overshadow adjacent properties to a degree which results in a loss of amenity or itself be adversely affected by overshadowing.

g. All existing features such as trees, hedges, walls, fences and buildings that contribute to the character of the area will be retained and not adversely affected by the development.

h. Adequate parking for both the proposed and existing house must be provided within the site and must not be harmful to the established character and amenity of the area.

i. The proposed house(s) must be of a scale, massing, design and materials sympathetic to the character and pattern of development in the area and must not result in a development that appears cramped, visually obtrusive or be of an appearance which is so out of keeping with the established character that it is harmful to the amenity of the area.

j. The proposal must not jeopardise or be prejudicial to any further desirable development in the vicinity.

k. The proposal will not result in an adverse effect on built heritage and/or nature conservation interests.

**Reasoned Justification**

**11.20** Throughout South Lanarkshire, pressure exists for the subdivision of garden ground belonging to existing dwellings to allow for the development of additional houses within them. Whilst some gardens may be capable of accommodating additional dwelling units, this type of proposal has the potential to adversely affect residential amenity if standards relating to distances between dwellings, garden sizes, access, parking and privacy cannot be met. In addition, this type of proposal can erode the established layout and character of an area.

**11.21** As standard practice and in order to allow suitable assessment of proposals to develop additional houses in garden ground, the Council will require that outline applications for such proposals should contain details relating to siting, orientation and height of the proposed dwelling(s) as well as indicating how access will be taken.
Conversion of Outbuildings

DM 6

Conversion of Outbuildings Policy

There will be a presumption against the conversion of outbuildings within residential curtilages to form separate units of accommodation unless all of the following criteria can be met:

a. The converted building will have its own separate garden and amenity space comparable with that remaining attached to the existing house and to that of other dwellings in the vicinity.
b. The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or amenity (in terms of potential noise or privacy problems).
c. Adequate parking for both the converted building and the existing house must be provided within the site and must not be harmful to the established character and amenity of the area.
d. The converted building must not cause an unacceptable reduction in privacy or significant degree of overlooking of the existing or adjacent houses and gardens and must, itself, enjoy a level of privacy comparable with surrounding dwellings.
e. All existing features such as trees, hedges, walls and fences that contribute to the character of the area must be retained and not adversely affected by the development and any new boundary treatment must reflect existing features.
f. The proposal will not result in an adverse effect on built heritage and/or nature conservation interests.

Reasoned Justification

11.22 Many substantial dwellings set in large curtilages have accompanying outbuildings which may originally have been used for storage purposes. Permission is sometimes sought to convert such outbuildings to bedrooms, living rooms, flats or ancillary residential accommodation. This can lead to over intensive development of the site, resulting in loss of amenity and damage to the environment. The suitability of an outbuilding for conversion will depend on the size and character of the building and its position within the site. Proposals for conversion will be examined carefully to ensure that there is a proper means of access, no loss of amenity to the buildings or damage to their setting.

Granny Annexes

DM 7

Granny Annexes Policy

The formation of separate ‘granny’ annexes through either the extension of existing dwellings or the conversion of outbuildings shall be acceptable where all of the following criteria can be met:
a. There is a proven social need and the applicant is prepared to enter into a Section 75 Agreement to ensure that the annex accommodation is not used or sold/rented or otherwise as a separate dwelling unit;

b. Adequate access, parking and turning facilities continue to be provided within the site;

c. No harm to the amenity of neighbouring properties through loss of privacy or overlooking will occur

d. The proposal will not result in an adverse effect on built heritage and/or nature conservation interests.

Where proposals for the formation of a ‘granny’ annex are acceptable, any planning consent will be the subject of both a Section 75 Agreement and the imposition of a "tying" condition. These will stipulate that the extension or converted building shall be used solely as accommodation ancillary to the main dwellinghouse. This is to ensure that the ‘granny’ annex is not occupied, let or sold as a separate dwelling unit where otherwise the formation of an additional dwelling would be unacceptable due to a lack of garden ground, insufficient parking, unsuitable access or mutual overlooking or other criteria on terms of sub-division of residential property.

**Reasoned Justification**

11.23 As with any other extension or outbuilding conversion, the Council will consider the effect of the proposal on the appearance of the existing dwelling, on the streetscene in general and on neighbouring properties. In cases where the extension is considered to be overly large, inconsiderately located or badly designed, then planning permission will not be granted simply because the accommodation is for an elderly relative.

11.24 The Council will also consider whether the additional accommodation exceeds what is reasonably necessary for an additional person. When granting planning permission for such a proposal, the Council will impose a condition on the permission and seek a Section 75 agreement, restricting its use to additional family living accommodation for the house which is being extended. However, it prevents it being sold or rented to other people as separate living accommodation.

**Sub-Division of Residential Property**

**DM 8**

**Sub-Division of Residential Property Policy**

The Council will assess planning applications for the sub-division of residential properties on their individual merits and in accordance with the following criteria:

a. Sub-division of villa properties should generally be based on a standard of one self-contained dwelling unit per floor.
b. Parking should be provided within the curtilage of the property in accordance with the Council’s residential parking standards. In order to ensure that no adverse amenity or traffic problems will result, an assessment of the existing parking situation in the vicinity and the volume of traffic using surrounding streets will be undertaken. This should be submitted as part of the planning application in order to determine whether parking standards require to be reduced or increased according to local circumstances.

c. Vehicular access and off-street parking must be satisfactorily achieved and must not present a traffic hazard or create amenity problems for neighbours (through noise or loss of privacy). Parking provision in front or rear gardens should not adversely affect the appearance or character of the street and the major part of the surface area of the front or rear gardens should remain in use as garden ground.

d. Provision of off-street parking spaces should not result in the loss of features such as trees, hedges, walls, fences and buildings that contribute to the character and amenity of the area. Proposals for sub-division should include an accurate survey of these features and should indicate if any will be affected by development.

e. Generally, each residential unit created as a result of sub-division should have a satisfactory aspect to the front of the property. Single aspect flats to the rear of buildings will usually be unacceptable unless it can be adequately demonstrated that the rear aspect has an outlook and setting which provides a satisfactory level of residential amenity.

f. Each sub-divided unit should have natural lighting for ordinary domestic purposes.

g. Generally, the intensification of the residential use of the property should not adversely affect the amenity of the area through traffic generation, noise, disturbance or loss of privacy.

h. Refuse collection and drying areas should be located to the rear of the property.

i. Any requirement for the provision of external fire escapes/stairs must be capable of being carried out such that the external appearance of the building and the amenity of adjacent properties are not adversely affected.

j. Any proposed extension must:

- Be sympathetic to the existing building in terms of scale, design and use of materials
- Not result in an adverse effect on built heritage interests
- Not adversely affect the amenity of adjacent properties in terms of loss of privacy or overshadowing and loss of light
- Not result in an overdevelopment of the site in terms of mass and density
- Retain a reasonable proportion of garden ground to provide adequate amenity and parking space.
Where a proposal involves the sub-division of a residential property, which is a Listed Building or is located within a Conservation Area (Refer ENV 24 ‘Listed Buildings Policy’ & ENV 25 ‘Conservation Areas Policy’) the external appearance of the building, must not be adversely altered and internal works must be acceptable in relation to any special architectural features. Proposals for off-street parking should not adversely affect the character of the street through loss of garden ground or existing trees/planting.

**Reasoned Justification**

11.25 In many areas, the strong demand for certain types of dwelling has led to pressures for the subdivision of large houses and flats into self-contained flats. The policy on subdivision is required in order to ensure that good quality accommodation is provided and that there are no adverse effects on residential amenity resulting from the additional demands for car parking, refuse disposal, etc. Subdivision proposals frequently involve extension of the existing property and it is important to ensure that this is appropriate in terms of design and impact on the amenity and character of the area. Proposals for the subdivision of buildings in other uses such as churches or offices, to residential use, will also be assessed against this policy.

**Demolition and Redevelopment for Residential Use**

**DM 9**

**Demolition and Redevelopment for Residential Use Policy**

While residential redevelopment proposals involving demolition of existing properties will require to conform to ENV 31 ‘New Housing Development Policy’, the proposals must also comply with the following specific criteria:

a. There will be a general presumption against the demolition and redevelopment of sites within Conservation Areas or in the setting of a listed building where the building(s) to be demolished makes a valuable contribution to the quality and appearance of the local environment and street scene, unless the proposed development can be shown to preserve or enhance the special character of the area.

b. The scale and design of development should be sympathetic to the scale/mass/height/materials of adjacent buildings and to development in the immediate area. It should not significantly breach any existing layout convention such as an established building line or height of adjacent buildings.

c. Redevelopment proposals should not be cramped, out-of-keeping with or occupy a significantly greater footprint than the demolished building or of those flanking the site, where this is to the detriment of the visual character of the area or results in other criteria of this policy being unable to be met.
d. Redevelopment shall not result in increased overlooking of adjoining property or garden ground, either through the formation of side windows or by virtue of the new development extending deep into a site beyond the footprint of the demolished building.

e. Redevelopment shall not result in overshadowing of adjacent properties or garden ground. Assessment of the impact of the new development shall have regard to orientation, height, proximity to boundaries and adjacent buildings.

f. Vehicular access and off-street parking must be satisfactorily achieved and must not present a traffic hazard or create amenity problems for neighbours (through noise or loss of privacy). Parking provision in front or rear gardens should not adversely affect the appearance or character of the street and the major part of the surface area of the front or rear gardens should remain in use as garden ground.

Reasoned Justification

11.26 Demolition of existing buildings and redevelopment for residential use can create particular issues in terms of retaining the character and integrity of the established street scene. Careful consideration of the siting of buildings, massing, architectural treatment, use of materials and maintenance of the existing landscape is essential to ensure that redevelopment schemes do not adversely affect the quality and character of the residential environment. Attention also needs to be given to the design of any new vehicular access and its relationship to the street.

Hot Food Shops

DM 10

Hot Food Shops Policy

1. Commercial Areas

Within commercial areas identified in the Local Plan there will be a general presumption in favour of granting planning permission for hot food shops subject to compliance with all of the following criteria:

a. An adequate level of shopping provision is maintained and the viability of the centre and its main retail function is not adversely affected.

b. A satisfactory balance is retained between retailing and non-retailing uses;

c. Within primary shopping or core retail areas the proposal does not result in a concentration of non-retail frontages which would significantly detract from the shopping character of the street.
d. The proposal does not have a significant impact in terms of environmental, traffic, public safety and amenity considerations (e.g. noise, disturbance or smell), particularly in relation to residential properties above, adjacent or near to the site.

e. The applicant shall demonstrate that they have control to implement any ventilation system that may be required. This shall have prior approval in writing by the Council and be installed to the Council’s satisfaction.

2. Single Shops/Small Groupings of Shops

Where there are single shops or groupings of small numbers of shops located in predominantly residential area or very small settlements, which meet the daily shopping needs of people within a locality, there will be a presumption against granting permission for hot-food takeaways unless all of the following criteria are met:

a. An adequate level of shopping provision covering a range of daily shopping needs will still exist at the location or;

b. Alternative shopping facilities are located near the site.

c. There is shown to be no local need for the existing use and a need for the proposed use or it has been unsuccessfully marketed for an appropriate use to the Council’s satisfaction.

d. There is no significant impact in terms of environmental, traffic and amenity considerations (e.g. noise, disturbance or smell), particularly in relation to residential properties above, adjacent or near to the site.

e. The applicant shall demonstrate that they have control to implement any ventilation system that may be required. This shall have prior approval in writing by the Council and be installed to the Council’s satisfaction.

In addition, in both areas 1 and 2 above, if the hot food shop is proposed on the ground floor of a tenement there will be a presumption against the proposal unless ventilation arrangements including a rear flue terminating 1 metre above the eaves can be provided. Since the rear of a tenement is often in common ownership, agreement from all owners is necessary.

3. Residential/Industrial Areas

There will be a general presumption against the granting of hot-food takeaways if residential amenity would be adversely affected to a significant degree or within industrial areas.

4. General

There will be a general presumption against permission in those cases where the proposed development is likely to have an adverse effect on existing traffic circulation or public safety.
In addition, where the Council is disposed to grant permission, this will be subject to the installation of a ventilation system to the satisfaction of the Council, to restrictions on noise levels and on hours of opening commensurate with the recognised nature and level of activity in the locality. These will vary depending on the precise location of the site.

**Reasoned Justification**

11.27 The Council wishes to ensure the on-going viability of all commercial areas and that these continue to provide appropriate facilities reflecting their role and function.

11.28 The Council is particularly concerned about the loss or retail floorspace to hot food shops within the commercial area identified in the Local Plan. In addition there is increasing pressure for hot food takeaways in neighbourhood centres within residential areas where the amenity of the residential area is of prime concern.

**Advertisement Hoardings**

**DM 11**

**Advertisement Hoardings Policy**

Applications for hoardings/poster display panels, (advertisements using specialised structures for their display and which generally display advertisements unrelated to the site on which they are located) will be acceptable where they comply with the following criteria:

- a. The advertisement has no adverse impact on the general character of the area, including any features of historic, archaeological, architectural, landscape or cultural interest;
- b. If located on a building, the advertisement is of a size, scale, position, design and materials appropriate to the scale of that building and the appearance and characteristics of the surrounding area;
- c. If freestanding, the advertisement is of a size, scale, position, design and materials appropriate to the appearance and characteristics of the surrounding area;
- d. The advertisement does not result in clutter or have an adverse impact on amenity by creating a proliferation of advertisements on a building or in the surrounding area;
- e. The advertisement has no adverse impact on the amenity of nearby residents by virtue of light or noise pollution; and
- f. The advertisement has no adverse impact on public safety by virtue of causing distraction, confusion or creating a hazard to pedestrians, cyclists or drivers.
It is particularly important to maintain the visual amenity and character of the following sensitive locations and as such, advertising proposals in these areas will be strictly assessed against the criteria specified above.

1. Within or adjoining Conservation Areas.
2. Attached to, or in the vicinity of ‘Listed Buildings’.
3. In rural areas or the open countryside.
4. In villages and small settlements (except for, in certain circumstances, smaller sizes of hoarding).
5. In predominantly residential areas or non-residential areas where the site is overlooked by a number of residential properties.
6. In prominent/sensitive locations and in particular, those areas which are the subject of comprehensive environmental improvements by the Council.
7. Along principal traffic corridors.
8. Within strategic industrial locations.

Consent will generally be granted where the proposed location meets the following:

i. ‘Temporary’ vacant sites where future developments is expected.

ii. Gap sites/untidy ground or unsightly gables where screening and environmental improvements may be achieved.

iii. Locations where the general environment is such that advertisement hoardings and accompanying environmental improvements would not detract from the existing amenity of the area and may assist in improving the locality.

In general, schemes for the above mentioned locations will require to incorporate generous landscaping treatment and screen fencing where appropriate. Prominent, isolated displays without an acceptable background will be unacceptable.

**Reasoned Justification**

11.29 The legislation dealing with the control of advertisements is the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The powers available under this legislation are only exercisable in two respects, amenity and public safety. In terms of amenity, the Council is obliged to take account of the general characteristics of the area and in particular, any feature of architectural, historic, cultural or civic interest. In terms of public safety, regard must be given to the potential effect of the proposed advertisement.
The Council’s policy seeks to ensure that care is taken with the display of outdoor advertisements so that they do not prejudice amenity or public safety, having regard to the specific circumstances of each proposal. The Council will encourage the provision of well designed advertisements which respect the building or location where they are displayed and which do not adversely affect amenity. Advertisements can, in particular circumstances, add colour and interest to the streetscene. However, it is important to ensure that the unique qualities and amenity of the rural area are protected, together with important townscape features such as listed buildings and conservation areas.

**Telecommunications Development**

**DM 12**

**Telecommunications Development Policy**

In assessing proposals for telecommunications developments, the Council will have regard to Government policy and advice (in particular, NPPG19 and PAN62), to the operational requirements of telecommunications networks and the technical limitations of the technology and to local plan policies which seek to safeguard amenity and the environment. Proposals for telecommunications development will be permitted provided that the following criteria are met:

**General**

1. The siting and design of the proposed apparatus and associated structures shall minimise any adverse impact on the visual amenity, character or appearance of the surrounding area;

2. On a building or structure, or within a street scene, the proposed apparatus and associated structures shall be sited and designed to minimise its impact on the appearance of the building or street scene and shall:
   a. be sympathetic to architectural form, location and settings;
   b. be coloured to match the background;
   c. be in proportion to the size of the building, structure or existing street furniture;
   d. have minimal impact on roof lines;
   e. respect important views or skylines

3. The development shall be designed to minimise environmental and visual impact through exploration of a range of options including:
   a. the use of small scale antennas and equipment;
   b. the use of innovative design or positive design features:
   c. Concealment, disguise or the use of screening features including buildings, trees or landscaping;
   d. placing installations on existing buildings or infrastructure:
   e. mast sharing;
   f. site sharing
Reasons shall be given for the selection of the chosen site and design. Where a mast is proposed, the applicant will require to demonstrate that the possibility of erecting apparatus on existing buildings, masts or other structures has been explored. Such evidence should accompany the planning application.

4. Individual proposals shall be sited and designed as sensitively as possible in order to minimise potential adverse cumulative visual impact. Cumulative impact can result from the presence of a number of insensitively designed and visually obtrusive installations in a locality, as well as the gross number of installations.

The assessment of cumulative impact will have regard to:

a. the visual impact of development on rooftop sites and on the wider roofscape;
b. the visual impact of additional antennas sharing a mast;
c. the visual impact of additional masts sharing a site;
d. the visual impact where two or more masts are visible at the same time.

5. Replacement telecommunications infrastructure shall aim to be less visually intrusive than the existing equipment which it is replacing, unless technical or operational requirements demonstrate that this is not feasible.

Sensitive Sites

The Council has identified the following as visually and/or environmentally sensitive locations. In these locations, telecommunications development will be permitted where it is small scale, disguised or concealed, or where it can be satisfactorily demonstrated that the development will have no adverse effect on either visual amenity or on the integrity and quality of the designated area.

The locations are:

a. Within or adjoining residential area or sites within clear view of residential areas
b. Public open space/recreational areas
c. Conservation Areas, Listed Buildings and their settings
d. Sites and settings of Scheduled Monuments and other significant archaeological sites and landscapes, including the Inventory of Historic Gardens and Designed Landscapes
e. Sites of Special Scientific Interest, Natura 2000 sites
f. Areas of Great Landscape Value, Regional Scenic Areas
g. Scenic viewpoints and prominent locations visible from visitor attractions (urban and rural)
h. Hill-top or skyline locations in rural area
**Siting Opportunities**

The Council has identified the following locations as less visually sensitive and which may offer opportunities for the siting of standard equipment. The Council will generally support appropriately designed telecommunications infrastructure in these locations:

a. Industrial areas and commercial areas  
b. Land adjacent to railway lines  
c. On or near electricity pylons, water towers, floodlighting towers, chimneys, gasometers, agricultural silos, granaries, church steeples/bell towers (*concealed equipment*) or other substantial structures  
d. Locations where existing features, trees or landscaping can provide screening to help minimise any adverse visual impact.

Proposals relating to these sites must comply with the General criteria 1 – 5 set out in this policy.

The siting and design criteria contained in this policy are applicable to all components of the proposed telecommunications development including antennas, supporting structures, equipment housing, fencing, cable runs, planting, landscaping, access, power supply and land lines.

**Planning Application Requirements**

The Council will require the following information to be included in planning application submissions for telecommunications developments:

- Description of how the proposed equipment fits into the existing or proposed wider network (this may have to be provided in confidence)  
- Consideration of the siting and design options which satisfy the operational requirements, and the reasons for the chosen solution  
- Details of the design, including height, materials and all the components of the proposal  
- Details of any proposed landscaping and screening planting  
- Information on the method and timing of construction in sensitive rural areas  
- Cumulative effects involving equipment already on site or nearby  
- In some circumstances (dependant on the sensitivity of the landscape and the scale and design of the proposal), further information on the visual impact e.g. a photomontage to show the proposed equipment in its wider setting. Very exceptionally a landscape or visual impact assessment may be needed  
- Declaration that the proposal is designed to be in full compliance with ICNIRP guidelines on public exposure to RF radiation (any application will be invalid without this)

Proposals relating to these sites must comply with the General criteria 1 - 5 set out in this policy.

**11.31 Telecommunications Development on Council Owned Land**
11.32 Telecommunications operators and their agents should note that this is the Council’s planning policy in relation to all telecommunications development, including that on Council land or buildings. However, operators should be aware that compliance with the policy will not automatically ensure that the Council will, as landowner, permit telecommunications development on land or buildings within its ownership. Any telecommunications development proposed on Council land/buildings should therefore be discussed with the Council’s Estates Service prior to submitting a planning application in order to establish the likelihood of the Council granting permission as landowner.

Reasoned Justification

11.33 Modern telecommunications systems have grown rapidly in recent years, with the majority of the population now owning a mobile phone. Mobile communications contribute to the success of business operations and individual lifestyles. With new services such as the advanced third generation (3G) services, demand for telecommunications infrastructure will continue to grow.

11.34 The Scottish Government and the Council support the expansion and diversification of the telecommunications industry, but recognise that this must be done sensitively to safeguard our natural and built environment. The aim of government telecommunications policy is to ensure that business and domestic consumers have a wide range of choice and that there is equitable access to the latest technologies. These technologies can help assist businesses growth by opening up new markets and opportunities for diverse and innovative services.

11.35 South Lanarkshire Council recognises the importance of the telecommunications industry and the contribution that it makes. While the Council seeks to assist the expansion of the industry, it must continue to ensure that the environmental impact of telecommunications equipment is acceptable. Siting, design and environmental impact are therefore the key planning issues to be addressed by the Council.

Working from Home

DM 13

Working from Home Policy

Where a proposed business use from a dwelling constitutes a material change of use and requires planning permission, the proposal will require to comply with the following:

a. There will be no adverse impact on the residential amenity of neighbouring properties in terms of noise, disturbance, smell and dirt generated by the business or by members of the public visiting the premises

b. There will be no adverse impact on traffic or public safety resulting from traffic generated by the use

c. The provision of satisfactory car-parking and servicing facilities
d. There will be no adverse impact on neighbours caused by activities taking place outside normal working hours and at weekends

e. Any required storage of materials/vehicles will require to be satisfactorily accommodated on the site without any adverse impact on neighbouring properties.

Planning permission will not normally be required to work from home, if the following criteria are met:

a. The main use of the property remains as a dwelling
b. Only one room in the dwelling house or flat is used for business or professional purposes;
c. No one other than existing members of the resident household is employed on the premises;
d. Activities associated with the business are not to be detrimental to the amenity of the area by virtue of noise, vibration, smell, fumes, smoke, ash, dust or grit.
e. No commercial vehicles are used in conjunction with the business;
f. No retailing takes place from the property
g. No generation of significant delivery or dispatch vehicles takes place from the property
h. No external storage of materials or goods takes place at the dwelling

Reasoned Justification

11.36 Small businesses make an important contribution to the economy of South Lanarkshire. Many such businesses are started by people working from their own home. In particular, technological improvements are providing greater opportunities for homeworking. The Council seeks to encourage small scale business development if that use is compatible with its surroundings and is not detrimental to residential amenity.

11.37 SPP2 – Economic Development, states that home-working does not necessarily require planning permission. Permission is not normally required where the use of part of a dwellinghouse for business purposes does not change the overall character of its use as a single dwelling, for example, the use of a room as an office. Once the business activity increases and the non-residential use of the property ceases to be ancillary to its use as a single dwelling, a material change of use for which planning permission is required, is likely to have taken place.
Mobile Snack Vans

DM 14

Mobile Snack Vans Policy

Mobile snack vans will be unacceptable in the following locations:

1. On sites in proximity to established retail centres or where local shops exist nearby;
2. On or adjacent to major traffic routes or where traffic safety problems will result from the siting of the snack van;
3. In locations where the siting of the van is likely to result in a significant loss of amenity in urban or rural areas by virtue of noise, smell or visual impact, including impact on the quality and integrity of any statutory designated environmental area;
4. In locations where planning consent has already been granted for a mobile snack van to ensure not more than one van in a particular industrial estate or localised area.

Mobile snack vans may be acceptable on sites where there is an identifiable shortage of locally available hot food facilities such as industrial estates remote from nearby shopping provision. If a site can be identified which meets this requirement, planning consent may be granted subject to the following:

1. Imposition of a planning condition limiting the operation of the snack van to a temporary period, usually of one year, to allow the operation to be monitored;
2. Provision of adequate litter disposal facilities;
3. Satisfactory external appearance of the snack van.
4. Provision of satisfactory arrangements for the storage and disposal of waste, including waste water and liquids.

In addition each application shall be carefully considered on its merits to ensure that all relevant planning, traffic, amenity and environmental aspects of the proposal are fully assessed.

Reasoned Justification

11.38 The siting of snack vans can raise important planning issues ranging from the impact on existing shopping centres to traffic implications.

- Impact on Existing Shopping Centres – if located near to established centres or local shops these can be in direct competition with existing premises and can have an adverse impact on local traders.
- Visual Impact – by virtue of their temporary nature these can cause amenity problems due to their poor appearance, gaudy colours and associated temporary signage.
- Traffic Implications – when located on busy main roads or in lay-bys adjacent to roads are likely to cause congestion and create additional turning movements caused by customers vehicles visiting the snack van
12.0 Housing Land
**12 Housing Land**

**Community Growth Areas**

12.1 Within the Community Growth Areas there are specific parcels of land which are capable of residential development. These are included within the Housing Land Audit as indicative sites and capacities. *The total capacity of the site is expressed as number of units. This may be an estimate if no detailed layout has been approved.*

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Development Framework Sites

12.2 Some of the Development Framework Sites will include a housing element within the site. These are included within the Housing Land Audit as indicative sites and capacities.

### Cambuslang/Rutherglen Housing Market Area

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*Volume II: Development Policies, Guidance and Appendices*
### Clydesdale Housing Market Area

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*Volume II: Development Policies, Guidance and Appendices*
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*Volume II: Development Policies, Guidance and Appendices*
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13.0 Glossary of Terms
13 Glossary of Terms

**Adoption:** The bringing into force of a local plan through a resolution of the planning authority. This follows on from the finalised local plan stage.

**Affordable Housing:** Housing for households who cannot afford to buy or rent accommodation generally available on the local market.

**AGLV:** Area of Great Landscape Value

**Alteration:** A change made to an adopted local plan.

**Amenity Housing:** Usually provided for older people with many of the design features associated with sheltered housing, but without communal facilities or warden services.

**Ancillary Service Provision:** Developments such as small scale retailing and small scale offices, which provide services to the industrial and business base of the strategic industrial and business locations.

**Appropriate Assessment:** An Appropriate Assessment is the term used to describe an assessment of the implications of the policies and proposals of the Local Plan on Special Protected Areas (SPAs) or Special Areas of Conservation (SACs). This assessment is required by the European Habitats Directive 1992 as transposed in UK law by the Conservation (Natural Habitats, &c.) Regulations 1994.

**Article 4 Direction:** Additional controls that may apply to changes within conservation areas that are confirmed by Scottish Ministers. They can cover a variety of minor works such as the replacement of doors and windows, the erection of gates, fences, garages, sheds, porches and storage tanks.

**Axonometric Sketches:** A method of projection in which an object is drawn with its horizontal and vertical axes to scale but with its curved lines and diagonals distorted.

**Bad Neighbour Development:** A land use which could adversely affect nearby properties because of noise, smell, dust, vibration, traffic generation etc.

**Biodiversity:** The diversity of life on earth.

**Borrow Pits:** A site for the extraction of aggregate minerals over a limited period for use in a specific construction project which will usually be close to or contiguous with the site of the project.

**Brownfield Site:** Land which has previously been developed. The term may encompass vacant or derelict land; infill sites; land occupied by redundant or unused buildings; and developed land within the settlement boundary where further intensification of use is considered acceptable. A brownfield site should not be presumed to be suitable for development, especially in Green Belt and other countryside areas.

**Buffer Zones:** Area of land separating development from adjoining sensitive land uses and settlements to ensure that the amenity of these adjoining areas is not adversely affected by development.
**Buffer Zone – World Heritage Site:** A buffer zone is required by UNESCO to safeguard the setting of a WHS. It ensures that a site’s significance is protected from development and other similar activities that would be detrimental to its significance and setting.


**Bulky Goods:** The retailing of goods requiring space-expansive displays restricted to DIY goods, furniture, carpets and flooring, electrical and gardening goods, and motor vehicle accessories.

**Circulars:** These provide statements of Government policy and contain guidance on policy implementation through legislative or procedural change.

**Commercial Leisure Developments:** Developments which need to be accessible to a large number of people, such as multi-screen cinemas and bowling alleys.

**Comparison Shopping:** Shopping not classified as convenience shopping, which the purchaser will compare on the basis of price and quality before a purchase is made e.g. clothes, fashion, gift merchandise, electrical goods, and furniture.

**Conservation:** Conservation means all the processes of looking after a place so as to retain its significance. It includes maintenance (the continuous protective care of the fabric and setting of a place), preservation (maintain the fabric of a place in its existing state and retarding deterioration), restoration (returning a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material) and reconstruction (returning a place to a known earlier state and is distinguished from restoration by the introduction of new material). It also includes retaining the contribution that the setting and related places make to the significance of a place.

**Conservation Areas:** An area of particular architectural or historic value within which greater planning controls are exercised in order to protect the character of the area.

**Constrained Land:** Land that cannot be developed due to site conditions, lack of services, ownership or site problems.

**Consultative Draft Plan:** The consultative draft is a document containing the matters arising from survey (i.e. data collection and analysis) and matters proposed to be included in the plan (i.e. draft policies, proposals and recommendations).

**Convenience Shopping:** Broadly defined as food shopping, drinks, tobacco, newspapers, magazines and confectionery, purchased regularly for relatively immediate consumption.

**Core Path Network:** Core Paths are a new feature of the outdoor access provisions brought in by the Land Reform (Scotland) Act 2003. As a system they can comprise many different types of path and will cater for all types of user. They will satisfy the basic path needs for local people and visitors, providing links to the wider path network and countryside. Core Paths will be clearly shown on the Local Authority’s official Core Path Plan which has to be drawn up by 2008 through a process of detailed community consultation.

**COSLA:** Convention of Scottish Local Authorities.
**Countryside Access Strategy**: A document setting out the direction for the development and delivery of access to the countryside for various user groups, normally walkers, cyclists and equestrians.

**Cumulative Impact (Retail)**: Combined effect of all out-of-centre developments, developed and proposed, on the town centre, or the effect of such developments on all strategic centres, including the town centre.

**Derelict Land**: Land which has been so badly damaged by development or use that it is incapable of being developed for beneficial use without rehabilitation.

**Development**: The carrying out of building, engineering, mining or other operations in, over, or under land, or the making of a material change in the use of any buildings or other land.

**Development Plan**: The Structure and Local Plan taken together as planning policy for the area.

**Development Proposal**: A proposal, or development plan policy, for the change in the type, form or intensity in the use of land or related operations, which form part of a Structure Plan, Local Plan, statutory direction or regulatory consultation procedure.

**Economic Benefit**: The net beneficial consequence of development over its economic life in terms of the economy of the area or community concerned, particularly in terms of employment.

**Edge of Centre**: A location within easy walking distance of the town centre, and usually adjacent to the town centre, and providing parking facilities that serve the centre as well as the store, thus enabling one trip to serve several purposes.

**Effective Housing Land Supply**: The part of the established housing land supply that is expected to be free of development constraints in the period under consideration, and will therefore be available for the construction of housing.

**Environmental Impact Assessment (EIA)**: An Environmental Impact Assessment is a technique for drawing together, in a systematic way, expert quantitative analysis and qualitative assessment of a proposals environmental effect. The need for an EIA is determined under the Environmental Impact Assessment (Scotland) Regulations 1999 and divides into two schedules:

- **Schedule 1** - development which by law must have an EA
- **Schedule 2** - development which poses significant harm to the environment by virtue of the nature, size and location of the proposal requires an EA at the discretion of the local authority.

**Environmental Statement (ES)**: A document containing the compiled information gathered during the EIA process.

**Equity Sharing**: A scheme where someone can buy a share in a property.
Established Housing Land Supply: The total housing land supply - including both constrained and unconstrained sites. This will include the effective housing land supply, plus the remaining capacity of sites under construction; sites with planning consent; sites in adopted local plans; and other land and buildings with agrees potential for housing development.

Extra Care Housing: Also known as very sheltered housing.

Finalised Local Plan: A local plan which has taken account of public representations and consultations and is placed on deposit for the statutory six week objection period.

Flagship Development: Prestigious developments at key strategic locations.

Gap Site in Countryside: A site bounded on at least two sides by built development and fronted by a road which should generally be capable of accommodating one house but a maximum of two subject to design being appropriate to the scale and nature of the adjacent development.

Green Belt: Policy framework intended to control the growth of built-up areas, the coalescence of settlements, and the encroachment of new development into the countryside.

Greenfield Land: Land which has never been previously developed or used for urban use, or areas land that have been brought back into active or beneficial use for agriculture or forestry i.e. fully restored derelict land.

Habitat Survey: A field based survey that identifies and maps the different types of habitat (assemblages of plants) within an area and highlights any special or potentially sensitive areas.

Heritage Impact Statement: A heritage impact statement conveys what the impact or impacts of a proposal would be. When considered along with a policy or plan for conservation and management, an informed decision can be made whether to allow the development to proceed. A heritage impact statement, together with supporting information, addresses:

- why the item is of heritage significance
- what impact the proposed works will have on that significance
- what measures are proposed to mitigate negative impacts
- why more sympathetic solutions are not viable.

Housing Market Areas (HMA’s): Relatively self contained areas within which most people move house when their needs or circumstances change.

ICOMOS: The International Council on Monuments and Sites is a professional non-government conservation organisation concerned with the care of places of cultural significance. ICOMOS (International) is affiliated to UNESCO and advises it on World Heritage matters.

Infrastructure: Infrastructure refers to transport and domestic services, such as water and electricity required to support development.

Landfill Site: A site suitable for infilling with domestic refuse.

Landscape Character Assessment: A method of analysing and describing the landscape.

Legal Agreements: Any of several legal agreements that may be required to make the grant of planning consent acceptable. These may include
1. Section 75 Planning Agreements
2. Section 48 or 96 Roads Agreements
3. Restoration Guarantee Bonds

Listed Building: A building which because of its special architectural or historic interest is included in a list prepared by the Scottish Ministers and which is afforded statutory protection.

Local Biodiversity Action Plan (LBAP): A LBAP is a process rather than a plan in the conventional sense. It is a mechanism which seeks to ensure that nationally and locally important species and habitats are conserved and enhanced in a given area through focused local action.

Local Housing Strategy (LHS): Section 89 of the Housing (Scotland) Act 2001 requires local authorities to undertake a comprehensive assessment of housing needs and conditions, and to produce strategies to tackle the housing problems in their areas. These strategies should include plans to eradicate fuel poverty. In addition, authorities must have regard to the long-term supply of appropriately trained construction and labour within their areas. Authorities must also ensure that their strategies encourage equal opportunities and in particular the observance of the equal opportunity requirements.

Local Nature Reserve (LNR): Habitats of local significance that contribute to nature conservation and provide opportunities for the public to see, learn about and enjoy wildlife. LNRs are designated by local authorities under section 21 of the National Parks and Access to the Countryside Act 1949.

Local Plan: Local policies and proposals for the development of an area, prepared by Councils, as a basis for development management. Such plans must conform to the Structure Plan. The Structure Plan provides the strategic framework for development in the wider conurbation area. Together with the Local Plan it forms the Development Plan for the relevant part of a Council area.

Local Transport Strategy: The Local Transport Strategy (LTS) sets out the Council’s vision for transport and the policies it wants to put into action.

Marketable Land: Land which is immediately available and has no obvious constraints.

Mobile Housing Demand: The proportion of the total forecast housing demand that can be accommodated within any of the Sub-Market Areas of the relevant HMA.

Modification: A change made to a finalised local plan or alteration by the planning authority before adoption.
National Planning Policy Guidelines (NPPG): These provide statements of Government Policy on nationally important land use and other planning matters, supported where appropriate by a locational framework.

National Nature Reserves (NNR): NNR’s are areas of national or international purpose for study, research and the preservation of flora, fauna, geological and zoological interests of importance for nature conservation. They are declared by Scottish Natural Heritage for the preservation of flora, fauna, geological and zoological interests.

Neighbourhood Centres: Small groups of shops, typically comprising a newsagent, small supermarket/general store, sub-post office and other small shops of a local nature.


Out-of-Centre: A location that is clearly separate from a town centre but within the urban area, including programmed extensions to the urban area in approved or adopted development plans.

Planning Advice Notes. (PANs): These provide advice on good practice and other relevant information.

Policies: Statements of attitudes or intentions towards existing or projected situations which require action. They relate to physical land use development, including the management of traffic and the improvement of the environment. They also include policies for development management. They are measures which will be applied by the Council itself or by other public bodies.

Precautionary Principle: The principle of not allowing development to take place when the impacts of that development cannot accurately be quantified but which are believed to have the potential to cause significant harm or loss to amenity.

Preservation: Maintaining the fabric of a place in its existing state and retarding deterioration.

Proposals: These are intended actions of some significance to the plan by the Council or by other private or public bodies or individuals, which the Council are confident will be implemented within about five years of the adoption of the plan. Proposals already having necessary approvals can also be included in the plan to give a comprehensive picture of the intended pattern of development. As with policies, proposals relate to physical land use development, the management of traffic or the improvement of the environment. It should be noted that it will not normally, without revocation of planning permission, be possible to accommodate any public views expressed on proposals in response to the Plan. Such proposals have already been subject of a public consultation exercise via planning application procedures.

Proposals Map: This illustrates, on an Ordnance Survey base, the effect or extent of the policies, proposals and recommendations contained within the written statement. Should a contradiction appear to arise between the provisions of the Written Statement and the proposals map the provisions of the Written Statement shall prevail.

Public Local Inquiry: An inquiry held in public before an independent Reporter to hear objections against policies or proposals contained in a proposed Local Plan.
**Reasoned Justification**: The part of a local plan which explains the reasoning behind each policy, proposal or recommendation, how each relates to the overall direction of the plan, how it is to be implemented, the financial resources required and an indication of timescale.

**Recommendation**: Statements where the Council has no direct control over implementation and where another body has been asked to take action or assume responsibility for implementation where no current commitment exists.

**Recycled Materials**: Materials where some form of reprocessing is required.

**Regional Development Strategy**: The broad direction and approach against which the future physical development of the Region should be considered, as set out in the Structure Plan.

**Renewable Energy**: Those sources of energy which are naturally occurring within the environment and which can either be tapped without consuming the resource, or where the resource can renew itself on a human timescale. Examples of renewable sources of energy are wind, solar, hydro, wave, tidal, energy crops and plant waste.

**Retail Parks**: A single development of at least 3 retail warehouses with associated car parking.

**Retail Warehouse**: A large single-level store specialising in the sale of household goods such as carpets, furniture and electrical goods, and bulky DIY items, catering mainly for car-borne customers and often in out-of-centre locations.

**Rights of Way**: A right for members of the public to pass peaceably and without the expressed or implied permission of the landowner between two public places along a more or less defined route.

**RSL’s**: Registered Social Landlords – A not-for-profit housing provider e.g. housing association or housing co-operative, registered by the Scottish Government to provide social housing.

**Scheduled Ancient Monument**: A building, monument or other historic structure that are considered to be of national importance contributing significantly to the understanding of the past. They are given legal protection under the Ancient Monuments and Archaeological Areas Act 1979.

**Scottish Planning Policies (SPP’s)**: Series of national planning policy documents which are replacing NPPG’s. Existing NPPG’s have continued relevance in decision making until such time as they are replaced by an SPP.

**Section 75 Agreement**: A legal agreement between a developer and a local authority which guarantees that certain works will be carried out, or financial contributions are paid in accordance with a planning permission.

**Sheltered Housing**: Housing specially designed to meet the needs of older people or other groups with special housing needs; usually has communal area and a warden provided.

**Sites of Importance for Nature Conservation (SINC’s)**: A non-statutory designation identifying areas of local nature conservation importance for plants, animals and/or habitats.

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**Volume II: Development Policies, Guidance and Appendices**
Sites of Special Scientific Interest (SSSI): Key areas of marine or terrestrial conservation and wildlife importance. They are special for the nature conservation value of the plants, animals, habitats or rock formations that they contain. SSSI’s are designated by Scottish Natural Heritage under the provisions of the Wildlife and Countryside Act 1981.

South Lanarkshire Rural Communities Trust: A charitable trust set up for the following purposes:

1. To provide or assist in the provision of facilities for recreation or other leisure time occupations; that those facilities are provided with the object of improving the conditions of life of persons resident within the boundaries of South Lanarkshire Council and that either those persons have need of such facilities by reason of their youth, age, infirmity or disablement, poverty or social and economic circumstances or the facilities are to be made available to members of the public at large; and

2. The relief of poverty, the advancement of education and other charitable purpose beneficial to the community including the preservation and protection of the environment and the preservation of buildings of historic interest, all within the boundaries of South Lanarkshire Council.

Special Areas of Conservation (SAC): A European wide network of important sites containing rare or endangered species and habitats. The sites known as Natura 2000 are designated under the terms of the EC Directive on the Conservation of Natural Habitats and of Wild Flora and Fauna. (The Habitats Directive)

SPT: Strathclyde Partnership for Transport

Special Control Area: An area of distinctive townscape or historical significance but not of Conservation Area status.

Special Protection Areas (SPA): Designated under the terms of the 1979 EC Directive on the Conservation of Wild Birds. These areas are specifically protected for their ornithological importance.

Strategic Environmental Assessment (SEA): Aims to provide a systematic method of considering the effects on the environment of a plan or programme with the aim of helping to reduce or avoid environmental impacts.

Structure Plan: The Structure Plan is part of the Development Plan and contains strategic broad-brush policies (see Development Plan).

Supermarkets: Single level, self-service stores selling mainly food, with a trading floorspace of between about 500 and 2,500 square metres, often with their own car parks.

Superstores: Single level, self service stores selling mainly food, or non-food goods, usually with at least 2,500 square metres trading floorspace with dedicated car parks normally at surface level.

Sustainable Development: The Bruntland Report (World Commission on Environment and Development, “Our Common Future”) emphasised the need for an approach based on sustainability i.e. “all our needs should be met in a way which does not compromise the ability of future generations to meet their own needs”.

Volume II: Development Policies, Guidance and Appendices
**Town Centre:** Use to cover city, town and district centres which provide a broad range of facilities and services and which fulfil a function as a focus for both the community and public transport. It excludes retail parks, neighbourhood centres and small parades of shops of purely local significance.

**Traditional Building:** A building of traditional construction, normally associated with building built before circa 1919.

**Traffic Calming:** Any scheme which seeks to reduce the speed of vehicular traffic while enhancing the safety of vulnerable road users.

**Traffic Management:** Any scheme which aims to improve traffic circulation without building new roads e.g. traffic lights, one-way systems, parking restrictions etc.

**Transport Assessment (TA):** Is necessary to quantify the effect that a development will have on the surrounding road network during the life of a mineral working. Appropriate improvements or other mitigation measures may be proposed to offset any identified impacts.

**UNESCO:** United Nations Educational, Scientific and Cultural Organisation.

**Urban Fringe:** The area around a city, town or village which is neither wholly urban nor rural in character with subsequent problems of land management.

**Vacant Land:** Land within settlements that is unused or unsightly and which would benefit from development or improvement.

**Very Sheltered Housing:** Also known as extra care housing. Very sheltered housing has all the features of sheltered housing, but offers extra support to residents through cooked meals, assisted bathing etc.

**Vitality and Viability of Town Centres:** Vitality is a reflection of how busy a centre is at different times and in different parts. Viability is a measure of its capacity to attract ongoing investment, for maintenance, improvement and adaption to changing needs.

**Wildlife Habitats:** Areas containing assemblages of wild plants and animals.

**Written Statement:** This document, together with the Proposals Map, forms the statutory Local Plan.
14.0 Environmental Designated Sites
14 Environmental Designated Sites

1. International Designations

A. Natura 2000 Sites (See policies ENV 4/ENV 20)

i. Special Areas of Conservation:
   - Braehead Moss
   - Clyde Valley Woodlands
   - Coalburn Moss
   - Craigengar
   - Cranley Moss
   - Red Moss
   - Waukenway Moss

ii. Special Protection Areas:
   - Muirkirk and North Lowther Uplands

B. World Heritage Site (See policies ENV 4/ENV 22)
   - New Lanark and its setting

2. National Designations

A. Scheduled Ancient Monuments and their settings (See policies ENV 4/ENV 23)
   - Detailed lists available from South Lanarkshire Council and WoSAS

B. Category A Listed Buildings and their settings (See policies ENV4/ENV 24)
   - Detailed lists available from South Lanarkshire Council and Historic Scotland

C. Conservation Areas and their settings (See policies ENV 4/ENV 25)
   - East Kilbride Village
   - Maxwellton
   - Glassford
   - Sandford
- Strathaven
- Bothwell
- Dalserf
- Hamilton area 1
- Hamilton area 2
- Hamilton - Burnside Road
- Hamilton - Castlehill Crescent
- Rosebank
- Stonehouse
- Douglas Gardens, Uddingston
- Gardenside Avenue, Uddingston
- Glasgow Road, Uddingston
- Kylepark, Uddingston
- Biggar
- Carnwath
- Douglas
- Covington
- Coulter
- Lamington
- Lanark
- Leadhills
- Lesmahagow
- New Lanark
- Cambuslang
- Farne Cross
- Rutherglen

D. National Nature Reserves (See policies ENV 4)

- Clyde Valley Woodlands
- Braehead Moss

E. Sites of Special Scientific Interest (See policies ENV 4/ENV 26)

- Avondale
- Birk Knowes
- Birkenhead Burn
- Blantyre Muir
- Blood Moss and Slot Burn
- Bothwell Castle Grounds
- Braehead Moss
- Calder Glen
- Cander Moss
126 Environmental Designated Sites

- Carnwath Moss
- Carstairs Kames
- Cartland Craigs
- Cleghorn Glen
- Coalburn Moss
- Cobbinshaw Moss
- Cobbinshaw Reservoir
- Craigengar
- Craighead Hill Quarry
- Cranley Moss
- Dolphinton - West Linton Fens and Grassland
- Dunside
- Falls of Clyde
- Fiddlers Gill
- Garrion Gill
- Gillsburn and Mare Gill
- Hamilton High Parks
- Hamilton Low Parks
- Jocks Gill Wood
- Kennox Water
- Leadhills-Wanlockhead
- Millburn
- Millers Wood
- Milton Lockhart Wood
- Muirkirk Uplands
- Nethan Gorge
- North Lowther Uplands
- Ravengill
- Red Moss
- Ree Burn and Glenbuck Loch
- River Clyde Meanders
- Shiel Burn
- Shiel Dod
- Tinto Hills
- Townhead Burn
- Upper Nethan Valley Woods
- Waukenwae Moss

F. Scheduled Historic Gardens and Designed Landscapes (ENV 4/ENV 28)

- Hamilton Palace
- Chatelherault/Hamilton Palace
- Barncluth/Hamilton Palace

Volume II: Development Policies, Guidance and Appendices
3. Local/Regional Designations

A. Landscape Designations (see policy ENV 29)

- Areas of Great Landscape Value - Clyde Valley and Douglas Valley
- Regional Scenic Area - South Clydesdale

B. Category B & C Listed Buildings (see policies ENV 4/ENV 24)

- Detailed lists available from South Lanarkshire Council and Historic Scotland

C. Archaeological Remains (see policies ENV 4/ENV 23)

- Detailed lists available from South Lanarkshire Council and Historic Scotland

D. Local Nature Conservation Sites (see policies ENV 4/ENV 27)

- Review proposed - refer to proposal ENV 6.

E. Local Nature Reserves (see policies ENV 4, ENV 5)

- Langlands Moss
- Morgan Glen (proposed) (see proposal ENV 5)

F. Ancient and Long Established Woodlands (see policy ENV 4)

- Detailed lists available from Scottish Natural Heritage

G. Tree Preservation Orders (see policy ENV 4)

- Review proposed - refer to proposal ENV 10

H. Country Parks (see policy ENV 4)

- Chatelherault
- Strathclyde
- Calderglen
I. Rights of Way (see policy ENV 4)

- Detailed list/maps available from South Lanarkshire Council