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Mr M McGlynn  
South Lanarkshire Council  
Planning & Building Standards  
154 Montrose Crescent  
Hamilton  
ML3 6LB

Our ref: LDP-380-2

20 October 2014

Dear Mr McGlynn

**PROPOSED SOUTH LANARKSHIRE LOCAL DEVELOPMENT PLAN  
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT PLANNING)  
(SCOTLAND) REGULATIONS 2008  
SUBMISSION OF THE REPORT OF THE EXAMINATION**

We refer to our appointment by the Scottish Ministers to conduct the examination of the above plan. Having satisfied ourselves that the council's consultation and engagement exercises conformed with their participation statement, our examination of the plan commenced on 7 January 2014. We have completed the examination, and now submit our report, enclosing one bound copy.

In our examination we considered all 107 issues arising from unresolved representations which were identified by the council. In each case we have taken account of the summaries of the representations and the responses, as prepared by the council, and the original representations, and we have set out our conclusions and recommendations in relation to each issue in our report.

The examination process also included a comprehensive series of unaccompanied site inspections and, for some issues we requested additional information from the authority and other parties. We also found it necessary to arrange a hearing session on housing land, which was held at Low Parks Museum, Hamilton on 28 May 2014.

On 23 June 2014 Scottish Ministers published National Planning Framework (NPF) 3 and updated Scottish Planning Policy (SPP). Where necessary, we invited parties to comment on the implications, if any, of these publications for the matters under consideration in the examination. We have taken account of the new SPP and NPF3 in our report where appropriate, together with any related responses from the parties. Any references to these documents in our conclusions refer to the updated versions unless otherwise stated.

Subject to the limited exceptions as set out in Section 19 of the Town and Country Planning (Scotland) Act 1997 and in the Town and Country Planning (Grounds for Declining to Follow Recommendations) (Scotland) Regulations 2009, the council is



now required to make the modifications to the plan as set out in our recommendations.

The council should also make any consequential modifications to the text or maps which arise from these modifications. Separately, the authority will require to make any necessary adjustments to the final environmental report and to the report on the appropriate assessment of the plan.

A letter will be issued to all those who submitted representations to inform them that the examination has been completed and that the report has been submitted to the council. It will advise them that the report is now available to view at the DPEA website at:

<http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=94362>

and at the council's offices and libraries and that it will also be posted on the council's website.

The documents relating to the examination should be retained on the authority's website for a period of six weeks following the adoption of the plan by the authority.

**It would also be helpful to know when the plan has been adopted and would appreciate being sent confirmation of this in due course.**

Yours sincerely

*Richard E Bowden*  
Reporter

*Timothy P W Brian*  
Reporter

*Richard G Dent*  
Reporter

*David Liddell*  
Reporter

*E D K Thomas*  
Reporter

## **REPORT TO SOUTH LANARKSHIRE COUNCIL**

### **PROPOSED SOUTH LANARKSHIRE LOCAL DEVELOPMENT PLAN EXAMINATION**

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Date of Report: 20 October 2014

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## EXAMINATION OF CONFORMITY WITH PARTICIPATION STATEMENT

In carrying out an examination under Section 19 of the Town and Country Planning (Scotland) Act 1997 (as amended) the appointed reporters are required firstly to examine:

*“the extent to which the planning authority’s actions with regard to consultation and the involvement of the public at large as respects the proposed plan have conformed with (or have been beyond the requirements of) the participation statement of the authority which was current when the proposed plan was published under section 18(1)(a).”*

Paragraph 110 of Planning Circular 6/2013: Development Planning envisages that, in carrying out the examination of conformity with the participation statement, the appointed person will only refer to published documents – e.g. the participation statement, the authority’s statement of conformity, and representations about the authority’s consultation and public involvement activities.

South Lanarkshire Council prepared a statement of conformity to meet Section 18(4)(a)(i) of the Planning (Scotland) Act 2006, which requires planning authorities to submit a report on the extent to which the authority has consulted and involved the wider public and how the authority has conformed with its current participation statement. The current participation statement, which is contained in the April 2013 Development Plan Scheme, sets out when consultation was to take place, who was to be consulted, and how this consultation would happen in the preparation of the proposed local development plan.

The Scheme outlines the current timetable and the statutory assessments undertaken on the Plan. It also contains an update on what engagement was carried out and the activities undertaken on the previous stages in preparing the Plan (Call for Sites and Comments, Main Issues Report and the Proposed Local Development Plan). This included consultation events with stakeholders, community groups and local people and the use of a variety of techniques such as Opinionmeters, Optionfinder and Voxor plus special sessions with young people, including a short film on participating in a local development plan consultation, working with Seniors Together and with the Disability Partnership. This was in addition to the ‘normal’ consultation via the local press and the internet, together with a twitter feed informing followers of the progress of the plan.

Having reviewed the Development Plan Scheme and the supporting documentation submitted by the council, we are satisfied that South Lanarkshire Council conducted a wide ranging consultation exercise on the Plan as envisaged by Scottish Ministers, and in doing so fulfilled the terms of the participation statement. We therefore proceed to examine the proposed local development plan.



<b>Issue CL1</b>	<b>Boghead</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 156 - Robert and Janette Scott</p> <p>Support: 283 – Neil Gainford</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>156 - This representation objects to the proposed adjustment of the settlement boundary at Boghead to include a potential residential development site at Wetlea Park. It also promotes an alternative site for residential development at Highbent Stables. The representation states that a more viable site exists at Highbent Stables. It has a proper road frontage, good vehicular access, good services, proximity to the M74 and is within the 30mph zone.</p> <p>Support:</p> <p>283 – Supports the identification of Wetlea Park as a residential development opportunity.</p>		
<b>Modifications sought by those submitting representations:</b>		
156 – Seeks deletion of a site at Wetlea Park in Boghead identified for residential development and the inclusion of land at Highbent Stables for residential development within an adjusted settlement boundary.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>156 – The Council has considered the issue raised and makes the following observations:</p> <p>The alternative site proposed at Highbent Stables was not submitted as a potential housing site in response to the initial call for sites exercise. Had the site been submitted at the initial stage the Council may have considered it to be an acceptable area of land that satisfactorily relates to the existing development pattern in Boghead. Notwithstanding the above, the Council contends that the site at Wetlea Park represents an appropriate scale</p>		

of development for Boghead at this time, given the existing size and development pattern of settlement. An additional housing site is not considered necessary within Boghead. In addition, the site at Wetlea Park comprises of formerly developed land, whereas the promotion of the site at Highbent Stables comprises of an area of greenfield land.

No change proposed to the local development plan.

Support: 283 – Noted

**Reporter’s conclusions:**

1. The planning authority implies that the site at High Bent stables proposed by Mr and Ms Scott does have some merit. However, it is explained, a change to the local development plan is not proposed as development at nearby Wetlea Park (development proposal 34) is of a suitable scale and, moreover, has been previously developed.

2. As suggested by the planning authority, I agree the development of both sites would not be necessary or justified because of the limited size of Boghead. Having been previously developed, the allocated site at Wetlea Park has the advantage of brownfield status. In this respect, the site has the support of Scottish Planning Policy and is therefore to be preferred over the greenfield land at High Bent. Of the two sites, the land at Wetlea Park would be more easily integrated into the built form of the village and should also be preferred in this respect.

3. Overall, a balance of considerations points to allocating development proposal 34 at Wetlea Park, Boghead.

**Reporter’s recommendations:**

No modifications.

<b>Issue CL2</b>	<b>Carluke Town Centre</b>	
<b>Development plan reference:</b>	Chapter 4: Economic Regeneration pages 20-21 Policy 8: Strategic & Town Centres, Page 21 Appendix 5 Proposals Settlement Maps - Carluke	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>177 - The Bubbles Factory Ltd 212 - Suzanne Cumming</p>		
<b>Provision of the development plan to which the issue relates:</b>	Identifies Carluke as a town centre where a diverse range and scale of economic and social roles and function will be supported.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>177 - Objection to the non- inclusion of 66 Hamilton Street within the town centre boundary for Carluke.</p> <p>212 - Objection to the expansion of Carluke Town Centre to include Kirkton Street and Church Lane due to the intensification of existing uses and associated antisocial behaviour.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>177 - Seeks inclusion of 66 Hamilton Street, within the town centre boundary for Carluke.</p> <p>212 - Seeks removal of Kirkton Street from the proposed town centre boundary.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>The Council would respond to the points raised as follows:</p> <p>A comprehensive review of the town centre boundaries was undertaken as part of the preparation of the proposed local development plan which included the careful assessment of the existing retail and commercial uses. This review resulted in a number of small scale additions to the Carluke Town Centre boundary.</p> <p>171 – This representation seeks the inclusion of 66 Hamilton Street within the proposed town centre boundary. The extension to the boundary of Carluke Town Centre was carefully assessed on the basis of a number of factors including the scale, nature, intensity and volume of the planning units located there, together with a consideration of the wider</p>		

characteristics of the area. The indoor play centre at 66 Hamilton Street is considered to be an acceptable leisure use within a town centre. In this instance, the property is directly adjacent to the proposed extension to the southern edge of the town centre boundary shown in the proposed local development plan.

Taking into account all of the above, this use can be considered more appropriate for the town centre rather than the predominantly residential area in which it is identified in the proposed plan. If minded to do so the Council invites the Reporter to make a minor modification to Carluke Town Centre to include 66 Hamilton Street.

212 – This representation seeks the removal of Kirkton Street from the proposed town centre boundary. Carluke Town Centre has spread from the original High Street to surrounding areas along main traffic thoroughfares (including Kirkton Street) and this is reflected in the current town centre boundary. This representation refers to proposal 9a as shown on the proposals map and listed in Appendix 5 which is for a small addition to this part of the town centre. The predominant uses in this area are leisure and retail units with residential accommodation above. The area has gradually become characterised by typical town centre uses and has therefore taken on a town centre function. The objector points to the potential intensification of uses and the antisocial behaviour associated with town centre uses. The impact on residential amenity would be a consideration of any planning applications submitted to change the use of premises within this area.

No change proposed to the local development plan.

**Reporter’s conclusions:**

The Bubbles Factory Limited

1. The planning authority accepts the argument that this property should be contained within the town centre. The use of the building and the design of the structure are appropriate for town centre designation. The adjustment proposed provides a more logical and defined boundary. I therefore agree that the minor modification proposed by the planning authority should be accepted.

Kirkton Street

2. The boundary of the town centre southwards along the eastern side of Kirkton Street includes ground floor uses that can readily be regarded as part of the centre in both physical and visual terms. The boundary extends to a point where there is a clear change to residential character. Some commercial property in the town centre, including 29 Kirkton Street, has upper floor residential use. Mixed use of this nature in commercial areas is not uncommon and does not justify the removal of such property from town centre designation. Indeed, residential use in town centres is often said to provide a further dimension to the vitality of the area.

3. On the other hand, the concerns expressed, especially in respect of anti-social behaviour, are appreciated but this problem does not appear to be the result of the town centre designation in itself. Whilst such activities are often difficult to control, it is possible that other regulatory measures could be applied in the hope of securing improvement.

4. As the planning authority points out, any further intensification of use would require a planning application and, in turn, this would be subject to development management

procedure. That procedure would include consideration of the impact on residential amenity.

5. In this instance, I believe the town centre boundary has been drawn correctly to reflect the commercial nature of the Kirkton Street frontage albeit that the upper floor is residential.

6. On this basis there should be no change to the local development plan.

**Reporter's recommendations:**

The Bubbles Factory Limited

Modify the Carluke Settlement Plan in the local development plan, as proposed by the planning authority, by means of an adjustment to the town centre boundary at Hamilton Street. The adjustment would incorporate the property known as The Bubbles Factory Limited within the town centre.

Kirkton Street

No modifications.

<b>Issue CL3</b>	<b>Hillhead Farm, Carluke</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 246 - AWG Properties Ltd/Mactaggart & Mickel		
<b>Provision of the development plan to which the issue relates:</b>	This relates to the non-inclusion of a site from Green Belt to residential use at Hillhead Farm, Carluke.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>246 – This representation objects to the non-inclusion of land at Hillhead Farm in Carluke as a residential development site. The following points have been raised;</p> <p>1. The current Carluke CGA's is ineffective due to problems of multiple ownership, viability and ground condition constraints. The site at Hillhead Farm represents a viable site which is more likely to achieve the set aims and predicted housing outputs. A masterplan concept for Hillhead Farm has been produced which illustrates how the development can be incorporated into the urban envelope whilst retaining existing woodland and by sensible retention of the eastern edge of the site as it abuts Lanark Road. The boundary with the Green Belt will be robust and create a clear urban/rural edge to the south of Carluke. There is no contamination on site. Its attractive location makes it marketable. No infrastructure constraints are anticipated. The site owners are willing to make the land available in the short term thereby making a significant contribution to the housing supply. The site would not represent an unacceptable encroachment of the greenbelt, as it is well contained by physical features including roads, housing and a railway line. Stimulating housebuilding activity in Carluke would assist the social and economic vitality of the town.</p>		
<b>Modifications sought by those submitting representations:</b>		
246 - Seeks the allocation of the site at Hillhead Farm, Carluke for housing and the deletion of the Carluke Community Growth Areas and replacement with Hillhead Farm.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>246 - The representation has raised a number of issues and the Council would comment as follows:</p> <p>1. The site at Hillhead Farm was one of a number that were considered when the Council were considering the suitability of a wide variety sites on the edge of large settlements, for</p>		

Community Growth Areas, during the preparation of the Glasgow and the Clyde Valley Structure Plan 2006. Consideration was given to a number of factors including sustainability, impact on the landscape and setting, and current use of the site. Following this excise a large number of sites were excluded as being unsuitable for release. The site at Hillhead Farm fell into this category. The site was put forward with a similar objection to its non-inclusion as a CGA during the preparation of the South Lanarkshire Local Plan (Document G38). The Reporter concluded that to justify this site would necessitate demonstrating a significant advantage over the chosen Community Growth Areas. He found that the objection site is, other than the farm steading, predominantly greenfield whilst the chosen sites have areas of dereliction which could be reclaimed. He stated that this was an important issue that, in the absence of other clearly defined criteria, carried considerable weight, and justified the sites identified at that time by the Council as community growth areas. (Document CL28) The Scottish Planning Policy (Document G1) makes it clear that development should be directed to brownfield sites in preference to greenfield sites. Reuse of derelict ground in preference to greenfield development ties in with the objectives of sustainability. It is contended that the situation remains the same.

2. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP) (Document G6). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls. Progress with regards the development of Community Growth Areas (CGA) has been stifled by difficulties affecting the economy and the associated impact upon the housing market rather any inherent issues prevailing at the sites themselves. Detailed planning consent was granted for six detached dwellings on Goremire Road within the CGA in September 2012. There is also a current application for a further 7 houses on the Goremire Road frontage. While the scale of development is small in comparison to the overall site these applications demonstrate a willingness by one of the landowners to facilitate development of the CGA. In both cases indicative plans show that the two small developments would not prejudice the overall proposals of the CGA, in particular in terms of access.

3. Masterplan Development Frameworks for the Councils preferred CGA sites were prepared and submitted as evidence at the 2008 Local Plan Inquiry and they remain relevant (Document G39). The site was submitted and assessed during the Call for Sites (Document G28), the conclusion being that the development of the site would involve a significant encroachment into the Green Belt and an extension of the development southwards along the A73. Any development would be particularly prominent from this main road with little existing screening available to help mitigate this impact. In contrast the CGA at Goremire Road contains significant areas of dereliction, and its development would result in remediation and environmental improvement. That site is also self-contained being bounded by existing woodland and planting.

4. The representation implies that this site can be made immediately effective and because of this the Council should release it for residential purposes. However there are other considerations that need to be assessed such as location, sustainability, infrastructure and impact on the landscape. This site was assessed as part of the Call for Sites (Document G28) and did not meet the requirements for inclusion in the local development plan.

5. The proposal would result in a significant loss of agricultural land. The development of this land would not result in environmental improvements in the form of remediation or removal of an eyesore. It is further noted that the development of this site would adversely affect the rural nature of this area and the character of the Green Belt in this location.

6. As well as the two CGAs that have been identified in the proposed local development plan other housing sites have been identified at Boghall Road and the former Mayfield Brickworks site on Goremire Road. All have been the subject of planning applications that have been granted consent (Documents CL29, CL30, CL31, CL32, CL33, CL34). There is no reason to suggest the site at Hillhead Farm is any more effective in the current economic climate than those listed.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. The thrust of the representations by AWG Properties Ltd and Mactaggart & Mickel is that replacement housing land – Hillhead Farm - is required because of the lack of delivery of new development within the Carluke Community Growth Area (CGA).

2. Thirteen CGAs are identified in the Glasgow and Clyde Valley Strategic Development Plan (SDP), one of which is at Carluke. In total, the delivery of approximately 19,000 new houses was anticipated although the SDP recognises that the economic downturn has had an impact on growth projections. Nevertheless, the SDP anticipates that rates will recover to previous levels and the land allocations for housing growth, the CGAs, remain relevant to meeting that future growth.

3. AWG Properties Ltd and Mactaggart & Mickel claim that the Carluke CGA has failed and will remain non-effective because of ownership constraints, viability issues and ground conditions. The planning authority has responded by indicating that economic conditions have curtailed development in the CGA but some small-scale developments have come forward. This is believed to be a positive sign. The planning authority recognises that the CGA allocation was an issue at the previous local plan inquiry but, despite the passage of time, the continuing preference is for brownfield site development.

4. Whilst it is clear that the rate of development in the Carluke CGA (which takes the form of two separate designated areas) has been very slow, there are some small signs of progress. The SDP anticipated possible difficulties in delivery and the planning authority is correct in continuing to support the re-use of derelict ground. Clearly, constraints can reduce the rate of progress but no evidence has been provided to suggest that problems within the Carluke CGA would preclude any further development. Certainly, the claim that the CGA has failed appears to be premature. On this basis, I consider it would not be appropriate at this stage to remove either part of the CGA designation in Carluke.

5. Taking the foregoing into account, it is necessary to consider whether the land at Hillend Farm should be allocated for residential development in its own right. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, there will be support for effective additional development proposals.



However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the fifth of five categories.

6. Although it has been concluded that there is not an over-riding requirement for the early release of additional land to augment the housing land supply, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available.

7. AWG Properties Ltd and Mactaggart & Mickel accept that the site at Hillend Farm, extending to some 16.2 hectares, lies within the designated green belt. However, they argue, as it was contained within the strategic search area for housing land, it must be considered suitable in principle for residential development. As a housing site the land is “effective” and is immediately available for short-term development. It is “set within the landscape” and would provide a clear green belt edge without being visually prominent.

8. Whilst the planning authority agrees that the land at Hillend Farm was amongst a wide variety of possible sites considered during the search for CGAs, it was thought to be unsuitable because of the impact on landscape and setting. As explained, greenfield sites were regarded as less sustainable than the restoration of brownfield land. Indeed, points out the planning authority, this is a consideration that was given significant weight by the reporter at the previous local plan inquiry. In any event, in addition to the potential within the CGAs, other land for housing is available in Carluke.

9. Although it has been suggested that development at Hillend Farm would fit well within the landscape, I believe the level of impact has been underplayed by AWG Properties Ltd and Mactaggart & Mickel. A small ridge from west to east across the site with higher land in the centre would lead to significant impact visually and on landscape character. The site is therefore not a natural choice for release from the green belt and incorporation into the urban area. The wider findings under Issue ST13 and the allocation of the CGAs and other housing land in Carluke – no matter the current constraints – lead me to conclude that the land at Hillend Farm should not be allocated for housing in the local development plan.

10. Clearly, the monitoring process required under Policy 12 could lead to a re-assessment of the situation. However, that is a matter for the future and not part of this local development plan examination.

**Reporter’s recommendations:**

No modifications.

<b>Issue CL4</b>	<b>Kilncadzow Road, Carluke</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 472 - Messrs Trolland and Cameron and Mrs Caraher		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Kilncadzow Road, Carluke for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>472 - The representation raises the following points:</p> <ol style="list-style-type: none"> <li>1. The site is capable of accommodating 250 dwellings (some of which could fall into the affordable category) with possibly associated retail units, provision of structural and buffer planting including a linear park along Jock's Burn and a roundabout. The Main Issues Report implies that housing sites already in the adopted Local Plan do not need to be reassessed. Given the changes in the housing market this requires reconsideration particularly where delivering Community Growth Areas where significant upfront expenditure to deal with difficult ground conditions is necessary. In reality the emphasis now should be on sites which are more effective, enabling the delivery of houses in the short to medium term.</li> <li>2. The site is bordered by development to the south, west and east. The site has a defensible boundary in Jock's Burn with its associated mature trees, and this would provide a strong physical boundary for the Green Belt, which would be more defensible than the current boundary provided by the A721.</li> <li>3. The site is of low agricultural value, does not have a recreational use and does not lie within the Area of Great Landscape Value. It is not generally visible from other parts of the town, except from existing housing to the south. There is a substantial amount of development to the north of this road, including the existing industrial area and the High School.</li> <li>4. Scottish Water had previously indicated that it would have no objection, in the event of capacity problems, to developers installing private works either on site or at the current Mauldslie Sewerage Works. The Jock's Burn is in a narrow gully and as such the floodplain is also accordingly narrow, and in addition this ground would be utilised as part of the park and recreation element of the development.</li> <li>5. A roundabout junction could be installed on the A721. This would reduce traffic speed resulting in improvements to pedestrian safety. A roundabout on Kilncadzow Road would not be prohibitively expensive or adversely impact on others, and would not present</li> </ol>		

capacity problems with the existing road network.

6. Other proposed development sites are some distance from Carluke town centre and key facilities such as Carluke High School, while the representation site is close to the school. The Carluke South Community Growth Area is the main candidate for expansion of the settlement but it does not benefit from such defensible boundaries as Jock's Burn. In addition, the historical dereliction present on the South Community Growth Area and the multiple landowners may explain the lack of activity on site.

7. Part of the representation site was considered by the Reporter at the last Local Plan Inquiry who concluded that the site is suitable for housing and that Jock's Burn would make a suitable Green Belt boundary.

8. The only site favourably assessed is the Council owned site at Stonedyke Road which is seen as an opportunity to consolidate and round off the settlement boundary, but unlike the representation site it does not benefit from strong natural features to form a new boundary with the Green Belt.

**Modifications sought by those submitting representations:**

472 - Seeks the re-designation of the site at Kilncadzow Road from Green Belt to residential.

**Summary of responses (including reasons) by planning authority:**

Objects:

472 - The Council responds to the individual points raised in the above representation as follows:

1. In terms of the need and justification for Greenfield release, the Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP) (Document G6). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). With specific regard to Carluke the proposed plan includes the provision of a significant additional area of housing land at Stonedyke Road. Additional capacity is also available through the previous housing land releases at the Community Growth Areas, Boghall Road and the former Mayfield Brickworks at Goremire Road, as part of the South Lanarkshire Local Plan (Document G38). These sites are shown on the Carluke settlement map. On this basis it is considered that a generous and flexible supply of housing land is proposed for Carluke in the proposed plan and there is no requirement for the site at Kilncadzow Road to be included within the settlement boundary.

2. Technical Report 2 (Document G21) which describes the assessment of proposals submitted under the call for sites concluded that any development on the representation site would constitute a significant encroachment into the Green Belt and does not offer an

opportunity to consolidate or round off the settlement boundary. The site is bounded on only one side by existing development. The northern boundary is formed by Jocks Burn which contains some mature woodland. Land on the western and eastern side comprises further agricultural fields which separates the site from the industrial site and stadium. The existing settlement boundary is considered to be robust and defensible.

3. The site comprises steeply sloping agricultural land and is particularly prominent when viewed from the A721. The settlement boundary in this part of Carluke is strengthened by the fact that housing on the opposite side of the A721 has been set back from the road. The existing stadium to the west of the site is set within established landscaping and is largely invisible from the surrounding area. In contrast the site would be highly visible if developed.

4. The assessment of the site in Technical Report 2 (Document G21) suggests that there are potential issues with current sewage capacity. These require to be addressed and solutions designed which do not impinge on the quality of the natural environment. It would be expected that foul drainage would be to the main public system rather than as suggested, via private treatment to Jock's Burn. Part of the site lies in the 1 in 200 year floodplain and therefore this part of the site cannot be developed. A Flood Risk Assessment would be necessary to demonstrate that development of the site would not be affected by a 1 in 200 event, and to show how surface water from the site and from ground to the north and east would be attenuated to minimise the risk of flooding elsewhere.

5. A Traffic Impact Assessment would be required to ensure that the transportation infrastructure requirements could be met for this site. However Roads and Transportation Services advise that the creation of a roundabout would be problematic as the required junction spacing requirements cannot be achieved.

6. The Carluke North Community Growth Area (CGA) is closer to the high school and town centre than this site while the Carluke South CGA is an equivalent distance to the high school. It is not considered that the site at Kilncadzow Road has any advantages over the CGAs in this respect. The removal of dereliction and environmental improvements that would arise if the Carluke South CGA were developed was one of the key factors in the Reporter supporting its release in the adopted local plan. Detailed planning consent was granted for six detached dwellings on Goremire Road within the CGA in September 2012. There is also a current application for a further 7 houses on the Goremire Road frontage. While the scale of development is small in comparison to the overall site these applications demonstrate a willingness by one of the landowners to facilitate development of the CGA. In both cases indicative plans show that the two small developments would not prejudice the overall proposals of the CGA, in particular in terms of access.

7. At the last local plan inquiry the Reporter considered a proposal for retail development of the site. He concluded that insufficient evidence was submitted to assess the site's suitability for development but that there may be parts of the site capable of absorbing some development (Document G39 Clydesdale page 71). However, the site has a wider landscape role for the setting of this part of Carluke. Any development would appear on the skyline and could not be suitably mitigated. As a result the site does not have the capacity to absorb development. It also represents a substantial buffer between the industrial estate to the east and the high school and stadium to the west. The retention of the site in the Green Belt will help maintain the open character of this part of the area and allow the site to continue to act as a green wedge in a sensitive part of the town.

8. The proposed site at Stonedykes Road would form part of an extended Community Growth Area (GCA) in the north of Carluke. The establishment of a CGA in this location has been identified through the South Lanarkshire Local Plan and this designation is maintained in the proposed local development plan. The requirements for the CGA are found in Appendix 3 of the proposed plan and it will be expected that proposals for the site at Stonedyke Road would also meet these requirements. As a result a planned residential development through a masterplan framework could provide a robust settlement boundary for the western edge of Carluke. Established physical features (hedgerows, mature trees, contours of the land and existing building group) could help to provide visual containment of the development. In addition the site mirrors the extent of the CGA on the opposite side of Stonedyke Road. Through a combination of tree and structure planting and open space, in accordance with policy 14 (Green Networks and Green Spaces) a greenspace framework for the site can be established.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends changes to Policy 12, Housing Land, to require that, should a shortfall in the effective supply of private sector housing land be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the third of three categories.

2. As it has been concluded that there is much uncertainty about whether there is sufficient housing land to meet the SDP requirement to 2025, and that there is insufficient land to meet the requirement to 2020, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available.

3. The representation has suggested that changes in the housing market requires the re-assessment of existing allocated housing sites. Nevertheless, the planning authority explains that several sites are already allocated for residential development in Carluke and argues that these sites provide a generous and flexible supply of housing land.

4. No substantive evidence has been provided to suggest that the sites allocated in the local development plan are not capable of delivering new housing. In any event, I note that the representation relates to the eastern part of the site at Kilncadzow Road, the western part of the site being owned by Taylor Homes. Whilst, at the end of the day, this might not prove to be a difficulty, the lack of a unified ownership could be an impediment to early development of the entire site.

5. The land at Kilncadow Road lies within the designated green belt and it has been argued that the residential development of the site would involve the natural realignment of the green belt boundary northwards to Jock’s Burn. The burn is deeply incised with mature bordering trees and, it is suggested, would provide a strong defensible boundary. Whilst this may be so, the A721 currently provides a reasonable and clear green belt boundary at this point despite the encroachment of industrial and commercial development to the south-east. As the planning authority points out, housing on the opposite side of the road

has been set back, at least in part, and this strengthens the edge-of-town character of the frontage. The allocation of the site for development would leave a small section of green belt fronting the north side of the A721. This would serve little purpose.

6. Whilst the green belt at this location does not have the most attractive appearance I consider it nevertheless serves the function of protecting the landscape setting of Carluke, at this point clearly differentiating between the urban area to the south of the A721 and the open land to the north. As also explained by the planning authority, the land is locally important in providing an open buffer between the industrial estate and the school to the west.

7. Although the planning authority is concerned about traffic generation and flooding potential, which would require both a traffic impact assessment and a flood risk assessment, there is no reason to believe that, if necessary, appropriate mitigation measures could not be achieved. Development of the site may be technically challenging but this is not a reason for precluding the possibility of allocating the land for development.

8. Policy 12 will require the monitoring of the supply of private sector housing land. Should it be necessary in the future to make good any identified shortfall it is possible that the site at Kilncadzow Road could be brought forward for consideration. However, that is a matter for a later date. In terms of this local development plan examination, the land should remain allocated as designated green belt as shown on the Carluke Settlement Map.

**Reporter's recommendations:**

No modifications.

<b>Issue CL5</b>	<b>Mauldslie Road/Luggie Road, Carluke</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 475 - William McGregor & Son		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Mauldslie Road/Luggie Road, Carluke for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>475 - The representation relates to the non-inclusion of a site at Mauldslie Road/Luggie Road, Carluke and raises the following points:</p> <ol style="list-style-type: none"> <li>1. There is a need to identify additional housing sites in the Green Belt to ensure an effective land supply. Demand for housing will rise due to projected increases in population and household formation. The site is effective and could be brought forward in the short/medium term. The deliverability of the Community Growth Areas and larger masterplan sites within 5 years is doubtful. If identified sites are not deliverable then there should be a mechanism for bring forward alternative sites. This site can be effective within 5 years.</li> <li>2. Established and additional tree planting along the northern edge will create a defensible boundary to Carluke. The site is bounded on three sides by built up areas and the railway line to the west provides a natural physical boundary.</li> <li>3. A masterplan has been developed which proposes creating a new spine road and carrying out improvements to the road network as a means of overcoming perceived capacity problems affecting approach roads. The site avoids the main points of congestion in the centre of Carluke. There are good links to the motorway system and the site is within walking distance of bus routes and Carluke Train Station. There are no significant infrastructure, drainage or flooding issues which would impede the development of the site.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
475 - Seeks the redesignation of the site from Green Belt to a residential development site.		

**Summary of responses (including reasons) by planning authority:**

Objects: 475 - Taking each of the points raised in turn the Council would wish to make the following comments:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls. This and other sites on the edge of Carluke were assessed at the time during the preparation of the current adopted South Lanarkshire Local Plan for inclusion as a Community Growth Area. A similar objection was lodged at that time to its non-inclusion and was considered at the Local Plan Inquiry in 2008. The Reporter concluded that to justify this site would necessitate demonstrating a significant advantage over the chosen Community Growth Areas. The objection site was seen, other than the farm steading, as a predominantly greenfield whilst the sites that were identified by the Council contained areas of dereliction which could be reclaimed. The Reporter advised that this was an important issue that, in the absence of other clearly defined criteria, carries considerable weight, and justifies the sites selected by the Council's as community growth areas. Scottish Planning Policy (SPP) (Document G1) makes it clear that development should be directed to brownfield sites in preference to greenfield sites. Reuse of derelict ground in preference to greenfield development ties in with the objectives of sustainability. Progress in the implementation of Community Growth Areas has been affected by the economic downturn and the associated impacts upon the housing market rather any inherent issues prevailing at the sites themselves and the Council remains of the view that they represent the most appropriate locations for the strategic release of housing land.

2. Technical Report 2 (Document G21) which describes the assessment of proposals submitted under the Call for Sites concluded that in this case any development would constitute a significant encroachment northwards into the Green Belt and that the site does not offer any opportunity to create a long term defensible and sustainable boundary. The site is particularly prominent when viewed from Mauldslie Road and Luggie Road and there is insufficient existing planting and natural features to help integrate and screen the site.

3. In relation to preparation of a masterplan for the site at Mauldslie Road/Luggie Road, similar advantages prevail at sites that have designated as Community Growth Areas. In particular Masterplan Development Frameworks were prepared and submitted and adopted as part of the South Lanarkshire Local Plan and they remain relevant. (Document G38). This proposal would result in a significant loss of agricultural land. The development of this land would not result in environmental improvements in the form of remediation or removal of dereliction. The development of this site would adversely affect the rural nature of this area and the character of the Green Belt at this location.

No change proposed to local development plan.

**Reporter's conclusions:**

1. William McGregor & Son requires the allocation of land for residential development to ensure an effective land supply, particularly in view of the reliance on Community Growth Areas (CGA).



2. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends changes to Policy 12, Housing Land, to require that, should a shortfall in the effective supply of private sector housing land be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the third of three categories.

3. Thirteen CGAs are identified in the Glasgow and Clyde Valley Strategic Development Plan (SDP), one of which is at Carluke. In total, the delivery of approximately 19,000 new houses was anticipated although the SDP recognises that the economic downturn has had an impact on growth projections. Nevertheless, the SDP anticipates that rates will recover to previous levels and the land allocations for housing growth, the CGAs, remain relevant to meeting that future growth.

4. The planning authority has pointed out that economic conditions have curtailed development in the Carluke CGA but the sites nevertheless remain the most appropriate locations for the strategic release of housing land. The planning authority also explains that the CGA allocation was an issue at the previous local plan inquiry but, at that time, weight was given to the preference for brownfield site development.

5. Whilst the rate of development in the Carluke CGA (which takes the form of two separate designated areas) has been slow this is, perhaps, not unexpected. The SDP anticipated possible difficulties in delivery and the planning authority is correct in continuing to support the re-use of derelict ground. This is in accordance with Scottish Planning Policy. Clearly, constraints can reduce the rate of progress but no evidence has been provided to suggest that problems within the Carluke CGA will preclude any further development.

6. On the foregoing basis, it is reasonable to place a significant degree of reliance on the potential for the CGAs to contribute to the future housing land supply.

7. As it has been concluded that there is much uncertainty about whether there is sufficient housing land to meet the SDP requirement to 2025, and that there is insufficient land to meet the requirement to 2020, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available.

8. The suggested development area at Mauldslie Road/Luggie Road has been split into two sites, the smaller of which is some 4 hectares in area and, it is claimed, would not encroach into the green belt. The larger site extends to approximately 20 hectares and it is proposed structured landscaping would define the boundary of the site. William McGregor & Son has already undertaken a significant planting scheme with about 11,000 trees planted over an area of 6.45 hectares. Overall, it is believed a robust and defensible boundary could be provided for the north of Carluke.

9. The planning authority disagrees with the assessment of the landscape impact and believes development would lead to a significant encroachment into the green belt without the prospect of creating a long-term and sustainable boundary. From some directions development would be particularly prominent.

10. No detailed landscape character and visual impact assessment has been provided but, despite the level of planting that has been undertaken, I believe the residential development of some 24 hectares at this location would undoubtedly have an effect on the landscape setting of Carluke. The concerns expressed by the planning authority are therefore justified and it would be unwise to allocate this land for development without a clearer understanding of landscape impact.

11. It is possible that the monitoring process required under Policy 12 could lead to a re-assessment of the situation. However, that is a matter for the future and not part of this local development plan examination. The green belt designation of the land should therefore be retained.

**Reporter's recommendations:**

No modifications.

<b>Issue CL6</b>	<b>Stonedyke Road, Carluke</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy pages 13 - 14 Chapter 5 People and Places, Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>138 - Mr and Mrs Rieley and Family 216 - Mr and Mrs McGarrie 254 - Mr and Mrs Toughill 388 - L McFarlane</p> <p>Comments: 642 – SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	Adjustment to settlement boundary and redesignation of site at Stonedyke Road to form an extension to the existing Community Growth area at Carluke north.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>138, 216, 254, 388 – All of these representations object to the designation of an area on land currently covered by either Green Network or Green Belt designation in the South Lanarkshire Local Plan to a Community Growth Area and a potential residential development site at Stonedyke Road.</p> <p>The following points have been raised by the objectors:</p> <ol style="list-style-type: none"> <li>1. The Green Belt land around towns is of the utmost importance, and for any alteration to its extent, the Scottish Government has to be satisfied that the local authority has considered all other development opportunities in the urban area.</li> <li>2. Urban encroachment into the rural area must stop even if it is to provide affordable housing and recreation areas. There are already other sites in place for housing.</li> <li>3. The continued expansion of Carluke purely for residential development does not bring economic benefit to the town centre, and will adversely affect the capacity of local schools.</li> <li>4. Gair Crescent is already a busy road with inadequate parking. An increase in car numbers would give rise to road safety concerns.</li> <li>5. The existing recreation area should be retained as it is a well used asset.</li> </ol> <p>Comments: 642 - There is a minor watercourse within the site and as such additional flood risk information will be necessary.</p>		

<b>Modifications sought by those submitting representations:</b>
<p>138, 216, 254, 388 - Seeks the deletion of the proposal to extend the Community Growth Area and the site to be retained as recreation space and Green Belt.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects:</p> <p>138, 216, 254, 388 - Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. In terms of the need and justification for Greenfield release, the Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. This site was considered suitable for release through this process.</li> <li>2. The proposed site would form part of an extended Community Growth Area (CGA) in the north of Carluke. The establishment of a Community Growth Area in this location has been identified through the South Lanarkshire Local Plan and this designation is maintained in the proposed local development plan. The requirements for the CGA are found in appendix 3 of the proposed plan and it will be expected that proposals for the site at Stonedyke Road would also meet these requirements. As a result a planned residential development through a masterplan framework could provide a robust settlement boundary for the western edge of Carluke. Established physical features (hedgerows, mature trees, contours of the land and existing building group) can help to provide visual containment of the development. In addition the site mirrors the extent of the CGA on the opposite side of Stonedyke Road. Through a combination of tree and structure planting and open space, in accordance with policy 14 (Green Networks and Green Spaces), a greenspace framework for the site can be established. The new development would include green networks, pedestrian connections, open space and play equipment together with a replacement pitch.</li> <li>3. The Council's Call For Sites Assessment Technical Report (Document G28) outlines the process and results of site assessments carried out as part of the consultation process in relation to the Main Issues Report (MIR) whereby parties were invited to put forward sites they considered could be included as development opportunities in the proposed local development plan. As part of a masterplan framework the impact upon existing educational and other community facilities would require to be assessed and if required further facilities would need to be provided.</li> <li>4. A Transport Assessment would be required to ensure that the transportation infrastructure requirements could be met for this site. The Council would seek to retain existing walking, cycling and/or recreational routes that may be affected by a future planning application for housing. It should be noted that a Masterplan Development</li> </ol>

Framework that was prepared for the existing CGA in the north of Carluke considered access arrangements to serve that site and this was submitted for consideration at the Local Plan Inquiry in 2008 (Document G39) This shows the provision of a new roundabout at the junction of Stonefield Road and Stonedyke Road.

5. The requirements set out in Appendix 3 of the proposed plan state that this will include a replacement pitch on the site.

No change proposed to local development plan.

Comment:

642 – Noted. The presence of the water course is acknowledged and as part of any planning application, information pertaining to drainage and potential flooding would be sought. As the water course is considered to be minor, it would be reasonable to expect a drainage strategy to incorporate mitigation measures to address both surface water drainage and flooding or blockage of the water course.

**Reporter’s conclusions:**

1. There can be no dispute about the value of the green belt around towns. It is important, where possible, for green belt designations to be robust and enduring. On the other hand, the preparation of a new local development plan provides the opportunity to review land use allocations, including the designated green belt. When undertaking such a review, the planning authority must take into account the claims of competing land uses. In this case the planning authority has explained that a limited release of land is required to meet local housing requirements and the development site was identified in this context.
2. A detailed analysis has not been provided by the planning authority to fully justify the rationale of identifying a limited number of housing sites for local requirements. However, I believe the general approach is reasonable and to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Where deemed appropriate on the above basis, such allocations would add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the wider requirement to provide a generous five-year supply of effective housing land. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular, paragraphs 75 and 110.
3. The local development plan is required to conform to the provisions of the strategic development plan and, in this respect housing land in the wider context is considered under Issue ST13.
4. The eastern part of the proposed development site is currently designated green belt although, for a short distance to the west, the green belt is already restricted to a very narrow strip extending only to the width of the line of a Roman road.
5. The planning authority indicates that the current local plan promoted a Community Growth Area to the immediate south of the proposed development site, the site at Stonedyke Road being an extension of that area. The local development plan states in Appendix 3 that a development priority at this location will be the definition of new landscape measures to consolidate the green belt edges and establish green networks

within the new development. The response to the representations also states that there would be pedestrian connections, open space, play equipment and a replacement pitch. Indeed, the replacement pitch is a specific requirement of Appendix 5 of the local development plan.

6. Any decision to remove land from the green belt should not be taken lightly. In this instance I agree the circumstances are such that the revised land use allocation is acceptable subject to the terms of Appendix 3 and Appendix 5 of the local development plan and the response to the representations.

7. Concern has also been expressed in terms of infrastructure provision. The planning authority response confirms that a masterplan framework would require to assess the impact on educational and other community facilities. Provision for improvements would be required if shown to be necessary. Equally, a transport assessment would be required. In this respect, the masterplan for the development of the existing Community Growth Area shows a new roundabout at the junction of Stonefield Road and Stonedyke Road. Additionally, the planning authority anticipates the need for a drainage strategy, including mitigation measures, to address any potential flooding issues.

8. All-in-all, it has not been shown that infrastructure constraints point to the deletion of the proposed development allocation.

**Reporter's recommendations:**

No modifications.

<b>Issue CL7</b>	<b>Somerville Drive, Carnwath</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>70 - Mary Hamilton 73 - Andrew Brown 514 - Mrs Doreen Smith and Others</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area, to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>70, 73, 514 - These representations object to the inclusion of land for residential development resulting in adjustment of settlement boundary at Somerville Drive, Carnwath and make the following points:</p> <ol style="list-style-type: none"> <li>1. Approval of the site would lead to a loss of view.</li> <li>2. Development would affect wildlife, specifically buzzards, geese and bats.</li> <li>3. There are inadequate shopping facilities in Carnwath.</li> <li>4. The site may have inadequate infrastructure in terms of sewerage.</li> <li>5. There are no recreational facilities for young people within Carnwath.</li> <li>6. The proposals would devalue house prices.</li> <li>7. The proposals would result in increased traffic and parking on already congested local roads.</li> <li>8. There are many other sites within Carnwath that have not yet been developed.</li> <li>9. There is a lack of evidence of need for additional housing within Carnwath.</li> <li>10. The site would result in the loss of an area of good quality agricultural land, against the principles contained in the Scottish Planning Policy 2010 and in the "Getting the Best From Our Land", the land use strategy for Scotland.</li> <li>11. The proposals would lead to pressure to release additional land for housing.</li> </ol>		

<b>Modifications sought by those submitting representations:</b>
<p>70, 73, 514 - Seeks deletion of the proposed redesignation of the site at Somerville Drive, Carnwath from rural area to residential.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects:</p> <p>70, 73, 514 - The Council has considered each of the points raised and makes the following observations:</p> <ol style="list-style-type: none"> <li>1. The loss of view is not a material planning issue. Any issues relating to impacts on privacy/amenity/loss of daylight which may result from development of the proposed housing site would be addressed through a planning application for the site.</li> <li>2. The Council notes that the fields adjoining Somerville Drive to the south are utilised by pink footed geese, however it is considered that the small scale size of the site proposed, at less than one hectare, will have little impact on the habits of the wildlife. Notwithstanding this, any concerns raised over impacts on protected species could be addressed through a planning application for the site.</li> <li>3. The provision of an economic infrastructure, including businesses and shops is dictated by market forces and the economic climate at any given time. The aim of the local development plan is to ensure that any development proposals are appropriate and if applications were to come forward which would enhance the economic infrastructure of the village these would be considered on their own merits. The size of the site is such that any development would not impact on shopping facilities in the village.</li> <li>4. Any constraints relating to sewerage capacity in Carnwath would be addressed through a planning application for the site.</li> <li>5. The Council considers that there are a number of existing recreational facilities both within and close to Carnwath, in addition to good linkages to the surrounding rural area. The size of the site is such that any development would not impact on recreational facilities in the village.</li> <li>6. The impact on existing house values is not a matter for the local development plan.</li> <li>7. The assessment of the site in the Main Issues Report has identified that an access can be achieved from Somerville Drive and that development of the site should not cause capacity issues. In addition, it is expected that any new build dwellings would provide an adequate level of parking provision within the site.</li> <li>8. There are development opportunities available in other parts of rural South Lanarkshire (including within Carnwath) that have been not been implemented or where development has halted. However many of these sites have not been developed or development has been suspended due to the downturn in the housing market and the inability of some smaller companies to continue to operate. The Council has had extensive discussions with Homes for Scotland and a number of volume housebuilders about this issue and has concluded that there may be other difficulties, such as ownership or infrastructure, in addition to financial constraints that have resulted in sites not being implemented. The role</li> </ol>



of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the rural area. The sites that have been proposed in the local development plan have been carefully considered and the Council is of the opinion that these offer the best opportunity for limited development in the rural area.

9. With regard to housing demand the Council are aware that development opportunities in the rural area are often limited. However this does not prevent a large number of applications being received each year for housing adjacent to small settlements or groups of houses or for isolated housing in the countryside. As part of the monitoring of the South Lanarkshire Local Plan (Document G38) analysis showed that there was a constant demand for housing in areas such as Carnwath and that the Council should consider opportunities for limited small scale release to meet this demand, to help sustain small communities and to direct development away from more isolated, less sustainable sites. The area around Carnwath was one of the areas where there was continued pressure for development. This site represents an opportunity to provide a small scale development to meet demand.

10. The release of the strip of land proposed along the edge of the settlement would appear to represent a logical, small scale extension of the existing settlement boundary. The area proposed extends to less than one hectare in size, representing a small proportion of the overall agricultural field, and its loss from agricultural use would not therefore have an adverse impact on farming operations.

11. The release of the site for development would not automatically lead to pressure for the release of additional land for housing. Any subsequent suggested modification of the Carnwath settlement boundary to include additional land would require to be subject to the same degree of assessment.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Although it has been suggested that the allocation of development site 35 is not justified because of limited housing demand, the planning authority believes it is important to provide opportunities for limited development in the rural area. Indeed, the planning authority states that the number of planning applications received is indicative of a high level of demand, including in the area of Carnwath.

2. A detailed analysis has not been provided by the planning authority to fully justify the rationale of identifying a limited number of housing sites for local requirements. However, I believe the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Where deemed appropriate on the above basis, such allocations would add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the wider requirement to provide a generous five-year supply of effective housing land. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. The planning authority does not consider that the loss of this land would cause a problem in agricultural terms. It is argued that the site is relatively small and would not

appear to have an adverse impact on farming operations. Lacking a definitive argument to the contrary, and there being no specific agriculturally based objections, the loss of the site to agriculture is therefore regarded as justified.

4. I accept that development would undoubtedly alter some established views but, as the planning authority points out, this is not a material planning issue. There is no suggestion that the proposed new houses would have an unacceptable impact on the established residential amenity of the neighbourhood and, to this extent, I consider the land allocation should proceed. Similarly, house values are not a matter for consideration as part of this examination. Despite the concern expressed in respect of ornithological matters, there is no substantive basis to suggest that the land requires a special level of protection in terms of nature conservation.

5. Although infrastructure and local services are said to be inadequate, there is nothing to suggest that a housing development on the site would lead to any particular difficulties.

6. All-in-all, the proposed allocation for development proposal 35 is acceptable.

**Reporter's recommendations:**

No modifications.

<b>Issue CL8</b>	<b>Manse Road, Carstairs</b>	
<b>Development plan reference:</b>	Chapter 5 People and Places Policy 12 Housing Land Page 27 Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 148 - E M Anderson</p> <p>Comment: 642 – SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	Re-designation of site in the rural area at Manse Road, Carstairs for housing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>148 - Objects to the inclusion of the site for residential development at Manse Road, Carstairs on the following grounds:</p> <ol style="list-style-type: none"> <li>1. The site would be accessed off the A70 Lanark Road off a 90 degree bend and through existing industrial units. This access would be unsafe.</li> <li>2. There are no existing services available to service the site without incurring huge infrastructure costs. SEPA are not supportive of an outfall to the adjacent Flush Burn</li> <li>3. At the edge of this site are protected trees planted in 1820 and part of the listed Old Manse planting.</li> <li>4. There is no need for more speculative housing provision in Carstairs. The local primary school is full and the secondary school for the area is too small for the areas needs. There is no employment available in the area.</li> </ol> <p>Comment: 642 – Additional flood risk information required. A buffer strip is encouraged.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>148 – In response to this representation the Council would make the following comments:</p> <ol style="list-style-type: none"> <li>1. The site adjoins a larger area of ground already identified as housing land in the adopted South Lanarkshire Local Plan (Document G38). The two areas of land are in the same ownership and as a result the combined site would be developed together. The</li> </ol>		

existing housing site was considered at the local plan inquiry into the adopted South Lanarkshire Local Plan. The Reporter found that the development of this site for housing would be acceptable. He recognised that access could be taken through quiet residential streets and therefore recommended development should be at a relatively low density. It is considered that the existing housing site and this small extension could both be accessed from Manse Road.

2. The village is served by existing Scottish Water infrastructure. There are possible issues with current sewerage capacity and any proposals would have to confirm surface water outfall arrangements and future maintenance. Any constraints to developing the site would have to be addressed by the developer and formalised during the planning application process. No objections have been received from SEPA in terms of discharge to the adjoining burn.

3. The mature trees at the northern and eastern boundaries of the site would be assessed as part of the planning application process and development tailored to suit. The trees are not the subject of a Tree Preservation Order.

4. There is sufficient capacity at the local schools to accommodate the anticipated scale of development at this site.

No change proposed to the local development plan.

Comment:

642 – SEPA comment on the minor watercourse that runs through the site and the need for a flood risk assessment and the desire to include a buffer strip between any development and the burn.

The comments are noted and will be addressed at planning application stage.

**Reporter’s conclusions:**

1. The proposed boundary adjustment would include an area of land which, in land use terms, would provide a logical extension of the adjoining allocated housing site. Being in the same ownership as the allocated site, a comprehensive development could be reasonably anticipated. The boundary change would not have an adverse impact on the setting of the village and, in the context of the larger development, the construction of houses on the extended area would have little wider visual effect.

2. Concerns expressed in respect of infrastructure constraints are not well-founded. Access would be via the allocated site to the south. The level of traffic generation for that site has been assessed as acceptable and the additional traffic as a result of a low-density development on the proposed extension is unlikely to be significant. Construction traffic would have an impact but mitigation could be achieved through a condition on site working hours. The Scottish Environment Protection Agency has not objected to potential discharge but has advised that a flood risk assessment would be necessary. This would be prudent. There is capacity in the local primary school. Overall, it does not appear that infrastructure constraints would prevent development.

3. Although the trees on the boundaries are long established and may have some historical significance, they are not the subject of a tree preservation order. Development

should not be precluded because of the trees, the value of which, as explained by the planning authority, could be assessed as part of a detailed development proposal.

4. The boundary alteration to make provision for development proposal 37 is therefore acceptable.

**Reporter's recommendations:**

No modifications.

<b>Issue CL9</b>	<b>Holm Road, Crossford</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy Policy 3 Green Belt and Rural Area Chapter 6 Environment Policy 14 Green Network and Greenspace	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 512 - Neil Gainford		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to review of settlement boundaries and removal of land from settlement boundaries and re-designation to Green Belt in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>512 - This representation objects to the removal of land at Holm Road, Crossford from the settlement boundary and re-designation from Priority Greenspace land use policy to Green Belt. The following points have been raised by the objector:</p> <ol style="list-style-type: none"> <li>1. Opposes the re-drawing of the settlement boundary of Crossford and suggests that no evidence has been presented to justify the changes now proposed.</li> <li>2. The Green Belt policy is 'probably the planning policy that is best known to the public at large, but the one that is least understood'. The change from Priority Greenspace to Green Belt would further confuse and lead to a greater misunderstanding by the public as to the purpose and function of the Green Belt.</li> <li>3. The proposed change of designation to Green Belt disregards Scottish Planning Government policy on Green Belts as contained in the consolidated Scottish Planning Policy.</li> <li>4. There is no strategic justification for the designation of the site as Green Belt.</li> <li>5. The natural and most defensible boundary for Crossford at this location is formed by the River Clyde.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
512 - Delete the proposed change of designation from Priority Greenspace to Green Belt from the proposed plan.		

**Summary of responses (including reasons) by planning authority:**

Objects:

512 - In response to the points raised the Council would wish to comment as follows:

1. A review of settlement boundaries was carried out during the preparation of the proposal plan which led to the changes proposed to the boundary at Crossford. Much of the site is within the flood plain (Document G17) and is not suitable for development therefore it is considered logical to remove the site from the settlement.
2. The change from Priority Greenspace to Green Belt being promoted for this site would make an insignificant change to the understanding of the development potential of the site. Identifying the site as outwith the settlement boundary and having a Green Belt designation gives much greater protection to a site that has flooding issues.
3. The Council have taken full account of the Scottish Planning Policy (Document G1) on Green Belts when making the proposed change. However, any development proposals would be assessed against Policy 3 of the proposed plan and the proposed Supplementary Guidance on Green Belt and Rural Area.
4. The proposed scale of change to the designation of the Green Belt is not considered to be of strategic nature therefore a justification in terms of the Strategic Development Plan is not required.
5. It is considered that Holm Road and the features along its north eastern frontage equally provide a long term defensible boundary.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The planning authority explains that much of the site is within the flood plain of the River Clyde and therefore it would be appropriate to remove the land from within the settlement boundary and apply a green belt designation. Additionally, the visual attributes of the site do not relate to the built form of the village.
2. The thrust of the objection is that the land in question does not serve a significant green belt function. I believe green belt designation should provide clarity and certainty on where development will and will not take place. In this case, the planning authority wishes to indicate that development will not take place because of the flood plain. I consider this is a reasonable approach. The rural nature of the land as part of the setting of Crossford also justifies the protective designation. In both respects, therefore, I support the planning authority in removal of the land from the settlement boundary along with the designation as green belt.
3. Scottish Planning Policy also explains that the spatial form of the green belt land should be appropriate to the location. In this case, I believe the disposition of the land could be regarded as a wedge of green belt.
4. The objector considers it would be preferable to retain the boundary of the green belt as the River Clyde, this being an easily identified and robust feature. By contrast, it is

claimed, the objection site does not have readily defensible boundaries. The planning authority does not accept this argument. I consider that Holm Road and the River Nethan provide acceptable boundaries. The remaining small section of boundary, whilst weaker, is nevertheless clear and, if necessary, it could be defended in the wider context of the site.

5. "Priority green space" is defined in the local development plan as "important open space within settlements". The land in question is not within Crossford and has little relationship with the built-form of the village. This suggests to me that green belt is a more appropriate designation than priority green space. I do not anticipate that green belt designation would lead to confusion.

6. All-in-all, I support the planning authority and conclude that there is no requirement to modify the local development plan.

**Reporter's recommendations:**

No modifications.



<b>Issue CL10</b>	<b>Carmaben Brae, Dolphinton</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>72 - Gill Wyness 74 - Nigel Thomson 309 - Ian Downes 451 - Mr and Mrs McGrath</p>		
<b>Provision of the development plan to which the issue relates:</b>	This considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>72, 74, 309, 451 - These representations object to the proposed residential development at Carmaben Brae, Dolphinton and raise the following points:</p> <ol style="list-style-type: none"> <li>1. Approval of the site will have an adverse impact on both residential amenity and on the character and appearance of the local rural area.</li> <li>2. Development would lead to a strain on local resources, including the local school, and specifically that the settlement of Dolphinton has a lack of local amenities and adequate infrastructure.</li> <li>3. There would be increased traffic on the local road network and approval would lead to increased congestion and road safety issues.</li> <li>4. There is no demand for new housing in the local area and it is not clear what the economic benefits are.</li> <li>5. There would be a negative impact on existing house values.</li> <li>6. The land is currently used for various leisure activities.</li> <li>7. Development of the site would raise wildlife issues.</li> <li>8. Reassurances were made in the past that there would be no further housing permitted in this area.</li> </ol>		

<b>Modifications sought by those submitting representations:</b>
72, 74, 309, 451 - Seek deletion of the proposed residential site at Carmaben Brae, Dolphinton.
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects:</p> <p>72, 74, 309, 451 - The Council has considered each of the points raised and makes the following observations:</p> <ol style="list-style-type: none"> <li>1. The site is considered to be of an appropriate scale and size that can be visually integrated into the surrounding area in an acceptable manner and have no adverse impact on local character, subject to the assessment of a detailed planning application. It is also considered that the site would be visually contained by the existing mature woodland that bounds the land to the north and the west. Issues of impact on residential amenity would be addressed through any future planning application for the site.</li> <li>2. The village of Dolphinton is located approximately 8 miles to the north east of the Biggar, historically the nearest principal town for services. In terms of infrastructure any constraints relating to the provision of adequate infrastructure would be addressed through a planning application for the site. The Council's Education Resources have not raised any issues in relation to school capacity.</li> <li>3. The Council's Call For Sites Assessment Technical Report (Document G28) outlines the process and results of site assessments carried out as part of the consultation process in relation to the Main Issues Report (MIR) and has identified that there is a suitable vehicular access to the site, directly from Carmaben Brae onto the A702.</li> <li>4. Development opportunities in the rural area are often limited, however this does not prevent a large number of applications being received each year for housing adjacent to small settlements or groups of houses or for isolated housing in the countryside. As part of the monitoring of the South Lanarkshire Local Plan (Document G38) analysis showed that there was a constant demand for housing in rural areas such as Dolphinton and that the Council should consider opportunities for limited small scale release, such as that proposed, to meet this demand, to help sustain small communities and to direct development away from more isolated, less sustainable sites. The area around Dolphinton was one of the areas where there was continued pressure for development, specifically given its proximity to the Edinburgh housing market. In terms of economic benefits whether Dolphinton would benefit economically from the development of the proposed housing site is not a matter for the local development plan. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were</li> </ol>

most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). The site has been identified on the proposals map for housing as part of the Council's five year effective housing land supply and therefore the residential element of this representation is supported.

5. The impact on existing house values is not a matter for the local development plan.
6. The site is currently used for dog-walking and general leisure pursuits; however, Dolphinton is a rural village with excellent links to the surrounding rural area for leisure pursuits. In addition any future development of the site could require the developer to maintain links to the wider countryside.
7. The Strategic Environmental Assessment (SEA) (Document G23) has identified that there may local biodiversity issues. Notwithstanding this, any issues relating to impacts on wildlife would be addressed through a planning application for the site.
8. No clarification is provided as to who gave this assurance, or when. Notwithstanding this the Council reassessed all settlement boundaries to assess if there were sites suitable for residential proposes. Sites are reassessed with each successive local plan. If a site meets the criteria for development and development is required, then it can be considered and proposed for release.

No change proposed to local development plan.

**Reporter's conclusions:**

1. The planning authority has not provided a detailed analysis to fully justify the rationale for identifying a limited number of housing sites to meet local requirements. However, I believe the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing commensurate with the size, character and local service infrastructure of the particular settlement. Where deemed appropriate on the above basis, such allocations would add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the wider requirement to provide a generous five-year supply of effective housing land. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.
2. In this case, although it has been suggested that there is no demand for new houses locally, this claim has not been substantiated and is not borne out by research undertaken by the planning authority. The site has been identified as effective and would be able to contribute to housing needs as part of a programme of the limited release of land to meet local requirements.
3. As indicated by the planning authority, the site would be capable of integration into the landscape setting of the vicinity, visually contained by existing woodland and the local topography. Indeed, it appears that the existing development may well have been designed with the potential for future extension onto development proposal 38.
4. There is no evidence that infrastructure would provide an insurmountable constraint and, as pointed out by the planning authority, no issues have been raised in respect of school capacity. Similarly, despite the concern expressed, the standard of the access is acceptable. Whilst additional construction traffic would be experienced during the course

of site development, this would be of a temporary nature. The imposition of a condition restricting working hours during construction could secure a degree of mitigation.

5. The current use of the land for recreational purposes is an informal activity and the site has no status as designated open space. As the planning authority argues, Dolphinton in general benefits from links to the surrounding countryside. It is not inconceivable that any future development could maintain or enhance those links.

6. The Strategic Environmental Assessment undertaken by the planning authority indicates that the site lies in the flightpath of Pinkfoot geese from the Westwater Special Protection Area. This could have implications on the phasing of construction but there is no evidence to suggest that development should be precluded. Part of the site encroaches on to an area of ancient woodland and clearly this would have design and layout implications. However, again there is no indication that this would be a constraint preventing development.

Other than this there is no substantive evidence that the site is of particular wildlife importance.

7. The planning authority is correct to state that any impact on house values is not a matter for the local development plan. Similarly, it is not possible to take into account any claim of undertakings that there would be no future development on the site. Any such suggestion carries very little authority.

8. All-in-all, subject to detailed considerations and a careful assessment of natural heritage implications, the allocation should remain as proposed.

**Reporter's recommendations:**

No modifications.

<b>Issue CL11</b>	<b>Angus Terrace, Douglas</b>	
<b>Development plan reference:</b>	Chapter 5 People and Places, pages 26 – 30 Policy 12 Housing Land Appendix 3 Development Priorities Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 171 – Lianne Graham		
<b>Provision of the development plan to which the issue relates:</b>	This relates to the designation of land uses within settlements.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>171 – This representation objects to the designation of an area of land at Angus Terrace, Douglas currently covered by an industrial policy to a potential residential development site. The following points have been raised:</p> <ol style="list-style-type: none"> <li>1. The proposed site has been a lovely quiet area of the village and clearance of the derelict factory buildings has allowed residents to enjoy views of the countryside.</li> <li>2. The village has already had to live with several opencast coal mines around the area. The proposal would involve the use of another hillside are as a building site instead of filling the many empty houses in the village first.</li> <li>3. Any housing built would remain empty due to the public being unable to obtain mortgages to purchase homes.</li> <li>4. There are no recreational facilities in the village apart from one community centre, and no businesses being opened to create jobs, so there is no demand for further housing in this area.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 171 - In response the Council would wish to comment as follows:</p> <ol style="list-style-type: none"> <li>1. Previous local plans for the area designated the site occupied by the former industrial units as industrial with the remainder zoned as open space. The latter being in recognition of its role as a buffer between the industrial units and nearby housing. The site does not form part of the countryside in this part of Douglas village and therefore any redevelopment of the site would not lead to loss of countryside in the area. None of former industrial site is now in employment use and it is unlikely the land would be attractive for businesses</li> </ol>		

given its location. The site clearly represents a brownfield opportunity and it is considered its redevelopment for residential purposes is the most appropriate long term use. Any development of the site would be expected to respect the character of the area. The site is proposed as a residential masterplan sites in Appendix 3. The masterplan requirements will include the provision of structural landscaping to create a strong natural boundary.

2. The current level of empty homes in the area is recognised and the Council are committed to filling the empty housing stock through its housing improvement scheme as contained in the Local Housing Strategy (Document G19). Any development proposals would be expected to accord with Policy 13 – Affordable Housing and Housing Choice, in the plan, which seeks a wide choice of house styles and types to be provided in layouts.

3. Statutory pre-application consultation has been carried out by one of the landowners (Document CL2). This demonstrates a commitment to bring the site forward. The prospective developer indicates that there is a market for private housing on the site.

4. The Council are aware that development opportunities in the rural area are often limited. However this does not prevent a large number of applications being received each year for housing adjacent to small settlements, groups of houses and for isolated housing in the countryside. As part of the monitoring of the South Lanarkshire Local Plan (Document G38) analysis showed that there was a constant demand for housing in areas such as Douglas, and that the Council should therefore consider opportunities for limited small scale release to meet this demand. This can help sustain small communities and direct development away from more isolated, less sustainable sites. The area around Douglas was one of the areas where there was continued pressure for development. Any development on the site would have to take into account provision of services such as recreational facilities. This would be dealt with by a planning application for the site. In addition, there are a range of commercial and social/recreational facilities in the village including a recently constructed primary school, which incorporates a community wing and multi use games area (MUGA), available to the public outwith school hours; a variety of shops that is adequate to serve a settlement the size of Douglas; a multi-function community hall at St Brides Centre; Universal Connections; 3 public houses; a social club; GP Surgery; Museum; Bowling Green and 3 play parks at Manse View Terrace, Springhill Road and Crabtree Street.

No change proposed to local development plan.

**Reporter’s conclusions:**

1. Although Ms Graham seeks to retain this site as an open area, the land is within the established settlement boundary and has previously been used for industrial purposes. That use has ceased and, as stated by the planning authority, the location is not attractive for business development. It is peripheral and requires access through an extensive area of residential character.

2. Whilst the retention of the site as an open area might well be attractive for local residents, there is no right to a view. On the other hand, the re-use of brownfield land – and this site certainly falls within this category – is a long-standing national planning objective. Development in such locations is sustainable and therefore has the strong support of Scottish Planning Policy. Residential development commends itself as a logical use in terms of the character of the wider area and the existing housing to the north-west and north-east of the site.

3. Ms Graham has expressed concern about the visual impact of development and it is true that the site is on rising ground at a higher level than the housing along Glebe Avenue. However, the land has previously been developed and there is no reason why a carefully designed residential redevelopment of the site should adversely impact on the established amenity of the vicinity. There is a bus route along Glebe Avenue and this would further assist in the provision of sustainable development.

4. The need for additional houses has been questioned especially in the context of vacant residential property in Douglas. It is claimed that existing empty property casts doubt on the marketing potential of any new development. The planning authority acknowledges the housing problems in Douglas and there is a commitment to take action through the local housing strategy. It also appears to the planning authority that there would indeed be a market for houses built on the site. Despite the suggestion that Douglas lacks recreational facilities, the planning authority has identified a range of local community facilities and services.

5. All-in-all, I conclude that development proposal 54, Angus Terrace, is justified. Although the planning authority refers to the suitability of the site for master planning purposes (see paragraph 1 of the response), the land is not identified as a Development Priority in Appendix 3.

**Reporter's recommendations:**

No modifications.

<b>Issue CL12</b>	<b>Dumfries Road and Station Road, Elvanfoot</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy Page 14 Policy 3 Green Belt and Rural Area Chapter 4 Economy & Regeneration Page 19 Policy 7 Employment Chapter 5 People and Places Page 27 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 539, 631 – The Glengeith Trust		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Dumfries Road and Station Road, Elvanfoot for housing and change of the former sub-station to business use.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>539 - Objects to the non inclusion of two development sites adjacent to the settlement boundary of Elvanfoot for residential development.</p> <p>631 – Objects to the non allocation of land (comprising the former electricity substation) to the south west of Elvanfoot for business use.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>539 - The inclusion of the sites in the development plan as proposed housing land and inclusion within the settlement boundary for Elvanfoot.</p> <p>631 - The designation of the former electricity substation site as an Industrial/Business area.</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>539 - This representation requests the inclusion of two sites within the settlement boundary as housing land.</p> <p><u>Site 1</u> - This area extends to 4.21Ha and is located on the western edge of the small settlement of Elvanfoot. The site is considered an inappropriate and unnecessary extension of the existing small settlement of Elvanfoot. The scale of the submitted site is excessive given the size of the existing settlement at Elvanfoot. The site has an indicative capacity of between 40 and 45 units which would quadruple the size of Elvanfoot which currently has only 11 houses within the settlement boundary.</p>		



A development of this size would have a significant impact on the character of Elvanfoot which currently comprises a small linear grouping of residential units along Dumfries Road. The proposed development site would overwhelm this simple linear settlement pattern. The lack of facilities and public transport links that serve Elvanfoot would generate additional trips by private car and any development of the scale proposed would therefore be unsustainable. The objector makes the suggestion that facilities could be provided as part of the development such as a local shop or business area however this is unlikely to be viable.

The vehicular access to this site that is suggested in the representation would likely to be difficult due to existing ground level changes and the poor road geometry evident to the north of the site. There is no suitable alternative direct access point to the site. No bus service other than 'my bus rural' serves Elvanfoot and the nearest railway station is more than 30km away.

In terms of infrastructure:

- a small diameter water main runs through the village and has limited capacity to support growth therefore a replacement may be required.
- a 2" private water supply pipe runs through the site.
- limited capacity (less than 10 units) is available at nearest Waste Water Treatment Works (Crawford).
- The majority of the site is within the high pressure gas pipeline safety buffer zone as shown on the Local Development Plan Environmental Designations Map.

No change proposed to the local development plan.

### Site 2

Most of this site is within the existing settlement boundary defined in the South Lanarkshire Local Plan which reflects previous planning approvals for residential development at this location. A small scale addition is proposed in order to increase the range and choice of development however this is not considered necessary. As above for site 1 the small diameter water main serving Elvanfoot has limited capacity to support growth and mains replacement may be required which would be economically unviable for small sites.

No change proposed to the local development plan.

631 – This representation seeks the designation of the former electricity substation site as an Industrial/Business area.

This site is a former electricity substation compound and consists of a level area of concrete hard standing adjoining an estate storage compound, with an associated brick built storage building. The site is in the Rural Area and is isolated from any nearby buildings. As a previously developed site the local development plan makes provision for development within Policy 3 - Green Belt and Rural Area, therefore formal designation as a business site is not considered necessary in this location. Development proposed for the site would therefore be more appropriately dealt with through the development management process.

No change proposed to the local development plan.

**Reporter's conclusions:**Site 1

1. Elvanfoot is a very small settlement, hardly more than a hamlet. As the planning authority points out, there are only eleven houses within the settlement boundary.
2. The Glengeith Trust is seeking the allocation of some 4 hectares of land to the west of the designated settlement boundary for residential purposes. Some 40 houses would be anticipated which would be designed and laid out "to respect the setting and character of the existing development". Further details have not been provided of the development concept and it is difficult to envisage how a development of the scale proposed could respect the setting and character of Elvanfoot. The planning authority believes the scale of development would be overwhelming and I agree this is a reasonable interpretation of the likely impact.
3. On the foregoing basis, I believe the principle of a development of the scale proposed is unacceptable.
4. The planning authority also draws attention to the lack of facilities and public transport at Elvanfoot. The Glengeith Trust recognises this lack but envisages the possibility of attracting a local shop or business area. The planning authority is probably correct to regard this with some scepticism. The Trust also acknowledges the limited transport services at Elvanfoot. In terms of sustainable development, the required residential allocation must therefore be regarded as highly questionable.
5. Much of the site is within a high pressure gas pipeline safety buffer zone. Details of the level of constraint the pipeline imposes have not been provided but it is reasonable to assume that any residential layout would be required to take account of the safety requirements. The planning authority also refers to various infrastructure limitations.
6. All-in-all, I believe there is little to commend the allocation of the land for residential development and the local development plan should not be modified to accommodate this suggestion.

Site 2

7. The site identified by the planning authority on the Schedule 4 plan is shown to be within the Elvanfoot settlement boundary east of Dumfries Road and north of Station Road. This is incorrect. The Glengeith Trust shows a smaller site to the south of Station Road again, for the most part, within the settlement boundary. However, the planning authority's response relates to the correct site and recognises that the land is mainly within the settlement boundary although the small, extended area beyond the boundary is not regarded as being necessary.
8. The planning authority has not clearly explained the reason for opposing the small extension of the settlement boundary. However, the Trust indicates that the land has previously been granted planning permission for housing. The extended boundary would encompass a very limited additional area and would not extend beyond the southernmost house on the opposite (west) side of Dumfries Road. I accept that no significant adverse land use implications would arise from the minor adjustment of the boundary as required and therefore the local development plan should be modified to this effect.

Former substation

9. The planning authority explains that the terms of Policy 3, Green Belt and the Rural Area, make provision for development of sites such as this former substation and therefore a specific land use allocation is not required. Development proposals would be assessed through the development management process.

10. This is a reasonable approach and would obviate the possibility of allocating an isolated business development site. The potential for future use would not be prejudiced subject to detailed proposals being acceptable.

**Reporter's recommendations:**

Site 1

No modifications.

Site 2

Modify the local development plan by amending the settlement boundary south of Station Road as shown on the plan, "Proposed Residential Allocation", lodged by the Glengeith Trust in support of the representation.

Former substation

No modifications.

<b>Issue CL13</b>	<b>Kaimend and Kersewell</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 : Green Belt and Rural Areas Chapter 5 People and Places, pages 26 – 30 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>69 - Sarah Rolfe 153 - Andrew Robertson 163 - Nigel Jones 165 – Mr and Mrs Kane 197 - John and Anne Moff 207 - John Kirkland 217 - Alex Muir 219 - Christopher Orr 225 - John Alexander 250 - S Renfrew 258 - Kirsty Elizabeth Clay 260 - Helen Colmoquoy 386 - William McLelland 407 - Richard Clay 408 - Bruce Shields 411 - Mary Smith 412 - Juliet Norman 625 - Ron and Janice MacNeill</p> <p>Supports: 431 – Terrace Hill Group plc</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area relating to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>69, 153, 163, 165, 197, 207, 217, 219, 225, 250, 258, 260, 387, 407, 408, 411, 412, 625 – All of these representations relate to creation of a new settlement boundary to define a new settlement at Kaimend (proposal 2) and the designation of an area of land currently covered by rural area policy in the adopted South Lanarkshire Local Plan to a potential residential development site (proposal 40). The following points have been raised by the objectors:</p> <p>1. Kaimend is not defined as a settlement in the current local plan. The proposed settlement boundary should reflect the actual, current settlement footprint of Kaimend. It incorporates an additional housing site, which has never been settled or developed and</p>		

which, other than a recreation field and play park, is not part of the existing village footprint.

2. The proposed settlement boundary is not a consolidation of the existing development but rather a large-scale proposed extension to it. It cannot reasonably be said to fill in or round off the existing settlement edge or create an improved settlement boundary, as the Call for Sites Technical Report (at page 10) requires.
3. The proposed Kaimend settlement boundary on page 9 of the Main Issues Report is much smaller than that now proposed in the Proposed LDP. The Council's reasoning for materially extending the proposed settlement boundary shown in the proposed LDP is not clear.
4. It is unclear what feature the Council has taken into account in determining its revised proposed northern boundary for Kaimend. The newly proposed northern boundary runs on an apparently arbitrary line from west to east across the middle of a Council-owned field currently used by an agricultural tenant. It is not marked by any physical or landscape feature, enclosure boundary or ownership boundary and would provide no defensible northern settlement boundary.
5. The proposal is contrary to policy 3 in the proposed LDP in particular the aim expressed that "In the rural area, limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement, it is supportive of the sustainability of the settlement and a defensible settlement boundary is maintained."
6. The proposed release of the site for residential development within the new settlement boundary (Proposal 40) is a seven acre, block-shaped, backland style extension to an existing settlement of 29 homes. The existing settlement comprises ribbon development along three existing roads. The proposed development site is disproportionate in size and scale when compared to the existing settlement of Kaimend.
7. The site offers no scope for units to have frontage on the existing roads, as existing houses do. Its backland-type character makes it out of proportion to the existing built form of Kaimend. It is too large and not of the correct character to fall within the local development plans definition of infill development.
8. The proposed development site incorporates the recreation and play area which is the area's only recreation amenity is well used and should be preserved.
9. There is no evidence for demand for housing in Kaimend. Sites at Kersewell, a mile north of Kaimend, Libberton steadings two miles to the southwest and George Paul Road, Carnwath to the west, all have planning consent for housing but are undeveloped, abandoned, half-built or incomplete for several years. Page 30 of the Council's Housing Technical Report of May 2013 states that the Kaimend site is being promoted by a small local builder.
10. The proposed, expansion to the existing settlement would be unsustainable. The proposals risk an existing sustainable community (with no empty properties, low ownership turnover and low demand for additional housing) becoming dominated by a disproportionate, unnecessary development site for which there is no evidence of any demand.

11. The only feasible access point to the site from a public road appears to be at its north-eastern corner, from Stanemuir Road, north of 41 Woodside Crescent. This would leave the northern boundary marked, at least in part, by the undeveloped northern side of a new access road, leaving the land to the north of the new boundary even more vulnerable to further future northerly expansion. The only other potential access point to the site is an existing, narrow track leading to the private grazing field adjacent to the recreation ground/play park off of Kersewell Avenue between the junctions with the A721 and Woodside Crescent/Stanemuir Road. This offers a visibility splay of no more than 5 metres looking towards the A721 and is wholly unsuitable as a housing access.

12. The existing community is small and nearby Carnwath is not well-suited to supporting additional population.

13. The existing sewerage system could not cope with additional development in Kaimend.

14. The proposal would result in traffic to and from the A721 passing the full length of the village, increasing traffic impact on existing, narrow roads and raising road safety concerns. The existing narrow roads would not be able to cope with additional traffic including construction related traffic. Footpaths are limited in the village and the increase in traffic would decrease pedestrian safety. There is already an ongoing complaint with SLC regarding the volume and speed of vehicles, including HGVs, using Kaimend as a shortcut.

15. There is no public transport to or from the village and the proposal would encourage use of the car.

16. Kaimend has no economic infrastructure such as businesses, shop or economic interests as such any new development will not benefit Kaimend in any shape or form either economically or socially.

17. Assessment would be required to ascertain the current suitability of the electricity supply to the village and whether this would be able to accommodate a new development on a sustained basis. The proposal would have an adverse impact on telephone and broadband services which are already inadequate.

18. Development would overlook directly into the back gardens and into properties taking away any form of privacy they currently enjoy and compromising the safety of children.

19. The proposal would have an impact on the capacity of the local primary school.

20. The site should remain in agricultural use.

21. The proposals are speculative and driven by the Councils interest as landowner.

408 - This representation relates to the creation of a new settlement boundary to define a new settlement at Kersewell (proposal 3)

The following points have been raised by the objector:

1. Kersewell was considered in the current local plan as being within the Remoter Rural Are. Change of use of designation to residential is a radical departure.

2. There should be a presumption against development in the Remoter Rural Area. Further development will result in a significant adverse impact on existing communities and the character of the area.
3. The Council has to date failed to take account of the views of the local community who are opposed to further development in the area.
4. The open agricultural fields should remain in agricultural use.
5. Kersewell does not have any amenities. The nearest facilities are two miles away in Carnwath. The settlement has no public transport links.
6. Kersewell is served by a single track private road which is not suitable to serve a larger settlement. There is inadequate infrastructure to serve further development.

Support:

431 – This representation supports the allocation of land at Kersewell Avenue.

**Modifications sought by those submitting representations:**

69, 153, 163, 165, 197, 207, 217, 219, 225, 250, 258, 260, 387, 407, 408, 411, 412, 625 -

- o The proposed settlement boundary should be amended to reflect the existing footprint of the Kaimend built up area
- o Delete Proposal 40 from the proposed plan.
- o The recreation ground/play park zoned as public open space

408 - The proposal to define a new settlement at Kersewell should be deleted and the designation of the area as rural area retained.

**Summary of responses (including reasons) by planning authority:**

Objects:

69, 153, 163, 165, 197, 207, 217, 219, 225, 250, 258, 260, 387, 407, 408, 411, 412, 625 -  
The Council has considered each of the points raised and makes the following observations:

1. When reviewing the existing settlement boundaries during the preparation of the proposed local development plan, the Council took the opportunity to define several new settlements including one at Kaimend. In identifying this proposed new boundary consideration was given to the pattern and scale of existing development and the topography and landscape character of the area. In addition, as with the review of other settlement boundaries, the outcome of the assessment of proposals submitted through the Call for Sites process was also taken into account. The site identified under proposal 40 in the proposed plan was considered to be suitable for residential development and inclusion within the settlement boundary since it would respect the scale and character of the existing built form. Scottish Planning Policy (SPP) (Document G1) encourages planning authorities to consider small rural sites that may be suitable for limited development. Kaimend is an area that was considered as a possible settlement with some limited potential for expansion.

2. The proposed settlement boundary, as drawn, includes land adjacent to the existing built environment that could be used for residential development. The existing development pattern at Kaimend was taken into consideration when defining the proposed settlement boundary and the small extension proposed is proportionate in terms of its size and scale. It would also round off existing housing along the two road frontages and there would not be significant adverse impact on the character of the area.
3. The sites shown in Technical Report 2 (Document G21) reflect all of the land that was suggested for release during the Call for Sites. In the case of Kaimend this includes an area of land to the east of Kersewell Avenue and a much larger area than has been defined in the proposed plan to the north. Following an assessment of the two areas the potential settlement boundary was defined in Technical Report 1 (Document G22). The area of land to be included within the settlement boundary was significantly reduced with access to be taken through a small entrance from Kersewell Avenue. Following further assessment it was concluded that the proposed access was not adequate to serve the proposed site and therefore the proposed new boundary was amended to that shown in the proposed plan to allow access to be taken from Woodside Crescent.
4. It is accepted that the northern boundary is not delineated by any natural or physical feature. It would be expected that structural planting would be provided along this boundary to create a robust edge to the settlement.
5. Policy 3 is not applicable in this instance as it relates to proposals for development on sites within the rural areas once the local development plan is adopted.
6. In assessing the suitability of this proposal, consideration was given to the pattern and scale of existing development and the topography and landscape character of the area. It is acknowledged that the site is not developed however this is the case with most sites outwith settlements that are proposed for development. The key issue is to determine whether it is suitable for development. In this case it was considered that its development for new housing and inclusion within the settlement boundary would respect the scale and character of the existing built form. Issues relating to the extent of the proposed settlement boundary are referred to above.
7. While the existing built form comprises development along road frontages the site is of a size and shape that could facilitate a layout that would respect existing housing and the character of the area. It is accepted the proposal does not involve infill development.
8. It would be expected that any layout would retain the existing recreation and play area. Indeed there would be an opportunity to enhance the existing facilities.
9. The Council are aware that development opportunities in the rural area are often limited. However this does not prevent a large number of applications being received each year for housing adjacent to small settlements or groups of houses or for isolated housing in the countryside. As part of the monitoring of the South Lanarkshire Local Plan (Document G38) analysis showed that there was a constant demand for housing in areas such as Kaimend and that the Council should consider opportunities for limited small scale release to meet this demand, to help sustain small communities and to direct development away from more isolated, less sustainable sites. The area around Kaimend was one of the areas where there was continued pressure for development.



10. The size and character of the site is such that a high quality and low density form of development would be expected so that it would not overwhelm the existing group of houses. There is no evidence that demand would not exist if the site were developed.
11. The access point that has been identified meets Roads guidelines in terms of the scale of development anticipated. Any proposals to extend the settlement further north would be assessed on their own merits at the time. Indeed a larger area was considered following the Call for Sites but it was concluded extending the boundary in that direction would not be appropriate. It would be expected that a robust settlement edge in the form of structure planting will be created through development of the site. It is not intended that the access from Kersewell Avenue referred to would serve any new housing at the site.
12. While Kaimend itself has only the recreation area as a facility the nearby village of Carnwath contains a range of services and facilities including a primary school, shops and other commercial uses, a community hall and doctors surgery.
13. Any constraints relating to sewerage capacity in Kaimend would be addressed through a planning application for the site. If at this time there was a problem that could not be addressed then the Council may reconsider the designation of the site.
14. Any constraints relating to the existing road infrastructure at Kaimend and its capacity to accommodate additional traffic would be addressed through a planning application for the site. However Roads and Transportation Services have not raised any concerns. Any increase in traffic resulting from development of the proposed housing site would have to take account of existing paths and footways to ensure that pedestrian safety is not compromised. Issues relating to the volume and speed of vehicles, including HGVs, using the rural roads around Kaimend is a matter for the Councils Roads and Transportations Services and Scottish Police to address.
15. Across Scotland many Councils are challenged to address issues relating to the provision of public transport to serve rural communities. Within South Lanarkshire this is a particular issue that affects most small communities in the rural part of Clydesdale including Kaimend. The Council's Local Transport Strategy acknowledges this issue and is committed to encouraging and supporting development proposals at sustainable locations and the provision of public transport to serve dispersed rural communities (Document G34).
16. The provision of an economic infrastructure including businesses and shops is largely determined by market forces and the economic conditions prevailing at any given time. The aim of the local development plan is to ensure that any development proposals are appropriate and sustainable if applications were subsequently to come forward which would enhance the economic infrastructure of the village these would be considered on their own merits.
17. Any constraints relating to the electricity supply capacity and telephone/broadband provision at Kaimend and its capacity to accommodate additional development would be addressed through a planning application for the site.
18. Issues relating to the impact on residential amenity would be addressed at the planning application stage with proposals expected to comply with the Councils Residential Development Guidelines.

19. Education Resources have confirmed that a development of the scale proposed would not affect the capacity of primary schools (Document G53).

20. The loss of the land to agricultural use would not affect farming operations in the area.

21. The identity of the Council as landowners is highlighted in Technical Report 2 (Document G21). This was not a factor in assessing the suitability of the site for development.

No change proposed to the local development plan.

408 - The Council has considered each of the points raised and makes the following observations:

1. The land that has been identified as defining the new settlement at Kersewell is within the Accessible Rural Area in the adopted South Lanarkshire Local Plan. When reviewing existing settlement boundaries identified in the adopted local plan during the preparation of the proposed local development plan, the Council took the opportunity to define several new settlements including one at Kersewell. In identifying the proposed new boundary for Kersewell, consideration was given to the pattern and scale of existing development, the recent planning history and the topography and landscape character of the area. As a result the boundary has been drawn to take account of existing properties and buildings and natural features such as landform and woodland. In addition, the proposed settlement boundary also reflects recent planning applications for new housing that have been granted in recent years. These include detailed consents for the conversion of Bertram House to form 11 flats and the erection of 20 houses (Document CL13) and the formation of 9 plots (Document CL14), and planning permission in principle for residential development (Document CL15).

2. The appropriateness of new residential development within the land identified as being in the proposed settlement boundary was fully considered during the determination of the planning applications referred to above. The detailed consents reflected the form and density of existing development in the area while the development of the site the subject of the planning permission in principle was not considered to have an adverse impact of the rural character of the area given the woodland setting and relationship with existing built development that the site enjoys.

3. The planning applications referred to above were subject to statutory neighbour notification and publicity. The application for the conversion of Bertram House and 20 new houses was subject of a hearing before the application was granted by the Planning Committee. It is also noted that the application for permission in principle generated only 4 objections while only one representation has been received in respect of the proposed designation of a settlement boundary.

4. The land that has been identified as forming the settlement boundary is not in agricultural use.

5. The planning permission in principle includes the provision of a play area that would serve that development and the wider area. The nearby village of Carnwath contains a range of services and facilities including a primary school, shops and other commercial uses, a community hall and doctors surgery. Across Scotland many Councils are challenged to address issues relating to the provision of public transport to serve rural

communities. Within South Lanarkshire this is a particular issue that affects most small communities in the rural part of Clydesdale including Kaimend. The Council's Local Transport Strategy acknowledges this issue and is committed to encouraging and supporting development proposals at sustainable locations and the provision of public transport to serve dispersed rural communities (Document G34).

6. Bertram House was formerly in use as an agricultural college and then as a pharmaceutical company which generated a significant amount of traffic on a daily basis. The applicants for the detailed consents were able to demonstrate that the traffic levels associated with their proposals would be less than the previous use and therefore Roads and Transportation Services had no objections to new development taking access from Kersewell Avenue. The planning permission in principle includes a condition that now requires Kersewell Avenue to be upgraded to an adoptable standard to accommodate the further traffic that would be generated. In terms of infrastructure none of the statutory consultees objected to the previous planning applications. The applicant for the application for permission in principle submitted evidence that he had agreement with an adjoining landowner to provide a wayleave to a nearby watercourse for the discharge of drainage (Document CL42).

No change proposed to the local development plan.

Support: 431 – Noted.

**Reporter's conclusions:**

Kaimend

1. The preparation of a new local development plan is a review process providing the opportunity to assess land use requirements such as housing need and, in turn, allocating sites suitable to accommodate the various needs. In this respect, it is quite legitimate for the planning authority to define new settlement boundaries and allocate greenfield land for development. The planning authority explains that Kaimend is one of several new settlements identified in the local development plan.

2. The rationale behind the settlement boundary is set out in paragraph 1 of the response. In particular, the planning authority states the belief that the housing land allocation reflects the encouragement given in the then extant Scottish Planning Policy to consider small rural sites that may be suitable for limited development. The planning authority states that Kaimend was considered to be a settlement with some limited potential for expansion. I note that Scottish Planning Policy has been revised and the recently published replacement includes a policy principle that requires a pattern of development that is appropriate for the character of the area to be promoted in all rural areas.

3. Technical Report 1 shows the originally intended new settlement boundary but the planning authority points out that the access to the development site (development proposal 40) from Kersewell Avenue would not be adequate. The area of the site was therefore increased to allow access to be taken from Woodside Crescent. Despite the increase in the size of the site, the planning authority perceives the allocation to be a small extension, proportionate in scale and size. The planning authority contends the site could be regarded as a "rounding-off" and cause no significant adverse impact on the character of the area.

4. Those objecting argue that the allocation represents neither infill nor rounding-off but, in comparison with the size of Kaimend, is a large-scale extension. The northern boundary is said to be arbitrary and, indeed, the planning authority accepts the boundary is not related to any natural or physical features and that the site is not infill.

5. Although the planning authority describes the allocation as small-scale it extends to almost three hectares. Even if any future development were to be of low density and incorporated the existing recreational facilities, the anticipated number of houses would be very significant when compared with the existing size of Kaimend. As described by the planning authority, Kaimend is essentially, rows of houses extending along two road frontages. It is not likely that the land allocation in the local development plan would lead to the creation of a settlement with a clear and individual character.

6. On this basis I conclude that the proposed housing would be of an inappropriate scale.

7. In terms of landscape character and visual impact, the proposed development would also be unacceptable. Because of the arbitrary nature of the northern boundary, new housing on the site would appear to be unrelated to the landscape setting, especially when viewed from the A721 to the west of Kaimend. To a large extent, the housing land allocation is contrived, having been extended northwards to permit the formation of an access. As a consequence, the development would have a significant adverse visual impact, again as seen from the A721.

8. Concern has been expressed about sewerage capacity. The response of the planning authority is that the matter would be addressed at the time of a planning application. This is acceptable provided there is a reasonable prospect that any problems were capable of resolution. In this case, however, the planning authority has stated that should it not be possible to address any problems, the designation of the site may be reconsidered. This is not satisfactory and provides none of the necessary certainty, or even a reasonable expectation, that the land is capable of development. In turn, I conclude that the land allocation should not be supported.

9. Although the planning authority is satisfied that the access could be provided in accordance with the required standards, it is clear that the majority of traffic entering and leaving the site would be routed past the existing houses. Safety is unlikely to be compromised by the extra traffic but the concern about impact on the amenity of this small rural community is understandable.

10. All-in-all, the proposed residential development at Kaimend has little to commend it and the local development plan should be adjusted accordingly. As a consequence, it is necessary to remove the settlement designation (proposal 2) from Kaimend along with the deletion of proposal 40.

#### Kersewell

11. Despite Mr Shields believing that Kersewell lies within the Remoter Rural Area, the planning authority has explained that the status in the adopted local plan is, in fact, Accessible Rural Area. Clearly, location within an area designated as accessible is, at least, an indication that development might be encouraged through the definition of a settlement boundary.

12. Although the origins of Kersewell are not known, it seems likely that Bertram House (also known as Kersewell House) provided an early focal point, perhaps even the original stimulus for development. Recent development and planning permission for the residential conversion of Bertram House, the construction of 20 new houses and nine plots, and the granting of planning permission in principle for further residential development, has created and will increase the “sense of place” at Kersewell. On this basis, the decision of the planning authority to define a settlement with an identified boundary is understandable.

13. As explained by the planning authority, the boundary has been carefully considered and, taking account of the existing and potential level for development, I agree that the settlement would not have an adverse impact on the rural character of the area. No agricultural land is included within the proposed settlement boundary.

14. Clearly the settlement would have very limited community facilities although it is possible that new development would also provide a play area. The lack of facilities and public transport are particular disadvantages. The proximity of Carnwath will enable access to some services but nevertheless, the anticipated reliance on private car travel cannot be said to be sustainable.

15. Although an unadopted single track road currently serves Kersewell, it appears that the level of traffic has reduced from the time when Bertram House was occupied as a college and then by a pharmaceutical company. The planning permission in principle includes a requirement to upgrade the road to adoptable standard. Clearly, the access is not ideal, but the standard of the road should not be regarded as a reason to preclude settlement status at Kersewell.

16. It has been suggested that the local community does not support further development but this is not reflected in the low level of representations received in respect of Kersewell. Taking a pragmatic view of the current situation in terms of existing and potential development, on balance, I conclude the definition of a settlement boundary at Kersewell merits support.

**Reporter’s recommendations:**

Kaimend

Modify the local development plan by deleting the settlement boundary (proposal 2) and the potential housing site (proposal 40).

Kersewell

No modifications.

<b>Issue CL14</b>	<b>Carlisle Road, Kirkmuirhill</b>	
<b>Development plan reference:</b>	Chapter 5 People and Places, pages 26 – 30 Policy 12 Housing Land Policy 14 Green Network and Greenspace Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>23 - Liz Cowan 56 - Janet Mitchell 63 - Gordon Thomson 98 - James Scott 106 - B Clelland 110 - Maureen King 112 - Jean Stirling 113 - Charles and Tracey Lees 114 - Claire Hermon 116 - Marie Thomson 118 - Helen Cromwell 120 - R Stevenson 122 - Duncan Fraser and Alice Goodwin 123 - Tom Mooney 125 - Wendy and Stephen Jardine 126 - James and Wilma Clark 127 - Alison Muir 128 - Mr and Mrs Lowell 129 - Mr and Mrs Taylor 131 - John Hamilton 132 - Mr and Mrs Laird 140 - Scott McPhee</p>	<p>142 - Mr and Mrs McCall 143 - Robert Stevenson 144 - William Gibb 145 - Russell McAlister 146 - Tracie Thomson 155 - Mr and Mrs Wilson 160 - Mr and Mrs Campbell 168 - Donna Regan 173 - Jean Pinkerton 193 - Gordon Wilson 195 - Kathleen Coonan 198 - Elizabeth Wilson 200 - Jean Pate 201 - M Logan 220 - Mr and Mrs Smith 223 - Allan Falconer 226 - Mr and Mrs Gardner 248 - Alan Easson 280 - Anne Laird 454 - Pamela Smith 502 - Mr and Mrs Laurie</p> <p>Supports: 463 - Mr Stewart</p>	
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the designation of land uses within settlements and identification of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>23, 56, 63, 98, 106, 110, 112, 113, 118, 120, 122, 123, 125, 126, 127, 128, 129, 131, 132, 140, 142, 143, 144, 145, 146, 155, 160, 168, 173, 193, 195, 198, 200, 201, 220, 223, 226, 248, 280, 454, 502 – These representations objects to the designation of a site at Carlisle Road Kirkmuirhill for proposed residential development and have raised the following points:</p> <ol style="list-style-type: none"> <li>1. The area proposed for the development is designated Green Belt.</li> <li>2. The Green Belt provides a direct link to the countryside. It is believed that local access to this would be compromised by the proposal.</li> </ol>		

3. The character and appearance of the village would be compromised. If approved, the new development would not be able to mimic the appearance of the existing dwellings, therefore affecting the image of Kirkmuirhill.
4. Building houses on the proposed site will take away the views from the neighbouring properties including Hunters Way where properties have no clearway to the front or rear of the properties other than footpaths separating the properties. This development would affect property values in area.
5. The area being considered for development is adjacent to the slip road at junction 9 of the M74 which is an accident blackspot. Developing the section of Carlisle Road identified will involve an access onto the site or at the very least an increase in heavy vehicular traffic in the vicinity of this blackspot which gives cause for concern. Development of the site would lead to increased traffic, noise and fumes on Carlisle Road which is already struggling with speed and volumes of vehicles and even more so during the numerous motorway closures which sees traffic diverted through the village along Carlisle Road.
6. Drainage in the area is already a problem as many of the drains are poorly maintained and with any rainfall these drains overflow with run off passing through residents properties. Further development would further exacerbate the problem.
7. There are current sewerage capacity issues at the junction of Carlisle Road/Park Street/Hope Road and at the church and adjoining properties. Any more houses built in the area would overstretch the existing sewerage capacity.
8. Will the current Primary Schools and Secondary School have enough capacity to accommodate additional pupils in the area?
9. Will new leisure facilities will be provided to cope with a huge increase in population, if not more youngsters are going to get bored and start loitering around street corners.
10. Local air quality and pollution levels would be affected with the considerable increase in traffic volume in the area.
11. There are already unfinished housing sites in the area and releasing more land could result in just another building site with unfinished houses.
12. The increase in population would place extra demand on public services such as GPs, Schools and nurseries.

Support:

463 - This representation supports the re-designation of the land for residential development.

**Modifications sought by those submitting representations:**

23, 56,63, 98, 106, 110, 112, 113, 118, 120, 122, 123, 125, 126, 127, 128, 129, 131, 132, 140, 142, 143, 144, 145, 146, 155, 160, 168, 173, 193, 195, 198, 200, 201, 220, 223, 226, 248, 280, 454, 502 – Seek deletion of this proposal from the local development plan.

**Summary of responses (including reasons) by planning authority:**

Objects:

23, 56,63, 98, 106, 110, 112, 113, 118, 120, 122, 123, 125, 126, 127, 128, 129, 131, 132, 140, 142, 143, 144, 145, 146, 155, 160, 168, 173, 193, 195, 198, 200, 201, 220, 223, 226, 248, 280, 454, 502 – In response to the representations the Council would wish to comment as follows:

1. The site was designated as a proposed industrial site in the Lesmahagow & Douglas Valley Local Plan that was adopted in 1987 (Document CL44); agricultural land within the urban area in the adopted Lower Clydesdale Local Plan (2004) (Document CL43) and Priority Greenspace in the South Lanarkshire Local Plan (Document G38). The planning history of the site indicates that the proposed development site has never been designated as Green Belt but has consistently been identified as being within the established settlement boundary of Kirkmuirhill. The site is currently identified as priority greenspace and as part of green network, designations which acknowledge the potential benefits of the site to access, residential amenity, townscape and biodiversity. Following consideration of this designation, however, it is considered that given the availability of other areas of open space within the vicinity of the site, and as it does not contain any recreational facilities or any extensive landscaped areas, its loss would not prejudice the Council's aims in respect of greenspace provision. Furthermore, issues such as connectivity and impact on buildings can be addressed during the development management process.

2. The site does not provide a direct link to the countryside and has not been identified in the Core Paths Plan, 2012 as part of the Wider Network in that part of Kirkmuirhill (Document G31). There is no evidence of any established access links to the countryside over any part of the land at the location, therefore the local access to this site would not be compromised in this instance. Opportunities to create links to the wider area could be addressed during the development management process.

3. The Council expects that development of the site would seek to promote quality and sustainability in its design and layout and would enhance or make a positive contribution to the character and appearance of the urban environment in which it is located. It is considered that development of the site can be such that it respects the local context and be appropriate to the character and topography of the site. The character and appearance of the village would not be compromised nor its image damaged as a result of the development on the site.

4. Any issues relating to loss of views which may result from development of the proposed housing site would, where appropriate, be addressed through the development management process. Nonetheless, loss of view is not a consideration which should affect the designation of the site.

5. Any constraints relating to the existing road infrastructure at Kirkmuirhill and its capacity to accommodate additional traffic would be addressed through the development management process. A Transport Assessment would be required as part of any forthcoming planning application to address access and the potential impact of the proposed development on the public road network in Kirkmuirhill area.

6. Any constraints relating to sewerage and drainage capacity in Kirkmuirhill would be addressed through a planning application for the site. Scottish Water have not raised



concerns regarding these matters.

7. The Council's Education Resources have not raised concerns relating to School capacity in Kirkmuirhill.

8. Any constraints relating to leisure provision and whether the proposed development site would give rise any capacity issues would be addressed through a planning application for the site. It would be expected that play provision could, as appropriate, be provided within the site.

9. Any concerns raised regarding the effect of the development on air quality would be addressed by the Council's climate change policy which sets out the criteria for assessment of the impact of development on the climate of the area in general. Any impact of the development proposal for the site would be addressed through a planning application for the site.

10. The Council agrees that there are development opportunities available in other parts of Kirkmuirhill/Blackwood that have been not been implemented or where development has halted. However many of these sites have not been developed or development has been suspended due to the downturn in the housing market and the inability of some smaller companies to continue to operate. The Council has had discussions with Homes for Scotland and the volume housebuilders about this issue. This has established that there may be other difficulties, such as ownership or infrastructure constraints, in addition to financial constraints that have prevented sites being developed. The role of the local development plan, however, is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider and identify opportunities for development in the rural area. The sites that have been proposed in the local development plan have been carefully assessed and the Council is of the opinion that they offer the best opportunity for limited development in the rural area.

11. During the consultation period for the Main Issues Report and the proposed plan Lanarkshire Health Board did not raise any concerns about the impact on health provision in Kirkmuirhill.

No change proposed to the local development plan.

Support: 463 – Noted.

**Reporter's conclusions:**

1. Although concern has been expressed that the development of the site would involve the loss of green belt, the planning authority explains that the land does not fall within the designated green belt. Indeed, over the years, the site has been subject to various land use designations, including industry. Importantly, the site has long been regarded by the planning authority as being within the established settlement boundary. The general disposition of the site with residential development to the west, north and north-east and the M74 to the south suggests that the land is correctly incorporated within the Kirkmuirhill "envelope".

2. The planning authority further indicates that the site is allocated as priority greenspace within the wider green network and it is therefore not surprising, despite lack of green belt designation, that objectors have claimed that potential development would compromise the

role of the site both locally and within the green network. However, the planning authority has confirmed that value of the site in this respect has been taken into account during the plan preparation exercise. In particular, the planning authority assessed the availability of other open space in the vicinity and noted that the site does not contain any recreational facilities or extensive landscaped areas.

3. In the opinion of the planning authority, the development of the site would not prejudice green space provision and the question of connectivity could be addressed as part of the development management process.

4. Although the potential loss to development of open areas often causes local concern, the land, as explained, has, over the years, been regarded as being within the settlement boundary by the planning authority. Whilst it is a relatively large site, it is not dominant in the landscape and does not contribute significantly in visual terms to the urban form. The land does not contribute to any formal recreational activities, provision for which is found elsewhere in Kirkmuirhill. Equally, the site is not significant in the setting of the village, the roads to the east and south already providing a clear and easily defensible settlement boundary.

5. Despite the concerns expressed, in principle I consider there is a clear case for the development of the site. In reaching this conclusion, I have taken account of those who believe the character and appearance of the village would be compromised. As stated by the planning authority, careful layout and design would ensure that this would not be the case. Indeed, it would be possible to make a positive contribution to the character and appearance of the urban environment. Detailed design would take into account the amenity of existing neighbouring property and would be subject to development management procedures. Although reference has been made to loss of views and reduction in property values, in themselves, these are not matters for consideration as part of the planning process.

6. Infrastructure considerations have been raised as potential constraints to development. The planning authority accepts that a transport assessment would be required to assess the impact of traffic. Notwithstanding the specific concern about the proximity of the motorway slip road, at this time there is no indication that the local road network would be unable to cope with development. Similarly, there has been no compelling evidence to indicate that sewerage and drainage or education infrastructure would provide insurmountable constraints to development. The planning authority anticipates that play provision would be required within the site. Lanarkshire Health Board has raised no concerns about the impact on health care facilities. Reference has been made to air quality but no substantive evidence has been provided to suggest that the level of emissions would be unacceptable.

7. In recent years there has been a downturn in the housing market but it appears that the situation is improving. In any event, the local development plan is required to conform to the provisions of the strategic development plan and, in this respect, it is necessary to allocate an adequate supply of housing land. There may appear to be a certain contradiction in allocating additional land for houses when it appears that builders have not been fully utilising existing sites. Nevertheless, the local development plan looks to the future and makes allocations that are considered to be appropriate in the circumstances. Housing land supply in the wider context is examined under Issue ST13, and, in that context, the allocation of the site at Kirkmuirhill is justified.

**Reporter's recommendations:**

No modifications.

<b>Issue CL15</b>	<b>Birks Farm, Law</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>2 - Alex Jardine 136 - Paul McWhinnie 137 - Sandra McWhinnie 224 - Beatrice Peake 251 - Pam Cornett 252 - Stuart Hillier 305 - Lindsay Aiken and Alan Sewell 320 – Elizabeth and Cameron Hamilton 406 - Peter Crilley 538 - Tracy Campbell-Hynd</p> <p>Support: 75 – James Frame</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area relating to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>2, 136, 137, 224, 251, 252, 305, 320, 406, 538 - These representations raise the following points:</p> <ol style="list-style-type: none"> <li>1. Approval of the site will restrict the use of the existing rights of way across the field.</li> <li>2. The proposed site is of a disproportionate scale.</li> <li>3. The local road network is unsuitable and approval would lead to increased congestion and road safety issues.</li> <li>4. The settlement of Law has a lack of local amenities, adequate public transport and infrastructure.</li> <li>5. The local school and nursery is at or near capacity.</li> <li>6. The current broadband internet speed is slow and that it will be further adversely affected if more houses are built.</li> <li>7. The existing vacant sites at the former Law Hospital and undeveloped land at the existing Persimmon site should be developed before additional Green Belt land is released</li> </ol>		

for houses.

8. There are historic trees and hedgerows within the site.
9. There should be a mixture of house types and tenure on the site, with both private and rented properties.
10. There should be a better vehicular access provided to the site, from Station Road.
11. Construction traffic would be detrimental to the character of the village.
12. The development would harm wildlife.
13. The proposals would result in adverse issues affecting privacy/amenity and loss of daylight.

Supports: 75 – Supports the development of the site at Birks Farm for housing.

**Modifications sought by those submitting representations:**

2, 136, 137, 224, 251, 252, 305, 320, 406, 538 – Seek the deletion of the proposed redesignation of the site at Birks Farm, Law from Green Belt to residential.

**Summary of responses (including reasons) by planning authority:**

Objects:

2, 136, 137, 224, 251, 252, 305, 320, 406, 538 - The Council has considered each of the points raised and makes the following observations:

1. It is acknowledged that fields on the edge of existing settlements are widely used for informal recreation. It is also noted that a right of way across the proposed site exists on the Council held Rights of Way register, however any future development of the site would need to retain an existing right of way and continue to facilitate access to the surrounding countryside. These matters would be addressed through any future planning application for the site.

No change proposed to local development plan.

2. In terms of the proposed adjustment to the settlement boundary this has been drawn to include an area of land located to the north of the existing built environment that could be used for residential development. The Council has considered the existing scale of the settlement at Law and is content that the scale of the land release proposed is proportionate in terms of its size and scale. The development of this proposed extension would not have an adverse impact on the character and amenity of Law village. The assessment of the site in the Technical Report (Document G27) concluded that an area to the rear of the existing properties on Ashfield Road, Wallace Wynd and Muirhead Drive offered an opportunity to develop part of the land for housing, rounding off the northern settlement boundary in a defensible manner.

No change proposed to local development plan.

3. The assessment of the site in the Main Issues Report (Document G37) has identified that there are a number of potential access points and that there may be potential capacity issues. Any constraints relating to the existing road infrastructure and its capacity to accommodate additional traffic would be addressed through a planning application for the site, including the need for a Transport Assessment.

No change proposed to local development plan.

4. Law has a number of local amenities including commercial facilities, a primary school and recreation facilities. In terms of public transport, many Councils throughout Scotland are challenged to address issues relating to the provision of public transport to serve their communities. Within South Lanarkshire this is a particular issue that affects many communities within the Clydesdale area. The Council's Local Transport Strategy (Document G34) acknowledges this issue and is committed to encouraging and supporting development proposals at sustainable locations. In terms of infrastructure any constraints relating to the provision of adequate infrastructure would be addressed through a planning application for the site.

No change proposed to local development plan.

5. The Council's Education Resources have not raised concerns relating to school capacity in Law. Notwithstanding this, the developer of the site could be asked to provide a financial contribution towards improving the existing level of school and nursery provision within the settlement, if deemed necessary. This would be discussed with the developer either at the pre application stage or during the assessment of any subsequent planning application.

No change proposed to local development plan.

6. The slow broadband speeds experienced in many parts of the country is acknowledged by the Scottish Government. Future upgrading of the broadband network should improve the level of service.

No change proposed to local development plan.

7. There are a number of development opportunities available throughout South Lanarkshire that have been not been implemented or where development has halted, including development of a site at the former Law Hospital. Many of these sites have not been developed or development has been suspended due to the downturn in the housing market and the inability of some smaller companies to continue to operate. The Council has had extensive discussions with Homes for Scotland and a number of volume housebuilders about this issue and has concluded that there may be other difficulties, such as ownership or infrastructure, in addition to financial constraints that have resulted in sites not being implemented. The role of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the green belt/rural area. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any

shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply (Document G28). The site has been identified on the proposals map for housing as part of the Council's five year effective housing land supply and therefore the residential development of the site is supported. The sites that have been proposed in the local development plan have been carefully considered and the Council is of the opinion that these offer the best opportunity for limited development in the Green Belt/rural area.

No change proposed to local development plan.

8. The retention of the trees and hedgerows would be considered through any future planning application for the site. Further, additional edge of settlement boundary landscaping would also be required, to facilitate greater visual integration of the new site within the context of the wider landscape.

No change proposed to local development plan.

9. The Council concurs with this view and in accordance with proposed Policy 13 – Affordable Housing and Housing Choice would be seeking a mixture of housing types on the site, including an element of affordable housing. Any issues relating to suitable house types and affordable housing provision privacy would be addressed through a planning application for the site.

No change proposed to local development plan.

10. The Council's Roads and Transportation Services have confirmed that any future development of the site would require a full Transport Assessment and this would be assessed as part of a planning application for the site. However the comments provided at the assessment of the site in the Main Issues Report (Document 37) has identified that there are a number of potential access points and that junctions will require to be tested to ensure that they can cope with additional traffic volumes.

No change proposed to local development plan.

11. Construction traffic can have an impact on amenity, however this is an accepted and necessary activity associated with the development of a site. In addition, construction activities are usually for a short term period only.

No change proposed to local development plan.

12. Any constraints relating to impacts on wildlife would be addressed through a planning application for the site. The Strategic Environmental Assessment (SEA) (Document xx) has not identified that there would be any significant adverse impacts on local wildlife.

No change proposed to local development plan.

13. Policy 12 – Housing Land requires that any development of residential sites must accord with other relevant policies and proposal in the development plan and with appropriate guidance. In this respect Policy 6 – General Urban Area/Settlements advises that "small scale retail units may be acceptable, provided they do not have a significant

adverse affect on the amenity and character of the area". On this basis a mixed use development comprising housing and small scale retail use of the site may be acceptable but it is considered that this would be more appropriately addressed through the determination of a planning application submission rather than the re-designation of this site.

No change proposed to local development plan.

Supports: 75 – Noted.

**Reporter’s conclusions:**

1. It has been suggested that other sites, particularly the former Law Hospital site, should be developed prior to the release of additional green field land. The planning authority recognises that there are a number of sites throughout South Lanarkshire where development has either not commenced or has come to a halt, including the Law Hospital site. The planning authority believes a variety of reasons led to this situation including the downturn in the housing market. Nonetheless, although there is not a need for the local development plan to make provision for a strategic release, the planning authority explains that there is a need for limited release of land to meet local requirements. The site at Birks Farm is considered by the planning authority to be appropriate for this purpose.

2. A detailed analysis has not been provided by the planning authority to fully justify its rationale to identify a limited number of housing sites to meet local requirements. However, I agree the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Where deemed appropriate on the above basis, such allocations would add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the wider requirement to provide a generous five-year supply of effective housing land. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. Although currently designated as green belt, the land does not serve an important green belt function and is not significant in protecting the setting of Law. The land has little intrinsic landscape character and is bounded by existing urban development to the south-east and south-west with the railway line to the north-west. A decision to release green belt land for development should not be taken lightly. However, in these particular circumstances, residential development could be accommodated on the site without threatening the wider integrity of the green belt.

3. Despite concern that development would result in the loss of a wildlife habitat, the site has no formal designated status in terms of natural heritage. The planning authority explains that the environmental assessment does not identify any wildlife concerns. No specific evidence has been provided that would merit the special protection of the site in terms of natural heritage.

4. Various other matters have been raised in respect of the potential development of the site.

5. Firstly, it has been suggested that the proposed development would be of a disproportionate scale. The planning authority does not agree with this contention



believing that development would round-off the urban area and create a defensible boundary. It is noted that the Technical Report considered a larger area of release and concluded that this would indeed be out-of-scale with the existing settlement. The smaller area now included in the local development plan was therefore favoured. This would have an indicative capacity of 80 housing units of which 20 units would be in the affordable category. I accept that a development of this size in this location would neither dominate nor overwhelm the current settlement of Law in townscape terms. It seems most unlikely that there would be a significant social impact. Accordingly, I conclude that the size of the proposed development could not be regarded as being of a disproportionate scale.

6. The planning authority recognises that land on the fringe of the urban area is often used for informal recreation. This is especially the case where land has fallen out of active agricultural use.

7. More significantly, the planning authority points out that a right of way crosses the site and that this would require to be retained. In any event, it should be noted that formal procedures are necessary should it be intended to extinguish or alter the route of a right of way. These procedures would ensure that any development would not be permitted to interfere with the right of way without full and formal consideration. Indeed, it is an offence to cause a right of way to be obstructed. The current status of the land and the existence of the right of way do therefore not constitute an insurmountable hurdle to the potential development of the site. Indeed, the right of way is guaranteed protection against unwarranted interference.

8. Infrastructure and social facilities within Law are also matters of concern for those objecting to the proposal.

9. A number of objectors have claimed the impact of traffic on the local road network and access to the site would be unsuitable. The technical report points out that there are some potential capacity issues for the road network and a transport assessment would therefore be required. The report also indicates that the site would have a number of possible access points but junctions would require to be tested to confirm ability to cope with additional traffic volumes.

10. Further information has been provided by the planning authority in respect of traffic impact and it has been suggested that access could be taken from two locations on Ashfield Road to the west. However, this would not be ideal and the planning authority has pointed out that Muirhead Drive and Wallace Wynd to the south seem to be the most appropriate access points. The future extension of both streets appears to have been anticipated. Although Station Road has been suggested as a potential access, this is not considered to be suitable and may well not be an adopted road. Impact on the wider road network is not considered to be a constraint. On this basis, the planning authority has retained the allocation in the local development plan with the comment that these matters would require to be addressed in detail through a planning application.

11. Although there remains some lack of certainty in respect of access and traffic impact, it is clear that the planning authority does not believe that these matters would rule out the principle of development. A transport assessment would be required to support any detailed proposal and this study should include a traffic impact assessment. On balance, it appears to me that traffic related matters would be unlikely to preclude the residential development of the site.

12. School capacity has been questioned by a number of those objecting. The technical report indicates that capacities have to be confirmed. However, the Education Resources section has provided a response to a freedom of information request by indicating that Law Primary School has a capacity of 231 with 231 pupils on the roll in September 2012. The nursery class has capacity for 50 in both the morning and afternoon classes and was also operating to capacity at that time. The planning authority nevertheless has indicated that no concerns have been raised in respect of education infrastructure and has pointed out that, if necessary, a potential developer could be asked to provide a contribution for improving school and nursery provision. It has recently been indicated that, currently, a contribution of £2,373 per household would be required.

13. Despite the school roll statistics, it is clear that the planning authority does not consider education infrastructure to be a constraint to development. There remains the ability to mitigate any problems through developer contributions. Accordingly, it is concluded that education provision is not a reason to remove the residential allocation.

14. Insofar as local facilities are concerned, the planning authority is content with the current level of provision and range of amenities. There is no definitive evidence to suggest the social infrastructure of Law would be unable to cope with the residential development of the site and therefore I therefore conclude that this is not a matter that should preclude the proposed allocation.

15. The planning authority acknowledges the concerns about local transport and, indeed, this appears to be an issue in many communities within the Clydesdale area. No specific solution is suggested although general support and encouragement will be given to any proposals to improve the situation. Clearly, there can be no expectation that local transport services in Law will improve in the near future beyond the current limited bus service. Nevertheless, I do not consider that this constitutes an issue to justify the removal of the housing land allocation.

16. A number of detailed matters have been raised including the range and design of houses, the effect on existing trees, and the impact on the amenity, privacy and daylighting of surrounding property. These are matters to be addressed when detailed proposals are being prepared and, in due course, the development management process would apply any necessary element of control. In the meantime, should the development of the site proceed, there is no reason to believe that a satisfactory design and layout could not be achieved.

17. Although broad band speeds in Law have also been raised as an issue, the planning authority is hopeful that speeds will be improved in the future.

18. All-in-all, the allocation of the site for residential development is justified.

**Reporter's recommendations:**

No modifications.

<b>Issue CL16</b>	<b>Bellefield Road, Lanark</b>	
<b>Development plan reference:</b>	Chapter 3 – Vision and Strategy pages 13-14 Policy 3 – Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>33 - Scott Speirs 39 - Andrew Nelson 62 - Mr and Mrs Todd 76 - Diana McDonald 77 - Derek Wilkie 78 - Alan and Barabara Doak 79 - Gavin Forrest 80 - Myra Gibson 81 - Mr and Mrs J Straughan 82 - James Todd 83 - Mr and Mrs D Flynn 84 - Anne Hughes 85 - Susan Thomson 86 - Mr and Mrs Moncrieff 87 - E Sked 91 - Stacey Gray 92 - Jennifer Holt 93 - Andrew and Siobhan Sharkey 94 - Donald and Marjory Tait 95 - Neil and Ann Currie 96 - Mr and Mrs Wilcock 97 - Mr and Mrs F Maclean 99 - S Jones 100 - D Plenderleith 101 - Elizabeth Hughes and Sean Noonan 102 - P Di Plauto 103 - P Gracie 104, 159 - Christian and Lindsay Craig 105 - Jean Watkins 107 - Sandra McCardie 108 - Mark and Gillian Beveridge</p>	<p>111 - Steve Clark 115 - Mr and Mrs Thomson 117 - Lorna Burt 119 - Mary Nelson 121 - Janet Orr 124 - Mr and Mrs Meek 134 - Mr and Mrs Swan 135 - James Leggate 151 - William Toy 152 - Roger Graham 161 - Scott Forrest 164 - Shirley Buchanan 166 - B Scully 170 - Greig McNally 202 - Ann Burt 204 - A Young 205 - M Young 221 - Eric Bennet 222 - Mr and Dr McCartney 227 - Malcolm Wells 249 - Stuart Ross 306 - Christine Macleod 310 - Evelyn Nelson 319 - Alan Forrest 330 - Bryan Kerr 382 - F Nakhaei 452 - James Brennan 506 - Christine Brown and Ian Hamilton 507 - Mr and Mrs Ross 522 - Royal Burgh of Lanark Community Council</p> <p>Support: 175 – Planterra</p>	
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area relating to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	

**Planning authority's summary of the representation(s):****Objects:**

33, 39, 62, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 107, 108, 111, 115, 117, 119, 121, 124, 134, 135, 151, 152, 159, 164, 161, 166, 170, 202, 204, 205, 221, 222, 227, 249, 306, 310, 319, 330, 382, 452, 506, 507, 522 - The representations relate to redesignation of a site at Bellfield Road Lanark from rural area to residential the following points:

1. Further development would increase danger to pedestrians and contribute to congestion. The proposed access to the west of Bellefield Road would not readily support any fire safety vehicles. Road access in and around the area is already at full stretch and roads such as Mousebank Road are no longer fit for purpose due to its narrowness.
2. On a number of previous occasions planning permission has been refused on the same site.
3. The proposal would contravene the policy which aims to direct housing to infill sites rather than peripheral greenfield sites outwith the Lanark settlement boundary. There is no specific need for extra housing as there are many brownfield sites in and around Lanark.
4. The impact upon local services, doctors and dentists etc.
5. No need to extend beyond the current boundary. There are an excess number of houses on approved sites in Lanark which have still to be built and there are still brownfield sites available for development. There has been planning consent approved for 967 houses in and around Lanark of which only 272 houses have been built or are currently under construction leaving a further 695 houses that can be built.
6. The proposal would adversely affect the Special Landscape Area. It is the policy of the local authority that no permanent impact to the Special Landscape Area should be permitted.
7. Encroachment into the Greenbelt would fundamentally undermine the character of this area. Policy 3 of the proposed Local Development Plan states that the green belt and rural area function should be for agriculture, recreation and other appropriate uses. No need has been demonstrated to justify the development. The existing defensible settlement boundary should be maintained.
8. Isolated and sporadic development should not be considered.
9. Any development would result in housing being located immediately adjacent to an electricity sub-station.
10. Developments particularly 'bad neighbour' uses which by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety will not be permitted if they are detrimental to the amenity of residents. This statement wholly reflects the impact any possible change of boundary and residential development at this site would have on residents nearby and in surrounding areas.

11. There would be no significant environmental improvement. If the settlement boundary was changed this would not be safeguarding the area or enhancing it or protecting the amenity for residents in the area.

12. Currently a colony of bats resides in the old stable blocks on this site, which are a protected species.

13. Impact upon Stay Brae which is a right of way, the Mouse Valley and the surrounding countryside.

14. The proposal does not involve the development of traditional buildings or extending existing buildings.

15. If permitted this proposal would create a precedent and encourage further similar applications of this nature.

16. Further applications for residential development have been granted on Bellefield Road. This could result in a further 80 homes beyond the site which would further increase traffic levels.

Support:

175 – Supports the proposed residential development opportunity at Bellefield Road Lanark.

**Modifications sought by those submitting representations:**

33, 39, 62, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 107, 108, 111, 115, 117, 119, 121, 124, 134, 135, 151, 152, 159, 164, 161, 166, 170, 202, 204, 205, 221, 222, 227, 249, 306, 310, 319, 330, 382, 452, 506, 507, 522 – Seeks deletion of the site at Bellefield Road Lanark from the local development plan and maintain the designation of the site as rural area.

**Summary of responses (including reasons) by planning authority:**

Objects:

33, 39, 62, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 107, 108, 111, 115, 117, 119, 121, 124, 134, 135, 151, 152, 159, 164, 161, 166, 170, 202, 204, 205, 221, 222, 227, 249, 306, 310, 319, 330, 382, 452, 506, 507, 522 - The Councils response to the representations is as follows:

1. An application for Planning Permission in Principle for a residential development for this site was submitted in October 2012 (Document CL39). The supporting indicative plan (Document CL36) shows a single vehicle access linking onto Bellefield Road which would serve an indicative capacity of 11 plots. The relatively small number of dwellings proposed would not generate significant levels of traffic. Roads & Transportation Services in their consultation response to the application have not objected subject to conditions covering access, street lighting, footway provision, access gradients, parking and drainage (Document CL40). The logical access to and from the site would be to travel along the A706 and onto Bellefield Road in order to avoid the narrow residential streets in the vicinity of the site.

2. An application for outline planning permission for a residential development on the site was refused in July 1998. There have been no subsequent applications on the site other than the recent submission referred to above. The current proposal to designate the site as a residential site resulted from the preparation of the proposed Local Development Plan. An assessment has been carried out which is set out in the Technical Report (Document G27). This concludes that the release of the site for a small scale residential development is acceptable.

3. The proposal to change the designation of the site from rural area to residential follows an assessment of sites that were submitted to the Council at the Call for Sites stage. The site is bounded on two sides by existing development and represents a logical consolidation of the settlement edge. The role of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the green belt/rural area. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). The site has been identified on the proposals map for housing as part of the Council's five year effective housing land supply and therefore the residential development of the site is supported. The sites that have been proposed in the local development plan have been carefully considered and the Council is of the opinion that those selected and proposed offer the best opportunity for limited development in the Green Belt/rural area and for widening the range of housing sites.

4. Lanarkshire Health Board have not raised any issues about capacity and service under-provision in Lanark.

5. The Council agrees that there are development opportunities available in other parts of Lanark that have been not been implemented or where development has halted. However many of these sites have not been developed or development has been suspended due to the downturn in the housing market and the inability of some smaller companies to continue to operate. The Council had extensive discussions with Homes for Scotland and a number of volume housebuilders about this issue and has concluded that there may be other difficulties, such as ownership or infrastructure, in addition to financial constraints that have resulted in sites not being implemented. The sites that have been proposed in the local development plan have been carefully considered and the Council is of the opinion that these offer the best opportunity for limited development in the Lanark area.

6. The site is relatively small and no significant landscape features in respect of woodland, trees and hedgerow would be removed. There are opportunities as shown on the indicative plan submitted with the Planning Application to provide landscaping/tree planting along the boundaries which will enable integration and visual containment. In view of this the overall quality of the Special Landscape Area will not be compromised.

7. The site covers a narrow paddock which has limited agricultural value and is not used for or contribute to the recreational experience at this edge of Lanark. The representation makes reference to detailed policy on development in the rural area which is not applicable.
8. The site is situated at the edge of Lanark and bounded on two sides by existing residential development. As a result development at this site could not be described as isolated or sporadic.
9. There is a small electricity sub-station which adjoins the north west corner of the site. Sub-stations of this scale are common features within built up and rural areas and are frequently located in proximity to dwellinghouses. With adequate fencing and screen planting the presence of the sub-station would not compromise health and safety or amenity. Scottish Power in their consultation response to the Planning Application CL/12/0466 has not advised that the proximity of the dwellings to the sub-station would be an issue (Document CL41).
10. Any activity associated with construction would be for a temporary period only. Noise and dust issues can be covered by conditions attached to any planning approval or through separate Environmental Health legislation. A small development of the size proposed would not be expected to impact upon residential amenity.
11. it is noted that the site is not derelict or degraded. Nevertheless the site represents a logical rounding off of the settlement boundary in this part of Lanark.
12. The removal of the stable block on the site does not require planning permission. Nevertheless bats are a European Protected Species and if present then the developer would have to apply for licence to carry out any work which would disturb them.
13. The layout detailed on the indicative plan submitted with Planning Application CL/12/0466 shows access taken from Bellefield Road with no vehicular or pedestrian linkage onto Stay Brae. As a result use and enjoyment of the Stay Brae and the surrounding area will not be affected.
14. The representation makes reference to detailed policy on development in the rural area which is not applicable. Details of the house types that would be developed have not been provided. It would be expected any development would respect the character of the surrounding area.
15. The development potential of other sites would be judged on their individual merits either through the consideration of a planning application or assessment during the preparation of future development plans.
16. Two applications for planning permission in principle have been granted in recent years for residential development at sites on Bellefield Road. The indicative capacities of both amount to around 40 units. In both cases the developer is expected to carry out required road improvements within the vicinity of each site. (Document CL38 and CL40)

Support: 175 - Noted

**Reporter’s conclusions:**

1. The planning authority regards the site as relatively small with no significant landscape features and has described the site as being bounded on two sides by existing residential development. On this basis, the planning authority believes development would be a logical consolidation of the settlement edge.
2. The site is not designated green belt but is currently within a Special Landscape Area, defined in the local development plan glossary as a local designation for quality and value of landscape. The site has a particular value as it is contained within a narrow band of land between the northern boundary of Lanark itself and a large group of relatively new houses. I believe the loss of the site to further development at this location would have a detrimental impact on the landscape character of the vicinity and bring the two areas of housing even closer together.
3. Contrary to the opinion of the planning authority, the development of the site would not consolidate the settlement edge. By its very nature, the site is not a natural extension of the existing built-up area as it would be served by a somewhat contrived access and would have little relationship with the local road network. Development of the site, in effect, would be isolated and would not contribute to a “sense of place”. In turn, this is contrary to the guidance set out in Designing Streets.
4. On the foregoing basis, the development of the site would have a poor relationship with the existing development to the south and would also reduce the value of the local landscape quality. Accordingly, the residential development of the site is not acceptable in principle.
5. The planning authority has accepted that there are other development opportunities available in Lanark although, in recent years, progress on these sites has been affected by the downturn in the housing market. It appears that economic circumstances are improving and it may be that this will provide an incentive leading to renewed activity on these sites. In any event, I am not aware the housing situation in Lanark is such that there is an over-riding case for the allocation of the site at Bellefield Road.
6. Those objecting to the allocation have raised a variety of concerns, but as I have concluded that the principle of development is not acceptable, detailed consideration of these other matters is not necessary.

**Reporter’s recommendations:**

Modify the local development plan by the deletion of development proposal 42, Bellefield Road, and the inclusion of the site within rural area under Special Landscape Area designation. The settlement boundary should follow the rear garden fences of the properties to the north side of Hardacres.



<b>Issue CL17</b>	<b>Hyndfordbridge</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-28 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 242 - Jimmy Orr		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for further release of land at Hyndfordbridge for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>242 – This representation relates to an extension to the site proposed for release at Hyndfordbridge and raises the following points:</p> <ol style="list-style-type: none"> <li>1. The access lane to the north which serves Charleston Farm represents an acceptable boundary to an extended settlement which with appropriate landscaping could provide a long term defensible edge to Hyndfordbridge.</li> <li>2. The existing access lane referred to can be easily upgraded to service the proposed development and this is supported by a Transport Appraisal.</li> <li>3. The site is highly accessible to Lanark which includes access by bus and bicycle.</li> <li>4. The site is free from any of the form of constraints specified in Circular 2/2010 on “Affordable Housing and Housing Land Audits”. This includes: land ownership issues; physical constraints that would preclude the economical development of the site; contamination; deficit funding; marketability; infrastructure and land use.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
242 – Seeks an extension to a proposed housing site and its inclusion within the Hyndfordbridge settlement boundary.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>242 – This representation seeks a further extension to the settlement boundary at Hyndfordbridge. Land to the south of the site the subject of this representation has been</p>		

identified as appropriate for inclusion in the settlement boundary (Appendix 5 – proposal 39). The Council would respond to the points raised as follows:

1. As part of the local plan process a review of settlement boundaries was carried out. The Council considers that an area to the south of the site would lead to a logical extension of the settlement, particularly as it rounds off the settlement boundary between the existing residential development to the south and to the west. However the objection site projects visually into the rural area (in particular the east and south-east), would not consolidate the proposed settlement boundary and would not constitute a robust and defensible settlement boundary. Furthermore, development would negatively impact upon the setting of Hyndfordbridge.
2. Roads and Transportation Services have advised that there are no adverse concerns regarding the proposed access providing it is upgraded to an acceptable standard. A visibility splay, junction spacing and footway verges would also be required as per the said services guidelines. Notwithstanding, this issue would be considered at the planning application stage.
3. Whilst the Council recognises the benefits of developing land that is accessible to local services and facilities, this must be balanced against the desirability of protecting the environment, visual integrity of settlements and in this particular case the landscape and rural character of the area. Indeed, Scottish Planning Policy (Document G1) states that consideration should be given to the protection and enhancement of the landscape and natural heritage in the location of new development. The proposed site is relatively large in area and projects visually into the surrounding landscape. Development of it would negatively impact upon setting of the Hyndfordbridge and its unobtrusive location within the countryside. Development would also be prominent within the surrounding landscape to the east and south-east, thus eroding the visual quality of the landscape and adversely interfering with views of the wider countryside.
4. The site assessment in the Call for Sites Technical Report (Document G28) identifies potential concerns/obstacles with development of the site. It is acknowledge however that these could potentially be overcome with appropriate investigation and mitigation measures. However, there is no requirement for further housing in this area and no case can be made to extend the settlement boundary further.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Hyndfordbridge is a small settlement on the west bank of the River Clyde bisected by the A70 which rises northwards uphill from the bridge at the south end of the village. Despite the ground rising from the river, the village is not conspicuous in the landscape. The older part of Hyndfordbridge to the east and south-west of the A70 is well screened by mature trees. More recent development to the west of the A70, whilst at a higher elevation and not screened by trees, is not very prominent because of the disposition of the land which falls away from the road.
2. The local development plan proposes a housing site (development proposal 39) which would essentially represent a rounding-off to the north-east of existing development being land encompassed by extensions of the current northern and eastern village boundaries. Should this site be developed, it would have some visual impact, particularly from the A73

to the east of the Clyde. However, this impact and any effect on the landscape setting of Hyndfordbridge would not be significant and the scale of the proposal would allow absorption into the existing settlement.

3. The proposal by Mr Orr for the further extension of development site 39 would, in approximate terms, double the size of the residential land allocation. As argued by the planning authority, the scale of the development would then become significant. Visually, the development of this land would have an adverse impact due to the higher elevation of part of the land and the open nature of the site. Views from the east bank of the river would experience significant impact. In turn, the landscape setting of Hyndfordbridge would be detrimentally affected.

4. Overall, the scale of the development if extended and its impact visually and on landscape setting would significantly detract from the established character of Hyndfordbridge.

5. Whilst, in physical terms, it may be that the site is capable of development, the principle of housing as proposed is unacceptable. Accordingly, the local development plan housing land allocation at Hyndfordbridge should be limited to the area identified under development proposal 39.

**Reporter's recommendations:**

No modifications.

<b>Issue CL18</b>	<b>Hyndford Road/Braxfield Road and Albany Drive/Kirklands Road, Lanark</b>	
<b>Development plan reference:</b>	Chapter 5 People and Places Policy 12 Housing Land Page 27	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
519 – Muse Developments Ltd		
<b>Provision of the development plan to which the issue relates:</b>	This policy is used to ensure that there is an effective five year housing land supply at all times throughout the life of the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>519 – The representation makes the following points:</p> <ol style="list-style-type: none"> <li>1. Supports the identification of two sites at Hyndford Road/Braxfield Road and Albany Drive/Kirklands Road, Lanark as future housing sites but requests the site at Albany Drive/Kirklands Road be amended to reflect the area available for residential development.</li> <li>2. Also requests that the Council prioritise these sites over any out of town/Greenfield releases and requests that the green network and greenspace designation is removed from the site.</li> <li>3. The Council should phase the development of sites in a way that encourages the development of sites like those at Hyndford Road/Braxfield Road, Albany Drive/Kirklands Road sites in preference to less sustainable sites in less central or greenfield locations.</li> <li>4. Planning Obligation requirements should be flexible for sustainable and easily accessible sites such as these sites in Lanark.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>519 -</p> <ul style="list-style-type: none"> <li>o The site at Albany Drive/Kirklands Road be amended to reflect the area available for residential development.</li> <li>o The green network and greenspace designation is removed from the site.</li> </ul>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>519 – The Council would respond to the points raised as follows:</p> <ol style="list-style-type: none"> <li>1. The boundary of the Albany Drive/Kirklands Road site, which is identified in the local development plan (LDP), comes from the final 2012 housing land audit as agreed with</li> </ol>		

Homes for Scotland. At that time the site proposed for development was identified by assessing the amount of land that would remain after the new Lanark Grammar school was completed. The site shown in the LDP reflects this assessment. The site can now be amended to include the tennis court, which has been sold as surplus land and this will then be reflected in the 2013 Housing Land Audit. The audit itself will be used in the production of the adopted version of the plan. At present the proposed local development plan shows the final 2012 housing land audit and the extended site was not part of that audit.

2. As regards the green network and greenspace designation, this has been used on development sites where the extent of greenspace provision is as yet unknown. The details can be finalised when a planning application is lodged for the site. The designation has been used to ensure that prospective developers are aware of the need to incorporate the provision of green network and greenspace on these housing development sites.

3. The objector also states that the Council should phase the development of sites in a way that encourages the development of sites like those at Hyndford Road/Braxfield Road, Albany Drive/Kirklands Road sites in preference to less sustainable sites in less central or greenfield locations. The Council have been very specific where housing sites have been proposed in the local development plan to reflect work carried out between the Council and Homes for Scotland. Developers will develop their sites in the most economically viable way and this can sometimes mean that developers may prioritise greenfield sites over more challenging brownfield sites. The Council must provide a range of different kinds of housing sites in different locations. Whilst brownfield locations are preferred there nevertheless remains a need to identify alternatives which may be in greenfield locations. The portfolio of sites identified on the housing land audit and the proposed local development plan is one that can deliver development in appropriate locations within the time frame of the plan. The Council fully supports the regeneration of brownfield sites and has a track record in developing sites such as those in Lanark for both private and public sector units. There is no reason why these sites could not be developed in the short term if a planning application were to be brought forward.

4. With regard to planning obligations all sites are treated in the same way and assessed against both Policy 5 – Community Infrastructure Assessments and Policy 13 – Affordable Housing and Housing Choice. In addition Community Infrastructure assessment Supplementary Guidance and Affordable Housing and Housing Choice Supplementary Guidance is currently being produced which will further guide developers on what is required in terms of planning obligations.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Although it has been requested that the Albany Drive/Kirklands Road site should be extended to include the available development area, the planning authority points out that the identified site reflects the terms of the 2012 Housing Land Audit. Nevertheless, states the planning authority, it appears likely that the additional area (the tennis court) will be incorporated into the 2013 Housing Land Audit. Following a request for further information it has been confirmed that the additional area of land is indeed included within the 2013 audit. The planning authority has not raised any objections to the principle of residential development on the extended site.

2. As explained, the local development plan has been prepared on the basis of the 2012

Housing Land Audit. The settlement map keys clearly show the allocations to be “2012 Housing Land Supply”. I agree it is appropriate for this approach to be retained in order to achieve consistency. However, the planning process is dynamic and it is clear that the potential for the Albany Drive/Kirklands Road site now also includes the tennis court. In the interests of using a single base-line year, it would be inappropriate to show the extended area on the Lanark settlement map as part of the 2012 housing land supply. Nevertheless, the land in question, although limited in area, should be identified as a Development Proposal on the Lanark Settlement Map and included as such in Appendix 5, Proposals. This would reflect the current situation in terms of land availability.

3. The local development plan does not contain a phased programme of residential development in terms of brownfield and greenfield sites. However, the vision and general thrust of the local development plan is to promote sustainable development. This includes the re-use of brownfield land, reflecting the guidance contained in Scottish Planning Policy. On the other hand, it is necessary to provide an adequate supply of housing land and this requires a balanced approach in respect of greenfield release. However, as pointed out, the re-use of brownfield land where possible is a longstanding national planning principle and does not require a further explicit reference or justification in the local development plan. On this basis it is not necessary to either prioritise or particularly encourage the development of sites such as those at Albany Drive/Kirklands Road and Hyndford Road/Braxfield Road.

4. The planning authority has explained the purpose of the green network policy designation on the Albany Drive/Kirklands Road site. This is an appropriate intimation of the need to take this matter into account when bringing forward development proposals for the site. The requirement should not constrain the potential of the site but provide a stimulus for careful design including the need to reflect the green space and green network requirements.

5. Although it is requested that planning obligation requirements for these sites should be flexible, the planning authority has explained that a consistent approach is applied in all cases. I agree that this should indeed be the case and, as pointed out by the planning authority, Policy 5, Community Infrastructure Assessment, and Policy 13, Affordable Housing and Housing Choice, provide the basis for any required planning obligations. It is always necessary to take account of the particular circumstances of each site and supplementary guidance is being prepared to assist in this respect. Nevertheless, the concept of planning obligations being required to support development is well-established and no particular provisions are required for the two sites in question.

**Reporter’s recommendations:**

Modify the local development plan as follows:

On the Lanark Settlement Map, insert a development proposal to extend the Albany Drive/Kirklands Road site in accordance with the provisions of the agreed 2013 Housing Land Audit (site CL5084). In effect, the development proposal would incorporate the former tennis court to the south-east of the 2012 housing land supply site shown on the settlement map.

The site should be listed in Appendix 5, Proposals, under an appropriate reference number. The title should be “Albany Drive/Kirklands Road Extension” and the descriptive text should read “Potential extension to adjacent housing site to reflect land availability”.

<b>Issue CL19</b>	<b>Jerviswood, Stanmore Road, Lanark</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-28 Policy 12 Housing Land Settlement maps - Lanark	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 326, 490 - Ashfield Land		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for release of a site at Jerviswood, Stanmore Road, Lanark for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>326, 490 – These representations raises the following points:</p> <ol style="list-style-type: none"> <li>1. Sufficient land to meet identified housing need has not been allocated and particularly in the latter plan period as this is reliant on a number of legacy sites which have continuously failed to deliver as forecast and as such offer no certainty as regards to future effectiveness. The site could be developed as part of a long term phased eastern expansion of the town in line with housing need and demand and would not represent excessive settlement expansion. In the event that it is considered unnecessary for residential development at present, then it should be identified as having potential to be brought forward in the future or in the event that development programmed for delivery in the area do not deliver throughout the plan period as forecast.</li> <li>2. The Council's site assessment states that the site is only in partial compliance with SEA due to the impact that development would have on local air quality and landscape. However, the site is well placed to make use of public transport and is within walking distance to key services including Lanark Town Centre and convenience retail. Accordingly it would not result in a considerable increase in private vehicle use. In relation to the impact on the landscape, a new enhanced landscape framework for the edge of the town would be implemented introducing areas of informal landscape, to integrate the development with the existing landscape and soften views of the potential built form.</li> <li>3. The Council site assessment inaccurately identified the site as lying 2.3km from the rail station and 2.3km from the town centre. However, it is in fact 1.4km to the rail station and town centre, which is within the recommended walking distance for services set out in PAN75: Planning for Transport.</li> <li>4. The assessment for the site cited that there may be issues with water and sewage capacity. Initial work for servicing the site has been undertaken and there is sufficient capacity for the provision of water and waste. This has been confirmed verbally by Scottish Water.</li> </ol>		

5. The existing landscape edge at this side of the town is not suitably robust. The proposed Local Development Plan proposes adjustments to the settlement edge immediately adjacent to the western boundary of the site to accommodate existing development comprising Stanmore Home Farm. Individual houses have also recently been approved around Jerviswood Mains. As such the settlement edge is being subject of incremental adjustments.
6. A more robust landscaped edge to the settlement could be created as part of a planned and phased release of land.
7. The overall vision for the LDP seeks to promote the continued growth of South Lanarkshire. Policy 1 reaffirms the vision and states that this will be delivered by a number of development proposals identified in Table 3.1. Table 3.1 identifies Lanark as one of the Network of Strategic Centres and states that the strategic centres are to be the focus of investment to retain their vital functions as community hubs. It follows that these centres will assist in meeting Scottish Government aspirations for new development to be directed to locations which already benefit from a range of services and infrastructure. However Table 3.1 fails to include a single development priority in Lanark. It is considered that Lanark should be identified as a development priority given its function in the Network of Centres and due to the benefits associated with directing new development towards locations which benefit from an existing range and choice of services. Accordingly the Jerviswood site should be included as a development priority.

**Modifications sought by those submitting representations:**

326 - Seeks redesignation of the site as a housing development proposal. If it is considered unnecessary for residential development at present, then it should be identified as having potential to be brought forward in the future or if development programmed for delivery in the area does not deliver throughout the plan period as forecast.

**Summary of responses (including reasons) by planning authority:**

Objects:

326, 490 – The Council would wish to make the following comments in respect of these representations:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the strategic development plan. The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). The site is situated in the Rural Area and would not offer any opportunity to establish a sustainable and defensible boundary at this part of Lanark settlement. An identical proposal was submitted for consideration during the preparation of the existing adopted local Plan. Following the Local Plan Inquiry into the South Lanarkshire Local Plan the Reporter assessed the proposal and concluded ‘Apart from a potential capacity of up to



250 houses, which are not required by the structure plan, they are remote from the settlement boundary and simply an island in open countryside. Although the fields themselves are reasonably well defined by trees and hedging, there are no particular landscape features that may help justify designation. I accept the Council's view that the objection sites do not provide any opportunity to attain a sustainable defensive boundary for the settlement, and find that no modification should be made to the plan' (Document CL16). In the intervening period there has been no change in circumstances which would justify a reversal of that opinion.

2. The Council's site assessment states that the site is only in partial compliance with SEA due to the impact that development would have on local air quality and landscape. The issue relating to air quality is linked in to Lanark town centre and the continuing issues with air quality caused by the traffic using the area. A development of this size would add to this and it is unrealistic to assume that people will regularly or frequently walk or use public transport to do convenience shopping. In terms of landscape the development of this site would not fit well with the pattern of development for the Lanark area and would affect the setting of the town. If views have to be softened as suggested by the developer then there is clearly an issue with the site's visual impact.

3. The Council site assessment measured distances from the nearest and furthest point of the site since it is unrealistic to assess a site solely from its closest point to existing housing or facilities. A large part of the site is outwith acceptable walking distance to public transport and services and it is likely that there would be significant reliance on private cars.

4. This issue would be dealt with at the planning application stage.

5. The boundary adjustments cited at Stanmore Home Farm involve the consolidation of an existing farm unit where planning permission was granted for the erection of 4 houses (Documents CL17, CL18, CL19, CL20). It is immediately adjacent to a housing development on the edge of the settlement and the four new houses are to be adjacent and within the confines of the existing farm buildings. It does not therefore involve settlement expansion and suburbanisation of this part of Lanark. Indeed the new houses will be visually absorbed within the farm unit. Alteration of this part of the settlement boundary is of such a scale and character as to be negligible in terms of the impact on the character of the area. The development approved at Jerviswood Mains is also small in nature and involves workers accommodation in association with rural enterprise (Documents CL21, CL22, CL23). As such it is considered appropriate for the rural area and has not had an adverse impact on the current defensible settlement boundary or resulted in the suburbanisation of this part of the rural area. Taking account of the above no precedent is set by these proposals.

6. As part of the local plan process a review of settlement boundaries was carried out. The Council considered that the landscape character of the site provided a natural buffer between the built up area and surrounding countryside. In particular the topography of the land and undulating character screens development on the existing edge of the settlement making it relatively inconspicuous against the surrounding countryside and on the approach to Lanark. The existing natural landscape also provides a clear settlement boundary and softens the settlement edge. In contrast due to the scale and topography of the site proposed, development of it would be difficult to effectively screen, appear conspicuous within the surrounding landscape and does not constitute a robust and defensible settlement boundary.

7. This representation relates to the network of strategic centres and acknowledges that the local development plan should encourage investment in the network of centres. The projects listed in Table 3.1 only include those which will be developed and progressed through a masterplan or development framework. The table does not include the many housing, industrial and commercial opportunities which are already included within the local development plan. Furthermore, whilst there may be an increase in footfall in Lanark town centre from additional housing, it is not considered that this can justify the release of an inappropriate site, and its release is unlikely to result in any specific investment in the town centre.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The site extends to over 20 hectares which, for the most part, lies outside the settlement boundary of Lanark. Clearly, the development of the site for housing purposes would represent a significant town expansion scheme for Lanark. The representation has been presented on this basis and also argues that housing development towards the end of the plan period relies on currently non-effective land. The site at Jerviswood, says Ashfield Land, could make good any shortfall in the likely event that land does not become effective as anticipated.

2. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the fifth of five categories.

3. On the basis of the Issue ST13 conclusions, the allocation of the land at Jerviswood for residential development is not justified at this time. Clearly, the monitoring process provides scope for a review in the event that a shortfall in effective sites becomes apparent. In this respect, of course, the largely greenfield status of the land would require to be taken into account. However, that is a matter for the future and not for consideration as part of this local development plan examination.

4. Although it has been concluded that there is not an over-riding requirement for the early release of additional land to augment the housing land supply, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available. However, as indicated, the scale of the site at Jerviswood is such that it requires to be considered in the context of a town expansion scheme. It would be for the planning authority to determine whether such an expansion is required when assessing the need for the land to make good any identified future shortfall in housing land supply or, perhaps, during a future local development plan review.

5. Ashfield Land argues that the identification of Lanark within the Network of Strategic Centres listed as part of the Spatial Strategy Development Priorities in Table 3.1 supports the allocation of the site for housing development. On the other hand, the planning authority points out that the table does not include housing, industrial and commercial

opportunities which are already included in their own right in the local development plan.

6. Should it be decided in the future to pursue the possibility of a town expansion at Jerviswood it would be necessary to undertake a detailed analysis of the various implications and impacts, including landscape character impact. In this respect, it is noted that Ashfield Land believes the edge of the settlement could be improved whereas the planning authority argues the development would appear conspicuous within the surrounding landscape.

7. As explained, there is not an over-riding reason for promoting this significant housing land allocation at the present time. In turn, I conclude the terms of the local development plan should not be altered.

(See also Issue CL20 which relates to adjacent land to the north-east of this site.)

**Reporter's recommendations:**

No modifications.

<b>Issue CL20</b>	<b>Jerviswood Mains, Lanark</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-28 Policy 12 Housing Land Settlement maps - Lanark	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 209 - Mrs Hodge and Mrs Gagnon		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for release of a site at Jerviswood Lanark for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>209 – This representation is concerned with the non-inclusion of a site at Jerviswood Mains, Lanark for residential purposes and raised the following points:</p> <ol style="list-style-type: none"> <li>1. There has been clear precedence set over recent years, with a number of small developments taking place within the vicinity of the site. There are a number of residential dwellings close to the site and within a cluster of buildings on Stanmore Road which includes a school. Planning consent has also recently been granted for a small residential scheme just south of the eastern tip of the site (CL/11/0409). The committee report relating to this application regarded the emerging pattern of development in the area as a material consideration. This site will relate to that housing site and provide an attractive housing area as an expansion of the Stanmore cluster of buildings whilst being sensitive to the surrounding landscape. In this respect any perceived issues with regard to isolation of the site from the settlement of Lanark become void and Stanmore becomes the focus for carefully planned select development.</li> <li>2. The site is positioned to provide a high quality residential environment for those choosing to live in the area and who wish to commute. The site is accessible to Lanark and the range of facilities and services it provides including access to links with the public transport network. Future residents would potentially serve to benefit and enhance these services as well as the existing community and shopping facilities within Lanark.</li> <li>3. There is recognition that the larger CGA sites are not performing and that making other sites available would provide a generous supply of land to allow house building to meet the required levels in the shorter term. This site has the ability to assist and enhance the needed supply and choice of housing land in the area.</li> <li>4. The site presents an opportunity for the creation of a high quality housing development without harming the landscape character of the area.</li> </ol>		

<b>Modifications sought by those submitting representations:</b>
209 - Seeks removal of the site from the rural area and its identification as a housing development proposal.
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects:</p> <p>209 – the Council would respond to the points raised as follows:</p> <ol style="list-style-type: none"> <li>1. The existing development pattern on Stanmore Road consists of a range of small clusters of buildings which due to the scale and the topography of the land are inconspicuous within the landscape. The application cited by in this representation is largely self-contained by existing tree belts and the topography of the land and it was considered that development would consolidate the established development pattern in the Stanmore Road area that has emerged (Documents CL25, CL26, CL27). This proposal did not therefore involve a significant expansion of the Stanmore Road area. In contrast, the site which is the subject of this representation is significantly larger in scale than both the existing building groups and the site which is the subject of the aforementioned planning application. Previous consents therefore do not set a comparable precedent. Furthermore due to the expanse and rising topography of the land, development of the site would be difficult to effectively screen from and integrate with the surrounding area and would thus appear conspicuous within the surrounding landscape. Finally the site would be completely separated from the existing settlement boundary of Lanark.</li> <li>2. Whilst the Council recognises the benefits of developing land that is accessible to local services and facilities, this must be balanced against the desirability of protecting the environment, visual integrity of settlements and in this particular case also the landscape and rural character of the area. Scottish Planning Policy (SPP) (Document G1) states that consideration should be given to the protection and enhancement of the landscape and natural heritage in the location of new development. The site is extensive in area, remote from the Lanark settlement boundary and development of it would appear isolated in the open countryside. It would also be excessive in comparison with other building groups at Stanmore Road. The topography of the land also rises at several points and as such development would be prominent at various points within the surrounding landscape eroding the visual quality of the countryside and adversely interfering with views of the landscape.</li> <li>3. The Council agrees that there are development opportunities available in other parts of South Lanarkshire that have been not been implemented or where development has halted. However many of these sites have not been developed or development has been suspended due to the downturn in the housing market and the inability of some smaller companies to continue to operate. The Council has had extensive discussions with Homes for Scotland and a number of volume housebuilders about this issue and has concluded that there may be other difficulties, such as ownership or infrastructure, in addition to financial constraints that have resulted in sites not being implemented. The role of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the rural area. The sites that have been proposed in the local development plan have been carefully considered and assessed and the Council is of the opinion that these offer the best and most appropriate opportunities for development in</li> </ol>

the rural area.

4. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the strategic development plan. The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). The Council are satisfied that there is adequate residential land supply on other sites within the Clydesdale housing market area. The site is situated in the Rural Area and would not offer any opportunity to establish a sustainable and defensible boundary at this part of Lanark settlement. An identical proposal was submitted for consideration during the preparation and consideration of the existing adopted local Plan. Following the Local Plan Inquiry into the South Lanarkshire Local Plan the Reporter assessed the proposal and concluded that the land was “remote from the settlement boundary and simply an island in open countryside. Although the fields themselves are reasonably well defined by trees and hedging, there are no particular landscape features that may help justify designation. I accept the Council’s view that the objection sites do not provide any opportunity to attain a sustainable defensive boundary for the settlement, and find that no modification should be made to the plan” (Document CL16) In the intervening period there has been no change in circumstances which would justify a reversal of that opinion.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Mrs Hodge and Mrs Gagnon place considerable emphasis on precedent to support the request that additional land at Jerviswood Mains should be allocated for residential development. In this respect there is already some recent residential development and an area is shown on the proposals map to the immediate east of Jerviswood Mains as part of the 2012 housing land supply. These developments and land allocation lie within the designated “rural area”. They are visually and physically separate from the built-up area of Lanark to the south.

2. The planning authority explains that the development pattern in the vicinity comprises a range of small clusters of buildings which are inconspicuous within the landscape. The land shown to be part of the 2012 housing land supply has been granted planning permission and the potential development would be similarly integrated within tree belts, consolidating the existing groups of houses.

3. I believe the planning authority has understated the scale and the visual impact of the existing development along with the potential for further houses in terms of the planning permission that has been granted. Whilst the rationale of this development, isolated from the town of Lanark and within a rural area, might be open to question, the fact of the existing and potential residential development is unquestionable. However, the manner in which the local development plan responds to the situation is equally important. In this case the planning authority has decided to retain the “rural area” designation whilst the

Lanark settlement boundary lies to the south and south-west. Significantly, in terms of the local development plan, the visual and physical separation between the development in the rural area and the Lanark settlement boundary would remain.

4. As the planning authority points out, the size of the site required for housing is larger than the areas already developed or allocated within the 2012 land supply. In total, should the objection site also be allocated, there would be the potential for a significant expanse of housing. Also as argued by the planning authority, the topography of the additional land would create a development that would be prominent in the landscape and unrelated to the nearby urban area. On this basis, although recognising the benefits of accessible local services and facilities, I consider the planning authority is correct to be concerned about the adverse impact of development on the landscape setting of Lanark.

5. Although the planning authority has allocated sites to meet local housing requirements, this site is not suited to fulfil this purpose because of the unsatisfactory relationship with the existing built-up area. In any event, there are sites within the settlement boundary of Lanark that could more appropriately meet this requirement. Progress on some of these sites has been slow due, at least in part, to the economic downturn. Nevertheless, the allocation of unsuitable sites elsewhere is not a justified alternative, particularly as there appear to be signs of recovery in the housing market. This recovery may give an incentive to the development of the existing alternative sites.

6. Housing land in the wider context has been considered under Issue ST13 where it is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and about whether there are sufficient sites capable of becoming effective and developed by 2025.

7. Issue ST13 recommends changes to Policy 12, Housing Land, to require that, should a shortfall in the effective supply of private sector housing land be identified, there will be support for effective additional development proposals. However, these are in order of preference with sustainable greenfield sites being the third of three categories. The nature of the land – described in a previous local plan inquiry report as “simply an island in open countryside” – is such that, in itself, the future allocation of the site for residential development must not be regarded with any certainty. However, that is not a matter for this local development plan examination.

8. All-in-all, I conclude the terms of the local development plan are to be endorsed and the land should remain in the designated “rural area” as shown in the Lanark proposals map.

(See also Issue CL19 which relates to adjacent land to the immediate south-west.)

**Reporter’s recommendations:**

No modifications.

<b>Issue CL21</b>	<b>Lanark Town Centre</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and regeneration Pages 20 – 21, tables 4.2 & 4.3 Policy 8 Strategic and Town Centres page 21 Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>256 - Morag Smith 289 - Robert Foster 448 - Derek Flynn 456 - Karen Scott 523 - Royal Burgh of Lanark Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the designation of Town Centre boundaries within settlements and identification of town centres to reflect the current position including incorporation of Braidfute Retail Park into town centre in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 256, 289, 448, 456, 523 - These representations raise the following points:</p> <ol style="list-style-type: none"> <li>1. The distance of the retail park from the traditional town centre and High Street shopping facilities is such that it is not in-keeping with that tradition and would not enhance the Royal Burgh or market town image of Lanark.</li> <li>2. The designation of the retail park as part of the town centre could lead to food retailing within the park to the detriment of the town centre.</li> <li>3. Inclusion of Braidfute Retail Park within Lanark town centre would lead to a change of character in the nature of business within the park allowing for fast food outlets, petrol stations, public houses which would operate beyond the closing times of the current business in the park, resulting in an increase in noise and refuse levels for the local residents.</li> <li>4. If such businesses are allowed these may give rise to anti social behaviour in the area which is predominantly residential in nature.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
256, 289, 448, 456, 523 - Seeks deletion of this proposal from the local development plan.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>256, 289, 448, 456, 523 - In response to the representations the Council would wish to</p>		



comment as follows:

1. Braidfute Retail Park is located at the edge of the Lanark Town Centre to the east. It is 5 to 10 minute walk from the High Street to the retail park. The retail park visually integrates with the eastern edge of the town centre and would constitute a logical extension to the town centre boundary. The retail park currently comprises a range of non-food retail outlets which complements, enhances and re-enforces the tradition of Lanark as a market town. The proposal would not undermine the role, function or tradition of Lanark as a market town but would reflect the current position of retail outlets within the town centre.
2. Any planning application for food retailing in the retail park would be considered against the relevant policies of the local development plan and appropriate Supplementary Guidance.
3. The Council considered the redevelopment of part of the former Auction Market as appropriate for non-food retail development in the Lower Clydesdale Local Plan 2004 (Document CL1). The non-food retail element is intended to complement and not compete with existing town centre outlets. The proposed inclusion of the retail park in the town centre would not necessarily lead to a change of character in the nature of business within the park. Proposals for fast food outlets, petrol stations, public houses etc would be determined on their merits through planning applications with consideration given to potential increased noise and refuse levels.
4. The Council notes that development of such nature at the location may provide an environment for anti-social behaviour to occur. However, any issues relating to anti-social behaviour would be addressed through the Council's Anti-Social Behaviour Programme in consultation with the Scottish Police Force.

No change proposed to the Local Development Plan.

**Reporter's conclusions:**

1. Braidfute Retail Park is an example of a trend in retailing that has taken place in recent years and, as such, has already changed the image of Lanark as "simply a market town and Royal Burgh".
2. In land use and visual terms, the retail park is associated with the more traditional town centre to the west. It has a dedicated access and I accept that, to some extent, this provides a degree of separation. Nevertheless, as the planning authority points out, the retail park is within easy pedestrian access of the town centre.
3. Although concern has been expressed about the potential for a variety of additional uses should the retail park be incorporated within the town centre designation, such uses could well add to the vitality and viability of the wider centre. Clearly, any proposed new uses with the potential to detract from established levels of amenity, particularly residential amenity, would require careful assessment. As the planning authority explains, any planning applications would be assessed through the development management process. This process would also take into account the sequential "town centre first" approach set out in the recently revised Scottish Planning Policy.

4. As claimed by the planning authority, inclusion of the retail park within the designated town centre may not lead to a significant change in character. However, there would be a potential for the establishment of a broader range of town centre activities. Subject to appropriate control, these would be to the wider benefit of Lanark.

5. On balance, I conclude it is appropriate to designate the Braidfute Retail Park within the town centre.

**Reporter's recommendations:**

No modifications.

<b>Issue CL22</b>	<b>Milton Farm, Lesmahagow</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy pages 13-14 Policy 3 Green Belt and Rural Area Chapter 5 People and Places, Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>3 - Mr Robertson 4 - David Addie 31 - J K Semple 147 - Gavin Forrest 196 - Malcolm Frame 276 - Lesmahagow Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area relating to settlement boundaries and the identification of settlements within South Lanarkshire. In addition it considers the allocation of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>3, 4, 31, 147, 196, 276 – The representations have raised the following points:</p> <ol style="list-style-type: none"> <li>1. Designation of Milton Farm for residential purposes would affect the amenity and privacy of existing properties, and impact on local land drainage. During periods of heavy rainfall the existing properties along Strathaven Road are adversely affected by water run-off from the fields which comprises this proposed development site. Any major building could affect the direction this water could take, and properties which sit at a lower level.</li> <li>2. The construction of further houses is illogical when there are numerous Council properties already lying empty in Lesmahagow.</li> <li>3. Further development would impact on Lesmahagow's already congested roads and exacerbate traffic problems. Strathaven Road is particularly busy with the presence of two schools and a haulage company, and at certain times of the day the width of the road is severely restricted. This would be aggravated by an increase in the number of children attending the schools.</li> <li>4. The proposal could affect the capacity of local schools, infrastructure, children/youth facilities and the medical centre. Lesmahagow is becoming a commuter town and it does not appear as if there are prospects for creating employment opportunities.</li> <li>5. If the fields at Milton Farm were designated for residential purposes, it should be extended westward to enable an access to be formed to the properties which lie to the west, and are currently served by a private unadopted track.</li> </ol>		

6. Issues raised about the form of development that is being considered, as the height of buildings will be relevant to the residents of Strathaven Road. Would the site be developed solely for residential uses or would it also incorporate some retail uses?

**Modifications sought by those submitting representations:**

3, 4, 31, 147, 196, 276 - Seek deletion of the proposed residential site at Milton Farm Lesmahagow.

**Summary of responses (including reasons) by planning authority:**

Objects:

3, 4, 31, 147, 196, 276 - In response to the representations the Council would make the following observations:

1. All sites identified in the proposed local development plan as potential residential development sites have been assessed as set out Technical Report 2 (Document G21) and shown to be appropriate for development. Issues relating to the physical development of the site and how the proposals would relate to existing properties would be addressed through the planning application process. Given the topography of the site and the possible extent of the development site, a drainage strategy (including the creation of SUDS) will form a key component of any future development proposals.

2. There are development opportunities available in other parts of rural South Lanarkshire (including within Lesmahagow) that have been not been implemented or where development has halted. However many of these sites have not been developed or development has been suspended due to the downturn in the economy and the inability of some smaller companies to continue to operate. The Council has had extensive discussions with Homes for Scotland and a number of volume housebuilders about this issue and has concluded that there may be other difficulties, such as ownership or infrastructure, in addition to financial constraints that have resulted in sites not being implemented. The role of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the rural area. The sites that have been proposed in the local development plan have been carefully considered and the Council is of the opinion that these offer the best opportunity for limited development in the rural area. A development of this scale will be expected to provide a range of house types and tenures.

3. Roads and Transportation Services have not raised any concerns about the impact of the proposal on the local road network. A full assessment and the requirement for any upgrading of the road network would be carried out during the consideration of a planning application for the site.

4. The Councils Education Resources have not raised concerns with regards to either primary or secondary school provision. Employment opportunities are principally driven by market forces outwith the scope of South Lanarkshire Council, and do not automatically require to be related to the housing market. Nevertheless a Strategic Economic Investment Location has been identified at Poniel, approximately 6 km to the south of the site.

5. The extent of the designation for residential purposes at Milton Farm has been assessed in relation to the visual impact on the landscape and built environment and the capacity of the settlement to accommodate further development. The site boundary has been established in part by utilising existing natural features such as hedgerows and tree lines, the existing settlement boundary and maintaining separation from the properties which are accessed from the south by the private track referred to. Extending the residential designation further into the rural area is not appropriate either in terms of the housing land supply or the impact on the landscape character of the area.

6. The proposed local development plan establishes the principle of designating sites for development and its form will thereafter be set out in future planning applications. The impact of any development proposals on residential amenity will be assessed at that stage.

No change proposed to local development plan.

**Reporter’s conclusions:**

1. Although the need for additional housing has been questioned, the local development plan is required to conform to the strategic development plan and, in particular, must allocate land to ensure that the target for residential development is met. This matter is discussed in a wider context in Issue ST13. I believe the principle of land allocations for new houses within the local development plan must therefore be regarded as being justified.

2. Attention has been drawn to empty residential property in Lesmahagow and, in simplistic terms, the existence of empty housing accommodation and the allocation of land for more houses is paradoxical. However, the housing strategy is to provide a variety of housing on a range of sites. As the planning authority explains, the proposed site, development proposal 44, would be expected to provide a variety of house types and tenures. This approach has been the objective of the planning authority and has government support as explained in the recently published revised Scottish Planning Policy.

3. The reason for the under-occupation or vacancy level of property in the town has not been set out in any detail. However, there is no reason to believe that this will be a long-term situation. Hopefully, housing management initiatives could ensure that existing stock is put to good use or is replaced by more appropriate and desirable accommodation.

4. Lesmahagow is set within a rural area but the site itself is within the urban fabric of the town. In this respect, development would provide an opportunity to build new houses within the wider rural context and, at the same time, would not involve urban sprawl or development within the countryside.

5. Concerns have been expressed about a variety of potential constraints. These constraints, it is claimed, point to the site not being allocated for development. On the other hand, the planning authority states that all potential development sites have been subject to technical assessment (see document G20 [not G21 as indicated in the planning authority response above]) and shown to be suitable for development.

6. In respect of drainage, it has been pointed out that the land already has problems. This is not surprising due to the sloping nature of the site. Indeed, the planning authority accepts that drainage matters would be key to any development proposals and I accept

drainage is a concern that must be addressed. The planning authority envisages a sustainable drainage system (SuDS) and I agree this would be appropriate, if not essential, in the circumstances. Without further details it is not possible to comment further but it does appear that there may be scope for a development incorporating an adequate sustainable drainage system which, at the same time, would improve the current unsatisfactory situation. On this basis, drainage matters should not preclude the potential for development.

7. Traffic generation is also a concern but the Roads and Transport Services section has accepted the potential impact of the development on the local road network. There is no reason to believe that the local roads do not have the capacity to accommodate the level of traffic resulting from the residential development of the site. As explained by the council, any need for upgrading would be assessed at the time of a planning application. Similarly, the Education Resources section has not raised concerns in terms of either primary or secondary school provision. Accordingly, despite fears expressed in these two respects, neither school capacity nor the local road network provides a justification for the non-allocation of the site as proposed.

8. The impact of the development on the amenity of existing property is a further cause for concern. The planning authority explains that the visual impact on the landscape and the built environment has been taken into account. Impact on residential amenity would be assessed at the time detailed proposals are brought forward says the planning authority.

9. It is clear that the nature of the development proposed, especially the height of buildings and their relationship with existing neighbouring development would be a crucial consideration in the development of the site. Indeed, the technical and design aspects of any proposed residential development would undoubtedly be challenging. However, particularly taking into account the planning authority's technical assessment, I consider that the principle of residential development is acceptable. Accordingly, the proposed local development plan allocation should be endorsed in respect of development proposal 44.

**Reporter's recommendations:**

No modifications.

<b>Issue CL23</b>	<b>Lesmahagow Neighbourhood Centre</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration Policy 9 Neighbourhood Centres Page 22	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 478 - Muse Developments Lesmahagow		
<b>Provision of the development plan to which the issue relates:</b>	This policy is used to ensure that neighbourhood centres have an appropriate mix of uses.	
<b>Planning authority's summary of the representation(s):</b>		
Objects: 478 – Objects to the omission of the former high school site in Lesmahagow from the Lesmahagow Neighbourhood Centre given that this site has planning consent for retail development.		
<b>Modifications sought by those submitting representations:</b>		
478 – Seeks the boundary of the Lesmahagow Village Neighbourhood Centre designation be extended northward to include site of the former Lesmahagow High School.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>478 - The site was granted consent for retail in 2010 and a further application in 2013 extended the time period for the submission of approval of matters specified on the conditions. Prior to the retail consent, the site received consent for housing though this expired in 2009. The site is vacant and adjacent to Abbeygreen, the main thoroughfare within the village.</p> <p>This retail consent referred to above has not yet been implemented, but it remains valid and it can be implemented any time prior to January 2016. The proposed zoning of the application site as General Urban in the Plan does not prevent the implementation of this consent and the proposed boundary of the neighbourhood centre reflects the extent of the existing retail and commercial units within Lesmahagow. The Council therefore is of the view that in the absence of the proposed development it would be premature to pursue a change or an extension to the boundary of the current neighbourhood centre, particularly as the site has previously been identified as suitable for housing.</p> <p>No change proposed to the local development plan.</p>		
<b>Reporter's conclusions:</b>		
1. The planning permission in principle granted in 2010, the time limit on which was subsequently extended, is for the construction of a retail store. Should this retail store be		

built, the site would clearly become associated with the adjacent neighbourhood centre. However, the Lesmahagow settlement plan does not designate the site as part of the neighbourhood centre, the boundary of which is immediately adjacent, south of the site granted planning permission in principle. The settlement plan shows the site in question to fall within the general urban area.

2. Despite the extant planning permission in principle for retail development and close proximity, the site, in its current condition, does not appear to be a natural part of the neighbourhood centre to the south. In turn, a neighbourhood centre use, including retail use, is not the only use that would be appropriate. Indeed, as the planning authority has pointed out, planning permission has also previously been granted for housing development although this permission has now expired.

3. There would be a benefit in retaining the site within the general urban area designation as this would provide greater flexibility in the assessment of any future development proposals under Policy 6, General Urban Area/Settlements. At the same time, this designation would not prejudice the implementation of the planning permission in principle for retail development.

4. I therefore agree, as argued by the planning authority, that the incorporation of the site within the neighbourhood centre would not be justified at this time. Accordingly, the local development plan should not be modified.

**Reporter's recommendations:**

No modifications.



<b>Issue CL24</b>	<b>Wellburn Farm, Lesmahagow</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 -14 Chapter 5 People and Places, Policy 12 Housing Land Policy 3 green Belt and Rural Area Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 474 - Banks Group		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for release of a site at Wellburn Farm, Lesmahagow for mixed residential/live/work development.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 474 – The representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. There is scope to increase the site already included in the local development plan further north, as the Teiglum Burn and associated woodland would provide a robust settlement boundary more aligned with Policy 3 than the boundary as defined in the South Lanarkshire Local Development Plan. Paragraph 3.17 of the proposed Local Development Plan states it is the aim of the plan to control development in the rural area in order to protect the environment. Increasing the allocation at Wellburn would comply with these aims as it would be proportionate to the size of the existing settlement and also increase the level of investment in Lesmahagow, supporting the sustainability of the town.</li> <li>2. If the larger site were supported in the proposed Local Development Plan, it would ensure that early phases of development could be designed to accommodate the necessary accesses, open space and community facilities.</li> <li>3. The Housing Technical Report identifies a shortfall of 4242 units in the housing land supply over the period 2012 to 2020. The proposed Local Development Plan identifies housing land supply, including Wellburn Farm which can be effective in the short term, however there is still a shortfall. Increasing the allocation at Wellburn would provide an opportunity to reduce this housing land shortfall.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
474 - Seeks an extension to the designated Development Framework Site at Wellburn Farm in the South Lanarkshire Local Development Plan.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 474 - The Council would respond to the points raised as follows:</p> <ol style="list-style-type: none"> <li>1. A site at Wellburn Farm is identified in the South Lanarkshire Local Plan as an Industrial Site (Document G38). Its designation as a Development Framework Site in the</li> </ol>		

proposed local development plan reflects the planning permission in principle the Council was minded to grant on part of the site. It proposes residential use with an element of employment through the development of “live/work” units. This application was granted by the Council but subject to conclusion of a section 75 Obligation which has not been taken forward. Discussions with the Banks Group have led to the submission of a further application for planning permission for the whole Wellburn Farm and a detailed application for that part of the site covered by the original application. Both applications have been the subject of the Pre-Application Consultation process and are as yet undetermined. The topography around Wellburn Farm is such that an extended development site would be prominent from main transport corridors and the wider landscape as the ground rises north-westward, as well as westward away from the motorway. Policy 3 – Green Belt and Rural Area of the proposed local development plan advises that the Green Belt and rural area functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. The area which is the subject of the representation is actively managed agricultural land. Policy 3 also states that in the rural area limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement. Although the Teiglum Burn could provide a robust settlement boundary, it does not provide a small scale rounding off to Lesmahagow’s north-western boundary but rather an extensive addition to the built up area. The proposal is considered premature given no work has started on the site that has been allocated. As a result, at this time it would represent an unacceptable and inappropriate expansion into the rural area.

2. It is noted that taking cognisance of any future extension of the site would allow the design of the development layout in the identified Development Framework Site to incorporate the necessary accesses, community and infrastructure provision etc. However this does not justify, in itself, an extension of the site on the scale suggested. Should a developer wish to provide such mitigation within the site which is the subject of the current applications, this would be considered during the planning assessment process. It may be any extension of the Development Framework Site would necessitate the provision of an additional access point on Strathaven Road to accommodate additional traffic. This could only be clarified through the submission of a Transport Assessment but this has not been provided.

3. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the strategic development plan. The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G28). The Council are satisfied that there is adequate residential land supply on other sites within the Clydesdale housing market area. The site is situated in the Rural Area and would not offer any opportunity to establish a sustainable and defensible boundary at this part of the Lesmahagow settlement. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for any additional strategic release of land

to meet any shortfalls.

No change proposed to local development plan.

**Reporter's conclusions:**

1. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the third of three categories.

2. Although we have concluded that there is an over-riding requirement for the early release of additional land to augment the housing land supply, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available.

3. I accept that the land at Wellburn Farm, Lesmahagow, if allocated for development, would permit an integrated design and layout involving the adjacent site, development proposal 27, and the larger area required by the Banks Group. Similarly, I agree that the extended area would permit the creation of a settlement boundary relating to a physical feature, the Teiglum Burn. The planning authority also acknowledges both these advantages.

4. On the other hand, the planning authority argues that the extended development site would be prominent in the landscape and from main transport corridors. The scale of the required extension is also of concern and would not represent small-scale rounding-off.

5. Proposed development site 27 when considered alongside development site 44 (see Issue CL22) provides significant housing land potential in Lesmahagow. In the absence of any over-riding need for a wider, strategic release of residential land, I consider the areas allocated in Lesmahagow in the local development plan appear to be appropriate. They provide the prospect of a reasonable amount and range of housing without any significant extension of the settlement envelope.

6. As is generally agreed, the north-west boundary of site 27 could not be regarded as a robust and natural edge to the built-up area. Nevertheless, the proposed allocation would not extend as high up the hillside as the existing houses on the south side of Strathaven Road. This would reduce the wider visual impact of any new development within site 27 by providing a partial backdrop of existing houses. As argued by the planning authority, the proposed extended area would provide the potential for development at a higher level – beyond the current limit of housing. In turn, I believe the impact visually and on the landscape setting of Lesmahagow would be significantly greater.

7. As already accepted, the ability to prepare a layout from the outset covering both site 27 and the required extended area may well offer some advantages. I consider the prospect of developing site 27 in the first instance with, if required, a future extension should not be an unduly inhibiting design consideration. However, the possibility of extending the housing land allocation in this vicinity in the event of a future shortfall being identified is not

a matter for this local development plan examination.

8. Although the Banks Group explains that the extended area could comprise both residential and live/work units, any benefits of a mixed use development of this nature do not overcome the concerns in respect of the scale of the development and the landscape and visual impacts.

9. All-in-all, therefore, I conclude development proposal 27 does not require to be extended and should remain as indicated on the Lesmahagow proposals map.

**Reporter's recommendations:**

No modifications.

<b>Issue CL25</b>	<b>Newbigging</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 – 30 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>5 - John Graham 22 - Kenneth Dawson 167 - Catriona Malone 206 - Mr and Mrs Hodson 211 - Christine Lamont 324 - C &amp; P Shaw 427 - Vicki Egerton 466 - D Allison</p> <p>Support: 449 – Lee and Carnwath Estate</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to settlement boundaries and the identification of housing sites and the appropriateness for their inclusion in the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 5, 22, 167, 206, 211, 324, 427, 466 - These representations have raised the following points:</p> <ol style="list-style-type: none"> <li>1. Disputes the need for further development for housing in Newbigging.</li> <li>2. The proposed land falls outwith the settlement boundary and is agricultural land which is actively used for agricultural purposes. The proposed land should be retained as farmland to boost food production to feed both the human population and livestock rather reducing the amount of farmland in the area.</li> <li>3. There are concerns about the positioning of entrances to the new developments on a small, yet busy road with much farm traffic and traffic travelling cross country from the A702 Edinburgh Road, often at excessive speed.</li> <li>4. The current sewerage and drainage infrastructure is already at capacity and not able to cope with additional homes in Newbigging.</li> <li>5. Newbigging has no amenities such as bus route, village hall, shop, pub, etc.</li> <li>6. Additional housing will mean an increase in car ownership. The existing road infrastructure would not be able to cope with additional traffic to be generated from the proposed development.</li> <li>7. Utility and infrastructure services such electricity supply would not be able to cope with</li> </ol>		

any additional residential development.

8. The proposed sites are very close or next to listed buildings so any development should respect the setting, character and appearance of the listed buildings in the area.

9. Any further residential development in the village does not meet the Council's criteria on climate change.

Supports: 449 - This representation supports limited residential development within Newbigging.

**Modifications sought by those submitting representations:**

5, 22, 167, 206, 211, 324, 427, 466 – Seeks deletion of this proposal from the proposed plan.

**Summary of responses (including reasons) by planning authority:**

Objects: 5, 22, 167, 206, 211, 324, 427, 466 - The Council has considered each of the points raised and makes the following observations:

1. There are limited small scale development opportunities in other parts of the village that have been not been implemented but this could be due to factors such as ownership or infrastructure or to financial constraints. The role of the local development plan is to ensure that Scottish Planning Policy (Document G1) is properly and consistently applied and as such the Council are directed to consider opportunities for development in the rural area. The sites proposed in the local development plan for Newbigging have been carefully considered and the Council is of the opinion that these are of a size that will allow a small scale builder to develop the sites.

No change proposed to the local development plan.

2. The extensions proposed to the settlement boundary are small and would have an insignificant impact on agricultural practices. Furthermore, the proposed development sites which adjoin the eastern and south eastern edge of the settlement are currently partly overgrown grassed areas that are not used for agricultural cultivation.

No change proposed to the local development plan.

3. Any issues relating to the siting of entrances into new developments and the associated impact on the road traffic would be addressed through a planning application for the sites.

No change proposed to the local development plan.

4. Any constraints relating to sewerage capacity in Newbigging would be addressed through a planning application for the site. The Council has been advised that the landowner has commissioned a consultant to carry out a study of the sewerage/drainage systems in Newbigging including the proposed sites. This report has not yet been received by the Council but would form a supplementary document were it to be submitted prior to commencement of the examination. This document is in relation to the mitigation of sewerage and drainage problems in Newbigging.

If minded to do so the Council requests that the Reporter allows further information regarding sewerage and drainage in Newbigging to be submitted as a supplementary document if this is received by the Council prior to commencement of the examination.

5. The provision of an economic infrastructure including businesses and shops is dictated by market forces and the economic climate at any given time. The aim of the local development plan is to ensure that any development proposals identified are appropriate and if applications were to come forward which would enhance the economic infrastructure of the village these would be considered on their own merits. Whether Newbigging would benefit from the development of the proposed housing site is not a matter for the local development plan.

No change proposed to the local development plan.

6. Across Scotland many Councils are challenged to address issues relating to the provision of public transport to serve rural communities. Within South Lanarkshire this is a particular issue that affects most small communities in the rural part of Clydesdale including Newbigging. The Council's Local Transport Strategy acknowledges this issue and is committed to encouraging and supporting development proposals at sustainable locations and the provision of public transport to serve dispersed rural communities (Document G34). Any constraints relating to the existing road infrastructure at Newbigging and its capacity to accommodate additional traffic would be addressed through a planning application for the site.

No change proposed to the local development plan.

7. Any constraints relating to the electricity supply capacity at Newbigging and its capacity to accommodate additional development would be addressed through a planning application for the site.

No change proposed to the local development plan.

8. The potential impact of the proposed development on the adjoining listed buildings would be addressed through a planning application for the sites.

No change proposed to the local development plan.

9. The Council's climate change policy sets out the criteria for assessment of the impact of development on the climate of the area in general. Any impact of the development proposals for the sites would be addressed through a planning application for the site.

No change proposed to the local development plan.

Support: 449 – Noted.

**Reporter's conclusions:**

1. The local development plan shows development proposal 45 as three separate parcels of land: one to the north fronting Dunsyre Road and two to the south fronting Medwin Terrace. A request for further information in respect of drainage was sent to the planning authority (see the planning authority's paragraph 4 above). In response, the landowner, Lee and Carnworth Estates, explained that it is intended to bring forward only the site in

Dunsyre Road for which drainage information was provided. Development consideration of the two sites to the south, fronting Medwin Terrace, is to be deferred.

2. On this basis of this information, in view of the continuing uncertainty over drainage at the two Medwin Terrace sites and the lack of immediate effectiveness, it is appropriate not to pursue the incorporation of this land within the settlement boundary.

3. Despite the continuing concern of some objectors, the third site in Dunsyre Road appears to be capable of drainage. Three trial pits were dug in this plot and, as a consequence, SEPA has accepted a sustainable foul drainage system is possible. The SEPA objection to the development of this site has therefore been withdrawn.

4. The scope for development on the Dunsyre Road site is very limited and, subject to careful design, would not have a significant impact on the wider character of Newbigging. Equally, the potential loss of agricultural land and the level of traffic generation would not be of any serious consequence. Clearly, any proposal would be required to take account of the setting of nearby listed buildings but I do not consider this to be an over-riding constraint. However, a high standard of design would be essential.

5. Although it has been suggested that other infrastructure problems may be encountered, including electricity supply, no substantive evidence has been provided to this effect. Whilst improved public transport (which is encouraged by the planning authority) and local amenities would be beneficial, these are not matters that would preclude the small-scale development the site would be capable of accommodating.

6. As pointed out by the planning authority, most of these detailed matters, along with an assessment against climate change criteria, would be considered under the development management procedure at the time of a planning application. Indeed, it may well be that the planning authority would require a flood risk assessment at the time any detailed proposals come forward to ensure appropriate mitigation measures for any ground water issues.

7. Overall, I conclude the adjustment of the settlement boundary to include the most northern of the three parcels of land is acceptable. This would provide the opportunity for a very limited degree of development in the rural area, commensurate with the size of Newbigging. The settlement boundary should not incorporate the two sites fronting Medwin Terrace.

**Reporter's recommendations:**

1. The northern parcel of development proposal 45 (fronting Dunsyre Road)

No modification to the local development plan as shown in the settlement maps.

2. The two southern parcels of land of development proposal 45 (fronting Medwin Terrace)

Modify the local development plan by the deletion of the two proposed development sites and adjusting the settlement boundary to exclude the land included within the sites. For clarification, the entry in Appendix 5 should be modified by the deletion of "part of pressure for change site".



<b>Issue CL26</b>	<b>Ponfeigh</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>247 - John Baillie 261 - P B Smith</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue relates to the Spatial Strategy for the area relating to settlement boundaries and the identification of settlements within South Lanarkshire. It focuses on supporting existing communities by diverting development towards them and ensuring their identity is not lost and that there is no significant or adverse impact on the environment.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects</p> <p>247 – Seeks the inclusion of additional land within the proposed settlement boundary of Ponfeigh. This would allow a small scale expansion for a limited number of traditional cottages.</p> <p>261 - Objects to the definition of a new settlement at Ponfeigh: the following points have been raised by the objector:</p> <ol style="list-style-type: none"> <li>1. The reasoning for the identification of a settlement has not been provided.</li> <li>2. Developments already allowed in the settlement have put a strain on electricity and water supplies.</li> <li>3. There is an outstanding planning consent granted in 2006 that has yet to be implemented.</li> <li>4. A glass recycling service scheduled 3 years ago still hasn't materialised.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>247 - Seeks a modification of the settlement boundary proposed to permit the inclusion of additional land for new housing.</p> <p>261 - Seeks the deletion of the identification of the proposed settlement of Ponfeigh.</p>		

**Summary of responses (including reasons) by planning authority:**

Objects:

247 – This representation seeks a modification of the settlement boundary proposed to permit the inclusion of additional land for new housing.

When reviewing existing settlement boundaries identified in the adopted local plan during the preparation of the proposed local development plan, the Council took the opportunity to define several new settlements, including one which is described as Ponfeigh.

In identifying the proposed new boundary for Ponfeigh, consideration was given to the pattern and scale of existing development, to the topography and landscape character and to the recent planning history of the area. The inclusion of the additional land suggested is not considered appropriate as sufficient infill opportunities and gap sites exist within the settlement boundary proposed by the Council. Part of the additional land allocation suggested by the representation consists of ground that forms part of a working farm unit and associated agricultural land. The development of the remainder of the land suggested for inclusion is considered to be backland in nature and would be poorly related to the existing built form. In addition, a significant part of the land suggested has no existing vehicular access or road frontage.

No change proposed to local development plan.

261 – This representation seeks the deletion of the identification of the proposed settlement of Ponfeigh.

1. The Council contends that the size and scale of the development pattern now evident warrants its recognition as a small settlement.

2. Any constraints relating to infrastructure would be addressed through planning applications for the site.

3. The consent referred to is within the proposed settlement boundary, adding further weight to the case for identifying a settlement boundary for Ponfeigh.

4. The Council contends that this is not a matter for the local development plan.

No change proposed to local development plan.

**Reporter’s conclusions:**

Justification for a settlement boundary

1. Mr Smith queries the basis for defining a settlement boundary and the planning authority explains that the size and scale of the development pattern at Ponfeigh justifies designation. Indeed, states the planning authority, the unimplemented planning permission gives further weight to this argument.

2. The limited number of buildings in the vicinity certainly leads to the conclusion that the settlement size is at the lowest end of the scale. However, at the end of the day, this is a matter of judgement. Ponfeigh does exhibit a “sense of place” and this would be

augmented by the provision of a limited number of additional houses, perhaps as envisaged under the earlier planning permission. On balance, therefore, I accept the settlement boundary as being justified.

The extent of the settlement boundary

3. The planning authority states that there is provision within the proposed boundary for a scale of development commensurate with the current size of Ponfeigh. I believe this is a reasonable argument for, as already indicated, the settlement is limited in size. The sense of place would be maintained by a relatively small number of new houses but additional development would overwhelm the established character.

4. The proposed extended boundary seems to have little rationale and, as pointed out by the planning authority, a satisfactory form of development would be difficult to achieve, especially to the west. In any event, part of the proposed additional area is within a working farm unit.

5. I conclude the required extension is therefore neither justified nor desirable in land use terms.

**Reporter's recommendations:**

No modifications.

<b>Issue CL27</b>	<b>Huntlybank Farm, Ravenstruther</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-28 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 41 - J and W Cruickshank		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for release of a site at Huntlybank Farm Ravenstruther for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 41 – This representation objects to the non-inclusion of a site at Huntlybank Farm Ravenstruther and raises the following points:</p> <ol style="list-style-type: none"> <li>1. The site is highly accessible to Lanark and the range of facilities and services it provides including access to links with bus and train services to locations throughout the country.</li> <li>2. Ravenstruther contains a local hall which is actively used by community groups for functions and events. This facility would greatly benefit from development of the site for housing.</li> <li>3. The site is well contained in the landscape being enclosed on two sides (north east and north west) by the existing settlement and benefits from a backdrop of existing trees to the south west. The existing agricultural building and associated access lane are prominent features in the landscape and detract from its character and appearance. The removal of these features and the development of the site for housing would bring significant benefits to the character and appearance of the area.</li> <li>4. The site is free from any of the form of constraints specified in Circular 2/2010 on “Affordable Housing and Housing Land Audits”. This includes: land ownership issues; physical constraints that would preclude the economical development of the site; contamination; deficit funding; marketability; infrastructure and land use.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
41 - Seeks the redesignation of the site at Huntlybank Farm from Rural Area to residential and inclusion of it within the settlement boundary of Ravenstruther.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 41 – The Council would respond to the points raised as follows:</p> <ol style="list-style-type: none"> <li>1. Whilst the Council recognises the benefits of developing land that is accessible to local</li> </ol>		

services and facilities, this must be balanced against the desirability of protecting the environment, visual integrity of settlements and in this particular case the landscape and rural character of the area. Indeed, Scottish Planning Policy (Document G1) states that consideration should be given to the protection and enhancement of the landscape and natural heritage in the location of new development. The proposed site is extensive in size and the topography of it is such that development on the land would result in new houses being dominant within the rural landscape. While it is noted that vegetation and tree foliage exists at various points along the boundaries it is not such that it would adequately screen development on the land. Indeed the site rises somewhat above the foliage and the adjacent road that runs into Ravenstruther. As such it is considered that development of the site would represent a significant encroachment into the rural area eroding the visual quality of the landscape and adversely interfering with views of the wider countryside. In this regard it is further considered that development of it would be visually obtrusive on the rural setting of the small settlement of Ravenstruther. This was reflected in the site assessment examination of the Council's Call for Sites Technical Report (Document G28).

2. The provision and support of social and economic infrastructure including community facilities, businesses and shops is dictated by community spirit and demand at any given time. The aim of the local development plan is to ensure that any development proposals are appropriate and if applications were to come forward which would enhance the social and economic infrastructure of the village these would be considered on their own merits. Whether Ravenstruther would benefit either economically or socially from the development of the proposed housing site is not a matter for the local development plan.

3. The Council would contend that the site is not well contained within the landscape or by the existing settlement. Ravenstruther has developed in a linear form along the A743. A small extension to the settlement boundary has been identified in the proposed plan as it infills the land between the road and existing houses at Huntlybank. In contrast the proposed site extends a substantial distance beyond the proposed new settlement boundary and the existing building group at Huntlybank Farm. While it is noted that residential properties are present along part of the north-east side of the site (off the A70) these however consist of only a small, sparse group which are related to agricultural operations. They also do not command significant attention within the surrounding landscape. The trees identified by the objector, are also not considered of such significance to provide sufficient screening to mitigate or buffer the visual impact of housing within the surrounding landscape and rural character of the area. Moreover, the topography of the site rises up along the southern boundary above some of the vegetation which would make the housing development prominent within the rural landscape. It is acknowledged that a farm shed is currently in place on the site; however, the shed is of a small scale and an appropriate development type and building form within the rural area. Indeed it is a common feature which forms part of the rural landscape and the visual amenity of the shed is therefore not in conflict with the character and nature of the site. Contrastingly development of a significantly larger site for housing and associated facilities and activity would introduce suburban built form in conflict with the rural landscape and character of the area. Overall, the Council contends that the proposal would create an incursion upon the rural character and quality of the area. It should also be noted that planning permission for the erection of three holiday cottages in place of the existing shed (Document CL9) was refused by the Council on the 29 April 2013 (Document CL10 and CL11). A review of that decision by the Planning Local Review Board upheld the refusal for similar reasons as detailed above (Document CL12).

4. The site assessment in the Call for Sites Technical Report (Document G27) identifies potential concerns/obstacles with development of the site relating to archaeological remains/concerns, sewage capacity and flood risk. It is noted however that these could potentially be overcome with appropriate investigation and mitigation measures, nevertheless as described above development of the site, in principle, is inappropriate.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The planning authority assessed this site in the Call for Sites Technical Report and concluded that the development of the site would be detrimental in terms of the character and setting of Ravenstruther. This opinion is reiterated in the planning authority's response above. Although J & W Cruikshank contends that the site is well enclosed within the landscape and development would benefit the character and appearance of the area, the planning authority's clear argument is to be preferred. The scale and location of residential development on the site would appear as an unfortunate appendage to the village and, contrary to the views expressed, would not enhance the character and appearance of Ravenstruther. As further explained by the planning authority, the prominence of the site within the rural landscape does not lend itself to a sympathetic development. As a consequence the development would lead to adverse impacts in respect of both landscape character and visually.

2. I note the claimed benefits of the development of the site but, on the other hand, there would appear to be various development constraints. The planning authority accepts these problems could be overcome or could be the subject of suitable mitigation measures. Nevertheless, these matters do not outweigh my concern about the principle of development.

**Reporter's recommendations:**

No modifications.

<b>Issue CL28</b>	<b>Biggar Road, Symington</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -27 Policy 12 Housing Land	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 325 - Joe Gaffney		
<b>Provision of the development plan to which the issue relates:</b>	No change to the rural area to allow for release of a site at Biggar Road Symington for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 325 – The representation raises the following points:</p> <ol style="list-style-type: none"> <li>1. The proposed extension would provide an enhanced gateway to the village, and lead to a more rational and defensible boundary, especially as the settlement boundary to the south of Biggar Road already extends eastwards beyond Biggar Road to the west of the site.</li> <li>2. The proposal would help to improve an area of land which at present is disused agricultural land which does little to contribute to creating an attractive entrance to Symington. It would re-use disused agricultural land for an active and beneficial purpose.</li> <li>3. A Roads and Transportation consultant has looked at the site and is content that suitable access arrangements can be achieved.</li> <li>4. The SPP states ‘The requirement for development plans to allocate a generous supply of land to meet housing requirements, including for affordable housing, applies equally to rural and urban areas. Development plans should support more opportunities for small scale housing development in all rural areas, including new clusters and groups, extensions to existing clusters and groups, replacement housing, plots on which to build individually designed houses, holiday homes and new build or conversion housing which is linked to rural businesses or would support the formation of new businesses by providing funding.’ A small housing development would be accommodated representing an opportunity to enhance the local environment while at the same time ensuring a generous housing supply is maintained, especially in the rural area.</li> <li>5. A substantial barn structure currently exists on site. Policy 3 should be changed to facilitate the conversion or replacement of non traditional buildings.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>325 -</p> <ul style="list-style-type: none"> <li>• the redesignation of the site from rural area to residential;</li> <li>• its identification as a residential development opportunity on the proposals map for</li> </ul>		

Symington;

- inclusion in the Housing Land Audit; and included in appendix 5 as a residential site.
- Policy 3 'Greenbelt and Rural Areas' should be changed to enable the replacement or conversion of non traditional buildings.

**Summary of responses (including reasons) by planning authority:**

Objects: 325 - The Council makes the following response to the points raised:

1. An identical proposal was submitted for consideration during the preparation of the South Lanarkshire Local Plan. Following its consideration during the Local Plan Inquiry in 2008 the Reporter assessed the proposal and concluded that the former railway forms the northern edge of the settlement, with the plan boundary following its southern edge, except for a short distance at the western end where building on top of the line dictates it being included within the settlement (Document 39 Volume 3 pages 232-237). The boundary is a well defined edge to the relatively large settlement of Symington, the greater part of which is located to the south of Biggar Road. To the north of the former railway the land is open farmland, and any development here would be a clear expansion of the settlement into this countryside. It would not consolidate the settlement, or relate well to the existing community. In the intervening period there has been no change in circumstances which would justify a reversal of that opinion. The Council considers that the development of the site is inappropriate and that the proposal would have an adverse impact on the character and amenity of Symington and also on its settlement pattern. The development of the site does not entail a natural rounding off of the settlement edge and would visually appear as an awkward intrusion onto the eastern boundary of Symington. Although there is housing on the south side of the A73 a significant proportion of the frontage facing the objection site consists of a large open field. The opposite dwellings are large with spacious gardens and are partially screened by mature trees. Housing positioned along the railway solum would give the impression of ribbon development without similar development on the other side of the road to counterbalance and consolidate. It lacks a strong definitive edge or association with the village boundary. A northern expansion into this field affords no benefits of consolidation and would appear as an awkward and isolated extrusion at odds with the settlement pattern. Planning Permission CL/05/0749 (Document CL3 and CL4) for a house covering the railway bridge and part of the railway solum, in the western corner of the site, was refused in February 2006. Planning Permission CL/06/0736 (Document CL5) for a similar proposal was refused in December 2006. A further application for planning permission CL/07/0736 (Document CL6) for the same proposal was refused in December 2012 (Document CL7). The latter decision was the subject of an appeal however it was dismissed (Document CL8).

2. The site could be brought back into agricultural use. The failure of the landowner to properly maintain and manage the site does not in itself give justification for extending the settlement boundary.

3. A report from the traffic consultant has not been submitted and therefore it is not possible to comment on this matter in detail.

4. Although Scottish Planning Policy (SPP) (Document G1) does encourage rural housing it does not ignore the need to ensure that new housing is appropriately located and respects its surroundings. Paragraph 95 of SPP states that all new development should respond to the specific local character of the location, fit in the landscape and seek to achieve high design and environmental standards, particularly in relation to energy



efficiency. Adequate housing land has been allocated through the Local Plan process to meet long term demand and Greenbelt and Rural Area have been flexibly worded to facilitate opportunities for small scale housing developments in appropriate locations.

5. The building on site has a temporary appearance and has been poorly constructed. The walls and roof have been constructed of chip board panels which have not been properly protected from the elements resulting in clear signs of deterioration including rot and bevelled roof panels. The building lacks architectural interest or features which would merit retention and it is doubtful that structurally it is capable of conversion. Changing Policy 3 – Green Belt and Rural Area to afford replacement or conversion of non traditional buildings could encourage random, sporadic and isolated development in the countryside. Restricting conversion or replacement to traditional buildings is appropriate as such buildings are long established features. Claims that a modern building which was justified for agricultural use becomes redundant after only a few years could be used as a means of bypassing normal and established planning constraints.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Although reference is made to creating an enhanced gateway to the village this concept is not explained and is difficult to comprehend. The site does not lie at a major entrance to the village which for the most part lies to the south of the A72. Indeed, the road virtually serves as a by-pass. The boundary of Symington at this point is clearly formed by the A72 and the site constitutes an area of land which, in effect, is isolated from the main part of the village. Should it be developed, its physical and visual relationship with the rest of the village would be tenuous. As illustrated in the aerial view of the site, any houses at this location would not be seen as part of the built form of Symington.

2. The reference to creating a more rational and defensible settlement boundary is equally incomprehensible. There is no need to adjust the boundary at this location as the A72 provides a clear edge to the village. No explanation has been offered as to how the proposed extension would provide either a more rational or defensible boundary.

3. The potential for the re-use of the barn on the site or the ability to provide an access to the land are not matters outweighing the inherently unsuitable nature of the land for the proposed residential development. Equally, the terms of Scottish Planning Policy, which requires the protection of the wider environment, or the need for development plans to allocate a generous supply of housing land do not justify the allocation of this site for housing.

**Reporter’s recommendations:**

No modifications.

<b>Issue CL29</b>	<b>Tanhill</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 : Green Belt and Rural Areas Chapter 5 People and Places, pages 26 – 30 Policy 12 Housing Land Appendix 5 Proposals	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 154 - P McFarlane		
<b>Provision of the development plan to which the issue relates:</b>	The spatial strategy for the area focuses on supporting existing communities by diverting development towards them and ensuring their identity is not lost and that there is no significant and adverse impact on the environment.	
<b>Planning authority's summary of the representation(s):</b>		
Objects: 154 - Requests an addition to the proposed new settlement boundary at Tanhill to include land to the north.		
<b>Modifications sought by those submitting representations:</b>		
154 - The settlement boundary for the proposed new settlement at Tanhill should be extended to include land to the north.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 154 – This representation requests a further extension to the proposed new settlement boundary at Tanhill.</p> <p>When reviewing existing settlement boundaries identified in the adopted local plan during the preparation of the proposed local development plan, the Council took the opportunity to define several new settlements including one which is described as Tanhill.</p> <p>In identifying the proposed new boundary for Tanhill, consideration was given to the pattern and scale of existing development and the topography and landscape character of the area. As a result the boundary has been tightly drawn to take account of existing properties and buildings and natural features such as landform and woodland. The land, subject of the representation, is of a different character in that it does not contain any built development. In addition the topography of the land may not be readily available for further development as it sits above the proposed new settlement. Accordingly it is considered that the extension of the settlement boundary to include the additional site is not appropriate. No change proposed to the local development plan.</p>		
<b>Reporter's conclusions:</b>		
1. The properties at Tanhill constitute an area of development which, although relatively loose in form, nevertheless has a clearly defined character. The settlement boundary proposed in the local development plan remains close to the outer limits of the group and		

logically encloses this small area of distinct appearance.

2. The required extension northwards involves open agricultural land bearing no visual or physical relationship with the Tanhill settlement. No substantive reason for allocating the extended area has been provided. In land use terms, there is no justification to adjust the proposed boundary, particularly as the north-west and south-west boundaries have no clear definition within the landscape.

**Reporter's recommendations:**

No modifications.

<b>Issue CR1</b>	<b>Cambuslang General</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Strategy Chapter 4: Economy and Regeneration Chapter 5: People and Places Chapter 6: Environment Chapter 7: Infrastructure	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>67 – Christine Strain 255 – John Bachtler 323 – Michael Park 390 – Mary Gurling 392 – M Sage 393, 397, 399, 401 – Cambuslang Community Council 433 – Donald MacDonald 434 – Hilda Allison 588 – Iain McKenzie 602 – I Sproul 604 – Sylvia Moore 606 – Maureen Parkes 608 – Anne Clements 614 – Hamish Allan</p>		
<b>Provision of the development plan to which the issue relates:</b>	There are various issues that have been raised in relation to the settlement of Cambuslang	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>67, 255, 323, 390, 392, 393, 397, 399, 401, 433, 434, 588, 602, 604, 606, 608, 614 - These representations have raised the following points:</p> <ol style="list-style-type: none"> <li>1. The release of more land for housing will further erode the Green Belt to the south of Cambuslang and there should be no further release and no further housing development at Gilbertfield Road and Lightburn Road; the development that has been ongoing has no obvious significant amount of Greenspace being factored into it and there is a lack of sustainable green spaces and sports facilities for recreational purposes.</li> <li>2. Cambuslang town centre is visibly deteriorating with no significant investment since Cambuslang Gate and requires an improvement plan.</li> <li>3. There requires to be more investment in sustainable transport considering the congestion on local roads and more parking facilities and the potential increase in accidents. There appears to be no investment in Green Networks for Cambuslang and no cycle routes within the town or linkage to the national cycle routes to the north of the town. Main Street should be linked to the Clyde walkway via the Hoover site redevelopment.</li> </ol>		

4. There requires to be more and fuller consultation with local people on the strategic direction of the development of Cambuslang.

5. Further developments will reduce air quality and increase the amount of respiratory illness, especially among the young.

**Modifications sought by those submitting representations:**

323, 392, 393, 397, 399, 433, 434, 588, 602, 604, 606, 608, 614 - No further Green Belt housing development particularly at Gilbertfield Road and Lightburn Road

255, 323, 390, 392, 393, 401, 433, 434, 588, 602, 604, 606, 608, 614 - Cambuslang Town Centre needs a town improvement plan. A “health check” should be carried out on the town centre to indicate the problems of vitality and viability.

255, 323, 392, 393, 433, 588, 602, 604, 606, 608 - Link Main Street to the Clyde Walkway as part of the Hoover site redevelopment and reserve Greenspace close to the river for environmental/leisure uses.

- o links between Cambuslang Park and Holmhills Park across Greenlees Road;
- o links between the two parks and the NCR 75 and NCR 756;
- o cycling access routes to primary and secondary schools.

**Summary of responses (including reasons) by planning authority:**

Objects:

67, 255, 323, 390, 392, 393, 397, 399, 401, 433, 434, 588, 602, 604, 606, 608, 614 - Taking the each of the points in turn, the Council would wish to make the following comments:

1. The assessment processes undertaken for the proposed local development plan reviewed the sites at Gilbertfield and Lightburn Road as part of a wider assessment of the Green Belt and landscape around Cambuslang and a also as potential sites for future development. These assessments concluded that the optimal areas for release are as indicated on the proposals map for Cambuslang/Rutherglen. The full site assessments of these sites are detailed in two separate schedule 4’s (Cambuslang/Rutherglen Issue 4 – Gilbertfield Road and Cambuslang/Rutherglen Issue 8 – Lightburn Road). The Glasgow and Clyde Valley Strategic Development Planning Authority (SDP) and its constituent Councils work together to carefully audit the housing land position to meet the needs of the Authority area over the next 10 to 20 years using data from a wide variety of sources. From the collection of data, annual audits of land supply and demand are calculated and the SDP guides Local Authorities as to the level of housing they will be expected to provide and the types of locations required. The Local Plan then checks this against its own audits and assesses its area to identify areas of search and appropriate areas for housing release. Greenfield release is considered as the best option to tackle the growing demand for housing particularly around the areas of greatest urban concentration such as Cambuslang. Every effort has been made to identify appropriate brownfield sites through the Councils urban capacity study but where there is likely to be a shortfall and no brownfield sites are available then the only alternative is carefully planned Greenfield release.

No change proposed to the local development plan.

2. It is acknowledged that shopping patterns and habits have changed over time and that this has had a significant impact on the function and performance of town centres. The Scottish Government is undertaking a review of town centres and this is due to be published in 2013 and this will have an impact on future policy at a national and local level. The Council recognises that a key planning issue will be to ensure that town centres continue to provide shopping facilities for local people and Policy 8 Strategic and Town Centres of the proposed plan includes the commitment that the Council will endeavour to undertake Health Checks for each of the Strategic and Town Centres that will include stakeholder consultation in an effort to ensure that the town centre continues to function as an effective shopping area and to guide future policy in these areas.

No change proposed to the local development plan.

3. The Local Transport Strategy 2013 – 2023 (LTS) (Document G34) was approved in October 2013. This document sets out the Council's policies and actions in relation to roads and transportation, and to assist in the delivery of a number of regional and national policies. The new LTS seeks to provide a safe and well maintained integrated transport network that will support economic regeneration whilst protecting and preserving the environment, being sustainable and offering genuine travel choices. During the delivery of the last LTS, the Council extended the cycle network through out the authority area including NCR's 75 and 756 (Document G48, page 95). The Land Reform (Scotland) Act 2003 (Document CR1) requires Councils to draw a plan for a system of plans, known as Core Paths, sufficient for the purpose of giving the public reasonable outdoor access throughout their area. Following consultation and referral to the Scottish Government, the South Lanarkshire Core Paths Plan (Document G31) was adopted in November 2012. There are currently 42 miles of Core Paths in the Cambuslang/Rutherglen Area with the wider path network – including the NCR's – providing an additional 35 miles. There are an additional 4 miles of aspirational paths that would offer greater access to the NCR from the Westburn and Newton Areas. The Council are satisfied with the current Core Path network provision. The South Lanarkshire Local Plan (Document G38) designated the former Hoover site as a Development Framework Site. This required the submission of a masterplan detailing how the site is to be redeveloped. A masterplan has subsequently been approved, and the town centre is proposed to be linked to the Clyde Walkway via a cycle path located at the bottom of Somerville Street shown on the map (Document CR2).

No change proposed to the local development plan.

4. The Scottish Government, through Planning Legislation and Guidance, have directed all Local Authorities to engage and consult with communities before producing a Main Issues Report (MIR) (Document G37). South Lanarkshire Council carried out extensive consultation with Community Councils, Residents and Tenants Associations and other bodies such as the Disability Partnership, Seniors Together, young people and the general public. The views expressed by all of these groups were analysed and where appropriate included in the MIR for further consultation. The Council acknowledges the contribution that both the voluntary sector and the general public as a whole make to the plan process. This is reflected in the involvement of these groups in the pre MIR engagement process and described in the Consultation and Engagement Report (Document G25) which accompanied the MIR.

No change proposed to the local development plan.

5. The Council is required to carry out a Strategic Environmental Assessment (SEA) on

the proposed plan in line with current legislation. The purpose of the SEA is to assess how the proposed plan might affect the environment and consider how identified environmental impact can be avoided, reduced, mitigated or, in the case of positive impacts, enhanced. The SEA integrates environmental considerations into the preparation of the proposed plan. The Council prepared an Environmental Report (ER) (Document G23) alongside the Main Issues Report (Document G37) that was subject to public and statutory consultation in May 2013.

No change proposed to the local development plan.

**Reporter’s conclusions:**

Introduction

1. Issue CR1 deals with a number of representations expressing concern about a variety of development principles and plan-making procedure. The generality of the matters raised is considered in this section of the examination although, where appropriate, detailed matters are considered in the site-specific issues.

Green belt release

2. Cambuslang Community Council refers to the previous (then current) Scottish Planning Policy (SPP) where it is stated that green belt designation should provide certainty on where development will and will not take place. Despite this guidance, it is claimed a long-term secure green belt boundary has not been provided. The community council believes there has been a piecemeal approach to the release of land for development. This diminishes the planning authority’s claim that a long-term settlement edge has been established. Further green belt erosion would result from the release of even more land for development.

3. The planning authority has explained that housing land is audited on a strategic basis. This analysis provides the housing land requirements for each planning authority over a 10 to 20 year period. Appropriate allocations are then made in the local development plan. Where brownfield sites are not available greenfield release, including green belt land, is necessary.

4. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the fifth of five categories.

5. The recently published revised SPP requires the planning system to identify a generous supply of land for each market area to support the achievement of the housing land requirement across all tenures, maintaining at least a five-year supply of effective housing land at all times. On this basis the required monitoring of housing land could well lead to the need for additional development proposals being brought forward. In turn this could result in pressure for greenfield release although, as stated, this is the least-preferred category of land to make good any identified shortfall.

6. Clearly, green belt designations must be robust and, ideally, should be seen to provide long-term protection against inappropriate development. However, as is often the case in the planning process, tensions can arise between protective guidance and development requirements. The local development plan preparation process provides an opportunity to undertake a review of land use allocations, such as housing land allocations, and protective designations, including the designated green belt. This process is recognised in the revised SPP which indicates that a green belt can support a spatial strategy and that the local development plan should show the detailed boundary. However, SPP recognises that in order to identify the most sustainable locations for longer-term development, a review of the green belt boundary may be necessary.

7. On the foregoing basis, particularly taking account of the strategic housing requirement, it would be incorrect to rule out the possibility of some greenfield release for housing. Such release could include land currently designated as green belt. The potential for such a release should therefore not be discounted as a matter of principle.

#### Cambuslang town centre

8. Concern about the condition of Cambuslang town centre is understandable. The traditional functions of many town centres have changed over the years and, to this extent, the situation in Cambuslang is by no means unique.

9. In general, the problem is acknowledged by the planning authority. A key planning issue will be to ensure that town centres continue to provide shopping facilities for local people. In this respect, the planning authority draws attention to Policy 8, Strategic and Town Centres, which refers to “health checks” including “stakeholder consultation.”

10. Cambuslang is designated as one of seven “town centres” within the local development plan area. The text explains that shopping patterns are changing and that this change has an impact on the role and function of town centres. The text also refers to a town centre review, Community and Enterprise in Scotland’s Town Centres, which was published in July 2013. In response, the Scottish Government has published a Town Centre Action Plan outlining the importance of securing the future of town centres. It is clear therefore that the concerns expressed locally about the function of Cambuslang town centre are shared by both the planning authority and, at a national level, by the Scottish Government.

11. The Scottish Government Town Centre Action Plan contains a series of short, medium and long term actions designed to maintain or restore the importance of town centres at the heart of vibrant communities. The policy principles in the revised SPP require the planning system to apply a “town centre first” policy and encourage a mix of uses in town centres. SPP endorses the view that health checks for town centres should be undertaken.

12. As feared by those submitting representations, the planning authority health checks for each of the centres may reveal shortcomings. Nevertheless, it is clear that the local development plan provides a foundation for tackling any problems that may be identified. A “town improvement plan”, as suggested by the community council may be forthcoming or, at least, proposals may be brought forward reflecting the aspirations set out in the Town Centre Action Plan.

13. All-in-all, I conclude that in recognising the concern about the future of Cambuslang



town centre, the local development plan sets out the basis for tackling problems. It is clear that there is general Scottish Government support for actions to secure improvement. There is therefore no requirement to modify the local development plan.

### Sustainable transport and green networks

14. Cambuslang Community Council is concerned about the apparent lack of commitment for investment in green networks in the area. It is claimed that the planning authority's aspirational green networks have not been translated into practice. Several suggestions have been provided by the community council to facilitate safe cycling and walking including links with existing national cycle routes and the Clyde Walkway.

15. The council has prepared a Local Transport Strategy, 2013-2023, seeking to provide a safe and well-maintained integrated transport network. The strategy recognises that walking and cycling are both healthy and sustainable methods of transport. Two national cycle routes, NCR 756 from East Kilbride to the Clyde Walkway, and NCR 75, which at this point follows the Clyde Walkway, form part of the network. A Core Paths Plan has also been adopted with some 67 kilometres (42 miles) of core paths within the Cambuslang and Rutherglen area. There are hopes of extending the network of core paths. Particular attention is drawn to a proposed link between Cambuslang town centre and the Clyde Walkway.

16. The text supporting Policy 14, Green Network and Greenspace, is clear in recognising the value of providing a series of high quality green spaces. The local development plan believes there is already a well-established green network within the urban areas, complemented by rural facilities. Extension and enhancement of the green network will be supported. The role of the network in supporting active travel will be also be considered.

17. Policy 14 and the supporting text provide a firm policy basis for promoting and protecting the green network and green space. The Local Transport Strategy acknowledges the benefits of cycling and walking. Despite the concerns of the community council and others, the area is served by two national cycle routes and a network of core paths. There is an intention to extend the path network. The proposed link from the town centre to the Clyde Walkway is an example of the potential to secure benefits through development schemes.

18. Despite the current level of pedestrian and cycling links, it is not surprising that additional potential routes have been identified and the community council is clearly serving a beneficial and proactive role in bringing forward further suggestions. Hopefully, the council will be in a position to evaluate the routes and, where appropriate, seek to secure implementation. However, the local development plan is not a document to take these matters forward.

19. Overall, I conclude the green network and green space policy base in the local development plan is satisfactory insofar as it relates to Cambuslang, and does not require modification.

### Consultation procedure

20. The planning authority has explained that extensive consultation was undertaken prior to the production of the Main Issues Report (document G37). The engagement process is described in the Consultation and Engagement Report (document G25).

21. There is no reason to believe that the statutory requirements have not been undertaken satisfactorily. On this basis, the local development plan has moved forward in the preparation process. This involves examination in the context of the representations received. Following the examination it can be anticipated that the planning authority will be in a position to formally adopt the local development plan. At that time the document will become part of the statutory development plan. Further formal consultation is not included in the process.

22. Nevertheless, once the local development plan has been adopted there will be the prospect of further third party participation. For instance, planning applications provide an opportunity for consultation with community councils being statutory consultees. Local development plan Policy 8, Strategic and Town Centres, also indicates that the proposed health checks will be subject to stakeholder consultation.

Air quality

23. The planning authority has explained that the local development plan has been the subject of a strategic environmental assessment (SEA). The SEA assesses any impact of the proposed plan on the environment. It considers how identified environmental impacts can be avoided, reduced, mitigated or, in the case of positive impacts, enhanced. The SEA integrates environmental considerations into the preparation of the proposed plan. The Environmental Report (document G23), along with the Main Issues Report (document G37) was subject to public and statutory consultation in May 2013.

24. The Environmental Report is a comprehensive document prepared in accordance with established methodology. Climate change and air quality are matters that have been assessed against the policies and proposals in the local development plan. The report states that in general air quality is good but there are a few traffic-related pockets that exceed national air quality limits. Overall, in terms of human health, the report concludes that action to promote sustainable communities and respond and adapt to climate change will have a positive influence on health and wellbeing.

25. There is no reason to doubt the findings of the SEA. Whilst additional development provides the potential to reduce air quality, rigorous attention to the need for a sustainable approach offers the opportunity for a range of acceptable development.

26. On the basis of the foregoing, no modification of the local development plan is required.

**Reporter's recommendations:**

No modifications.

<b>Issue CR2</b>	<b>Duchess Road, Rutherglen</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration, pages 18-21: Policy 7 Employment Chapter 5 People and Places, pages 26-29: Policy 12 Housing Land Policy 13 Affordable Housing and Housing Choice Policy 16 – Travel and Transport Chapter 7 Infrastructure, pages 35-36: Local Development Plan settlement map – Cambuslang and Rutherglen	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 333 – Taylor Wimpey West Scotland		
<b>Provision of the development plan to which the issue relates:</b>	No change to the designation of Duchess Road Rutherglen from industrial to residential.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>333 - This representation has raised the following points seeking the redesignation of the industrial site at Duchess Road to residential:</p> <ol style="list-style-type: none"> <li>1. The site is located within the Clyde Gateway area which has a number of alternative sites which should be utilised for business uses as specified in Policy 7 – Employment.</li> <li>2. The site is immediately adjacent to residential uses and a residential development would not be out of keeping with facilitating another LDP objective by enabling the upgrade of Downiebrae Road identified as a road scheme improvement in Table 7.1 of the LDP.</li> <li>3. Objects to the presumption against other types of development in areas marked for employment. Requests a more flexible approach to the sites designated under Policy 7 which could make a contribution to the general aims and objectives of the LDP.</li> <li>4. A residential development at this location would comply with Policy 16 Travel and Transport in that it is a highly sustainable location due to its close proximity to all modes of transport.</li> <li>5. The proposal is in accordance with Policy 13 – Affordable Housing and Housing Choice in that Taylor Wimpey supports the provision of a range of housing. However where the site is in a regeneration area or contributing to another LDP objective, the site should be considered on its own merits to ensure that an affordable housing contribution does not affect the viability of the site.</li> <li>6. Change the “Requirements” section of Appendix 3 Development Priorities: Strategic Economic Investment Locations (SEILs) – Clyde Gateway to read “Promote development</li> </ol>		

of key sectors (identified in SDP) of business and financial services/distribution and logistics and other appropriate developments which could assist with securing other LDP objectives”.

7. Change the “Requirements” section of Appendix 3 Development Priorities: Development Framework Sites - Clyde Gateway, Rutherglen to read “Transport: improve connections to the M74 and the East End Regeneration Route including Shawfield Road; connect Shawfield to the wider conurbation/City, Rutherglen Town Centre, and to Dalmarnock; provide for cycling and walking access; promote developments that are likely to assist in achieving wider LDP objectives. Business and Industry: The provision of a high quality series of both business (Class 4) and industrial (Class 5 and 6) employment locations and other development as appropriate. Green Network: The identification and provision of quality open space links with Richmond Park and Glasgow Green through Shawfield and to the Clyde; ensure principles that ensure the development area and its buildings provide an attractive location.

**Modifications sought by those submitting representations:**

333 –

- o Change the “Requirements” section of Appendix 3 Development Priorities: Strategic Economic Investment Locations (SEILs) – Clyde Gateway to read “Promote development of key sectors (identified in SDP) of business and financial services/distribution and logistics and other appropriate developments which could assist with securing other LDP objectives”.
- o Change the “Requirements” section of Appendix 3 Development Priorities: Development Framework Sites - Clyde Gateway, Rutherglen to read “Transport: improve connections to the M74 and the East End Regeneration Route including Shawfield Road; connect Shawfield to the wider conurbation/City, Rutherglen Town Centre, and to Dalmarnock; provide for cycling and walking access; promote developments that are likely to assist in achieving wider LDP objectives. Business and Industry: The provision of a high quality series of both business (Class 4) and industrial (Class 5 and 6) employment locations and other development as appropriate. Green Network: The identification and provision of quality open space links with Richmond Park and Glasgow Green through Shawfield and to the Clyde; ensure principles that ensure the development area and its buildings provide an attractive location.

**Summary of responses (including reasons) by planning authority:**

Objects:

333 - Taking each of the points raised in turn the Council would wish to make the following comments:

1. The Clyde Gateway area is a regeneration priority at the national, strategic and local level. At the national level it is a key regeneration priority in National Planning Framework 2 (NPF2) (Document G2). Subsequently it is a key priority in both the Glasgow and the Clyde Valley Strategic Development Plan (Document G6) and in the proposed South Lanarkshire Local Development Plan. The aim is to provide housing, economic development and environmental improvement over a 25 year period. The Clyde Gateway project identifies this site as remaining in industrial use/business use. The Council are

satisfied that adequate housing sites have been identified elsewhere within the project area and that there is no requirement for further land to be released for residential use.

2. The Council notes the objector's comments regarding the site being adjacent to residential properties on the western boundary and the way in which it could therefore relate to and be an extension of this area. Nevertheless it also lies within an established industrial area and is bound on the remaining three sides by industrial development. It is considered that this is not an appropriate site for residential use.

3. Sustainable economic growth is a key objective of South Lanarkshire Council and as such a number of locations have been identified to promote such growth. The boundaries and functions of all industrial areas in South Lanarkshire were assessed during the preparation of the proposed plan and the findings are contained in the Industrial, Retail and Commercial Technical Report (Document G26). The area within which this site is located is considered to be a core industrial and business area, which should be retained for class 4/5/6 uses. The Council recognises that in the current economic climate a greater degree of flexibility may be appropriate in some industrial and business areas and has identified 'other employment land use areas' which are less restrictive in terms of alternative land uses. However this site is not located in one of these areas. There is provision in the existing development plan policies for the consideration of non conforming uses in industrial areas (Policy ECON 13 in the South Lanarkshire Local Plan) (Document G38) and further guidance will be set out in the Industrial, Commercial and Retail Supplementary Guidance.

4. The merit of the site in terms of location for access to public transport services and access to Rutherglen Town Centre would be attractive to potential employment uses. Most of the residential sites identified for the Cambuslang/Rutherglen area are located close to public transport links and can be considered as sustainable.

5. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G27). In terms of affordable housing and housing choice the Council will expect developers of any housing sites (over 20 units) to provide on-site affordable housing or, where this is not possible, either provide the required affordable housing off-site or provide a commuted sum.

6. In response to the modifications required the objector suggests a section of Appendix 3 Development Priorities (in relation to the development of the Clyde Gateway as SEILs) be expanded to include other appropriate developments which could assist with securing other LDP objectives. In response, the Council is satisfied the wording of this section allows for the form of development appropriate for this area.

7. The objector also suggests changes to Appendix 3 Development Framework Sites in relation to the Clyde Gateway under the headings Transport, Business and Industry, and

Green Network, to be more inclusive and promote developments that would assist in achieving wider LDP objectives. In response, the Council are satisfied the wording of this section directs appropriate development to the relevant locations.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Table 4.1, Schedule of Employment Land Categories, sets out the appropriate uses in the various strategic economic investment locations, including the Clyde Gateway. The policy approach is:

*Promote development of the key sectors identified in SDP (see Appendix 3, Development Priorities). Presumption against non-industrial/business developments and change of use.*

2. Taylor Wimpey West Scotland supports the wider vision of the strategy but believes the policy approach should be more flexible and, to this effect, has referred to a potential residential development at Duchess Road, within the Clyde Gateway area. The site is adjacent to existing residential development and, it is claimed, would not be out-of-keeping. Taylor Wimpey West Scotland believes residential development at this location would also have various other benefits. It is intended to submit a planning application in respect of this site.

3. To facilitate more flexibility, Taylor Wimpey West Scotland argues changes should be made to Appendix 3, Development Priorities. In particular, the requirements for the Clyde Gateway Strategic Economic Investment Location should include *and other appropriate developments which could assist with securing other LDP objectives*. Similarly, the requirements for the Clyde Gateway Development Framework Site should include, under Transport, *Promote developments that are likely to assist in achieving wider LDP objectives* and, under Business and Industry, *and other development as appropriate*.

4. The changes to the local development plan required by Taylor Wimpey West Scotland do not specify a requirement for a housing land allocation at Duchess Road. A more general approach to flexibility in the range of uses acceptable within the Clyde Gateway is being sought as set out above in the proposed changes to Appendix 3. On this basis I do not consider it is appropriate to discuss the particular merits of the identified site. This would be a matter for the development management process should the intended planning application be submitted.

5. Clyde Gateway is an important major long-term regeneration project involving a range of land uses including, residential, business and industry. It is necessary from the outset to adopt a clear approach over the extensive project area. This demands firm land use controls to be applied thereby ensuring that the project objectives are achieved.

6. I note a variety of existing uses can be found within the project area, such as the established residential development to the west of Duchess Road. It is also the case that further residential development in the vicinity might meet a number of local development plan objectives. For instance the traffic and transport attributes of the locality are favourable; developer contributions might well assist in making good infrastructure deficiencies and contributions to the affordable housing stock could be anticipated. However, without the firm guidance contained in the local development plan in respect of permissible uses, the wider objectives of Clyde Gateway could be undermined by the

introduction of a variety of uses within the area. The changes suggested by Taylor Wimpey West Scotland, which are not specific insofar as land use is concerned, should therefore not be included as part of the local development plan policy.

7. On this basis, I conclude the policy approach set out in Table 4.1 (which applies to all five strategic economic investment locations) and the Clyde Gateway requirements set out in Appendix 3 are worthy of support in their current form.

**Reporter’s recommendations:**

No modifications.

<b>Issue CR3</b>	<b>East Greenlees Road, Cambuslang.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 9-14: Policy 1 – Spatial Strategy, Policy 3 Green Belt and Rural Areas, Chapter 5 People and Places, pages 26-29: Policy 12 Housing Land Policy 13 – Affordable Housing and Housing Choice	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
540 - Mr and Mrs J Brown		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at East Greenlees Road, Cambuslang for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>540 – Objects to the non-inclusion in the plan of longer-term potential sites where longer lead in times may be required or to act as additional flexibility in times when currently effective sites become non-effective. The site at East Greenlees Road Cambuslang should be included as a medium to longer term opportunity (5-10 years):</p> <ol style="list-style-type: none"> <li>1. Inclusion of the site would assist the social and economic vitality of the area for the longer term.</li> <li>2. Inclusion of the site could allow a masterplan approach incorporating advanced planting to facilitate the site being ready in the medium to long term. The area proposed for development would accumulate approximately 300 units within a clear landscape without creating a precedent.</li> <li>3. The site is suitable in terms of geography, contamination, deficit funding, marketability, infrastructure and land use. There would be no pressure on adjacent fields as the owners of East Greenlees Farm also own the adjacent land and would enter a Section 75 agreement with the Council to ensure that no further development would encroach other land in the same ownership.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
540 - Seeks adjustment of the settlement map of Cambuslang to include East Greenlees Farm as a medium to long term housing site.		



**Summary of responses (including reasons) by planning authority:**

Objects:

540 - Taking each of the points raised in turn the Council would wish to make the following comments:

1. The Housing Technical Report (Document G27) sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out by the Scottish Government and the Glasgow and Clyde Valley Strategic Development Plan and therefore there is no need for the release of further land. Paragraph 66 of Scottish Planning Policy (SPP) (Document G1) advises a generous supply of land should be provided to meet identified housing needs. There are other sites within the Cambuslang/Rutherglen Area which are deemed more suitable, including the Greenlees Road site which was specifically identified as a potential longer term development site at the previous local plan inquiry. This site is now being considered for residential development and there is no requirement for further land to be identified at the present.

2. The Council is satisfied that the retention/designation of the site as an integral component of the Green Belt and its exclusion as a housing site is appropriate, fully justified, complies with national policy guidance and is in accordance with the aim and strategy of the local plan. If further sites are required in the future the Council would reconsider all of the existing boundaries of settlements across South Lanarkshire with a view to identifying the most appropriate sites for release. Currently the Council does not consider that there is a requirement and pre planting site boundaries will not in itself change the position with regard to determining if a site will ever be appropriate for development.

3. The site is located in the Green Belt on the edge of Cambuslang. It is considered that development of this site would be inappropriate since it would be a breach in an existing well defined defensible settlement edge and result in pressure for release of fields on either side of the proposed site. Release of the site would be an unacceptable intrusion into the Green Belt at a prominent location.

No change to the proposed local development plan.

**Reporter's conclusions:**

1. Mr and Mrs Brown have indicated that the site at East Greenlees Road is currently non-effective. Nevertheless, it is argued, recognition of the potential of the site in the longer term would provide future flexibility in land supply. This would allow a masterplan approach and advance planting.

2. The planning authority is not persuaded by this argument on the basis that there is no need for the further release of housing land. Indeed, states the planning authority, other more suitable sites are available in the Cambuslang/Rutherglen area. These include the nearby Greenlees Road site (considered in this examination under Issue CR05, where the housing land status of the land is confirmed).

3. Housing land in the wider context has also been considered. Under Issue ST13 it is concluded that there is much uncertainty about the effectiveness of the housing land

supply in the short term, and whether there are sufficient sites capable of becoming effective and developed by 2025. Under these circumstances, and insofar as the land at East Greenlees Road is accepted as being non-effective meantime, I conclude there would be little merit in allocating the site for future housing development at this time despite the possibility of early planting being undertaken.

4. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, support will be forthcoming for effective development proposals. However, these are in order of preference with sustainable greenfield sites being the fifth of five categories.

5. The intention to promote the site more rigorously through the next local development plan is noted. However, although the merits of the land would be re-assessed at that time in the event of the land at East Greenlees Road again being brought forward, it cannot be assumed that its allocation would be supported by the planning authority. However, that is a matter for the future although, significantly, the planning authority has indicated that the site is an integral component of the green belt.

6. There is no doubt that the edge of the urban boundary at this part of Cambuslang is clearly defined. The allocation of the land and subsequent housing development of the site would not appear as the organic growth of the town. Development would lead to a significant incursion into the green belt. In this vicinity the green belt provides a broad swathe of open land to the south of the urban area. It fulfils a fundamental green belt objective of defining the setting of the town. This is in contrast to the Greenlees Road allocation to the west where development would not have a significant green belt impact. (see Issue CR05) Although advance tree planting has been suggested, I do not believe this would overcome the underlying concerns about the breach of the established urban/green belt interface.

7. The planning authority is also concerned that the development of the site would lead to pressure on adjacent land for further development. This is understandable and, whilst each proposal must be considered on merit, the potential for unco-ordinated development does exist.

8. The planning authority currently sees no requirement for development in this area but, should this situation change, a wider boundary review would be the way forward to ensure a well-planned extension area. However, again, this is for the future. At the present time, I conclude there is no justification for the allocation of this non-effective area of important green belt land for residential development.

**Reporter's recommendations:**

No modifications.

<b>Issue CR4</b>	<b>Gilbertfield Farm, Cambuslang</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14: Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-29: Policy 12 Housing Land Policy 13 – Affordable Housing and Housing Choice	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 595 - Persimmon Homes West Scotland		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Gilbertfield Farm Cambuslang for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 595 - This representation has raised the following points with regards to Gilbertfield Farm, Cambuslang:</p> <ol style="list-style-type: none"> <li>1. The site has no environmental or historical designations which would restrict development.</li> <li>2. The site is within close proximity to public transport and local facilities and services with links to the M74 and M8.</li> <li>3. The development of this site would create a logical expansion for housing and act as an extension to an existing site zoned for housing.</li> <li>4. The site is owned by a recognised housebuilder who can guarantee delivery. The site is ready for development and fits in well with the existing settlement in terms of landscape. As developers of a nearby site, there is considered to be a market and desirability for housing at this site.</li> <li>5. South Lanarkshire Council has not released sufficient housing units as part of the local development plan to meet housing targets as set through their Local Housing Strategy (LHS) or the Glasgow and Clyde Valley Strategic Development Plan. The National Planning Framework 2 states there is a national ambition to secure a long term increase in housing land to meet need and demand. This zoning should be phased to allow flexibility. Scottish Planning Policy (SPP) states the government is committed to increasing the supply of new homes as per paragraph 66. Paragraph 77 advises planning authorities should promote the efficient use of land and buildings directing development to sites within existing settlements. Furthermore, the letter from the Scottish Government's Chief Planner (29/10/2010) advises planning authorities that maintaining an effective 5 year land supply will require a flexible and realistic approach.</li> <li>6. PAN 2/2010 Affordable Housing and Housing Land Audits addresses requirements for affordable housing. This site would propose 25% affordable housing should this site be released.</li> </ol>		

7. Release of this land for residential use would provide economic benefits including jobs, additional expenditure within local area by new residents, increased Council revenue, assisting the delivery of infrastructure and improving the appearance of the area.

**Modifications sought by those submitting representations:**

595 - Seeks the redesignation of the site at Gilbertfield Farm, Cambuslang from Green Belt to residential on the settlement map for Cambuslang and Rutherglen.

**Summary of responses (including reasons) by planning authority:**

Objects: 595 - Taking each of the points raised in turn the Council would wish to make the following comments:

1. The Council has carried out a Strategic Environmental Assessment (SEA) (Document 23) of all proposed sites which are contained in the Local Development Plan Main Issues Report (March 2012) Appendix 7 (Document G37). This indicates that the burn running through the site has the potential for contamination and that traffic from the development could contribute to existing air quality issues within the East Kilbride Air Quality Management Area and increase the potential for issues within the Rutherglen and Cambuslang area. Whilst there are no historical factors relating to the site the SEA has concluded that if the site was to be developed there are significant environmental factors that would have to be considered.

2. The area has public transport links with wider access to network routes. Most of the residential sites identified for the Cambuslang/Rutherglen area, however, are located close to public transport links and can be considered as sustainable.

3. A section of Gilbertfield Farm directly to the north of this site was released for residential use under the previous local plan with a capacity for 300 dwellings. This was justified on the basis that it would complement and assist the redevelopment of the Cairns area which was a Council regeneration priority at that time. It was also required that release of this site would provide a 15-20m wide belt of structure planting to create a robust physical edge to abut the Green Belt; however this site has not yet been developed as no detailed application has been submitted. Therefore with regard to the current site, this is clearly outwith the settlement boundary defined by the release of the first part of the site at Gilbertfield Farm. As the areas to the south, east and west of this site will still remain as agricultural land, it is not considered appropriate or logical for this site to be designated as residential.

4. The proposed site would sit adjacent to one already released for housing with similar landscape qualities; however the remaining 3 sides would neighbour agricultural uses. It is therefore not considered that the proposed site would be a logical extension to the existing settlement but that it would be an excessive and inappropriate intrusion into the Green Belt. In terms of marketability and desirability, it is considered that a sustainable supply of housing in Cambuslang has been provided, particularly given that the first part of the site at Gilbertfield Farm already approved for residential use has yet to be developed.

5. The Housing Technical Report (Document G27) sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out by the Scottish Government and the Glasgow and Clyde Valley Strategic Development Plan and therefore there is no need for the release of further land.

Paragraph 66 of Scottish Planning Policy (SPP) (Document G1) advises a generous supply of land should be provided to meet identified housing needs. There are other sites within the Cambuslang/Rutherglen Area which are deemed more suitable, including the Greenlees Road site which was specifically identified as a potential longer term development site at the previous local plan inquiry. This site is now being considered for residential development and there is no requirement for further land to be identified at the present. In addition the residential site adjacent to this proposed site, released under the previous local plan has yet to be developed, it is considered there is sufficient housing provided in this area to meet demand. The Council is aware that the letter from the Scottish Government's Chief Planner (Document G49), advises planning authorities to use a flexible and realistic approach in order to maintain an effective 5 year housing land supply, it is also advised that planning authorities should monitor land supply through the annual housing land audit and identify sites that are no longer effective and highlight sites to be brought forward. Taking account of this, the Council has reviewed its housing land supply and is satisfied the supply of housing in South Lanarkshire meets the requirements set out by the government particularly given the proposed release of a 27 residential sites in the Proposed Plan which in total can accommodate 2343 houses, and include 2 sites in Cambuslang/Rutherglen which can accommodate 320 houses.

6. PAN 2/2010 Affordable Housing and Housing Land Audits Paragraph 14 (Document G50) sets the benchmark figure of 25% for the total number of housing units allocated as affordable. Similarly, local plan policy requires sites of 20 units or more to provide up to 25% affordable housing where there is a proven need. However, provision of affordable housing in itself is not sufficient justification for release of land for housing.

7. The Cairns area of Cambuslang was previously identified by the Council as a regeneration priority. Benefits to the local area in terms of additional expenditure, delivery of infrastructure etc may be provided through the development of the part of Gilbertfield Farm already zoned for residential use.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Issue ST13 has considered housing land in the wider context. It is concluded that there is much uncertainty about the effectiveness of the housing land supply in the short term, and whether there are sufficient sites capable of becoming effective and being developed by 2025. Issue ST13 recommends the replacement of Policy 12, Housing Land, to require the annual monitoring and updating of the supply of private sector housing land. Should a shortfall be identified, there will be support for effective additional development proposals. However, these potential additions to land supply are in order of preference with sustainable greenfield sites being the fifth of five categories.

2. Although it has not been concluded that there is an over-riding requirement for the early release of additional land to augment the housing land supply, candidate sites identified through representations are being assessed on merit having regard to the spatial strategy and policies in the proposed plan along with environmental and other information available.

3. I recognise that the site at Gilbertfield Farm is owned by a housebuilder and, according to Persimmon Homes, if allocated for development delivery could well be anticipated in the short term.

4. The planning authority explains that land to the north of the site was previously released for housing with a capacity of 300 units. A significant belt of structure planting was required to create a robust edge to the green belt. These allocations are shown on the local development plan although the development has not been implemented.

5. I accept that development of the allocated land and the provision of the associated planting would create a firm green belt boundary. However, the allocation of further housing land to the south would not accord with this concept and, as argued by the planning authority, would not represent a logical development pattern.

6. On the other hand, Persimmon Homes suggests that the proposal “fits well into the existing settlement” although this claim does not appear to have had regard to the development concept applied to the land to the north. The opinion of the council is therefore the more credible.

7. In any event, the development of the site would represent an incursion into the established green belt at a location where, for the most part, the boundary is clear and firm. The green belt provides a cohesive swathe along the southern edge of Cambuslang, fulfilling a basic green belt objective and defining the setting of the town.

8. Although Persimmon Homes also believes the site to be a logical expansion, it would, in effect, represent an isolated development to the south of the urban area. There is no indication how new housing would integrate with the existing urban form. No landscape impact assessment has been provided to support the opinion that the development would be a “good fit”.

9. Taking into account the form of the existing urban area in the vicinity, the development concept that has been applied to the land to the immediate north of the site, and the green belt characteristics of the location, I conclude the principle of development at this location is unacceptable.

10. The planning authority suggests that development of the site could give rise to contamination and air quality problems. However, it could be anticipated that any contamination found could be overcome or subject to mitigation measures.

11. The planning authority also accepts that the site has transport links with wider access to network routes. However, as argued by the planning authority, the wider area of Cambuslang and Rutherglen is equally sustainable in this respect. Similarly, all major development sites are likely to provide economic benefits. In this instance, the planning authority indicates that the previously allocated part of Gilbertfield Farm has the potential for providing some local economic stimulus.

12. Whilst the development of the site would involve a significant provision of affordable houses, the planning authority is correct to argue that this benefit would not justify the release of the land for housing.

13. All-in-all, I conclude the allocation of the land as required by Persimmon Homes cannot be supported.

**Reporter’s recommendations:**

No modifications.

<b>Issue CR5</b>	<b>Greenlees Road Cambuslang.</b>	
<b>Development plan reference:</b>	Chapter 3 – Vision and Strategy, pages 10-11: Policy 1 Spatial Strategy Chapter 3 – Vision and Strategy, Page 17: Policy 6 General Urban Area/Settlements Chapter 5 – People and Places, pages 26 – 29: Policy 12 Housing Land Policy 13 – Affordable Housing and Housing Choice	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>66 – Allan Bottrell 68 – Stephanie Browne 218 – Marilyn Smellie 513 – Mr &amp; Mrs Jamieson</p> <p>Supports: 542 – Mr and Mrs J Brown</p> <p>Comment: 642 – SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site at Greenlees Road, Cambuslang for housing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>66, 68, 218, 513 – These representations have raised the following points:</p> <ol style="list-style-type: none"> <li>1. Proposed change of the green belt land to residential use would detrimentally impact residential amenity. The last green links in Cambuslang will be removed.</li> <li>2. A 20 metre boundary should be maintained between Balta Crescent and the proposed site. Existing mature trees and shrubs should remain in situ with all roads, play areas kept away from the boundary. A tree preservation order should be considered for the existing trees.</li> <li>3. The site should be limited to residential development with a height restriction of two storeys near the boundary.</li> <li>4. Ground drainage should be considered and diverted from the boundary of Balta Crescent. The site is steeply sloping, therefore any development would require to be low rise and should be designed to avoid flooding.</li> <li>5. The site is bounded by the busy East Kilbride dual carriageway and Greenlees Road and road improvements will be required to cater for increased traffic. The road access and</li> </ol>		

noise levels should remain away from the boundary area.

Supports:

542 - The proposed change of land use from Green Belt to residential use is suitable and the Housing Technical Paper is appropriate.

Comment:

642 - A Flood Risk Assessment will be required to confirm the developable footprint. A buffer zone will be required around the small waterbody.

**Modifications sought by those submitting representations:**

66, 68, 218, 513 – The site should remain designated as Green Belt.

**Summary of responses (including reasons) by planning authority:**

Objects:

66, 68, 218, 513 – The Council responds to the points raised in the representations as follows:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites (Document G27) exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. This site was considered suitable for release through this process because it provides a clearly defensible settlement boundary without setting a precedent for other similar development in the area. The Greenlees Road site was previously tested through the examination process for the South Lanarkshire Local Plan (Document CR5). The Reporter found that the site, “provided an appropriate opportunity for significant settlement extension in the longer term, but is not currently justified by the structure plan, the assessments of housing need, or any shortfall in the effective housing land supply”. The Council has concluded that taking account of the need to ensure that there is a generous and flexible supply of housing land in appropriate locations this would now be an appropriate site for release. Any impact on residential amenity would be considered in the preparation of a masterplan for the site. This would also deal with any issues relating to the green network.

2. Scottish Planning Policy SPP (Document G1) states that “new housing developments should be integrated with public transport and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. New streets should connect well with existing streets and with walking and cycling networks, and allow for links into future areas of development.” This is carried through into the local development plan and would be included as part of any masterplan prepared for the site. The site represents



a logical boundary to the south of Cambuslang and the mature boundary hedge and tree belt could be retained and planting established.

3. Issues such as storey height and location of houses can be controlled through a masterplan and the Development Management process.

4. Drainage is an issue for this site which would have to be addressed by the developers. SEPA support the development of the site subject to the submission of an acceptable Flood Risk Assessment which identifies a developable area and provides a buffer for the small water body on site. In addition the Council's Flooding section has commissioned a Report to assess and identify how to respond to the flooding issues generated across the wider Cathkin Braes area. The outcome of the assessment can be covered by a masterplan for the site.

5. With regards to roads and transportation issues the proposed site is acceptable as regards access, visibility, junction spacing, pedestrian and cycle access and links to public transport. However a Transport Assessment (TA) would be required to fully assess impact on the wider road network.

No proposed change to the Local Development Plan.

Supports:

542 – Noted. However if the site is released for housing a masterplan would require to be prepared to address the issues raised particularly those related to flooding.

#

Comment:

642 – Noted. A Flood Risk Assessment would be required to clearly identify the developable area.

In addition the Council's Flooding section have commissioned a report to consider a flood risk assessment of the Cathkin Braes area. This has implications for the development of this site. In their response to the Call for Sites assessment they commented "There are serious surface water issues in this area. The Council has recently appointed a consultant to provide advice on the catchment. This area may be required to provide flood attenuation. Applicant should confirm surface water outfall intentions and future maintenance. Flood Risk Assessment required". Part of the site will therefore require to remain as a flood attenuation area. This will form part of any masterplan prepared for the site.

**Reporter's conclusions:**

1. Objections to the principle of development are limited to the loss of green belt, and, in turn, impact on residential amenity. The planning authority explains that although a strategic release of land for residential development is not required, limited releases to meet local requirements have been included in the local development plan. Housing land supply in a wider context is discussed under Issue ST13.

2. Although the planning authority has not provided a detailed analysis to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, I conclude that the general approach is reasonable and is to be supported in principle. This

is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Where deemed appropriate on the above basis, such allocations would add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the wider requirement to provide a generous five-year supply of effective housing land. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. The Technical Report has assessed the site, described as currently vacant urban fringe farmland and indicates that development would be able to integrate with Cambuslang. Roads to the south-west and south-east would form robust green belt boundaries.

4. I believe that development of the six hectares site would not constitute an untoward incursion into the green belt or threaten the wider integrity of the green belt. Neither would there be a significant visual impact or a detrimental impact on the landscape setting of the adjoining urban area. As explained by the planning authority, there is the potential to create a clear, long-term green belt boundary. The open views of those properties facing the site would experience change but the planning process is not intended to protect those views in all circumstances. It is therefore concluded that the principle of the residential development of the site is acceptable. Indeed, it is significant that the land had been regarded as having potential for future development at a previous local plan inquiry.

5. Concern is expressed about a number of technical and design matters. Drainage problems are acknowledged by the planning authority and it is explained that a study of flood risk over a wider area has been commissioned. A flood risk assessment would be necessary to support any proposed development and it is possible that part of the site would be required as a flood attenuation area. Clearly drainage could be a significant constraint and could limit the estimated potential for 150 housing units. However, the evidence does not point to preventing all development on the site and therefore the principle of the land use allocation is not jeopardised.

6. It has been suggested that local road improvements would be essential to facilitate development and the planning authority explains that a transport assessment would be required to consider the implications of additional traffic generation. There is nothing to suggest at this stage that a satisfactory solution could not be found in respect of traffic and transport matters.

7. Concern has been expressed in terms of mature trees on the site, the loss of green links, the height of buildings in any development and the general impact on existing adjacent housing. These are valid planning considerations and it is clear that careful design would be required to secure a satisfactory form of development. The planning authority has indicated that a masterplan approach would be anticipated and this would certainly appear to be a reasonable way forward. In due course, the development management process would provide the required control for the development, taking into account those matters raised. In the meantime, I conclude there is no requirement to change the proposed local development plan allocation.

**Reporter's recommendations:**

No modifications.

<b>Issue CR6</b>	<b>Hallside East, Cambuslang</b>	
<b>Development plan reference:</b>	Chapter 5: People and Places, Housing Land Audit, Policy 12 Housing Land, Page 27	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 634 – Robert Letham		
<b>Provision of the development plan to which the issue relates:</b>	This relates to sites included in the housing land audit that are used to ensure that there is an effective five year housing land supply at all times throughout the life of the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>634 - Objects to the re-designation of the site at Hallside East Cambuslang as general residential and the failure to identify it as an allocated housing site.</p>		
<b>Modifications sought by those submitting representations:</b>		
634 – Identify the site on the proposals map as a residential site forming part of the housing land supply.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>634 – The site at Hallside East was released as part of the 2009 Local Plan housing allocation. However the developers who had originally proposed the site were no longer in a position to develop the site and a number of factors had been raised which rendered the site non-effective.</p> <p>Following consultation with Homes for Scotland it was agreed to remove some sites from the land audit as a long term solution would have to be found to make the site developable. The objector claims that Homes for Scotland have no knowledge of this. The Council can confirm, however, that this was one of the sites discussed (Document G51).</p> <p>The site itself remains within the settlement boundary covered by the general urban policy. This would allow for housing development on the site, if the infrastructure problems can be addressed. The Walker Group are unhappy with this decision and wish the site to be reinstated into the land audit as an effective site.</p> <p>The Council remain of the view that this site cannot easily be made effective because there are issues to be resolved with infrastructure and particularly the high power gas main that runs across part of the site. It is therefore identified in the 2013 draft land audit as a non-effective site. The audit is still the subject of discussion with Homes for Scotland. If following these discussions the site is accepted as being effective it can appear as a</p>		

housing site on the adopted local development plan, as part of the updated housing land supply. At present however the proposed local development plan shows the final 2012 housing land audit and this site was not part of that audit.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. The site cannot be shown in the local development plan as part of the 2012 housing land supply as, for whatever reason, the land was not included in the housing land audit for that year and therefore was not part of the agreed supply.
2. The planning authority acknowledges that as the land lies within the settlement boundary, under the general urban policy, Policy 6, residential development may be acceptable. It is therefore clear to me that, as a matter of principle, there is no dispute that the land could support housing.
3. Despite the location of the land within the settlement boundary, the planning authority has exercised caution because of the potential development constraints, especially the high pressure gas main that affects the site. Following a further information request, it has been confirmed that the site is included within the agreed 2013 housing land audit. Although a capacity of 71 housing units is indicated, this is apparently an error and the correct figure is said to be 180. The site is identified in the 2013 audit as having residential potential but it remains non-effective.
4. Clearly, it is necessary to have particular regard to the proximity of high pressure gas mains and safeguarding distances when development is being contemplated. In this case, the continuing non-effective status of the site suggests that development constraints remain. Certainly, there has been no indication that the pipeline constraint has been overcome. On this basis, I consider the continued designation in the local development plan as “general urban area” is appropriate. Should the constraints to development be overcome or, at least, developable areas be identified more accurately, it would be possible to bring forward specific proposals in the knowledge that the principle of residential development is supported.

**Reporter’s recommendations:**

No modifications.

<b>Issue CR7</b>	<b>Hamilton Road, Cambuslang and Harriet Road, Rutherglen</b>	
<b>Development plan reference:</b>	Chapter 4: Economy and Regeneration Policy 8 – Strategic and Town Centres Page 21 Policy 10 – New Retail/Commercial Proposals Page 23	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 465 - Aldi Stores Ltd		
<b>Provision of the development plan to which the issue relates:</b>	This relates to retail proposals and the redesignation of sites.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>465 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. That the town centre boundary for Rutherglen should be redrawn to include the Aldi store in Harriet Street.</li> <li>2. A site at Hamilton Road, Cambuslang should only be partially designated as housing in the event that planning application CR/13/0070 for a small retail development is approved.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>465 –</p> <ol style="list-style-type: none"> <li>1. Request an amendment to the town centre boundary for Rutherglen to incorporate the Aldi supermarket.</li> <li>2. Request the plan reflect the outcome of the planning application (CR/13/0070) for a new supermarket in Hamilton Road, Cambuslang.</li> </ol>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>465 – Taking each of the points in turn, the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The site at Harriet Street is a stand alone retail development seperated from the existing Rutherglen Town Centre by Mill Street. There are industrial premises to the south and west. There are no straightforward links to this site from the town centre and it is considered that Mill Street forms a natural boundary at the western end of Rutherglen Main Street and no adjustment of the of the town centre at this location is necessary. In addition</li> </ol>		

small scale retail units, which conform to retail policy, are an acceptable use within areas covered by Policy 6 General Urban Area/Settlements.

No change proposed to the local development plan.

2. The site at Hamilton Road Cambuslang currently has consent for a small retail development (Document CR3). However, this proposal has yet to be implemented. Due to the scale of this proposal it is not considered appropriate to designate the site as out-of-centre retail. In addition small scale retail units, which conform to retail policy, are an acceptable use within areas covered by Policy 6 General Urban Area/Settlements.

No change proposed to the local development plan.

**Reporter's conclusions:**

Harriet Street, Rutherglen

1. Aldi operates a store off Harriet Street, "within a close distance of Rutherglen town centre." Indeed, the store has recently been extended and is regarded by Aldi as one of the main convenience shops within the town. The Harriet Street site is within easy walking distance of the town centre and, it is argued, should be incorporated within the boundary.
2. The planning authority disagrees and points out that the store is a stand-alone retail development separated from the town centre by Mill Street. The street provides a clear boundary and there are no straightforward links for pedestrians.
3. I agree that Mill Street - a busy dual carriageway - provides a clear western boundary for the town centre which is contained within a tightly defined, compact area. The Aldi store at Harriet Street is on the opposite side of Mill Street and also beyond the southern extent of the town centre boundary. Whilst it can be described as close to the town centre, at least in terms of distance, it is visually separate. Although there is a subway crossing of Mill Street this does not provide a particularly attractive or easy link between the town centre and Harriet Street. This creates a further element of separation.
4. As pointed out by the planning authority, developments such as the Aldi store are acceptable within areas subject to Policy 6, General Urban Area/Settlements. I consider that continued designation under this allocation would be preferable to the identification of an isolated town centre enclave. Accordingly, I conclude the town centre boundary should not be redrawn.

Hamilton Road, Cambuslang

5. This cleared, rectangular site within the urban area is shown on the Cambuslang settlement map as being part of the 2012 housing land supply. Nonetheless, planning permission has been granted for a retail development over approximately 75% of the site. The planning authority does not consider that the scale of the approved development merits designation as an out-of-centre retail development. It is argued that a development of this scale is more appropriately contained within areas subject to Policy 6, General Urban Area/Settlements.
6. Aldi believes the local development plan should reflect the decision to grant planning permission and only the remaining area should be retained under the housing designation.

7. The development granted planning permission relates to a foodstore of some 1,574 square metres gross with a sales floor area of 1,125 square metres. I agree that a free-standing unit of that scale does not merit designation as either an out-of-centre commercial location or a local neighbourhood centre. In turn, I accept that no specific allocation is required and the site should remain as part of the “general urban area.”

8. The planning permission for the foodstore has not been implemented and it remains factually correct that the land was part of the 2012 housing land supply. Should the foodstore be constructed in due course, self-evidently, that part of the land covered by the development would no longer be available for housing. Only that part of the site unaffected by the retail development would then continue to offer housing potential. At that time, the situation would no doubt be reflected in the annual housing land audit.

9. In the meantime, whilst the retail planning permission is unimplemented, the local development plan should remain unmodified. It may be that any forthcoming housing land audit will contain an explanatory note explaining the situation in respect of the planning permission for the foodstore.

**Reporter’s recommendations:**

No modifications.

<b>Issue CR8</b>	<b>Lightburn Road, Cambuslang.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -30 Policy 12 Housing Land Settlement map – Cambuslang and Rutherglen	<b>Reporter:</b> Richard G Dent
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 169 - James McGowan Engineering Ltd</p> <p>Supports: 470 - Dundas Estates</p> <p>Comments: 582 - Scottish Gas Networks</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site at Lightburn Road, Cambuslang for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>169 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The volume of traffic using Lightburn Road will significantly increase which will have safety issues for vehicles coming into and out of the industrial premises.</li> <li>2. There is the potential for future complaints about noise from the industrial premises from residents in the new housing to limit particular activities at particular times putting the jobs of local people at risk.</li> <li>3. If this industrial site is surrounded by housing it will limit the ability for the business to erect further buildings on their own site if residents object, thus restricting future growth of the business and stifle jobs.</li> <li>4. Increased housing and increased traffic on Lightburn Road will lead to an increase in theft from the business.</li> <li>5. Increased housing will lead to an increase in litter and vandalism and potentially result in fly tipping of garden waste at the premises.</li> <li>6. Losing the Green Belt land around the business premises will result in a loss of amenity.</li> </ol> <p>Supports:</p> <p>470 - The site is in a marketable area and affords an opportunity for residential development in a well established landscape development framework, adjacent to an established residential opportunity, within a mature landscape setting, and which can provide public access to landscaped areas. It is a clearly effective site capable of development within 5 years. Supports the Council's proposed release of this site for</p>		



residential development.

Comments: 582 – Scottish Gas Networks have highlighted the presence of three High Pressure Gas Transmission Pipelines on this site and have specified the minimum stand-off distances for buildings from those pipelines as 14m, 28m and 15m and supplied a plan.

**Modifications sought by those submitting representations:**

169 - Seeks the removal of the residential site at Lightburn Road, to the east of Cambuslang as shown in the settlement map Cambuslang and Rutherglen and for the site to revert back to Green Belt.

**Summary of responses (including reasons) by planning authority:**

Objects: 169 – This representation has raised the following points the Council would wish to make the following comments:

1. Access is likely to be via a new roundabout directly onto Hamilton Road and a Transport Assessment would be required as part of the development process.
2. The industrial site is an established industrial use with existing residential development close by. Additional residential development is unlikely to impose further noise limitations on the established industrial premises.
3. Development cannot be restrained by what might happen on sites in the future. Any proposal to expand the established industrial site would be considered in relation to its likely impact on adjacent development at the time of the proposal.
4. & 5. The suggested increase in theft, litter and fly tipping as a result of any residential development is speculative and should not preclude the site from being designated as a housing site. These issues would be controlled and regulated by legislation outwith the planning system.
6. Any potential loss of amenity would be considered and addressed if a detailed proposal is progressed through the planning application process.

No change proposed to the local development plan.

Supports: 470 – Noted.

Comments: 582 – The Council notes Scottish Gas comments and fully expects that these issues will be taken into consideration if the site is progressed through the planning application process.

**Reporter’s conclusions:**

1. The site is currently designated green belt in the local plan. There is a general expectation that the green belt should be both robust and enduring. Clearly, when green belt land is lost to development, those with interests in neighbouring land may well consider there to be a commensurate reduction of amenity.

2. The preparation of the local development plan has provided the opportunity for review and to assess the competing requirements of various land uses. In this case, the planning authority has decided that this area of green belt should be allocated for housing purposes under development proposal 32. The issue of housing in the wider context is examined under Issue ST13.

3. The decision to remove the green belt designation from any land is not to be taken lightly but in this instance I consider the development allocation is justified. Development would represent an extension of the existing built-up area but it would not compromise the overall integrity of the green belt around Cambuslang. In wider terms, the land is relatively well contained visually due to local topography and woodland.

4. Although the development of the site for houses would inevitably alter the outlook from nearby properties, including the premises of James McGowan Engineering Limited, I do not believe the level of amenity would be reduced to an unacceptable level. Although enjoyed by staff and visitors, the change in outlook is not sufficient reason to retain the green belt designation. In any event, the planning system is not intended to protect individual views.

5. Concern has been expressed in respect of access and it is clear that the existing arrangement would not be satisfactory should a housing development be undertaken on the adjacent land. The planning authority has explained that a transport assessment would be necessary to consider the impact of traffic generated by any new development. Although the planning authority has referred to the likelihood of a new roundabout on Hamilton Road, this is not a firm proposal. Nevertheless, I accept access would require to be provided in a manner that met the relevant guidelines and, in turn, took account of all road safety matters. There is nothing to suggest that a solution could not be achieved.

6. Little comfort is likely to be taken from the planning authority response that additional residential development “is unlikely to impose further noise limitations on the established industrial premises”. This leaves at least the possibility that further noise limitations may be imposed. No details have been provided on any current noise limitations but, provided all activities within the industrial premises are operated on a lawful basis, there can be no question of the imposition of sanctions.

7. Insofar as future industrial or business development is concerned, any proposal would be assessed on merit through the development management process. On the other hand the layout and design of any residential development – which itself would be subject to development management procedure – would require to take into account the land uses bounding the housing site.

8. Reference has also been made to a potential increase in unsocial activities including theft, vandalism and fly-tipping. As explained by the planning authority, such activities are the subject of separate regulatory control and are not determining factors in land use allocations in the local development plan.

9. All-in-all, I conclude the objections to the development proposal 32, involving the change of use from green belt to residential use do not merit the deletion of the proposal.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK1</b>	<b>Mid Shawton Farm, Chapelton</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -28	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 271 - Loch Homes Ltd		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Mid Shawton north west of Chapelton for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>271 – This representation has raised the following points with regards to the non inclusion of land at Mid Shawton north west of Chapelton for residential development. (This site differs from that considered during the call for sites exercise. The site originally included a small area to the north of Laigh Shawton. The assessment conclusions are not changed with the reduction in site area and are set out in the South Lanarkshire Council Call For Sites Technical Report (Document G28):</p> <ol style="list-style-type: none"> <li>1. The site would provide a logical extension to the village and there is no other more suitable site adjacent to the settlement boundary of Chapelton. The site is conterminous with existing housing on the northern boundary of the settlement and would provide a logical extension to the village.</li> <li>2. The land is not identified by SEPA as at risk of flooding and any localised flooding can be dealt with by a technical solution related to the development of the site.</li> <li>3. The development would provide a greater critical mass of residents to support and create viability for community services and facilities.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
271 - Seeks the redesignation of the site at Mid Shawton, Chapelton, from Green Belt to residential as shown in the Chapelton settlement map.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>271 – In response to the points raised in the representation relating to the non inclusion of land for residential development the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. Scottish Planning Policy (SPP) (Document G1) states that Development Plans should support more opportunities for small scale housing development in rural areas while retaining small settlements identity. However it is considered that the scale and location of this proposed development would significantly extend the village into the adjoining countryside and have a significant, detrimental impact on the character of the village. The Council has produced a Housing Technical Report (Document G27) which sets out the</li> </ol>		

position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply (Document G28). The proposed site would form an irregular settlement boundary and it would be difficult for the area to appear integrated within the existing village. A smaller site has been identified to the south west of the village at Mounthilly Road which accords with the principles set out in SPP while retaining the identity and character of the village.

2. The South Lanarkshire Council Call for Sites Technical Report (Document G28) concluded that the release of this site would not be considered appropriate. In particular the assessment criteria included the consideration of the historic, local flooding issues. Flooding issues would have to be carefully assessed and if appropriate mitigation measures would have to be put in place to ensure that the site was no longer prone to flooding and that this would not result in problems elsewhere.

3. The expansion of the village of the scale proposed would substantially increase the pressure for additional community facilities which would have a negative impact on the amenity of existing residents and would alter the character of the village. South Lanarkshire Council Education Resources commented on the impact sites could have on school capacities during the Call for Sites consultation. They have raised concerns regarding the impact a proposal of this scale would have on the capacity of both the local primary school and secondary schools within the catchment area of this site. In addition concerns were also raised by Scottish Water regarding sewerage infrastructure and potential flooding issues by SEPA, Scottish Water and South Lanarkshire Council Flooding Unit (Documents G12 to G18).

No change proposed to Local Development Plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. The site concerned is an irregularly configured but broadly rectangular, flat grazing paddock on the north-western edge of the built-up area of Chapelton. It has two clearly defined boundaries to the south-west and east formed by adjoining roads – the former being the main A726 road linking Chapelton with nearby East Kilbride. The other boundaries to the north and north-east are simple wire fences marking field boundaries but its northern boundary also adjoins the free-standing property known as Shawton House. There was some localised evidence of standing water in the south-east corner of the site in question during my site visit. This, however, was after a prolonged period of heavy rain and I have no reason to question the assertion made that there is no significant flood risk that would be critical in affecting the development potential of the land here.

4. I am concerned that the proposal put forward in the representation would form an illogical elongation of the settlement. In addition I find that the scale and form of the proposal would be disproportionate to and out of keeping with the existing village of Chapelton that presently has a compact and cohesive form.

5. I note that there is a disagreement as to the benefits or disbenefits for Chapelton that would result from such an expansion. Whilst the representation contends that it would provide a greater critical mass of population to support the viability of local services and facilities, I am not persuaded by this argument. Instead I consider that the proposal would be out of character with the existing scale of the village and would have a negative impact on local amenity for existing residents. I also share the council's concern that the proposed expansion would create additional, possibly unsustainable pressure on existing services and infrastructure. In particular, the council has highlighted capacity issues - relating to the local sewerage systems as well as the local primary and secondary schools – arising from the increased demand that would result from this scale of new development.

6. Furthermore, I note that the council has identified other sites that it regards as preferable to achieve the limited land releases to meet local needs in a sustainable manner. This includes a site at Mounthilly Road south-west of Chapelton which I consider is more appropriate in scale and location than the site now being proposed at Mid Shawton.

7. That relatively small site adjoining Mounthilly Road, which is shown as an allocation in the proposed plan, is the subject of separate representations considered elsewhere in this report under the heading EK2. Based on the available evidence I am satisfied that the council's conclusions on this matter are soundly based - and in my view the other arguments supporting rejection of the Mid Shawton site, as outlined above, clearly outweigh the case being put forward for allocation of this site for housing.

8. In summary, based on all of the above considerations, I conclude that there is insufficient justification to remove the site EK1 at Mid Shawton from the green belt or to allocate it for residential development. The existing north-west edge of the settlement of Chapelton formed by the line of rear garden boundaries of the houses along Farrier Crescent and Brechame Road is currently well defined, logical and defensible. Accordingly, I conclude that this settlement boundary should remain unaltered when the plan is adopted.

**Reporter's recommendations:**

No modifications.

<b>Issue EK2</b>	<b>Mounthilly Road, Chapelton.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -28	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>61 - Robert Nimmo 65 - George Macgregor 71 - Robert and Helen Douglas 461 - Lindsayfield, Auldhouse &amp; Chapelton Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site at Mounthilly Road Chapelton for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>61, 65, 71, 461 - These representations all object to the inclusion of a site at Mounthilly Road, Chapelton as a residential development proposal and expansion of the settlement boundary:</p> <ol style="list-style-type: none"> <li>1. There is insufficient infrastructure and community services within the village to support this proposal.</li> <li>2. The increased traffic and new access will have a detrimental affect on the village.</li> <li>3. That the proposal will have a negative impact on the value of existing properties in the village and there is currently a housing surplus within Chapelton where many houses have remained unsold for long periods.</li> <li>4. That the proposal will have a negative impact on the visual amenity and privacy of the surrounding properties.</li> <li>5. That development proposals should be directed towards brownfield sites and vacant land instead of encroaching into Green Belt land. The proposal does not comply with Green Belt Policy.</li> <li>6. That in a report for the previous Local Plan, the Greenbelt Landscape Assessment it was stated there was limited capacity for the expansion of the village.</li> <li>7. There is an existing Planning Consent for 30 units opposite Glasgow Road on a brown field site which has not been developed therefore there is no requirements for additional sites.</li> <li>8. That the type of housing would not meet the local need or demographics for single adult households at either end of the age spectrum which calls for affordable one and two bedroom housing stock.</li> </ol>		

<p>9. That the local residents whose aspect would be altered by any housing developments may face years of needless uncertainty. That the proposal will set a dangerous precedent.</p>
<p><b>Modifications sought by those submitting representations:</b></p>
<p>461 – Seeks deletion of this site as a residential proposal in the local development plan.</p>
<p><b>Summary of responses (including reasons) by planning authority:</b></p>
<p>Objects:</p> <p>61, 65, 71, 461 - In response to the points raised in the representations the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The South Lanarkshire Council Call for Sites Technical Report (Document G28) assessed the infrastructure requirements in terms of sewerage, water, education and roads. In addition it considered accessibility to public transport and distances to facilities such as shops and community facilities. Whilst it is recognised that Chapelton has limited choice in terms of retail facilities it has reasonable access to other infrastructure and is suitable for development.</li> <li>2. The South Lanarkshire Council Call for Sites Technical Report (Document G28) reviewed the accessibility factors relating to the site and concluded that further detailed information would be required if the site were to progress to a planning application. Roads and Transportation Services would be consulted through the development management process and any issues resolved at that time.</li> <li>3. The value of private property is not a matter for the local development plan.</li> <li>4. If a planning application is brought forward for the site, detailed planning proposals will consider the amenity and the privacy of surrounding properties. Any application would be also be assessed in terms of the South Lanarkshire Residential Development Guide (now part of Development Management, Place Making and Design Supplementary Guidance) to ensure that it complies to appropriate standards in terms of design and layout.</li> <li>5. Scottish Planning Policy (SPP) (Document G1) states that Development Plans should support more opportunities for small scale housing development in rural areas. SPP also advises that where it is considered necessary, the proposed release of land previously designated as Green Belt should be identified as part of the settlement strategy set out in the development plan. After consideration of a number of sites across South Lanarkshire the Council concluded that the site at Mounthilly Road Chapelton could contribute to the rural land supply and offered a development opportunity with minimal impact on the character and identity of the village.</li> <li>6. South Lanarkshire Council produced a Greenbelt Landscape Assessment as part of the South Lanarkshire Local Plan background documents (Document EK1). This includes an analysis of the Green Belt edge around Chapelton and concluded there may be some capacity for small scale expansion in Chapelton at the Mounthilly Road location subject to the formation of a suitable buffer to form a defensible settlement boundary.</li> <li>7. The Council cannot enforce the construction of an approved housing site should circumstances prevent the developer doing so. The development of an existing consented</li> </ol>

site at Glasgow Road, Chapelton was taken into account when assessing further releases in Chapelton. The combined capacity of both sites was considered to be reasonable in terms of development potential over the lifetime of the plan.

8. The Council expects developers to provide a diverse mix of house types and sizes. This should include different tenure mixes to ensure that a full range of housing types are provided in order to meet the range of housing needs, demands and affordability. Policy 13 - Affordable Housing and Housing Choice sets out the Council's expectations in the provision of affordable housing. The Council will ensure that appropriate housing is directed to appropriate locations and that other options will be explored such as upgrading existing Council stock through commuted sum if building affordable housing is not required or the scale is inappropriate for management of affordable housing units in small rural settlements.

9. The site has been assessed according to the criteria set out in the South Lanarkshire Council Call for Sites Technical Report (Document G28) and is considered acceptable in amenity terms. In terms of timescales the local development plan will run for 5 years and then will be reviewed. Housing sites are monitored on an annual basis and if no progress is made the council will consider whether the site should be removed as a development opportunity. In terms of a planning application this would be granted for a period of 3 years and then would require renewal. Whilst development of a site cannot be guaranteed the Council carefully programmes outputs and enters into discussions with landowners and developers to try and ensure that all the sites in its land supply are as 'effective' (likely to be built within 5 years) as possible.

10. Each proposed development site is carefully considered and the appropriateness of the site is assessed by the criteria set out in the South Lanarkshire Council Call for Sites Technical Report (Document G28). The proposed development site at Mounthilly Road was not considered to have an adverse impact on the Green Belt and local landscape character. It is considered that, with the formation of a suitable buffer to the south west of the site, the proposed development site would round off the settlement.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

2. The site in question is a broadly flat, rectangular paddock of land that forms a small plateau on the southern edge of Chapelton. It adjoins existing housing to the north and east and is bounded by Mounthilly Road to the west. Its south-eastern boundary, marked by a steep slope, is delineated by a wire fence separating it from adjoining fields that would remain in the greenbelt.



3. The 4 representations, from neighbouring residents and the local community council, contend that this site should remain in the green belt rather than being designated for residential development. In support of their position they argue that: there is no local need for this allocation; the limited local infrastructure and community services are insufficient to support it; and it would have adverse impacts on the local amenity and privacy of existing residents. Furthermore, they contend that development should be directed to brownfield sites – such as the site on Glasgow Road with planning permission for 30 houses that has not yet been developed. On the last point, the council points it has no powers to enforce building of houses on existing approved housing sites.

4. Whilst noting these and other local concerns, I also note that the approach taken by the council is to identify and support opportunities for small-scale housing development in rural areas, through limited expansion of local villages, where appropriate - even if that necessitates some loss of green belt land. I consider that this approach is in line with both the overall vision of the new plan and national policy on this matter. In particular the SPP sets out a presumption in favour of proposals that contribute to sustainable development.

5. Based on the available evidence, I have no reason to question the council’s technical assessment that there are no insurmountable infrastructure capacity constraints with regard to the sewerage, water supply, education and roads to serve the proposed new housing allocation EK2. Furthermore, I am satisfied that the site, being close to the centre of Chapelton, is accessible to public transport services and to the existing local community facilities – whilst recognising that those services are limited at present.

6. Any planning application lodged for development of the site in question would be required to demonstrate that the design and layout of the proposed scheme had satisfactorily addressed such factors as privacy and amenity of those in neighbouring properties. That would be a standard part of the development management process prior to any planning permission being granted. Meanwhile, I am satisfied that in principle development of the EK2 site is capable of being achieved in a manner that would not result in significant adverse impacts in amenity terms. I also conclude that, by rounding off the settlement, this particular allocation would not have a significant adverse effect on the wider green belt. Indeed in my view this could act as a suitable, defensible boundary to protect against pressures for any further expansion of the settlement to the south-east.

7. In summary, I conclude that the allocation is justified and that there are insufficient planning reasons to merit its deletion from the new plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK3</b>	<b>Hayhill Road, Jackton</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14: Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26-29: Policy 12 Housing Land Local Development Plan settlement map – East Kilbride	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 270 - BMJ Ltd		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Hayhill Road, Jackton for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>270 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. This land should be allocated for housing as it is available and readily developable. There are various practicalities farming this land as it is close to the urban area and is of low agricultural quality.</li> <li>2. The land shares a boundary with existing housing to the east and farm buildings to the west of the site and also shares a boundary with the Community Growth Area to the south of Hayhill Road. The land would therefore provide a logical extension to the urban area with minimal visual and landscape impact due to the topography of the land.</li> <li>3. The allocation of this land for housing will assist the future development and use of the land providing greater opportunity for development which is supported by Scottish Planning Policy (SPP).</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
270 - Seeks the redesignation of the site to the north of Hayhill Road, Jackton from Green Belt to residential as shown in the East Kilbride settlement map.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>270 – Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. It is noted this is underused agricultural land but the topography of the site may make it difficult to achieve a design solution that fits with the existing settlement pattern. This</li> </ol>		

would potentially result in a development that faces away from the existing settlement, lacking cohesion and integration with existing buildings.

2. As part of the local plan process a review of settlement boundaries was carried out. The Council considered that this site would not be suitable for expansion of the settlement given the clear Green Belt boundary defined by Hayhill Road. In addition, the boundary of the Community Growth Area is clearly defined as starting to the south of Hayhill Road. The proposed site would therefore be clearly detached and separate from this designated area resulting in the settlement edge being extended to the west and forming an inappropriate intrusion into the Green Belt. In the report of the previous local plan inquiry (Document EK3) the Reporter noted that “Hayhill Road represents an appropriate defensible boundary in this location which is prominent from and close to the Glasgow Southern Orbital Road”. There has been no change in circumstances to deviate from this view.

3. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. With regard to the proposal to the north of Hayhill Road, it is noted that the site is within close proximity of the Community Growth Area. Given this, there is considered to be sufficient supply of housing proposed in the vicinity and there is no requirement for this site to be included within the settlement boundary.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. The site in question comprises two large, adjoining parcels of agricultural land – extending in total to 12.4 hectares – that slope down gently to the north-west. Their south-east boundary is formed by Hayhill Road. This road marks the edge of the existing

settlement boundary of East Kilbride as well as the boundary of the Community Growth Area located to the south-east of the road. Hayhill Road is generally at a higher level overlooking the EK3 land and the wider greenbelt beyond. The north-eastern edge of the EK3 site is close to some existing houses and its south-west boundary is formed partly by the Gill Farm property. The other site boundaries to the south-west north-west and north-east are simple field edges abutting other agricultural land beyond – all in the green belt, as is the EK3 site in the proposed plan.

4. The representation seeking allocation of the site for housing contends that: the land here is of poor agricultural quality; its proximity to the urban area makes it difficult to farm; it is readily developable for housing; it would be a logical extension to East Kilbride; and that would result in minimal visual and landscape impact, due to the local topography. I acknowledge that the site is not prime agricultural land and underutilised. Nevertheless, this is not sufficient reason to allocate it for housing. I also do not find persuasive the other arguments that have been put forward seeking to justify a reallocation of the land in question from the green belt and its designation as a major housing site in the plan.

5. Indeed I have a number of concerns regarding this particular site. Firstly, it faces away from the existing settlement and its development for housing would be hard to integrate with the established built-up areas of East Kilbride. Instead, I find that it would represent an essentially detached, isolated and unsustainable development – as well as an unwarranted incursion into the green belt. Furthermore, whilst it may not be visually prominent when viewed from most neighbouring parts of East Kilbride, I am concerned that its sloping hill profile would make housing development here highly visible when approaching from Thorntonhall and other more rural areas to the north and west.

6. The site in question is only separated from the Community Growth Area by Hayhill Road. Nevertheless, that road currently acts as a clearly defined and effective boundary not only for that growth area but also between the built-up area of East Kilbride and the green belt to the north-west of it – which includes the EK3 site. In that context I endorse the conclusions reached by the planning authority, when reviewing settlement boundaries for forward planning purposes, that there is no justification for expanding the settlement of East Kilbride to include this site. Indeed I conclude that to do so would be detrimental for the integrity of the settlement and would represent an unjustified incursion into the surrounding greenbelt.

7. Based on all of these considerations, I conclude that this site should remain as part of the green belt and not be allocated for housing development – and the settlement boundary of East Kilbride should not be extended to include it.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK4</b>	<b>Arrotshole/Mains, East Kilbride.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Chapter 5 People and Places, pages 26 -30 Policy 12 Housing Land Local Development Plan settlement map – East Kilbride	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
424 - Lynch Homes		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of land at Arrotshole/Mains to the north of Stewartfield Way, East Kilbride for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>424 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The site was recognised as a potential greenfield release site for residential development in the 1990 Strathclyde Structure Plan and given that the sites to the south west of East Kilbride have now been allocated and implemented to a large extent this site is now appropriate for development.</li> <li>2. In the current economic climate this site is effective in that it has a committed strong developer with significant funds and the site does not require any major up-front expenditure on infrastructure.</li> <li>3. There is a strong demand for housing in East Kilbride and a wide choice and range of sites would strengthen the regional economy. After considering a number of other sites around the edge of East Kilbride it is clear that the proposed site is the most suitable for development.</li> <li>4. The proposed site should be excised from the Green Belt in order to safeguard it for future long term development and allow a landscape framework to be established in the intervening years.</li> <li>5. The site can be accommodated in landscape terms, roads access requirements can be met and the site is not classed as prime agricultural land.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
424 - Seeks the redesignation of a site at Arrotshole/Mains to the north of Stewartfield Way, East Kilbride from the Green Belt to residential.		

**Summary of responses (including reasons) by planning authority:**

Objects:

424 – In response to the representation the Council would wish too make the following comments:

1. The sites at Arrotshole/Mains were considered as areas of search during the consultation process for the 1990 Strathclyde Structure Plan (25 years ago), however they were considered inappropriate and were not released as part of that plan. In addition they were further considered when South Lanarkshire were identifying possible sites for Community Growth Areas and the sites were again discounted. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. With specific regard to East Kilbride the Proposed Plan includes the provision of a significant additional area of housing land release at Shields Road to the south of East Kilbride together with a number of brownfield sites within the settlement boundary. Additional capacity is also available to the south west in the Community Growth Area. These sites are shown on the East Kilbride settlement map. On this basis it is considered that a generous and flexible supply of housing land is available for East Kilbride in the proposed plan and there is no requirement for the sites at Arrotshole/Mains to be included within the settlement boundary.
2. The representation implies that this site can be made immediately effective and because of this the Council should release it for residential purposes. However there are other considerations that need to be assessed such as location, sustainability, infrastructure, impact on the landscape. This site was assessed and did not meet the requirements for inclusion in the local development plan. As stated above, the proposed plan includes a number of proposals which would meet the criteria for release. It is further noted that the existing, well established, settlement boundary to the north of Stewartfield Way would be lost and replaced by a weaker and less defensible settlement edge to the north, east and west of the proposed sites.
3. The Council have assessed all of the housing sites in South Lanarkshire and have concluded that there is a generous and flexible range of sites in terms of size and location to meet the needs of the residents of South Lanarkshire in the short to medium term. With specific regard to East Kilbride the Proposed Plan includes the provision of a significant additional area of housing land release at Shields Road to the south of East Kilbride together with a number of brownfield sites within the settlement boundary. These sites are shown on the East Kilbride settlement map. On this basis it is considered that a generous and flexible supply of housing land is proposed for East Kilbride in the proposed plan which are more suitable than this site.

4. As part of the local plan process a review of settlement boundaries was carried out. The Council considers that this site would not be suitable for expansion of the settlement given the clear Green Belt boundary defined by Stewartfield Way. In addition the site provides an important natural buffer between the built up areas of East Kilbride and Cambuslang and Glasgow. This land also preserves the setting of James Hamilton Heritage Park and Mains Castle (Grade A Listed Building). If there was a requirement for further Greenfield release the Council would consider all of the sites available and reassess them against current planning policy.

5. If this site were to be accepted as a development opportunity, the existing, well established, settlement boundary at this location to the north of Stewartfield Way would be lost and replaced by a weaker and less defensible settlement edge to the north, east and west of the proposed sites should these sites be developed. It is further noted that the development of these sites would adversely affect the rural nature of this area and the character of the Green Belt, and detract from the setting of James Hamilton Heritage Park and Mains Castle (Grade A Listed Building).

No change proposed to the Local Development Plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. The representation concerns two separate parcels of green belt land to the north of Stewartfield Way. This road currently defines the northern settlement boundary of East Kilbride and the edge of the built-up area. The two land parcels of EK4 are both irregularly shaped. Whilst the southernmost of them adjoins Stewartfield Way the other one, separated from it by a field, is an isolated block of hill land that includes a former quarry site.

4. The representation points out that the EK4 land – along with other land to the south-west of East Kilbride – was recognised at the time of the 1990 Structure Plan as having potential for greenfield release for residential development. As the land identified at that time on the south-west side of the town has since been allocated, the representation contends that the EK4 site should now be released from the green belt and also allocated for residential development – on the basis that it is the most appropriate housing site around the edge of East Kilbride to meet current and future requirements.

5. I do not find these arguments persuasive for a number of reasons. Firstly, I note that the land in question, whilst explored as an area of search as part of the consultation process for the 1990 Structure Plan, was found to be inappropriate and so not released as part of that plan. In any event, I place no weight or reliance on the 1990 planning situation, as it is no longer a relevant consideration for the new plan now under consideration. This is because of the changing circumstances locally and in strategic planning terms over the intervening period of well in excess of 20 years.

6. I note that when the EK4 land was recently assessed, in terms of its suitability, infrastructure implications and impact on the landscape, it was dismissed by the planning authority. In summary, the council concluded that it did not meet the requirements for release from the green belt or for allocation as a residential development site in the local development plan. Based on the available evidence and my own site visits I consider that the assessment undertaken and conclusions reached by the council in that regard are valid. My principal concerns are outlined below.

7. I am concerned that if the EK4 land was allocated this would have major and unacceptable implications regarding the settlement boundary, which is currently clearly defined by Stewartfield Way. If this was redrawn to encompass the EK4 land the resulting settlement boundary would be less well defined and much less defensible in my view. As such this would be wholly inappropriate and I am also concerned that it would be likely to increase pressure for other incursions into nearby areas of the green belt.

8. In this context I would not support allocation of the EK4 land for housing development in the proposed plan – irrespective of whether or not a requirement for additional housing land releases to meet strategic housing land shortfalls or local needs for the area had been demonstrated. In addition to the above concerns, the sites in question are comprised of prominent hill-side and hill-top parcels of land respectively. I conclude that this would result in highly visible and incongruous housing developments, including when viewed from the Stewartfield Way road corridor. In summary, I conclude that in visual amenity and landscape terms these particular parcels of land are wholly inappropriate for designation as large-scale housing developments.

9. I acknowledge that the land concerned is not of prime agricultural quality, is situated south of a ridge line and is not readily visible from the nearby heritage park to the east. Nevertheless, I conclude that, individually and in combination, these are not sufficient reasons to promote the EK4 land for housing development even on an exceptional basis – taking into account the significant concerns outlined earlier.

**Reporter’s recommendations:**

No modifications.



<b>Issue EK5</b>	<b>Langlands Moss/Langlands West, East Kilbride</b>	
<b>Development plan reference:</b>	Policy 1 – Spatial Strategy Table 3.1 Spatial Strategy Development Priorities Policy 3 Green Belt and Rural Area Policy 15 Natural and Historic Environment Table 6.1 Hierarchy of Natural and Historic Environment Designations Appendix 3 Development Priorities, page 54	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects:  238 – Friends of Langlands Moss Local Nature Reserve 268 – BMJ Ltd		
<b>Provision of the development plan to which the issue relates:</b>	Boundary of Langlands West Development Framework site and proposed extension of site into Green Belt.	
<b>Planning authority’s summary of the representation(s):</b>		
Objects:  238 - Concerned that the boundary around Langlands Moss is too limited. It would appear that there is a buffer zone but the extent is unclear. There is concern about the potential re-designation of Langlands West site and potential for impacts on the Moss.  268 - Supportive of the proposed development framework site at this location, however, considers that the proposed boundary change at Langlands West does not go far enough and does not relate well to the physical features and landscape topography. Langlands Moss should be removed from the proposed development framework site and equivalent land to the south of the site at Mid and West Crosshill farms should be included.		
<b>Modifications sought by those submitting representations:</b>		
268 – Suggest that Langlands Moss should be removed from the proposed development framework site as shown on the proposals map for East Kilbride and replaced by additional land at Mid Crosshill and West Crosshill Farms.		
<b>Summary of responses (including reasons) by planning authority:</b>		
Objects:  238 - The South Lanarkshire Local Plan (Document G38) included the site at Langlands West for future industrial development. Since the local plan was adopted, there has been little interest in developing a site of this scale for industrial purposes and the Council has considered that the change to a development framework site for mixed use would better		

meet the strategic need for economic regeneration.

Langlands Moss Local Nature Reserve (LNR) is located in the green belt and is separated from the boundary of the development framework site by an area of undeveloped countryside. Langlands Moss is protected by Policy 15 Natural and Historic Environment which identifies local nature reserves as Category 3 designations where development will only be permitted if there is no adverse impact following the implementation of mitigation measures. There is no buffer zone identified around the Local Nature Reserve.

The requirements for the development framework is set out in Appendix 3 of the proposed local development plan state that there should be no adverse impact on the adjacent Langlands Moss local nature reserve. The development requirement refers to provision of a landscaped buffer zone, but the primary function of this is to establish a robust settlement edge rather than specifically provide a protective buffer around the LNR. The detailed design of the buffer zone will be set out in the masterplan for the site. In addition, future planning applications for the development framework site would require to be advertised in the usual manner which would allow representation to be made. The Friends of Langlands Moss form part of the Langlands working group which has been set up to progress the implementation of the development framework, and would be consulted as a matter of course on any future development.

No change proposed to the local development plan.

239 - Langlands Moss Local Nature Reserve (LNR) is not included within the boundary of the development framework site. The LNR is within the green belt and is separated from the boundary of the development framework site by an area of undeveloped countryside.

The expansion of the development framework site to included land at Mid and West Crosshill farms would significantly extend the site into the green belt. Policy 3 Green Belt and Rural Area of the Proposed Plan (Document G40) states that the green belt area should function primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. It is not considered that expansion of the development framework site further into the green belt is required. The boundary of the development framework site shown on the local development plan proposals map revised the previous boundary shown in the adopted local plan (Document G38) to take better account of physical features and topography. In addition, the development framework requirements refer to provision of a landscaped buffer zone to establish a robust settlement edge.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The two representations are both questioning the extent of the development framework designation. One is seeking it to be more limited to provide greater protection for the neighbouring Langlands Moss Local Nature Reserve, whilst the other is arguing for an expansion southwards of the framework site.
2. In response to the first of those representations I note that the proposed development framework site boundary is separated from Langlands Moss by an intervening area of countryside – and this Local Nature Reserve is located wholly within the green belt. Further protection for the reserve itself is provided by Policy 15 of the plan and the requirements for the development framework regarding impacts set out in Appendix 3 of the plan – all as

detailed by the council.

3. Furthermore, I am satisfied that more detailed design of the intended buffer zone can and should be set out in the masterplan for the development framework site. In any event there would be an opportunity for further representations in response to any planning application lodged in respect of that site. Based on all of these considerations, I conclude that there is no justification to amend the boundary of the development framework site from that shown in the proposed plan in order to provide further safeguarding for the neighbouring Local Nature Reserve.

4. With regard to the other representation, I find that expansion of the development framework southwards is unnecessary and would represent an unacceptable further intrusion into the green belt. I note that the boundary proposed in the proposed plan has been amended from that shown in the adopted local plan to better reflect the local topography and other physical features. Based on the available evidence, including my own site visit, I am satisfied that the southern boundary of the development framework site, as now proposed in the new plan, is logical and defensible. Furthermore, it leaves an appropriate landscape buffer and separation from the neighbouring settlement of Auldhouse. In summary, I conclude that the case put forward for extending the boundary southwards is not persuasive.

**Reporter's recommendations:**

No modifications.

<b>Issue EK6</b>	<b>Redwood Crescent, Peel Park, East Kilbride</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration, Paragraph 4.16 Out of Centre Retail and Commercial Proposals. Chapter 6 Environment Policy 14 Green Network and Greenspace Settlements Maps – East Kilbride	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>264 – Tesco 267 – Kean Properties</p>		
<b>Provision of the development plan to which the issue relates:</b>	Boundary of out-of-centre retail/commercial centre at Peel Park/Redwood Crescent	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>264, 267 – These representations are identical and support the proposed identification of Peel Road/Redwood Crescent as an 'out of centre retail/commercial location', however consider that the designated area should be extended to include additional land to the east.</p>		
<b>Modifications sought by those submitting representations:</b>		
264, 267 - Request that the Council allocate all the land identified as an “out of centre retail/commercial location”.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 264, 267 – The Council responds to these representations as follows:</p> <p>Planning application EK/10/0056 relates to this site. Planning Permission in Principle was granted in October 2010 for mixed use development comprising a Class 1 superstore, garden centre, hotel, Class 3 uses, petrol filling station, allotments, landscaping, associated access and car parking. The approved masterplan (Document EK5) indicates an area of green space set aside for allotment development between the proposed garden centre and the existing industrial estate to the east. Planning application EK/12/0231 granted in September 2012 covers the western part of the site only (Document EK6) and provides a detailed layout for the proposed supermarket and garden centre. It is noted that development has not yet started on site. The area proposed for allotments is currently occupied by an area of public open space and the remainder of the site is vacant land. The East Kilbride Settlement Map in the local development plan reflects the approved layout at this location. The retail element of the development is identified as a proposed out of centre retail/commercial location whilst the allotment development is identified as</p>		

priority greenspace and green network. Although the areas are linked by the original approved planning application they remain two distinct areas. The local development plan seeks to identify, protect and enhance areas of green space and green network through Policy 14 and recognises that green space plays a key role in combating pollution, promoting biodiversity as well as improving health. Additionally, the adopted South Lanarkshire Core Paths Plan 2011 (Document G31) identifies several core paths linking to the wider path network in this area, reinforcing its green network role. It is therefore considered that the LDP reflects the current consent, and expansion of the proposed out of centre retail/commercial area at this location would not be appropriate.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Both of the representations are expressed in identical terms – supporting the allocation shown in the proposed plan for an out-of-centre retail/commercial development at Redwood Crescent but seeking this allocation to be extended eastwards. In particular, their proposal would also cover the adjoining area of undeveloped land on a wooded hillock currently identified as green space (allotments) in the new plan.
2. I note that the area identified in the plan for an out-of-centre retail/commercial development at Redwood Crescent corresponds directly to the land parcel granted planning approval in 2012. That scheme comprises a proposed supermarket and garden centre. This has not yet started on site. The land immediately to the east of it, that is now the subject of the representation, was identified and set aside for allotments within the masterplan that has been prepared for the whole combined area.
3. In my view the area shown as green space in the proposed plan and earmarked for allotments is distinctly different from the adjoining site allocated and granted planning permission for a supermarket and garden centre. Indeed there is a marked change in the topography and landscape characteristics of this wooded hillock. This contrasts with the lower lying, undeveloped site to the west of it where the supermarket and garden centre development has planning permission and is allocated accordingly in the new plan.
4. I note and endorse the aim set out in Policy 14 for the development plan to identify, protect and enhance areas of green space and the green network, recognising that such spaces play an important role, for example in combating pollution and promoting biodiversity.
5. Given the location of the parcel of green space in question – between an industrial area to the east and retail/commercial site immediately to the west of it – I regard this buffer of open space as important and worthy of retention from built developments. In my view this principle should apply irrespective of whether or not allotments are promoted there during the plan period. Accordingly, I conclude that expansion eastwards of the out-of-centre retail/commercial development that has been approved on the adjoining land would be wholly inappropriate.

**Reporter's recommendations:**

No modifications.

<b>Issue EK7</b>	<b>Peel Park North, Barbana Road, Philipshill, East Kilbride.</b>	
<b>Development plan reference:</b>	Policy 7 Employment Policy 3 Greenbelt and Rural Area East Kilbride Settlement Map.	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 277 - Philipshill Retirement Village Ltd		
<b>Provision of the development plan to which the issue relates:</b>	Non inclusion of land west and south of GSO Business Park within settlement boundary.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 277 - This representation relates to non inclusion of land west and south of GSO Business Park within the settlement boundary and has raised the following points:</p> <ol style="list-style-type: none"> <li>1. Requests that the Council allocates land located to the west and South of the GSO Business Park, Barbana Road, East Kilbride, as part of the Strategic Economic Investment Location at Peel Park North and amends the settlement boundary as shown on the settlement map accordingly. This will assist the development process by guiding the future development and use of this land, providing greater certainty and opportunity for development as supported by Scottish Planning Policy (SPP).</li> <li>2. The potential Strategic Economic and Investment Location at this location has a poorly defined boundary to its western edge to the north of Craiggpark, which is a missed opportunity to consider the boundary of the settlement at this location.</li> <li>3. The allocation should include additional land up to Braehead Road and the existing footpath connection Braehead Road to East Kilbride Road.</li> <li>4. This change would provide a more defensive and logical settlement boundary which better reflects the physical features and landscape topography of the site.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
277 – The East Kilbride Settlement boundary should be amended to include land at Peel Park North, Philipshill currently designated as Green Belt.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 277 - In response to the points raised the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. Currently the Council is considering a Planning Permission in Principle application for a retirement village at this site (374 residential units comprising a variety of cottages, apartments and care home studio houses) – Application Ref No. EK/13/0050. This application site extends into the Green Belt to Braehead Road. The application remains</li> </ol>		

non-determined (Document EK7). The proposal would create a significant intrusion into the Green Belt and would result in coalescence between East Kilbride and Thorntonhall. The site is visually prominent from the A727 running between East Kilbride and Busby. Any development would further extend the urban form into a sensitive Green Belt corridor which acts as a buffer between settlements. It is considered that the existing settlement boundary should remain unchanged with no further release of Green Belt land at this location.

2. In relation to any development of the existing land within the settlement boundary at Peel Park North it would be a requirement to ensure that a robust defensible greenbelt boundary is maintained and enhanced.

3. It is the Council's position that the current boundary is robust and defensible. Further erosion of the Green Belt at this location has the potential to result in coalescence with Thorntonhall as potentially it could allow development up to the edge of the site contiguous with Braehead Road.

4. It is considered that with further tree and structure planting as part of any new development the current settlement boundary is a logical defensible boundary of the Green Belt.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The representation criticises the existing settlement boundary in the vicinity of Peel Park North and seeks an extension of that boundary north-westwards to Braehill Road. It is argued that such an extension into the greenbelt is justified as it would provide a more robust and defensible settlement boundary and enable the land released from green belt to be developed productively.

2. The Schedule 4 refers to the organisation that made the representation having lodged a planning application for a 374 unit residential "retirement village" – comprising a mix of cottages, apartments and care home studio houses – on the land in question. The council, as planning authority, has advised that on 11 March 2014 it granted planning permission in principle for that development, subject to a number of conditions.

3. Based on this updated position I conclude that there is no further need for me to examine in detail the merits of the proposed changes being sought in the representation – as the key issues have been addressed by the planning authority's recent granting of a planning permission in principle.

4. In that context those making representations have reiterated their position that it would be logical for the settlement boundary of East Kilbride to be amended to incorporate the land covered by that new planning permission. The outer edge of that permission, defined by its boundary with Braehill Road, would form the new edge to the green belt that surrounds East Kilbride. The planning authority was invited to update its position regarding the settlement boundary in the light of this planning permission but declined to comment further on this matter.

5. In the absence of any arguments to the contrary, I conclude that the plan should be modified to include the area of the development recently granted planning permission

within a revised settlement boundary, as proposed in the representation. For consistency with the planning permission granted, I also conclude that the land concerned should be shown on the settlement map as being designated for residential use when the proposed plan is adopted.

**Reporter's recommendations:**

Modify the local development plan as follows:

1. on the East Kilbride settlement map show the site that has been granted planning permission in principle (on 11 March 2014) as designated for residential rather than strategic economic investment use; and
2. adjust the settlement boundary on that settlement map to include this site within the East Kilbride boundary that would now follow Braehill Road immediately alongside this particular site.



<b>Issue EK8</b>	<b>Shields Road, East Kilbride.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Area Chapter 5 People and Places, pages 26 -30 Policy 12 Housing Land	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>7 - Maureen Ramsay 59 - Mr and Mrs N Dalziel 174 - Mr and Mrs Mitchell-Knight 213 - Walter McPhee 383 - Mr and Mrs Gilmour 503 - Rukhsana Sheikh 504 - Nameen Sheikh</p> <p>Supports: 332 - Taylor Wimpey plc</p> <p>Comments: 332 - Taylor Wimpey plc</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site at Benthall Farm, Shields Road, Lindsayfield for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>7, 59, 174, 213, 383, 503, 504 – The representations relate to redesignation of Green Belt to allow for release of a site at Benthall Farm, Shields Road, Lindsayfield for housing and raise a number of issues:</p> <ol style="list-style-type: none"> <li>1. There is no need for the development due to the supply of undeveloped land around East Kilbride, including within CGAs and the development priorities up to 2025. There is insufficient demand for housing locally to support release of this site. Vacant land exists adjacent to Morrisons, which could be developed.</li> <li>2. The proposal contradicts the Council's previous position in defending the green belt boundary and this important green wedge. Why has the Council's position changed? Shields Road forms a strong, visible, defensible green belt boundary. The proposed housing site would not have an appropriate green belt boundary which contravenes SPP. The proposal would require tree planting as the new boundary to the green belt, which would take at least 10 years to grow. The development will adversely impact on the landscape setting of the area. Any housing on south facing slopes would be seen from several miles.</li> <li>3. The development would adversely affect the adjacent protected moss land nearby, including with pollution. It would also potentially result in the loss of mature beech trees</li> </ol>		

and have an adverse impact on local wildlife. It would also result in the loss of grazing land and a water hole for animals.

4. The existing cycle route along Shields Road is a valuable amenity and should be protected. Shields Roads is also used as a recreational route by pedestrians and horse riders. This has health benefits for the local community and is a free resource. The attraction of Shields Roads as an attractive route would be lost. Construction would also have an adverse impact on local amenity. Access to the green belt will be reduced, which is a major attraction of East Kilbride.

5. Are there any development plans drawn up by a developer/builder?

6. Adequate consultation was not sought regarding the proposal. Neither the MIR nor strategic map included a proposed change to the settlement boundary. This gives the impression that change is unlikely following further consultation of the published plan. It is extremely disappointing that only the legal minimum notification of the proposed changes took place. All those potentially affected should have been informed. Concern that the process was designed to minimise objections.

7. The proposal conflicts with the SEA undertaken in support of the MIR.

8. The existing pressure on local amenities and infrastructure (primary schools, local transportation, congestion) is already problematic. The population of Lindsayfield has doubled in the last 4 years and is continuing to expand. Additional housing would exacerbate the situation. Greenhills Road in particular is congested at peak times. Public transport is poor, which encourages more car use.

9. Expenditure for this proposal should be re-directed to a community project.

Support:

332 – This is an effective site that can be realised with the lifetime of the Local Development Plan, therefore contributing to the 5 year supply. The site could accommodate 450-600 units by adopting a more efficient and sustainable design approach. There are no landscaping issues that cannot be resolved through design and landscape treatment, No evidence of protected species or ecological issues identified. The site is not at risk of flooding. Drainage resolutions in relation to the adjacent peatlands have been identified.

The site is well placed to link into the existing path networks to encourage walking and cycling. The site has good links to public transport and therefore provides realistic alternatives to the car. The site promotes sustainable travel.

Comment:

332 - The site could accommodate 450-600 units by adopting a more efficient and sustainable design approach.

**Modifications sought by those submitting representations:**

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**Summary of responses (including reasons) by planning authority:**

## Objects

213, 174, 59, 7, 383, 503, 504 – Taking each point in turn the Council responds as follows:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. This site was considered appropriate for release (Document G27).

2. The site is considered to be effective and deliverable within the lifetime of the LDP and therefore will contribute to the supply of housing, as set out in the Housing Technical Report. It is considered that the site would round off the settlement edge and is located in a gap between Lindsayfield and the proposed Langlands West site. Structure planting would be required to the proposed green belt edge to help screen the development. It is considered that a robust and defensible green belt edge could be created on the southern boundaries of the site, which will mitigate any potential visual impact, both locally and in respect of more distant views of the site. The additional planting required to achieve this would provide an appropriate and strong edge to the settlement. The development of the site is therefore considered to be in accordance with SPP.

3. The position of the adjacent raised bog (site of importance for nature conservation) site has been recognised in the designation of the site boundary. Any housing application will require to take cognisance of the constraints imposed on development by the adjacent protected site. These will mainly relate to hydrology and pollution prevention. A housing layout is not under consideration at this stage; therefore it is not clear whether the proposal will result in any loss of mature trees. Any future planning application will require submission of a tree and protected species/environmental survey. The loss of grazing land is not considered to be a significant consideration in this instance and does not outweigh the requirement for housing land, as identified in the LDP and Housing Technical Report.

4. The Council would seek to retain existing cycling and/or recreational routes that may be affected by a future planning application for housing. Any future application would also require open space provision and connections with recreational routes and the adjacent countryside, where appropriate. Potential disturbance during construction is a relevant consideration at the planning application stage.

5. Taylor Wimpey Plc has submitted documentation in support of their representation, which promotes the site for residential development. The supporting documentation includes a Masterplan Report, Landscape and Visual Impact Assessment, Constraints Survey, Transport Appraisal and Drainage/Flood Risk report.

6. The statutory consultation and notification process has been undertaken by the Council in relation to this site. The method used to notify neighbours was applied uniformly across

all affected sites. The procedure undertaken was not designed to minimise objections to this site.

7. It is acknowledged that the SEA identifies potential negative landscape and biodiversity impacts. The biodiversity impacts relate to the original inclusion of the adjacent area of raised bog within the assessment of this site. This protected area has now been removed from the site. It is considered that potential landscape impacts can be mitigated by the adoption of appropriate structure planting and sensitive design.

8. Any future planning application will require to be accompanied by a Transport Assessment, which may identify necessary works and/or upgrading of transportation facilities to accommodate development. The site is considered to be in a sustainable location in respect of the ability to link with the existing road and path network and the potential for improved public transport linkages. Local school capacities will be a relevant consideration, should this site be developed for housing. Appropriate provision will be required to accommodate any additional school age children.

9. The site is considered to be an effective site for housing. Any requirement for community facilities would be a relevant consideration at the planning application stage.

No change proposed to local development plan.

Support:

332 – Noted. The representation supports inclusion of the site within the settlement boundary of East Kilbride. It is argued that the site is in a sustainable location and can be developed without adverse landscape, ecological, drainage or transportation impacts.

Comment:

332 – A comment is added to the supporting statement regarding site capacity. Whilst this is not an objection, Taylor Wimpey are of the opinion that the indicative capacity of 350 units contained in the Housing Technical Report is considered to be a conservative estimate and that the site could deliver 450 – 600 units. The Council believe that whilst Shields Road is an appropriate housing site that can be delivered without a significant adverse impact on landscape, environmental, amenity or other infrastructure interests the potential capacity of the site will be determined by the requirements for high quality design, including provision of appropriate landscaping, open space and structural planting. The Council will agree capacities with the developer if an application is progressed for the site.

No change proposed to local development plan.

**Reporter’s conclusions:**

1. In the council’s assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis it proposes to allocate this particular site for the reasons outlined below.

2. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. This site as now proposed has been categorised as “effective”. The council acknowledges, however, that its original assessment of the Shields Road site and its environs identified potential negative landscape and biodiversity impacts – the latter being associated with an area of raised bog that is designated as a site of importance for nature conservation (SINC). That whole bog area, which formed part of the original area of land investigated, has since been excluded from the site now proposed for allocation in the plan. This addresses one of the concerns that has been raised regarding the proposed allocation.

4. I also find that the potential landscape and visual impacts can be satisfactorily mitigated through the use of structural planning and appropriate design when the site, as now defined, is being developed. The boundary planting would also have strategic importance for the reasons outlined below.

5. I note that the site now proposed for allocation as EK8 would fill a gap between Lindsayfield on the edge of the existing built-up area and the proposed Langlands West site (EK5) immediately to the east of it – which is also proposed for housing development. Structural planting will be needed to act as a screen for the development of site EK8 – and to act as a buffer and to provide a strong, defensible edge with regard to the proposed new greenbelt edge immediately to the south of it.

6. Based on all of these and related considerations, I do not find persuasive the arguments put forward on behalf of the objectors – not least because they do not take into account the latest assessment of projected local housing land needs. In that context I recognise that the site selection process to meet those requirements will on occasions necessitate some marginal changes to the green belt boundary – in addition to infill developments, where appropriate, within the existing built-up area of East Kilbride.

7. Based on the available evidence I am satisfied that the concerns expressed about the limited capacity of the local community services and infrastructure such as schools and roads could be satisfactorily addressed. I would expect these matters to be examined in some detail through the development management process when proposals come forward in the form of a planning application – and prior to any consent being granted. Accordingly I do not regard such concerns as justifying the site concerned to not be allocated in the plan. I also note that the council has indicated that it would seek to retain cycle route and other recreational opportunities when it is determining any planning application for the site concerned.

8. The plan allocation states an indicative capacity of 350 units for the EK8 site. One representation, on behalf of the intended site developer, suggests that the site could deliver 450-600 houses by adopting an efficient and sustainable design approach. I conclude that the actual capacity of the site will only be determined by the lodging and processing of a

planning application. At that stage the developer would need to demonstrate how the site layout and development components are designed sustainably to avoid significant adverse landscape and visual impacts whilst maximising amenity, with appropriate landscaping open space and structural planting.

9. Based on all of the above considerations I conclude that there is no need or justification to modify the proposed plan in response to the representations lodged.

**Reporter's recommendations:**

No modifications.

<b>Issue EK9</b>	<b>St James Local Neighbourhood Centre, East Kilbride</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration, pages 18 – 20 Policy 7 Employment Chapter 4 Economy and Regeneration, pages 21 - 22 Policy 9 Neighbourhood Centres Local Development Plan– settlement map – East Kilbride Settlement Plan	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 274 - Kean Properties		
<b>Provision of the development plan to which the issue relates:</b>	No change to the industrial land designation north of St James Avenue East Kilbride to allow an extension to the existing retail development	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>274 – This representation seeks the re-designation of industrial land to retail use and has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The identification of the Local neighbourhood Centre at St James Centre on the Settlement Map is based upon the existing centre development and does not reflect any potential for expansion, for which there is market demand as is certain to grow given the proposed Community Growth Area nearby.</li> <li>2. Only logical and available land for expansion is to the north towards the railway line. Redwood Crescent on the other side of the railway line is designated retail through the granting of a mixed use development (EK/10/0056) and the land between the St James Centre and Redwood Crescent provides an opportunity to create sustainable non-car linkages between the areas particularly as there is an existing bridge in situ within the western part of the site.</li> <li>3. Re-designation of the land as part of the St James Local Neighbourhood Centre as identified on the Settlement Map for East Kilbride will assist the development process by guiding future development providing greater certainty and opportunity as supported by Scottish Planning Policy (SPP).</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
274 - Seeks the re-designation of the site to the north of St James Centre , Hairmyres, East Kilbride from industrial land to commercial for the purpose of expanding the Local Neighbourhood Centre here, as shown in the Settlement Map, East Kilbride		

**Summary of responses (including reasons) by planning authority:**

274 – Taking each of the points raised in turn, the Council would wish to make the following comments:

1. There have been several applications within the last few years to change the use of Class 1 units within the St James Centre to other uses, such as a gymnasium, betting shop and music school. Taking together the aforementioned and the fact there some units remain vacant, it is not deemed necessary or warranted to expand the Local Neighbourhood Centre. The Community Growth Area has retail provision included in its masterplan and therefore is not deemed to require increased capacity at the St James Centre.
2. The site which is proposed for re-designation is allocated for industrial and business use within a core industrial and business area in the proposed local development plan. There is currently an adequate supply of land for industry and business in East Kilbride however Scottish Planning Policy (SPP) (Document G1) requires planning authorities to ensure that a range of development opportunities and choice of sites for new employment opportunities is provided. The Local Development Plan must therefore ensure the industrial land supply remains adequate over the five year plan period. Sustainable linkages between the site and the land beyond the railway line to the north at Redwood Crescent could be made immaterial of whether the land is industrial or commercial.
3. The Council is satisfied that the need for local retail development in this locale is adequately served by the existing units at the St James Local Neighbourhood Centre. The allocation and boundaries of the core industrial and business area and the local neighbourhood centre were fully assessed during the preparation of the proposed plan and the findings are contained in the Industrial, Retail and Commercial Technical Report (Document G26). The Council considers that this provides certainty for developers.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The site in question is a rectangular area of undeveloped land immediately to the north-west of The St James Centre. This vacant site is designated for industrial and business use in the proposed plan. The sole representation seeks re-designation of this site for retail use to provide expansion opportunities for the St James Centre. This centre, as currently defined, is shown as a Local Neighbourhood Centre in the proposed plan. It accommodates a number of shop units of differing types and sizes, not all of which are currently occupied.
2. I note that even though there are still units vacant in the St James Centre, the council has resisted pressure for some units there to be released from retail use restrictions to enable them to be used for other purposes. In that context I find that there is insufficient justification to expand the St James Centre to provide additional retail space on the site in question. I also note that there are other retail development opportunities within the Community Growth Area.
3. The site concerned is part of a larger core industrial and business area shown in the proposed plan. Whilst it may be the case that there is currently an adequate supply of land for industry and business in East Kilbride, national planning policy requires the plan to offer



a range of development opportunities in the plan area. I note that prior to the plan being finalised the need for local retail development and the Local Neighbourhood Centre, as well as for industrial and business areas was fully assessed. The findings of that work are set out in a technical report supporting the new plan.

4. I have considered all the other points raised in the representation but conclude that individually and in combination they do provide sufficient justification to re-designate the site in question – for the reasons set out by the planning authority and summarised above.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK10</b>	<b>Redwood Drive, East Kilbride</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration, Employment pages 18 to 20 Policy 7 Employment Table 4.1: Schedule of Employment Land Categories Appendix 5: Proposals Local Development Plan settlement map – East Kilbride	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 458 - The Stewart Milne Group		
<b>Provision of the development plan to which the issue relates:</b>	Non inclusion of industrial site at Redwood Drive in the ‘Other Employment Land Use’ category.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>458 – This representation has raised the following points with regards to the designation of land at Redwood Drive, East Kilbride as Core Industrial and Business Area and requests that the site be re-designated as Other Employment Land Use Areas to allow for a mixed use development including commercial leisure, retail, residential care home, medical centre, restaurants and other similar uses:</p> <ol style="list-style-type: none"> <li>1. The site has had a planning consent since 2008 for the erection of class 4 business units which has not been implemented demonstrating the need to consider alternative uses for the site. Re-designation would complement the adjacent mixed use site at Redwood Crescent and encourage development and investment in the local economy.</li> <li>2. There is a significant surplus of industrial land in East Kilbride and the re-designation of the site would not affect the ability to maintain a 10 year marketable land supply.</li> <li>3. The site is now separated from other industrial sites at Peel Park by the Redwood Crescent mixed use site.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>458 -</p> <ul style="list-style-type: none"> <li>o The site at Redwood Drive should be re-designated to allow for a mixed use development site in accordance with the promotion of “Other Employment Land Use Areas”.</li> <li>o Appendix 5 should be amended to include the re-designation of the Redwood Drive site as a mixed use development area for Other Employment Land Uses, and the Local Development Plan Proposals Map and relevant background Technical Appendix Report also should be amended.</li> </ul>		

**Summary of responses (including reasons) by planning authority:**

Objects:

424 – This representation has raised the following points and the Council would wish to respond as follows:

1. The boundaries and functions of all industrial areas in South Lanarkshire were assessed during the preparation of the proposed plan and the findings are contained in the Industrial, Retail and Commercial Technical Report (Document G26). The area within which the site is located is considered to be a core industrial and business area. The Council recognises that in the current economic climate a greater degree of flexibility may be required in some industrial and business areas and has identified 'other employment land use areas' elsewhere in East Kilbride which are less restrictive in terms of land use. However the Council considers that further mixed use development at Redwood Drive to complement the as yet unimplemented out of centre retail/commercial allocation at Redwood Crescent is not required at this time. However should this consent be implemented it may be appropriate to subsequently re-consider the status of the site. Currently it is considered that the site should be retained as a core industrial and business area for the development of industrial/business use classes 4, 5 and 6. It is noted that Outline Planning Consent EK/08/0080 granted in 2008 for Class 4 Business Units has recently expired.

2. Scottish Planning Policy (SPP) (Document G1) requires Planning Authorities to ensure that a range of development opportunities and choice of sites for new employment opportunities is provided. The Council has produced an Industrial, Commercial and Retail Development Technical Report (Document G26) which sets out the position regarding industrial land in South Lanarkshire. This report identifies the site as Category 1 Confirmed Marketable Site forming part of the Marketable Land Supply. The Council agrees that there is currently an adequate supply of land for industry and business in East Kilbride, however the local development plan must therefore ensure that the supply remains adequate over the five year plan period as economic circumstances may change during this time.

3. The Industrial, Commercial and Retail Development Technical Report (Document G26) reviewed all industrial areas and sites in South Lanarkshire. This notes that the site at Redwood Drive will be separated from the main Peel Park industrial area, however concluded that it should be designated as a Core Industrial and Business Area to be retained for industrial/business use classes 4, 5 and 6. This is reflected in the proposed plan. The site is a large, well located site with good links to the strategic road network.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The representation is essentially seeking more flexibility regarding future development of the triangular site in question, which is designated in the proposed plan for core industrial and business uses. The objector contends that there is a significant surplus of industrial land in East Kilbride - noting that a planning permission for business units on this site granted in 2008 has not been implemented. The representation seeks the re-designation of the site to "other employment land uses" that would allow a mixed use development including commercial leisure, retail, residential care home, medical centre, restaurants and similar uses.

2. Nevertheless, on balance I find more persuasive the arguments for retaining the existing designation of the site concerned based on the findings of the detailed assessment undertaken as part of the plan preparation – summarised in the Industrial, Retail and Commercial Technical Report. I note that the proposed plan does identify some industrial and business areas elsewhere in East Kilbride that are less restrictive and where a greater degree of flexibility is applied with regard to future uses. These are known as “other employment land use” areas. I conclude, however, that such a designation would not be appropriate in this case, however, and that the site in question should remain as a core industrial and business area for the reasons summarised above and others outlined below.

3. The fact that a planning permission granted in 2008 has now expired without being implemented is not sufficient reason to change the designation of the site in the plan. Indeed, national planning policy requires the planning authority to retain a range of development opportunities and choice of sites in the proposed plan over the whole plan period. Whilst there appears to be an adequate supply of land for industrial and business needs in East Kilbride at present, there is an obligation on the planning authority, underlined by the Scottish Planning Policy principles, to ensure that this sufficiency, range of provision and choice is maintained over the plan period, when economic circumstances may well change.

4. The site in question is separated from the nearby main Peel Park Industrial Area by the railway line marking its northern boundary. I find, however, that this of itself does not justify its re-designation in the manner being advocated in the representation. This triangular site, when considered on its own merits, is large and readily connected to the strategic road network. Accordingly, I conclude that it is well placed to attract commercial investment commensurate with its designation in the proposed plan. In summary, I conclude that there is insufficient justification for it to be re-designated in the manner being proposed.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK11</b>	<b>Former Rolls Royce Site, East Kilbride.</b>	
<b>Development plan reference:</b>	Chapter 3 – Vision and Strategy Policy 1 – Spatial Strategy Page 10 Appendix 3 – Development Priorities Page 53	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 273 – Rolls-Royce plc</p> <p>Supports:</p> <p>273 – Rolls-Royce plc 328 – East Mains Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This refers to the Rolls Royce site which is identified as a Development Framework Site in Appendix 3.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>273 – This representation supports the designation of the site but also raises the following objections:</p> <ol style="list-style-type: none"> <li>Given the oversupply of and very weak occupation rate for employment land and property in East Kilbride, it is vital that redevelopment is residential led and the wording "subject to viability" is retained in the supporting text in respect of the inclusion of other non residential uses (particularly industrial/business/commercial). This is to ensure the allocation can be considered viable and deliverable.</li> <li>A minimum indicative figure of 500 dwellings should be included in the Housing Land Audit, including a minimum of 150 dwellings within the effective housing land supply assumptions. This is to both support the family housing led redevelopment of the R-R site and provide flexibility for South Lanarkshire Council's aspiration to investigate the viability and deliverability of industrial/business/commercial uses, as part of the future redevelopment.</li> <li>Request changes are made to the way the site is shown on the local development plan proposals map. The entire site should be shaded for housing and the green network designation deleted or replaced with a dot or other symbol.</li> <li>The Shields Road site should only be released from the Green Belt and allocated for housing if this can be justified in terms of housing need after the R-R site has been added to the effective land supply.</li> </ol> <p>Supports:</p> <p>273 - Rolls-Royce support the proposed "mixed use residential led redevelopment" allocation of the R-R site in the Proposed LDP and note the flexible approach to the future</p>		

determination of the extent of residential and other uses as part of a future masterplan for the site.

328 – Agree with designation of Rolls Royce site as a Development Framework Site.

**Modifications sought by those submitting representations:**

273 -

- A minimum indicative figure of 500 dwellings should be included in the Housing Land Audit, including a minimum of 150 dwellings within the effective housing land supply.
- The whole of the R-R site is annotated brown or an alternative annotation is used to make clear the amount and location of future housing to be determined.  
The annotation used to identify the requirement for green network provision is either: i) Excluded on the basis that a requirement for green network provision is covered separately in the supporting text for the Development Framework allocation; or ii) Replaced by an alternative annotation to identify "New Green Network Provision" or similar.
- Shields Road site is only released from the Green Belt and allocated for housing if this can be justified in terms of housing need after the R-R site has been added to the effective land supply.

**Summary of responses (including reasons) by planning authority:**

Objects:

273 – The Council would comment on the representation as follows:

1. The representation suggests that there is currently an oversupply of employment land and property. The Council agrees that there is currently an adequate supply of land for industry and business in the East Kilbride, area as a whole. Scottish Planning Policy (SPP) (Document G1) requires Planning Authorities to ensure that a range of development opportunities and choice of sites for new employment opportunities is provided. The Local Development Plan must therefore ensure the overall industrial and business land supply remains adequate over the five year plan period. In addition there is a need for a good distribution and range of sites at the local level. There are no available sites for industry and business in Nerston Industrial Estate. The Council therefore considers that there remains a need and an opportunity to retain/allocate land at the former Rolls Royce site to improve the local distribution of employment sites. In addition the sites relationship with surrounding land uses supports part of the site being retained for industrial uses.
2. The Housing Technical Report (Document G27) is based on the 2012 Housing Land Audit, as agreed with Homes for Scotland. At that time the Rolls Royce site was identified as a Development Framework Site with a notional capacity of 100 units as part of a mixed use development. At the time it was uncertain what the future of the site was likely to be. Whilst the objector now states a minimum of 500 units with 150 effective within the lifetime of the development plan, the Council is of the opinion that this figure may be excessive particularly given the capacity of the road system and the site's proximity to the Air Quality Management Area at the Whirrlies roundabout. Further work therefore is required before the capacity of the site can be finalised. Therefore it is premature to allocate a figure of 500 units to the site until further work is carried out to identify constraints and mitigation measures required.

3. The brown shading on the proposals map for this site reflects the area that is included in the Final 2012 Housing Land Audit when the site was for mixed use development. This represented the most likely area to be developed for housing in terms of its relationship with surrounding land uses. With regards to green network all of the Development Framework sites in the plan are annotated in the same way to clearly demonstrate that provision will be required however at this time there are no firm boundaries that can be shown on the plan. This is similar to the position of the Community Growth Areas that were shown as indicative development areas in the South Lanarkshire Local Plan but are now shown as developable areas with the green network provision separately identified.

4. The Shields Road site has been assessed by the Council and is considered to be an area suitable for residential expansion. A named builder is involved and the site can be made effective if released through the local plan process. It is considered that it is not appropriate to prioritise development opportunities once they are allocated in the LDP but leave individual builders to progress sites as they see fit. It is considered that it is not appropriate to prioritise development opportunities once they are allocated in the local development plan but to allow individual builders to bring forward sites as they see fit. All of the sites assessed in the Housing Technical Report, as either effective or capable of becoming effective, form an important part of the future land supply. As a result the Council would seek to see as many of the proposed sites as possible come forward to contribute to the housing land requirement in the short and medium term.

No change proposed to the local development plan.

Supports: 273, 328 – Noted.

**Reporter's conclusions:**

1. Until recently, the site in question has accommodated a range of Rolls-Royce factory plant and associated office activities and forms part of the Nerston Industrial Estate. Rolls-Royce plc are in the process of closing down all their various Nerston operations by 2015. In some instances this involves transferring its operations to other sites. At the time of my site visit it appeared that substantial parts of this Rolls-Royce complex, which extends to 20 hectares, had already ceased to be operational and were vacant.

2. In this context the whole Rolls-Royce site at Nerston is identified in the proposed local development plan as a Development Framework Site for mixed-use development, including housing as well as new employment uses.

3. Rolls-Royce plc, the site owners, point to an over-supply of and weak demand for office and industrial premises in this locality – and on this basis contend that regeneration of the site in question primarily for business purposes could not be sustained. Instead they favour a housing-led redevelopment of this brownfield site – arguing that this would be more sustainable than the release of green field or greenbelt sites to meet future housing needs and improve choice in this part of East Kilbride. In this context they have sought to illustrate how 580 houses, as well as associated open space and a local centre, could be provided on the site with associated benefits for the area.

4. In summary, the representation seeks the site to be identified for a minimum of 500 houses in the Housing Land Audit, with associated changes to be made to the new local development plan. More specifically it is argued that at least 150 units of the total housing capacity of the site should be regarded as effective and capable of being built over the first

5 years of the plan.

5. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

6. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

7. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

8. In response to the concerns and aspirations expressed in the representations made about the Rolls Royce site, the council states that it has undertaken a technical assessment – which concluded that this is an area suitable for residential expansion. I have no reason to disagree with that assessment which, I note, accords in principle with the market analysis and aspirations of the site owner.

9. The council also acknowledges that there is a current over-supply of employment land and property in the East Kilbride area as a whole. Nevertheless, it draws attention to its obligation under the Scottish Planning Policy to ensure that there remains a range of development opportunities and a choice of sites for new employment provision over the plan period. As the council points out, there are no other available sites for industrial and business development in Nerston Industrial Estate.

10. In principle I agree with the council that there is justification to retain and allocate some of the Rolls-Royce land to provide new employment opportunities. In reaching this conclusion I have had regard to the local and strategic policy contexts of the development plan, along with the policies set out in the Scottish Planning Policy. I also note that retention of some of the land here for employment uses would be compatible with the existing mix of commercial uses in the immediate locale.

11. Against this background, the council identifies the site in question as a Development Framework Site with a “notional capacity” for 100 residential units to be provided as part of a mixed use development. It acknowledges that there may be scope for additional housing on the site, subject to roads capacity and other issues such as air quality being addressed



satisfactorily – and I share that view. Nevertheless, based on existing information, the council regards as excessive the suggestion put forward in the representation that the site could and should provide a minimum of 500 housing units, with 150 of those to be effective over the first five years of the plan.

12. Based on the available information, I endorse the council’s cautious approach in that regard. Indeed I conclude that it would be premature to formally allocate significant additional housing units to this site until further work is completed. Amongst other matters, that would better define the likely site development constraints and establish to what extent mitigation measures might be cost-effectively applied to address these in order to realise the full development potential of the site for a mix of new housing and commercial uses. These assessments would take into consideration a wide range of factors including infrastructure requirements, ground conditions, access, landscaping and other environmental issues, such as noise and air quality. I acknowledge that work on many of these aspects has already been initiated.

13. The scope and completion of additional detailed assessments falls outwith the remit of this plan examination. Instead I would expect these investigations to be completed as part of the Development Framework and master planning process prior to the determination of any formal planning application that may be lodged. Amongst other matters, this should have close regard to the amenity of residents in new houses on this site in the context of existing and new commercial developments in the vicinity, as well as taking into consideration the green network objectives. The terms and findings of those investigations would need to be agreed between the landowner, the developers and the planning authority.

14. I acknowledge the concerns expressed in the representations about the need for any re-development strategy and plan allocation for this large-scale site to comprise a mix of uses that are likely to be viable and deliverable over the plan period and beyond. For the reasons summarised above, however, I conclude that it would be inappropriate to dismiss or minimise the case for retention of a significant proportion of the site for employment purposes in favour of it being promoted almost exclusively for residential development. I also conclude that the approach being adopted by the council accords with the principles advocated in the Scottish Planning Policy.

15. In summary I conclude that the most appropriate and viable use mix – and the location and form of the boundaries between the selected uses – are matters that will only emerge when significant additional assessments have been completed. For a site of this scale and complexity, that process is very likely to extend well beyond the time-scale of this plan examination. I recognise that, based on those findings, in due course a persuasive case may well be made for significant additional housing to be promoted on this site during the plan period and beyond, in addition to the “notional” 100 units currently allocated in the plan for the first 5 years of the proposed plan. Nevertheless, for the reasons stated earlier, I conclude that in the meantime it would not be appropriate to select any particular higher figure to be put in its place.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK12</b>	<b>Stroud Road, East Kilbride.</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration pages 18-21 Policy 7 – Employment Chapter 3 Economy and Regeneration Pages 21- 24 Policy 9 – Neighbourhood Centres	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 425 - Acra		
<b>Provision of the development plan to which the issue relates:</b>	No change to the industrial land designation south of Stroud Road, East Kilbride to allow retail development.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 425 – This representation has raised the following points regards to the non-inclusion of land for retail use on vacant industrial land at Stroud Road, East Kilbride:</p> <ol style="list-style-type: none"> <li>1. Consented development in industrial areas cannot be implemented in the current economic climate. Consent has been granted on the site for business use but there has been no interest. There is an adequate supply of business land in East Kilbride.</li> <li>2. The proposal is for a small scale development which is not of a sufficient size to threaten the town centre. The proposed floor space falls within the threshold where the sequential test is not required and therefore presents no threat to existing stores or centres.</li> <li>3. The catchment includes a college, business park and residential area. The site is visually self contained and forms a natural extension to a surrounding residential area. There is a lack of retail services in the vicinity of the site. It is a small scale neighbourhood facility designed to serve the working and resident population immediately adjacent. There are no local centres in the vicinity offering the types of goods envisaged by the proposal. The site will utilise the existing public transport network and good pedestrian network.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
425 - The site at Stroud Road should be removed from industrial land use allocation and re-allocated for neighbourhood retail facilities.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 425 - Taking each of the points raised in turn the Council make the following comments:</p> <ol style="list-style-type: none"> <li>1. The site lies within an area zoned for industry in the proposed South Lanarkshire Local Development Plan. The boundaries and functions of all industrial areas in South Lanarkshire were assessed during the preparation of the proposed plan and the findings</li> </ol>		

are contained in the Industrial, Retail and Commercial Technical Report (Document G26). Kelvin Industrial Area, within which the site is located, is considered to be a core industrial and business area, which should be retained for class 4/5/6 uses. The Council recognises that in the current economic climate a greater degree of flexibility may be required in some industrial and business areas and has identified ‘other employment land use areas’ which are less restrictive in terms of land use. The area to the north of Stroud Road is in this category. It is considered that Stroud Road forms a logical boundary between the core industrial and business area to the south and the other employment land use area to the north. It would be inappropriate to introduce a commercial zoning at this location. The Council agrees that there is currently an adequate supply of land for industry and business in East Kilbride. The Scottish Planning Policy (SPP) (Document G1) requires Planning Authorities to ensure that a range of development opportunities and choice of sites for new employment opportunities is provided throughout the country. The Local Development Plan must therefore ensure the industrial and business land supply remains adequate over the five year plan period.

2. The representation notes that the proposal is for a small scale development and the proposed floor space falls below the threshold where the sequential test is required. The Council considers that it would not be appropriate to allocate this site for retail purposes in the local development plan as there is no way of controlling the scale and type of retail development that may come forward in future. There is provision in the existing development plan policies for the consideration of non conforming uses in industrial areas (policy ECON 13 in the South Lanarkshire Local Plan) (Document G38) and further guidance will be set out in the forthcoming Industrial, Commercial and Retail Supplementary Guidance. It is noted that an application for planning permission in principle for 1027sq m of convenience/comparison retail units has recently been submitted for the site. It is therefore considered that the site should retain its industrial allocation in the local development plan and not be reallocated for retail use.

3. The area in which the site is located does have good links to the Town Centre (pedestrian and vehicular). There is no need to allow retail use at this location when the town centre can be accessed so readily. The site is covered by green network designation which requires any development proposals to incorporate provision of green network. This has not been addressed in the proposed layout submitted with the representation.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. The site in question is a broadly triangular, small wedge of land. This is located within but on the edge of a much larger area immediately to the south of Stroud Road that is all designated for core industrial and business uses. The council confirms that the boundaries of all such areas in the proposed plan were set following a review – with the findings set out in a technical report.

2. I find that Stroud Road forms a logical boundary for this particular designation. I note that there are other areas nearby where a less restrictive designation of “other employment land uses” applies. I am not persuaded, however, that the site in question should be re-designated for neighbourhood retail use simply based on the current economic climate that in recent times has slowed the take-up of industrial and business sites in East Kilbride. Similarly, in my view the fact that the scale of the site is limited – and therefore not likely to “threaten” the town centre – is not sufficient reason to change its designation in the manner

now being sought. My conclusion in that regard is not altered by the fact that the site is self-contained and in a locality that does not have its own neighbourhood shopping centre. As the council points out, this area has good links to the town centre. Based on all these considerations I conclude that the suggested re-designation of the site in question would be inappropriate - and would be difficult to control in terms of the type of uses that might come forward in those circumstances.

3. Accordingly, I conclude that the site concerned should be retained in its present designation to help provide a choice and range of development opportunities for industrial and business development over the plan period. This would not prevent consideration of “non-conforming” uses on this or other sites. Such development proposals would be assessed on their particular merits in the context of extant development plan policies through the development management process. Indeed the planning authority points out that it has received an application for planning permission in principle for this particular site – that is still being determined, as far as I am aware.

4. In any event the site concerned is part of a wider green network designation and adjoins a walkway and cycle route corridor. Accordingly, these would be relevant planning considerations in assessing any specific development proposals for this land.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK13</b>	<b>Town centre extension at East Kilbride/the non-inclusion of Atholl House within the town centre</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy Pages 10 -12 Policy 1 Spatial Strategy Chapter 4 Economy and Regeneration Pages 21 - 22 Policy 8 Strategic and Town Centres	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>24 - Hutchesons Solicitors 181 - East Kilbride Properties Limited and East Kilbride Investments 210 - Ediston Opportunity Fund 511 - A Holmes 589 - ASDA Stores Ltd</p> <p>Comment: 642 - SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	These objections relate to a development framework and town centre extension proposed for Kittoch Field. In addition a representation has been submitted that requests the town centre is further extended.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>Representations (24, 181, 511, 589) object to the inclusion of the site at Kittoch Field within East Kilbride Town Centre and representation 210 objects to the non-inclusion of the Atholl House site within the Town Centre.</p> <p>24, 181, 511, 589 – These representations raise the following points:</p> <ol style="list-style-type: none"> <li>Object to the proposed development of greenbelt to the west, east and southeast of Churchill Avenue, as far as the Queensway as an extension to East Kilbride town centre. This area of Green Belt should be preserved. There are numerous vacant commercial and retail units and there is no demand for the proposal. East Kilbride town centre has suffered due to underinvestment and improved retail destinations at Silverburn, Braehead, Glasgow Fort and Glasgow City Centre. Any further edge-of-centre and out-of-centre retail development would have a detrimental impact on the reconfiguration and refurbishment plans from East Kilbride town centre because new supply will curtail the economic case for new investment. It is premature to extend the town centre boundary given the current need for investment in the town centre. Any future development on the extended town centre boundary sites should compliment the existing town centre and provide a mix of non-competing uses.</li> <li>The Local Development Plan fails to identify a timescale for the necessary actions at East Kilbride Town Centre, despite this being a requirement of the Strategic Development Plan (Document G6).</li> </ol>		

3. There is no guidance regarding the scale and nature of the additional retail floorspace proposed. There is now less clarity regarding the form and nature of retail development anticipated than there was when the current local plan was adopted.

4. It is completely inappropriate for the area covered by Development Proposal 6 to be identified as already forming part of the town centre and lying within the town centre boundary. The background Technical Report regarding industrial, commercial and retail development is also misleading. All references including the Development Proposal 6 within the Town Centre should be removed from the LDP.

210 – This representation raised the following points:

1. Object to the allocation of the Atholl House site on the Proposals Map as being within the General Urban Area (Policy 6 General Urban Area Settlement). The proposed zoning relates to residential areas which the Atholl House site is not. The Development Framework site should be extended to include Atholl House or the existing town centre boundary should be extended to include Atholl House to reflect its current use as a town centre office and car park.

2. Atholl House is an appropriate edge of centre development that is both functionally and visually linked to the defined town centre and expansion area. Whilst the Kittoch Field site is identified as a town centre expansion, there are no redevelopment or regeneration benefits involved whereas the redevelopment of Atholl House could be of benefit to the wider town centre strategy. There is an argument that given Atholl House's urban brownfield status and future vacancy that it should be given priority in favour of the Council owned site at Kittoch Field.

Comment:

210 – The Reporter who considered the Dawn Developments Appeal stated at paragraph 34 that “Atholl House is an edge of centre site...” and in terms of retail proposals at that time stated “bearing in mind SPP and Structure Plan Schedule 6c(ii) requirements for flexibility and realism, from the evidence I have of the Atholl House site, I conclude that it is suitable for a superstore, albeit one of more limited scale than is proposed in this appeal. In terms of the sequential approach therefore, the site should be regarded as suitable.” In making these comments the Reporter confirms that the Atholl House site was suitable for retail use. These comments however could equally apply to other town centre uses including general retail.

The Council also state in their response to the Main Issues Report that they do not consider that Atholl House is within or adjacent to the town centre. However this conflicts with their commentary at paragraph (2) of the EOF LDP Document 1 which confirms that “...visual impact is not considered to be significant in the context of this town centre location”. This document pre-dates the Main Issues and Proposed LDP and confirms that the Council does consider Atholl House to be a town centre location. In this context it is unclear why the Council are reluctant to change the boundary of the town centre in the LDP to reflect this stated position.

642 - SEPA indicative flood risk maps show that the site may lie within the 1 in 200 year floodplan. A Flood Risk Assessment would be required to demonstrate flood risk in this area.

**Modifications sought by those submitting representations:**

210 –

- Requests that Atholl House is deleted from General Urban Area on Proposals Map (Policy 6) and identified as part of the town centre/expansion (Policy 8 or Proposal 6 in Appendix 5).

589 –

- The LDP Proposals Map should clearly separate the blue shaded area for the existing town centre and the red hatched area covered by Development Proposal 6. All references including the Development Proposal 6 within the Town Centre should be removed from the LDP.
- At Table 3.1, ‘Development Framework Sites’ after ‘East Kilbride town centre’ insert “Extension Area”.
- At Appendix 5 ‘Development Proposal 6’ delete “boundary changes to incorporate the”.
- Proposals Map - East Kilbride Settlement Map Policy 1 and 10 - Delete “Strategic Town Centre” shading from area covered by ‘Development Proposal 6’. The aim should be to show ‘Development Proposal 6’ lying outwith the boundary of East Kilbride Town Centre.

**Summary of responses (including reasons) by planning authority:**

In response to the points raised the Council would wish to make the following comments:  
24, 181, 511, 589

1. This site is not designated as Green Belt and is already identified as a town centre extension under Policy STRAT8 and Table 2.3 of the adopted South Lanarkshire Local Plan (Document 38). This landuse designation remains the same within the proposed South Lanarkshire Development Plan. The extension of the town centre to incorporate Kittoch Field will allow an opportunity for the town centre to consider improving its retail, leisure and commercial offer, provide new health centre facilities and opportunities for the provision of green network. This will help to maintain and improve the town centre's attractiveness to the wider catchment area and contribute to responding to the challenges/actions identified in the Strategic Development Plan Schedule 12 (Document G6) which identifies competition from other centres and review of the retail offer to improve quality and level of provision. The extension of the town centre at Kittoch Field is important to ensuring the role of East Kilbride Town Centre as a Strategic Centre.
2. The Strategic Development Plan paragraph 4.105 requires Local Authorities through their LDP's and related action programmes to take forward the interventions outlined in Schedule 12. The extension of the town centre is to respond to the challenges/actions in Schedule 12 and the timescales related to the extension of East Kilbride Town Centre will be taken forward in the required Action Programme.
3. Appendix 3 Development Priorities within the LDP lists requirements and key considerations for content and delivery of the extension of the town centre. The Action Programme will take forward further detail on the extension.
4. The proposed East Kilbride Town Centre boundary reflects the adopted Local Plan boundary which includes the extension eastwards to incorporate Kittoch Field. Therefore it

would be a continuation of existing policy to retain the town centre boundary to include the extension and would assist in supporting the role of East Kilbride Town Centre as a Strategic Centre.

No change is proposed to the local development plan.

210 - In response to the representations made regarding the designation of Atholl House the Council make the following observations:

1. The majority of the built up areas of South Lanarkshire are not subject to specific policies and proposals identifying development opportunities. It is nonetheless important that these areas are safeguarded and enhanced and the amenity enjoyed by their residents is protected. It is therefore considered that the designation of the Atholl House site as Policy 6 General Urban Area/Settlement is acceptable due to the local context and built form of the area. There are physical barriers which prevent ease of movement to and from the site and the town centre. Overall the proposed site is considered to be physically separate and unrelated from the town centre in terms of retail use. As a result it is not considered acceptable to include the site within the town centre or within its extension area.

2. For background information in 2010 a planning application was submitted (EK/10/0267) for a food store of approximately 6,503 square metres gross. Following further consideration of the proposal the applicant revised the layout to a reduced scheme of 4,645 square metres gross. The application was refused at Planning Committee on 22 February 2012. The applicant submitted an appeal to the Department of Planning and Environmental Appeals on 17 May 2012. The appeal was subsequently withdrawn in November 2012 during the Public Inquiry process. A further planning application was submitted in February 2013 for Class 1 retail development with a total of 3,716 square metres gross floor space. The applicant indicated that this development could have two formats. Option 1 for a food store of 2,323 square metres (gross) and two non-food retail units totalling 1,393 square metres (gross) and option 2 for three non-food units with the same division of floor space. In addition the proposal would provide associated car parking, access and landscaping. It is noted that there are no named operators for the proposed units. Whilst the application was being assessed by officers the applicant chose to appeal for non-determination of the application on the 17 June 2013. The appeal determination route at the time of writing this response has not yet been decided by the Reporter. The Council's position on this application is refusal with the principal issues relating to retail, transportation, and amenity.

3. The proposed extension of the town centre to incorporate Kittoch Field will allow an opportunity for the Council to consider how best to respond to competition from other centres as referred to in the SDP through retail, leisure and commercial offers, provision of a new health centre facility and opportunities for improving green network. In doing so the aim is to contribute to maintaining and improving the town centre's attractiveness to the wider catchment area and respond to the challenges/actions identified in the Strategic Development Plan Schedule 12 which identifies competition from other centres and review of the retail offer to improve quality and level of provision. The extension of the town centre to incorporate Kittoch Field is considered to be a logical progression of the town centre in terms of visual and functional links when compared to Atholl House. For these reasons and the reasons detailed in point 1 above Atholl House is not considered an appropriate site to include in the town centre.

No change is proposed to the local development plan.



Comment:

210 – The Reporter’s comments from Dawn Development Appeal are noted. However the representation also refers to the Council’s response to the Main Issues Report and it is not clear where this information has been taken from. The representation then refers to EOF LDP Document 1 which pre-dates the Main Issues Report and the proposed LDP. Document 1 is a screening opinion under the Environmental Impact Assessment (Scotland) Regulations for the proposed development at Atholl House and does not set out the Council’s view on whether Atholl House site is a town centre location. For clarification the Council’s view on the East Kilbride town centre boundary is set out above.

642 – Noted. The issue of potential flood risk can be dealt with through the development management process.

**Reporter’s conclusions:**

1. This issue concerns 2 sites by East Kilbride town centre – the East Kilbride town centre extension site and Atholl House.

The East Kilbride town centre extension site

2. The site is large and is predominantly made up of 3 parts – an area of open space along the eastern side of Churchill Avenue, which is connected to the existing town centre via underpasses, a number of offices on the northern side of Cornwall Street, including the Civic Centre, a car park, a police station and a health centre, which lie on either side of Andrew Street, and a small area at the south western corner of the roundabout at the junction of Churchill Avenue and Cornwall Street. The site is contained to the east, and separated from the housing on Roxburgh Park, Avondale Avenue, and Avondale Place by Kittoch Water.

3. In the proposed plan, the site is included within the boundary of the town centre as a development framework site, covered by proposal no. 6 and the green network policy (policy 14). Adjustments are sought to the proposed plan which would: remove the town centre designation; retain the existing open space (“green belt”) areas; and provide timescales and guidance on the nature of any redevelopment proposals. The planning authority proposes no change to the plan.

4. SPP indicates that the planning system should apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities, and should ensure that development plans support successful town centres. The Glasgow and Clyde Valley Strategic Development Plan identifies East Kilbride as a strategic town centre with retail, civic and community, leisure, employment and business functions, facing a challenge of competition from other centres. Future actions identified for the centre in the strategic development plan are: “build upon the existing catchment and public transport linkages; (and) assessment and review of the retail offer to improve quality and level of provision.” The adopted local plan identifies the site as a development framework site (policy STRAT8), providing for the eastwards extension of the town centre, amongst other things.

5. Appendix 3 of the proposed plan indicates that the requirements for this town centre development framework site are: “eastwards extension of town centre to incorporate Kittoch Field; additional retail floorspace the scale and nature to be determined through

retail assessment; provision of new health centre and associated car parking; consider options for redevelopment opportunities including Stuart Hotel site; phased upgrading and redevelopment of existing town centre commercial floorspace; improved pedestrian and vehicular access; and ensure green network provision.” These are similar to the requirements identified in the adopted local plan. Additionally, appendix 3 of the proposed plan requires town centre action plans to be either updated or undertaken for East Kilbride, and paragraph 4.12 acknowledges that strategic centres are facing major challenges, and indicates that the planning authority will: safeguard and protect them; adapt to the changing needs of occupiers and advances in technology; and support appropriate marketing and promotional initiatives to help sustain the centres and improve footfall.

6. The site is in the centre of East Kilbride, and does not comprise part of the green belt. While it does contain areas of open space, particularly on the eastern side of Churchill Drive, the development proposals that come forward for this large development framework site are required to ensure green network provision and related structural landscaping.

7. The proposal for the site is not new, being a continuation of a proposal included in the adopted local plan. Importantly, I consider that it provides an opportunity to enhance this strategic town centre by improving the range of facilities available and making the centre more attractive. It has not been demonstrated that the proposed additional retail floorspace would undermine plans to renew the existing centre. The scale and nature of the additional retail floorspace is to be determined through a retail assessment, and I believe that this is an acceptable approach. The planning authority proposes the preparation of town centre action plans for the existing centre, and has granted planning permission in principle for the reconfiguration and refurbishment of a part of it. The proposed plan promotes both the extension of the centre and the renewal of the existing facilities, and, in my view, they complement each other. Even though the current economic climate may be difficult, I consider that they are both likely to help the centre as a whole address the challenge and further actions identified in the strategic development plan.

8. Both the adopted local plan and the proposed plan clearly intend that the site of the extension be a part of the town centre. Given this, I can see no good reason why the proposed plan should not include it within the designated town centre’s boundary. As the principle of extending this strategic town centre is established in the proposed plan and broad requirements for it are set out, I consider that further details of the proposal, including timescales, the form and extent of the overall development, and access can reasonably be provided and clarified in the action programme required by the strategic development plan. The requirements listed in appendix 3 of the proposed plan give an adequate indication of what is required of this strategic town centre (as extended).

9. No adjustment is required to the proposed plan in relation to the development framework site.

#### Atholl House

10. The site adjoins, and is smaller than, the town centre extension site. It lies on the eastern side of Churchill Avenue, at the south eastern corner of the Priestknowe Roundabout. The site is to the east of the town centre. Residential development is located to the north west (West Mains Road), to the north (Whitemoss Road), and to the south (Roxburgh Park and Avondale Avenue). The site contains offices and a car park (around 200 spaces). It is set in, and is adjacent to, landscaped grounds, with attractive mature trees. The current lease on the property expires in 2016. The car park on site

includes pay and display, and therefore can be used by those visiting the town centre.

11. In the proposed plan, the site is covered by Policy 6, general urban areas/settlements. This policy seeks to safeguard the character and amenity of urban areas and settlements and, as such, it contributes to creating and maintaining successful places in line with SPP. The site lies to the north and east of proposal no. 6 in the proposed plan – the development framework site for the expansion of the town centre. Adjustments are sought to the proposed plan which would remove the Policy 6 designation and include the site either in the development framework site (proposal no. 6) or a town centre boundary. The planning authority proposes no change to the plan.

12. SPP indicates that the planning system should apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities, and should ensure that development plans support successful town centres. The Glasgow and Clyde Valley Strategic Development Plan identifies East Kilbride as a strategic town centre with retail, civic and community, leisure, employment and business functions, facing a challenge of competition from other centres. Future actions identified for the centre in the strategic development plan are: “build upon the existing catchment and public transport linkages; (and) assessment and review of the retail offer to improve quality and level of provision.”

13. Policy 6 of the proposed plan applies to all areas within settlement boundaries where no specific policies or proposals apply. It covers the majority of the built up area of South Lanarkshire. It also covers a number of different uses, and it can reasonably be applied to existing offices. The site lies close to the edge of the town centre as proposed in the plan. However, the land bordering the site to the north and south combines with land in the site to create a pleasant landscaped area, which provides an attractive setting for the office building, makes a significant contribution to the character and amenity of the area, and relates well to nearby housing. I therefore consider that it is reasonable to include the site itself, and the land immediately to the north and south, within the policy 6 designation. This would not prevent other uses being allowed on the site, subject to the development plan and any other material considerations being satisfied.

14. The strategic development plan sets out the challenge facing, and the future actions required for, this strategic town centre. The proposed plan addresses these matters by identifying the development framework site, setting out a requirement to either update or prepare town centre action plans, and outlining the measures the planning authority will take to help the centre (paragraph 4.12). It has not been demonstrated that further expansion of the town centre to include the Atholl House site is required in order to meet the challenge, and satisfy the future actions required. I can also find no compelling reason for replacing any part of the development framework site, including Kittoch Field, with the Atholl House site. I note that the development framework site is a long standing proposal, being one already contained in the adopted local plan. While the development framework site includes open space (Kittoch Field), the Atholl House site and the land immediately to the north and south also have an open space role. Furthermore, there is scope under the requirements for the development framework site to make proper provision for the green network, and Kittoch Field is better related visually to the greater part of the existing centre than Atholl House which is just beyond the far north eastern corner of the development framework site. In coming to my view that the development framework site as set out in the proposed plan is to be preferred, I have taken into account the town centre function of the pay and display car park on the Atholl House site.

15. In 2013, a proposal came forward for a retail development at Atholl House. A planning permission in principle was sought, which set out 2 indicative scenarios for up to 3716 square metres in total. One scenario included an element of convenience shopping, and the other was solely for comparison shopping. An appeal was lodged against the failure of the council to determine the planning application within the prescribed period. The appeal was dismissed on 14 July 2014.

16. There are differences between the appeal and the representation to the proposed plan, with the latter being concerned with a smaller site and town centre uses in general. I note that if only the land within the boundaries of Atholl House was designated for town centre purposes, it would be separated from the town centre designation shown on the proposals map by a narrow strip, which would remain under Policy 6 and which would unsatisfactorily fragment the overall town centre designation. I accept that offices form part of a range of town centre uses but, for the reasons given above, I am satisfied that the Atholl House site has appropriately been included in an area covered by Policy 6. Of the 2 scenarios considered, the reporters concluded that the one with a convenience element failed the sequential approach and that the other would be acceptable in retail terms, but that they would both have a harmful effect on the character and amenity of the area from the scale and extent of development. The reporters also concluded that the net employment and regeneration benefits of developing this larger site would be limited. I have found nothing in the appeal decision to persuade me that the site should be designated for town centre purposes at this time. Indeed, I am concerned that to do so would encourage the piecemeal, rather than a properly planned, expansion of the town centre.

17. Overall, a change to the town centre boundary or the development framework site proposed by the planning authority is not justified.

18. No adjustment is required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue EK14</b>	<b>Old Glasgow Road, Nerston</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14; Policy 3 Green Belt and Rural Area Chapter 5 People and Places, pages 26 -27; Policy 12 Housing Land	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 543 – D W Leggat and Persimmon Homes</p> <p>Comment: 642 - Scottish Environment Protection Agency (SEPA)</p>		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Old Glasgow Road, Nerston, East Kilbride for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>543 – This representation has raised the following points with regards to the non inclusion of land for residential development resulting in the adjustment of the settlement boundary at Old Glasgow Road, Nerston, East Kilbride:</p> <ol style="list-style-type: none"> <li>1. Outlines the compatibility of the site with the stated objectives outlined in the The Glasgow and Clyde Valley Strategic Development Plan (SDP) for housing supply to 2020 and to 2025 with regards to sustainable location, scale of site and non insurmountable infrastructure issues. The site is considered to be in a sustainable location with nearby access to two bus stops. Infrastructure within the site, in this case power lines, can be rerouted or moved underground. The site is also within sole ownership and is of a scale (site capacity for approximately 60 to 100 units) which would not be liable to delays and could potentially reach completion within 3 years of start date.</li> <li>2. Development of the site would create a robust structural landscape which would improve the interface between the urban edge and the countryside with landscaping enhancing the appearance of Nerston.</li> </ol> <p>Comment:</p> <p>642 - This representation relates to drainage and states that part of the site contains a minor watercourse. Site drainage issues may also prove challenging.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>543</p> <ul style="list-style-type: none"> <li>o Seeks the re-designation of the site at Old Glasgow Road, Nerston, East Kilbride from Green Belt to residential as shown in the settlement map – East Kilbride Settlement Plan.</li> </ul>		

**Summary of responses (including reasons) by planning authority:**

543 – Taking each one of the points raised in turn the Council makes the following comments:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. (Document G21). In addition there are several site issues which would have an impact on potential development. These include: strategic gas pipeline which requires an exclusion zone, potential archaeological issues, watercourse running through it alongside potential drainage issues, large pylons on site and sewerage issues. It may prove difficult to achieve a satisfactory access solution as Crookedshields Road is unsuitable. The site would require to be accessed from Old Glasgow Road which would likely create problems at the A749/Old Glasgow Road junction. There is also considered to be poor pedestrian access to bus stops which are relatively nearby.

2. Development of the site would result in large scale expansion of the settlement that would not fit with the existing settlement pattern and would not provide a logical settlement boundary.

No change proposed to the Local Development Plan.

Comment:

642 - Noted. There may be significant issues relating to the development of the site due to the existing watercourse which runs through it and that drainage issues at this location could also prove problematic. It is noted that the constraints outlined by SEPA are likely to inhibit development of this site.

**Reporter’s conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the

presumption in SPP in favour of development which contributes to sustainable development.

3. The council's assessment quite properly identified numerous constraints concerning the development potential of the Nerston site, which is gently sloping grazing land. I would draw particular attention to the following which are of existing or potential concern:

- a strategic gas pipeline crossing the site which has an associated development exclusion zone either side of it;
- archaeological issues – that are unspecified;
- drainage issues, including reference to a watercourse along its southern boundary;
- access issues related to the limitations of Crookston Road in terms of its width and alignment and footways – noting that a possible alternative access via Old Glasgow Road would raise junction issues at the A749.

4. In response, the promoter of the site contends that none of the infrastructure issues raised are insurmountable – indeed arguing that these matters would not preclude commencement of housing development on the site within one year of adoption of the plan. The representation concludes by stating a commitment to completion of 60-100 units here within 3 years of the site start – and possibly more quickly, depending on market conditions. I note that the council does not respond directly to these reassurances – and no resolution of the gas pipeline constraint has been put forward.

5. Nevertheless, I am concerned that in any event – even if the site constraints could be readily overcome – the resulting development being sought would be a large-scale expansion of Nerston. In my view, this would not be in keeping with the existing settlement pattern and would not achieve a logical settlement boundary. The counter arguments put forward in the representation – that the proposed development would create a robust structural landscape that would improve the interface between the urban edge and the countryside with landscape enhancing the appearance of Nerston – are not compelling. Furthermore such arguments are not assisted by the evidence provided in the form of the recent major new housing development at Nerston immediately south of the site now in question. I find that this appears unduly conspicuous and somewhat incongruous in the surrounding, predominantly rural landscape.

6. Based on all of the above considerations I conclude that there is insufficient justification to allocate the site in question in the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue EK15</b>	<b>Glassford Road, Strathaven</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14, Policy 3 Greenbelt and Rural Areas Chapter 5 People and Places, pages 26-30 Policy 12 Housing Land Policy 13 Affordable Housing and Housing Choice Local Development Plan settlement maps Strathaven	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 176 - Mr D Bryson		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Glassford Road Strathaven for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 176 – This representation relates to non-inclusion of a site at Glassford Road Strathaven for housing and has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The site would contribute towards the provision of an effective housing land supply.</li> <li>2. The area is due to become urbanised as a result of the development of the East Overton site to the north of Glassford Road with associated road layout, access and public transport improvements identified on Glassford Road.</li> <li>3. There are no environmental or technical restrictions to the delivery of the site and landscaping at the proposed settlement edge would allow the creation of a new defensible Green Belt boundary. The site would not create any coalescence issues with nearby settlements and would form a logical extension to the existing settlement boundary.</li> <li>4. The site would allow the provision of a sustainable well designed development and would contribute towards the provision of affordable housing in accordance with the Council's housing policies.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
176 - Seeks the redesignation of the site at Glassford Road, Strathaven from Green Belt to residential on the Strathaven Settlement Map.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 176 – Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The Council has produced a Housing Technical Report (Document G27) which sets out</li> </ol>		



the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply (Document G27). With specific regard to Strathaven the proposed plan includes the provision of a significant additional area of housing land at Strathaven West. Additional capacity is also available through the previous housing land releases at Strathaven Golf Club and East Overton as part of the adopted South Lanarkshire Local Plan (Volume 2, page 107) (Document G38). These sites are shown on the Strathaven settlement map. On this basis it is considered that a generous and flexible supply of housing land is proposed for Strathaven in the proposed plan and there is no requirement for the site at Glassford Road to be included within the settlement boundary.

2. While it is noted that the site to the north of Glassford Road, at East Overton, is situated within the settlement boundary, the view is taken that Glassford Road forms a defensible settlement boundary at this location with only the area to the north of Glassford Road becoming urbanised. The area to the south of Glassford Road and to the east of Hills Road will remain rural in nature and it is therefore not considered appropriate for the site in question to be designated as a residential site within the settlement as it would adversely affect the rural nature of this area.

3. The Council's Technical Report 2 – Site Assessments May 2012 (pages 231-232) (Document G21) noted that the proposed site at Glassford Road would not round off or consolidate the settlement boundary at this location. It is noted that a robust, defensible settlement boundary exists at this location along the disused railway line to the east of Hills Road and along Glassford Road itself to the south of the site at East Overton. It is further noted that an area of Green Belt land would remain between Hills Road and the proposed site if the site was to be developed, resulting in the proposed site being isolated from the existing residential area at Hills Road. It is therefore considered that the inclusion of this site within the residential area would considerably weaken the defensibility of the settlement boundary at this location.

4. It is considered that a generous, flexible and sustainable supply of housing land has been allocated for Strathaven in the proposed plan at Strathaven West, particularly given the availability of housing land released through the South Lanarkshire Local Plan which has not been developed to date. The Council's requirement for affordable housing can be met through the development of these sites. The development of these sites will allow Strathaven to be extended in a more sustainable manner than can be achieved through the release of the site at Glassford Road.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025.

Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site.

4. Its findings are set out in Document G21. This resulted in a preferred strategy reflected in major additional land releases being incorporated in the proposed plan at Strathaven West and East Overton, as well as other smaller opportunities such as at Strathaven Golf Club.

5. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

6. Based on the available evidence I am satisfied that the other allocations highlighted by the council, in combination, already provide a generous and flexible supply of housing land for the plan period to serve the Strathaven area – and in locations that are preferable to the site now being put forward as EK15. The reasons that form the basis for my conclusions in this regard are set out below.

7. The site in question comprises the relatively level parts of a large grazing paddock to the south of Glassford Road. This is currently a largely undeveloped rural farming area immediately to the north west of the built-up area of Strathaven.

8. For the fields situated on the opposite, northern side of Glassford Road planning permission has been granted at East Overton for a major new housing development on the edge of the existing built-up area, extending it north-eastwards. Indeed that site has been incorporated in the revised settlement boundary shown in the proposed plan with Glassford Road demarcated as the edge of the settlement – so excluding the site now being put forward in the representation.

9. In this context the representation points out that the area now in question is becoming urbanised with the consented development at East Overton and that this will bring transport improvements on Glassford Road. It is on this basis that the representation argues that the site to the south of Glassford Road should also be allocated for housing development that would contribute to the effective housing land supply – pointing out that there are no environmental or technical constraints to inhibit its delivery and landscaping could create a new defensible greenbelt boundary.

10. Setting aside for a moment the practicalities of developing the site concerned, in any event I reject the contention that this would represent a logical extension to the existing settlement boundary. Instead I find that Glassford Road provides a new, robust and defensible boundary for this part of the settlement, as shown in the proposed plan. I am concerned that the site would be bordered on three sides by rural pasture and so would be detached from the rest of the settlement apart from the new houses at East Overton. Accordingly, as well as being isolated from the main built-up area I conclude that the proposal would weaken the defensibility of the settlement boundary at this location in a manner that is unnecessary and unjustifiable.

11. Accordingly, I conclude that the site in question has been quite properly rejected for a number of compelling reasons.

**Reporter’s recommendations:**

No modifications.

<b>Issue EK16</b>	<b>Kibblestane Place, Strathaven</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14, Policy 3 Greenbelt and Rural Areas Chapter 5 People and Places, pages 26-30 Policy 12 Housing Land Local Development Plan settlement maps Strathaven	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 429 - Hugh Steel		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Kibblestane Place, Strathaven for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>429 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The proposed plan does not provide a generous or flexible land supply.</li> <li>2. The site would fit with the Council's LDP strategy of releasing sites in sustainable locations to add flexibility to the land supply.</li> <li>3. There are no access, environmental or technical restrictions to the delivery of the site and the site would allow the creation of a newly defensible Green Belt boundary.</li> <li>4. The site is effective, would reflect the scale of its surroundings and would not create any ribbon development or coalescence issues with nearby settlements.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
429 - Seeks the redesignation of the site at Kibblestane Place, Strathaven from Green Belt to residential as shown in the Strathaven Settlement Map.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>429 – Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the</li> </ol>		

development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply (Document G27).

2. The proposed plan includes the provision of a significant potential additional area of housing land at Strathaven West. Additional capacity is also available as a result of the previous releases of housing land at Strathaven Golf Club and East Overton as part of the South Lanarkshire Local Plan (Volume 2, page 107) (Document G38). These sites are shown on the Strathaven settlement map. Neither of these sites has been developed to date. On this basis the view is taken that sufficient flexibility has been provided in terms of the land supply in Strathaven as a result of the previous land releases and the additional proposed provision of housing land at Strathaven West. There is no need for further releases in Strathaven.

3. The Council's Supplementary Consultation on Additional Potential Development Sites October 2012 (pages 47-48) (Document G20) noted the clearly defined linear settlement boundary that exists to the west of Kirkland Park formed by a belt of mature trees. It is further noted that a clearly defensible boundary does not exist to the north-west and north of the proposed site as the site boundary is predominantly demarcated by post and wire fencing at these locations. It is therefore considered that the inclusion of this site within the residential area would weaken the defensibility of the settlement boundary at this location. The above referenced document also notes that the proposed access to the site from Kibblestane Place may be complicated due to a drop in levels, the necessity to cross a small burn and potential land ownership issues to the south of the burn. There are no other suitable access points to the site.

4. It is considered that a generous and flexible supply of housing land is proposed for Strathaven in the Proposed Plan at Strathaven West, particularly given the availability of additional housing land released through the adopted South Lanarkshire Local Plan which has not been developed to date. It is further noted that the existing, well established, settlement boundary at this location to the west of Kirkland Park would be lost and replaced by a weaker and less defensible settlement edge to the north-west and north of the proposed site.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be

remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site.

4. Its findings are set out in Document G21. This resulted in a preferred strategy reflected in major additional land releases being incorporated in the proposed plan at Strathaven West and East Overton, as well as other smaller opportunities such as at Strathaven Golf Club.

5. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

6. I am satisfied that the housing allocations for Strathaven put forward by the council in the new plan, in combination, provide a reasonably generous and flexible supply of housing land for the plan period to serve the local area – and in locations that are preferable to the site now being put forward as EK16. The basis of my reasoning and conclusions in this regard are summarised below.

7. The site in question is a broadly triangular field of pasture land on the western edge of the built-up area of Strathaven. For the most part the site is a raised and reasonably level plateau that falls away to the south and west where there are boundary ditches and fences. The land immediately to the north and west is a continuation of open farmland.

8. There is no access to the site concerned from the housing immediately to the east or north-east as the boundaries there are formed by the continuous rear garden fences of existing houses. To the south there is scope for continuing Kibblestane Place northwards but this would require significant bridging of the burn's ditch that marks the southern boundary and then a sharp upward section of new road into the heart of the site.

9. I am also concerned about the complications presented by changes of levels and the lack of defensibility of the settlement boundary and green belt at this location in the event that site EK16 was allocated. In contrast I find that the settlement boundary at this location is currently well defined and robust in terms of defensibility of the green belt. I conclude that this defensibility against the risk of future incursions in the greenbelt would be weakened significantly if the proposed changes now being sought in the representation were approved and implemented.

10. Based on all of these considerations I conclude that there is insufficient justification to allocate the site in question for housing development in the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue EK17</b>	<b>Strathaven Town Mill, Strathaven.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, page 17 Policy 6 General Urban Area/Settlements Chapter 4 Economy and Regeneration, pages 21 -22 Policy 8 Strategic and Town Centres Settlement Maps – Clydesdale, East Kilbride, Hamilton	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 237 - Strathaven Community Council		
<b>Provision of the development plan to which the issue relates:</b>	No change to Strathaven Town Centre boundary to include Strathaven Town Mill as part of the retail area.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 237 – This representation has raised the following points with regards to Strathaven Town Mill being included within the town centre resulting in the adjustment of the town centre boundary of Strathaven:</p> <ol style="list-style-type: none"> <li>1. The Town Mill is arguably the most important building in defining Strathaven after the Castle and with the Council recognising that the mix of town centre activities is changing, it is believed that the Town Mill has the potential to develop into a bustling community hub with a range of commercial activities.</li> <li>2. The Strathaven Town Mill Arts and Heritage Centre (supported by other voluntary organisations in the town) is working to attract commercial activities to it and leaving the Mill outside the Town Centre is therefore to accept an imbalance of the town centre and will weaken the voluntary work currently going on to stimulate the vibrancy of the heart of the town.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
237 - Include Strathaven Town Mill within the confines of Strathaven Town Centre as shown in the Strathaven settlement map.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 237 – Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The Town Mill is currently well used by the community. The type of activity that is highlighted by the Community Council can take place whether the building is physically within the town centre or not. Its location will not change nor will having a town centre designation add anything to the buildings potential as a community facility. The inclusion of the building in the conservation area recognises its importance in the Strathaven</li> </ol>		



townscape.

2. The Town Mill is geographically remote from Strathaven town centre and it is regarded that its inclusion within the town centre boundary is not necessary for the furtherance of voluntary work or to stimulate the vibrancy of the town. In terms of the current Use Class, the building can be used as a community facility. The Mill lies within an area designated as General Urban Area/Settlements, this will allow any future proposals at the Mill to be assessed on their merits. This would include potential contribution a proposal could make in meeting local need, this could include enhancing small scale commercial activities.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. I have no reason to question the assertion that the Strathaven Town Mill is arguably the most important structure in the town after the nearby castle remains. In that context, in principle I am supportive of the efforts being made to safeguard the future of the mill building as a landmark feature, including by attracting commercial activities to it. I note that the mill building is already well used by the local community.

2. In this context, I acknowledge the endeavours of the local community council and others to provide further stimuli to ensure the continued use and popularity of the mill building. Nevertheless, I find that extension of the defined town centre boundary eastwards to include the mill building is not necessary to further those efforts – and in any event this would not be appropriate for a number of reasons. In summary, the mill building today is close to but clearly separated from the recognisable town centre area of Strathaven – and the presence of the intervening A71 trunk road provides a further degree of severance from the core retail area to the north-west of it.

3. In my view this situation would not be resolved simply by extending the town centre boundary in the proposed plan to include this outlying landmark building. This landmark building and its uses already generate a focal point of interest for the local resident and business communities as well as for visitors. I conclude that this would remain essentially unaltered irrespective of whether it is shown in the settlement plan as being within or outwith the town centre. In summary, I conclude that there is insufficient reason to amend the town centre boundary to incorporate the town mill site.

**Reporter's recommendations:**

No modifications.

<b>Issue EK18</b>	<b>Strathaven West, Strathaven.</b>	
<b>Development plan reference:</b>	Policy 1 Spatial Strategy Page 10 Table 3.1 Policy 3 Green Belt and Rural Area Page 14 Policy 12 Housing Land Page 27 Policy 13 Affordable Housing and Housing Choice Page 29 Policy 14 Green Network and Greenspace Page 31 Appendix 3 – Development Priorities Page 50 Appendix 5 – Proposals Page 63 Settlement Maps Strathaven Paragraph 2.20	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects:  30 - Robin White 35, 36 - William W Park 37 - David Crawford 44 - Eric McKenzie 45 - Alistair Paterson 46 - Isobel Paterson 47 - Norman Paterson 48 - Douglas Campbell 49 - Mary Spence 50 - Mairi Gilliland 51 - Mary Watt 53 - A F Prentice 54 - Linda Paterson 57 - David Paterson 60 - John Russell 214 - H J Paterson 236 - Strathaven Community Council 265 - Donald McKillop	281 - Jack Smith 282 - Gregor Cameron 288 - Taylor Wimpey 302 - Alison McDowall 304 - Avril Dobson 311 - Gerald Dobson 314 - K A Mackie 317, 318 - Karen Morrison 455 - Andrew Moffat 577 - Ewan Gilliland 578 - Alison McNulty 579 - Esther A Primrose 626 - Timothy Ewart  Supports:  285 - Wallace Land 288 - Taylor Wimpey 384 - CALA Homes (West)	
<b>Provision of the development plan to which the issue relates:</b>	This relates to the release of a site from Green Belt to residential use through masterplan development.	
<b>Planning authority’s summary of the representation(s):</b>		
Objects:  30, 35, 36, 37, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 57, 60, 236, 265, 282, 302, 304, 311, 314, 317, 318, 455, 577, 578, 579, 626 - All of these representations object to similar points as follows:  1. Release of the site at Strathaven West is contrary to the Reporters recommendation in the 2008 Report of Inquiry into the adopted South Lanarkshire Local Plan. In particular the site did not score well on the site assessment matrix and was not appropriate in terms of landscaping.		

2. There are no benefits identified to justify Green belt release at Strathaven West. The site is not sustainable and there will be a loss of good quality agricultural land.
  3. The Council has not adequately assessed the site and its suitability for release and it does not comply with Policy 3 Green Belt and Rural Area.
  4. This development should be directed to a more sustainable or fragile community or to a brownfield site.
  5. The proposal does not meet the requirements of other proposals in the plan.
  6. The existing settlement boundary is well defined and this proposal does not round off the settlement.
  7. The development will impact on the landscape setting of Strathaven and the setting of the grade A listed building. This is reflected in the SEA.
  8. The development will impact on local biodiversity and wildlife.
  9. There is no need for release of strategic land for housing. There is sufficient housing land in Strathaven and further housing release will affect the viability of the housing site at East Overton as well as the marketing of other sites/houses in the area.
  10. Further housing development will seriously impact on education facilities and local services.
  11. The house types will not likely meet the current housing need.
  12. New housing will affect house prices.
  13. The site is capable of accommodating more houses than outlined in the local development plan.
  14. Development of Strathaven West will impact significantly on the roads and transportation infrastructure.
  15. Access to the site will be a major issue and will result in traffic congestion and impact on walking and cycling and residents' amenity.
  16. There are potential issues relating to water, sewerage and flooding that need to be addressed.
  17. There is no rail link, limited bus services and most trips would be by private car, contrary to government objectives.
  18. There are traffic safety issues that need to be addressed
- 214 – This representation notes that the recently approved Clyde Valley Strategic Development Plan does not promote any further greenbelt releases for housing in Strathaven. Any further releases of a strategic nature would be contrary to the CVSDP. It is also noted in the SLLP Proposed Plan that there continues to be a constant supply of land available in South Lanarkshire, satisfying the requirement for a 5 year supply of

effective housing land. It is also noted in this context that the previous MIR (Monitoring Statement, page 26, Paragraph 4.8) that any progress in housing development 'will not result in demands for huge areas of land requiring to be released for housing', clearly suggesting that no further significant releases of houses is required.

In summary the East Overton RES 3 site (recently consented) is due for a site start no later than the Spring of 2014, thereby providing for an established viable and effective mixed use development, satisfying local housing need and complying with the terms of the SLLP.

It is noted that both the GCVSDP and the SLLP do not provide evidence for any further significant strategic housing releases in Strathaven such as the proposed SLLDP – proposed plan, Masterplan release at Strathaven West – Residential Masterplan Site: 29.

Furthermore the Council's SLLDP – Greenbelt Landscape Assessment (Technical Report) 2006, Paragraph 30 clearly highlights that if any further development expansion of Strathaven was to occur (2006), then the area in and around East Overton was the preferred location in landscape capacity terms. This important point was accepted by the Council and the Reporters Unit, leading to the release of East Overton: RES 3 Masterplan Site.

265 - This representation raised a further two points:

1. There has been no community discussion in the preparation of the masterplan.
2. There may be viability issues since the site at Strathaven West is in multiple ownership.

281 - This representation seeks the release of an alternative site to Strathaven West and puts forward a justification for the release of a site at Crofthead/Westpark Farm as an effective Residential Masterplan site. This matter is detailed in Schedule 4 - Issue EK22. However in addition to this representation, a representation was made against the release of the site at Strathaven West. The points raised relate to the following:

1. The proposed release of this site for housing is considered contrary to Policies 1: Spatial Strategy and 4: Development Management and Place Making of the local development plan as the release of the site is contrary to the Reporters recommendation in the 2008 Report of Inquiry into the South Lanarkshire Local Plan which found the site to be inappropriate for the release of land for development given its impact on landscape and its likelihood to exacerbate congestion and safety concerns.
2. The site has significant traffic issues.

288 - Objects to the non-inclusion of further Taylor Wimpey interest at this location.

302 - This representation raised an issue that the development will affect the agricultural show and the use of the airfield.

Supports:

285 - Wallace Land fully supports the site as a new Greenfield residential release. Agree with deletion from the Green Belt and its zoning for housing with a total capacity of 300 units for the combined area described as Strathaven West.

288 - Part of the Taylor Wimpey interest is within the Proposed Residential Masterplan Site 29 (Strathaven West) and this is very much welcomed and supported.

384 - CALA Homes (West) supports the Council's intention to allocate the Lethame Road site (Ref: EK/77/009) as part of the Strathaven West residential masterplan area. As part of this allocation CALA Homes (West) supports the Council's intention to remove the current Green Belt designation from the site and the wider masterplan area and extend the settlement boundary around the edge of the masterplan area.

**Modifications sought by those submitting representations:**

30, 35, 36, 37, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 57, 60, 236, 265, 281, 282, 302, 304, 311, 314, 317, 318, 455, 577, 578, 579, 626 - Seek the site to remain designated as Green Belt and not released for housing.

288 - Seeks the inclusion of the land extending due west from the south-western boundary of Strathaven West, as currently delineated, to Quarryhall, at the junction of the A71 and the minor road that runs to the north for housing.

**Summary of responses (including reasons) by planning authority:**

Objects:

30, 35, 36, 37, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54, 57, 60, 236, 265, 282, 302, 304, 311, 314, 317, 318, 455, 577, 578, 579, 626 - The Council responds to the individual points raised in the above representations as follows:

1. With regard to the previous Local Plan Inquiry held into the South Lanarkshire Local Plan and the conclusions reached in relation to this site the Council acknowledges the position held by the Reporter that although the site would appear to be capable of accommodating residential development, it was not considered at the time to be the most appropriate site for release for development. It should be noted, however, that the site in question at the previous local plan inquiry was larger than that currently being proposed by the Council and developers as a residential masterplan site. Under the Call for Sites exercise for the South Lanarkshire Local Development Plan (Document G21) this site was revisited and it was considered that the alteration to the Green Belt boundary and the inclusion of this site as housing land was appropriate. The site is considered effective and deliverable in the short term and therefore will contribute towards the provision of a generous and flexible supply of housing land, as set out in the Housing Technical Report (Document G27).

No change proposed to the local development plan.

2. A planned residential development through a masterplan framework will provide a robust settlement boundary for the western edge of Strathaven. Established physical features (hedgerows, mature trees, contours of the land) will help to provide visual containment of the development. Through a combination of tree and structure planting and open space, in accordance with Policy 14 (Green Networks and Green Spaces) a greenspace framework for the site would be established. The new development would include green networks, pedestrian connections, open space and play equipment. The homes could be delivered within the life of the local development plan. The land at present is pasture land and is not classed as prime agricultural land.

No change proposed to the local development plan.

3. The site has been assessed and conclusions reached are set out within the South Lanarkshire Local Development Plan Technical Report 2 – Site Assessments (Document G21). This concluded that there is potential for part of the site along with part of neighbouring sites to be considered for residential development subject to further assessment and the production of a masterplan. If the site is accepted then its designation will change and it will no longer be a Green Belt site but included within the settlement boundary. Because this is a proposed Green Belt release Policy 3 does not apply.

No change proposed to the local development plan.

4. In terms of the need and justification for Greenfield release, the Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council is satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. This site was considered suitable for release through this process (Document G28).

No change proposed to the local development plan.

5. All of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. This site was considered suitable for release through this process (Document G27).

No change proposed to the local development plan.

6. The existing settlement edge to the west is defined by rear garden boundaries some of which are mixed fencing/walling, hedgerows and dry stone walls. The listed building, Lauder Ha' with its mature policies provides a robust settlement edge immediately north of the A71. The proposed revision to the Green Belt boundary benefits from an opportunity to enhance the physical features and create a robust defensible boundary through the introduction of structure planting.

No change proposed to the local development plan.

7. The release of Strathaven West from the Green Belt would be brought forward through a masterplan framework which would provide the opportunity to enhance the landscape setting for new residential development. In respect of the listed building, Lauder Ha' it is considered that it currently benefits from a well established landscape setting given the mature trees within its own policies and it would not therefore be affected by the proposed development. The property at Lauder Ha' will remain within its existing setting. The SEA (Document G23) correctly identified the Grade A listed building and its setting as an issue to be considered if a masterplan were to be brought forward for Strathaven West.

No change proposed to the local development plan.

8. Local Biodiversity will not be adversely affected as assessed within the South Lanarkshire Local Development Plan Main Issues Report March 2012. Any impact on wildlife would also require to be assessed through the development management process if the site was sought to be developed (Document G37).

No change proposed to the local development plan.

9. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. This site was considered appropriate for release. The Council's Call For Sites Assessment Technical Report (Document G28) outlines the process and results of site assessments carried out as part of the consultation process in relation to the Main Issues Report (MIR), whereby parties were invited to put forward sites they considered could be included as development opportunities in the proposed local development plan. Strathaven West and some land west of this area was included in this assessment. The report concluded that there is potential for part of this site along with part of neighbouring sites (Referred to as sites EK/77/007 and EK/77/009) to be considered for residential development, subject to further assessment and the preparation of a masterplan. In addition part of the preparation of the MIR for the South Lanarkshire Local Development Plan involved an assessment of settlement boundaries to ensure that they were both robust and defensible as outlined in Technical Report 1 Potential Changes to Designations and Settlement Boundaries (Document G22). In this instance it was concluded that the Strathaven West area was an appropriate extension to the existing settlement of Strathaven in terms of scale and impact. It is the Council's position that the release of this site at Strathaven West will not adversely affect the viability of the existing site at East Overton. This is on the basis that there is a requirement for both sites which are justified in terms of housing need to meet local requirements and to ensure the provision of a generous and flexible supply of housing land in sustainable locations.

No change proposed to the local development plan.

10. As part of a masterplan framework the impact upon existing educational and other community facilities would require to be assessed and if required further facilities would require to be provided, through developers' contributions.

No change proposed to the local development plan.

11. It is the principle of residential development on a Greenfield release site being discussed. The housing tenure and type would be considered through a masterplan framework. A percentage of affordable housing would be a policy requirement.

No change proposed to the local development plan.

12. This is not considered to be an issue which would preclude the release of the site for housing.

No change proposed to the local development plan.

13. The appropriate density of the housing for the site would be determined within the context of a masterplan which would include a suitable balance of open space and structure planting etc.

No change proposed to the local development plan.

14. A Traffic Impact Assessment would be required to ensure that the transportation infrastructure requirements could be met for this site. The Council would seek to retain existing walking, cycling and/or recreational routes that may be affected by a future planning application for housing. Any future application would also require open space provision and connections with recreational routes and the adjacent countryside, where appropriate.

No change proposed to the local development plan.

15. This site would require a new access from the A71. The Council would seek to retain existing walking, cycling and/or recreational routes that may be affected by a future planning application for housing. Any future application would also require open space provision and connections with recreational routes and the adjacent countryside together with the adjacent established residential areas. Any impact on residential amenity would also require to be assessed through the development management process if the site was sought to be developed. However at this stage it is considered the impact on residential amenity will not be significant.

No change proposed to the local development plan.

16. Issues relating to water and sewerage would be assessed through a masterplan framework. Scottish Water have raised no objections at this stage. The site does not lie within a flood risk area.

No change proposed to the local development plan.

17. While it is recognised that Strathaven does not benefit from a rail link, public transport through a regular bus service is available. In terms of the private car, it is accepted that its use would prevail, however appropriate planned walking and cycling routes could be introduced to link the development with existing amenities and services within Strathaven Town Centre.

No change proposed to the local development plan.

18. Any traffic safety issues would be addressed as part of a traffic impact assessment.

No change proposed to the local development plan.

214 – This representation has been submitted by the developers of the site at East Overton Strathaven. Their concern is that their site would be prejudiced by a further release of housing land in the Strathaven area. The points they have raised in relation to Strathaven



West are consistent with those raised by the other objectors. Therefore the Council's response to these issues is dealt with above.

265 – This representation raised two additional points:

1. The statutory consultation and notification process has been undertaken by the Council in relation to this site as part of the local development plan process. The method used to notify neighbours was applied uniformly across all proposed sites.

No change proposed to the local development plan.

2. With regard to land ownership, it is not unusual for sites of this scale to be owned by more than one land owner. It is considered that this would not affect the viability of the site.

No change proposed to the local development plan.

281 - This representation has been submitted in respect of an alternative site to Strathaven west at Crofthead/Westpark Farm, Strathaven. The representation states that the site at Crofthead/Westpark Farm is a better site than Strathaven West and that Strathaven West should be deleted and replaced by their site. This is dealt with in Schedule 4 EK22 – Crofthead/Westpark Farm, Strathaven. Therefore the Council's response is as per that for all other objections to this site.

288 – This representation requests that a further area of land is released and included within the proposed residential masterplan site. The Council is satisfied that the area shown on the proposed local development plan as the proposed masterplan site for Strathaven west represents the best option and most suitable release area. This is based on the analysis carried out of the sites submitted as part of the Call for sites exercise (Document G28). The larger sites were considered but rejected because it was considered that they would be an unacceptable intrusion into the Green Belt at this location and in addition there was no requirement for further housing land of the scale proposed.

No change proposed to the local development plan.

302 – The representation does not clarify how the proposal may affect the agricultural show or the use of the airfield. However, the impact, if any, that the proposal may have can be considered and assessed as part of the application process.

No change proposed to the local development plan.

Supports:

285, 288, 384 - The Council notes the support of these parties to the inclusion of the site within the settlement boundary of Strathaven.

**Reporter's conclusions:**

1. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has selected

this particular site as one of its preferred allocations to serve local needs.

2. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. The various objectors to this particular area of gently sloping, non-prime pasture land being allocated for residential development raise a number of concerns in that regard. Firstly, they note that this would be contrary to the recommendations of the Report of Inquiry in 2008 in respect of the current adopted plan for South Lanarkshire. However that plan was prepared some years ago when a different planning policy context was applicable, nationally, regionally and locally. Instead the case has to be assessed afresh, on its own merits, in the present planning context. By way of background, however, I note that the report in 2008 acknowledged that in principle the site concerned was capable of accommodating residential development even it was not the preferred site at that time.

4. I see insufficient basis to question the planning authority's contention that the site concerned is now effective and deliverable within the plan period. I am also satisfied this site could contribute by providing some of the generous and flexible supply of housing land required to serve the area and further support local facilities and services.

5. Furthermore, I also consider that, if it was planned appropriately within a masterplan framework, the development of this site provides an opportunity to define a robust, new settlement boundary. Indeed, in my view this would be beneficial in replacing what is presently a ragged boundary comprising a mix of garden fences, walls, hedges and dry stone dykes. Most importantly, the new site and settlement boundary should incorporate a suitable landscape buffer to interface with the extensive green belt area immediately to the west that would be retained and merits being safeguarded.

6. I note that the planned release of EK18 for housing would be complemented by another, broadly similar scale of release of housing land on the eastern edge of Strathaven at East Overton.

7. Concerns have been raised about the lack of community consultation in the preparation of a masterplan. These are matters that should be properly addressed to the planning authority. Meanwhile, I conclude that they do not provide adequate planning reasons for deleting this allocation from the plan.

8. There are representations lodged in support of site EK22, also on the west side of Strathaven, being allocated for residential use. The basis of the contention made that development of site EK22 would be less damaging than EK18, are considered in more detail elsewhere in this report under the heading EK22. In summary, based on the available evidence and my own site visits I conclude that the case made in support of EK22 being favoured over EK18 for allocation in the proposed plan are not sufficiently compelling to merit deletion of EK18 from the plan.

9. I have considered all of the other detailed arguments made against site EK18 being allocated for housing. For the reasons summarised above, I conclude that individually and in combination the planning issues that have been raised do not merit or justify the EK18 allocation being deleted from the new plan.

10. Finally, I endorse the council's reasoning for rejecting the representation that seeks an enlargement of EK18 when the plan is adopted. In particular, I conclude that such an increase in the size of EK18 would be unacceptable as it would require a further intrusion into the green belt which is not justified.

**Reporter's recommendations:**

No modifications.

<b>Issue EK19</b>	<b>Braehead Road, Thorntonhall</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Areas Chapter 5 People and Places pages 26 -28	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 381 - Cala Homes Ltd		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at Braehead Road Thorntonhall for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>381 – This representation requests that the site is identified as a development proposal in the South Lanarkshire Local Development Plan and is included in the Council's land supply figures. The site proposed is a modification to the site identified as EK/78/002 and considered in the South Lanarkshire Local Development Plan Supplementary Consultation on Additional Potential Development Sites, page 249. The previous site included a larger area to the north of this proposed site:</p> <ol style="list-style-type: none"> <li>1. The site is in the Green Belt and is a clearly identifiable infill, gap site within an existing building group on Braehead Road, Thorntonhall.</li> <li>2. The proposal accords with the Council's Proposed Plan Policy 3 Green Belt and Rural Area.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
426 - Seeks the designation of the site at Braehead Road, Thorntonhall, from Green Belt to a residential development proposal.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>381 – In response to the points raised in the representation relating to the non inclusion of land for residential development the Council makes the following comments:</p> <ol style="list-style-type: none"> <li>1. Scottish Planning Policy (Document G1) states that Development Plans should support more opportunities for small scale housing development in rural areas while retaining small settlements identity. The site is isolated from the main village of Thorntonhall and is outwith the settlement boundary, however, the scale and location of the proposal would not be considered to have a significant detrimental impact on the character or identity of Thorntonhall or the surrounding properties.</li> </ol>		

2. While the proposed layout is not supported, the principle of the gap site may accord with planning policy and could be dealt with through the development management process as a planning application.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The site concerned is a broadly rectangular, small plot of undeveloped ground set amongst a line of detached houses. The plot and those neighbouring houses either side of it all front onto the north side of Braehead Road in an area of green belt to the east of the settlement boundary of Thorntonhall.

2. The sole representation seeks re-designation of the plot in question from green belt to become a residential development site identified in the proposed plan. This is argued on the basis that the site is a clearly defined "gap" site within an existing building group.

3. In my view this site is not of sufficient scale that would justify its re-designation in the plan along the lines being sought. Nevertheless, given the site's particular situation, forming a gap between adjoining houses in a linear group, I acknowledge that residential development here could be regarded as acceptable, at least in principle. In determining any planning application here the planning authority would give due consideration to the detailed terms of development plan policies that apply and to Scottish Planning Policy. This would include having regard to safeguarding local residential amenity and the overall integrity of the green belt amongst other relevant considerations.

4. Accordingly, I conclude that whilst it would not be appropriate to re-designate the land concerned in the plan, the aspiration to secure some residential development on the site could potentially be progressed by the lodging of a planning application setting out the proposals in detail. The proposed scheme could then be assessed on its particular merits in the local context and having regard to the planning policies that are relevant and applicable in this case.

**Reporter's recommendations:**

No modifications.

<b>Issue EK20</b>	<b>Peel Road, Thorntonhall.</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, Table 3.1, pages 13 – 14 Policy 3 Green Belt and Rural Area Chapter 5 People and Places, pages 26 -30 Policy 12 Housing Land Appendix 3, page 56 Appendix 5, page 63 Proposals Map	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>6 - Hamish Nugent                  28 - Alan Dickson                  55 - Mary Ross                  64 - Maureen McCallum                  141 - Mr and Mrs Mitchell                  178 - Michael West                  245 - Alex and Claire Marr                  279 - Robert Andrew                  313 - The Louden Family                  321 - Pauline Andrew                  322 - Kariss Andrew                  327 - Mr and Mrs Richmond                  335 – Alistair Stewart                  338 - Jackton and Thorntonhall Community Council                  380 – Robert Max Andrew                  428, 430 - Stewart Milne Homes                  439 - Mr and Mrs S. Cullis                  446 - Dr and Mrs Eunson                  505 - Maggie Lazell                  508 - Ronald Taylor                  521 - Paul and Karen Brooks                  559 - East Renfrewshire Council                  633 – Councillor David Watson</p> <p>Supports: 426 - Cala Homes (West)</p> <p>Comment: 642 - SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site at Peel Road, Thorntonhall for housing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 6, 28, 55, 64, 141, 178, 245, 279, 313, 321, 322, 327, 335, 338, 380, 439, 446, 505, 508, 521, 559, 633 – The representations make the following points:</p> <p>1. The site is in the most sensitive area of green belt and should not be developed. There</p>		

is a risk of coalescence with surrounding settlements. The proposal will destroy valuable green belt and is contrary to national and regional green belt policies, including Scottish Planning Policy, Structure Plan and green belt review 1997. There is concern that the proposal will not provide a robust green belt boundary, especially along the tree lined ditch to the north west. The boundary is required to be strong and defensible to deter any future coalescence. The form, character and scale of any new development should reflect the edge of settlement location and its landscape sensitivity. The site is on green belt land and has been turned down twice for planning permission.

2. Recent housing developments in Thorntonhall have disproportionately increased the size of the settlement. The proposal will result in overdevelopment and loss of identity. The proposal will adversely affect the character and identity of the village as well as the conservation area. It is unsatisfactory in terms of scale, massing, intensity of use, amenity and visual intrusion. The proposal is not compatible nor does it accord with the established pattern of development in the area. Cala housing will introduce more homogeneity to an area that has predominately uniquely designed houses. The development will be visually intrusive and detrimental to the countryside appearance of the area and landscape setting of the village.

3. There are no amenities in Thorntonhall, such as shops or school thereby forcing residents to travel, predominately by car, due to poor public transport links. The development would therefore result in a significant increase in car usage, traffic and pollution. The proposal is in an unsustainable location.

4. The previous Cala development is incongruous in the village and has caused traffic problems, parking and pollution. External materials on these dwellings are substandard and detract from amenity.

5. There is no need to allow this development. Removal of the existing green belt should only be undertaken where there is no alternative and there is clear demand for that location due to social requirements. There is sufficient properties of the type proposed already for sale in the SLC area, therefore no justification for the development. Other suitable sites are available outside the green belt or around East Kilbride and/or Thorntonhall. Sites with better roads and facilities should be developed elsewhere. The required housing need is for affordable and/or available to rent. Expanding Thorntonhall does not meet the criteria as the standard of housing required in Thorntonhall does not fall into this category. The existence of the most recent development in no way justifies further development on the remaining Council land, west of Peel Road.

6. The proposal will destroy a valuable wildlife habitat which is home to birds, deer and bats. No proposal to compensate for habitat loss. In past years hedgerows have been ripped up during housing construction.

7. Thorntonhall cannot cope with any more development due to substandard roads and lack of infrastructure, including lack of pavements, path network, safe crossing points and parking at train station. Traffic calming and road improvements will be required if the site is developed, including a pavement from Peel Road to East Kilbride/Busby Road. The proposal will increase danger for road users and pedestrians. What has been put in place to service the new housing already needs improved.

8. The previous Local Plan Inquiry (LPI) findings saw the reporter reject the site. Nothing has changed materially since the findings of the last LPI.

9. The background documents accompanying the LDP do not contain a detailed appraisal, including a scoring exercise. Only the call for sites Technical Report contains a summary of the site status and Council position. This falls far short of the objective assessment and reasoned justification that should accompany any proposals for the release of further land for development.
10. The proposals map of the LDP shows the site as being part of the green network, where there is a clear presumption against development (policy 14). The development should provide opportunities for extension of the green network including access and biodiversity and accord with the principles of policy 14.
11. Other proposals in the green belt (including the proposed Philipshill retirement village), if approved, will have an adverse impact on the village and surrounding area and could result in coalescence with East Kilbride.
12. Community facilities should be included if the proposal goes ahead.
13. The argument that house builders cannot afford to build on alternative sites should not be used to justify redesignation and release of green belt for housing.
14. Potential loss of recreational walking routes through open countryside.
15. The proposal will have an adverse impact on residential amenity due to noise, disturbance, over looking, loss of privacy and over shadowing.
16. Cala have left vacant, communal land in a poor state, which is not in keeping with the area. Buffer zones should be retained to limit future building near existing residents.
17. Cala had previously indicated that a smaller scale development would be built on this site. Objection to any development more than 20 homes. The site should also not link up with the existing Cala site.
18. The existing Local Plan has clearly defined the settlement edge. This boundary was clearly intended to limit development to the north and west and prevent development on the proposed site. It is insidious that the land which is proposed for release is primarily owned by South Lanarkshire Council and that the Council is prepared to put financial gain before the protection of the environment or the integrity of the planning system. The planning history of the site is of relevance, particularly in relation to that section between Osborne Crescent and the railway line, which has been subject to previous applications and most recently an appeal (P/PPA/380/160) against refusal to build a single house in 2001.
19. The Council itself acknowledges that part of the site would not be suitable for development due to flood risk and impact on the green network. In this context, it is clearly inappropriate to identify the site for housing, albeit subject to a masterplan.
20. If the site at Peel Road is added to the housing land supply planning permission should only be granted subject to certain conditions such as no more than 50 units, the provision of traffic calming, a recreational area and community centre etc.
- 279, 321, 322 – These representations also raised a further additional point:
- The property Burncroft has a servitude Right of Prospect, which prevents any restriction



in view over an area of the proposed site. Therefore it would not be appropriate to change the site from green belt to housing.

428, 430 - These representations seek the release of an alternative site to Peel Road, Thorntonhall and put forward a justification for the release of a site at South Hill of Dripps as a Residential Masterplan site. This matter is detailed in Schedule 4 - Issue EK21 South Hill of Dripps. In addition the representation also objects to the release of the site at Peel Road. The points raised in the representation are the same as those raised in relate representations 6, 28, 55, 64, 109, 141, 178, 245, 279, 313, 321, 322, 327, 335, 338, 380, 439, 446, 505, 508, 521, 559, 633 in relation to bullet points 1, 8, 9 and 10 detailed above.

Support:

426 – The site can accommodate 65 homes (including 25% affordable) which provides a more sustainable use of the site, ensuring that it can be delivered at an appropriate density.

The site is located within the inner edge of the green belt, as defined in the approved Development Plan. The green belt in this location however does not comply with the objectives of SPP (paragraph 162) as its inner boundary is drawn too tightly around the urban edge. Green belt boundaries should be clearly identifiable on the ground, using strong visual or physical landscape features such as tree belts, rivers or main roads. The Council proposes to reposition the green belt to align with the mature tree belt and the watercourse (Thorntonhall Burn) along the western boundary of this site as part of the proposed LDP. This is in accordance with SPP. Cala Homes (West) supports the Council's intention to reposition the green belt, as proposed. The new green belt boundary will be strengthened through additional tree and structure planting.

The planned housing development by Cala will provide a robust settlement edge. The established physical features (hedgerows, mature trees and watercourse) help to provide visual containment for the development. They will also help to establish the greenspace framework for the site through a combination of tree and structure planting and open space, in accordance with policy 14 (Green Networks and Green Spaces). The railway track forms a robust edge to the sites south western boundary.

No development will be placed in the floodplain, as defined in SEPA's Flood Risk map. The site is within walking distance of Thorntonhall train station and East Kilbride Road, which accommodates a frequent bus service. The bus and train provide links to local facilities, including schools. The site is therefore in a sustainable location.

The proposed development will form a natural extension to Thorntonhall. The housing layout will include green networks, pedestrian connections, open space and play equipment. The homes can be delivered within the life of the LDP at a rate of 24 per annum.

Comment: 642 (SEPA) – Flood Risk Assessment required to confirm developable footprint, encourage high quality SUDS and buffer strip.

**Modifications sought by those submitting representations:**

6, 28, 55, 64, 141, 178, 245, 279, 313, 321, 322, 327, 335, 338, 380, 428, 430, 439, 446, 505, 508, 521, 559, 633 – Seeks the site to remain designated as Green Belt and not released for housing.

**Summary of responses (including reasons) by planning authority:**

Objects: 6, 28, 55, 64, 141, 178, 245, 279, 313, 321, 322, 327, 335, 338, 380, 439, 446, 505, 508, 521, 559, 633 - The Council has considered the points raised in the above objections as follows:

1. The South Lanarkshire Council Technical Report for Site Assessments (Document G27) concluded that the site would accord with the preferred local development plan strategy, with mitigation. The site is considered to be an effective housing site, which would successfully expand the existing Cala Homes site and contribute to the Council's housing land requirements. The existing green belt boundary in this location is not strongly defined by geographical or other landscape features and the addition of the proposed site would provide a more natural and defensible green belt boundary. There are strong and defensible boundaries to the three sides of the site that would form a new settlement edge. These are the railway line to the south-west, a tree lined ditch to the north-west and a dense group of trees to the north-east. There would also be an opportunity to expand and strengthen these boundaries with provision of appropriate landscaping and open space, taking into account existing constraints such as flood risk.

The proposed new green belt boundary, as supported by the Council, would be closer to Busby than the existing green belt boundary, however the separation between the two settlements would still be approximately 400 metres. This is considered to be sufficient to avoid visual coalescence, taking into account the undulating landscape between the two settlements. The proposed release of this housing site is therefore considered to be in accordance with Scottish Planning Policy and the Glasgow and Clyde Valley Strategic Development Plan. No planning applications have previously been submitted for development of this site.

No proposed change to the local development plan.

2. The settlement pattern in Thorntonhall is primarily one of large, detached properties, within large plots, often set-back from the street and with a strong landscape setting of trees and mature planting. The style of housing is mixed, with some stone properties, some individually designed dwellings with more modern architectural influences and more recently, the volume house building style introduced by Cala Homes, albeit these are not of uniform design. It is therefore considered Thorntonhall can accommodate a wide range of dwelling styles, with the plot size and landscape setting key factors in helping to integrate any development with the rest of the settlement.

In terms of house numbers, it is acknowledged that Thorntonhall has expanded in the last decade and as such the size of the settlement has increased. However, this alteration to the settlement size is not considered to be a significant factor in defining the character of Thorntonhall and as such it is concluded that a further expansion can be accommodated on the proposed site without harming the character and identity of the village.

It is considered that the potential to use existing trees and physical features as the boundary to the site, with enhanced planting/open space, will result in development that does not detract from the landscape setting of Thorntonhall.

No proposed change to the local development plan.

3. In regard to the lack of facilities in Thorntonhall and the need to travel outwith the

village for basic services, Thorntonhall train station is approximately 600 metres from the site therefore public transport access for the site is generally good. Should the site come forward for housing, then improved footway connections to the station would be required to ensure that a safe and attractive route for pedestrians is provided. The closest bus stop is on the A726, East Kilbride Road, which is also accessible from the site. Although there are no amenities in Thorntonhall in terms of shops or other facilities, the close proximity of East Kilbride and the existing public transport links are such that the site can be considered a sustainable location for additional housing. Discussions have taken place with Cala Homes over potential developer contributions relative to any future planning application at the site. These relate to upgrading of facilities at the existing tennis club in Thorntonhall and provision of a footway connection on Peel Road to enable pedestrians to travel safely from the site to East Kilbride Road (A726). The exact nature and scale of these works would require further discussion with all parties involved.

No proposed change to the local development plan.

4. In relation to concern over the negative impacts that previous developments by Cala Homes have had in the village, it is considered that the most recent Cala development has successfully integrated with the village. The Council is not aware of any specific problems relating to traffic/parking as a result of this development.

No proposed change to the local development plan.

5. In terms of the need and justification for the development. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise (Document G28) were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. This site was considered suitable for release through this process.

No proposed change to the local development plan.

6. Any habitat loss/biodiversity impacts would have to be considered if a planning application were to be submitted. This would include appropriate surveys of habitats/protected species. The Council would support retention of existing landscape features/habitats. There are Tree Preservations Orders within the site.

No proposed change to the local development plan.

7. Thorntonhall is considered to have good road connectivity and as such there is no concern over the ability of local roads to accommodate additional traffic. Any future application is likely to require a Transport Statement, which would address issues relating to pedestrian accessibility, traffic calming and road safety. There is potential to improve pedestrian connectivity by providing a continuous footway connection from the site to East Kilbride Road (A726).

No proposed change to the local development plan.

8. As regards the previous Local Plan Inquiry held into the South Lanarkshire Local Plan and the conclusions reached in relation to this site the Council acknowledges the position held by the Reporter that a number of options were available for the Council to consider. The Council have revisited the site and concluded that part of the site can be developed for residential and green network purposes as per paragraph 2.51 of the Report of the Public Inquiry into Unresolved Objections to the South Lanarkshire Local Plan (Document EK4). The Council continues to support the alteration to the Green Belt boundary and the inclusion of this site as housing land. The site is considered effective and deliverable in the short term and therefore will contribute to the supply of housing, as set out in the Housing Technical Report.

No proposed change to the local development plan.

9. This point relates to the process undertaken by the Council in proposing release of the site for housing. The site assessment process carried out for each site is outlined in South Lanarkshire Council Call for Sites Technical Report (Document G28) with individual site assessments included in Technical Report 2: Site Assessments (Document G21). The process undertaken by the Council was comprehensive and is considered robust enough to justify inclusion of sites in the local development plan.

No proposed change to the local development plan.

10. As regards the site as being covered by Policy 14 – Green Network and Greenspace, it is identified as a Residential Masterplan site and as such cognisance of the green network designation is required for any future development proposal. There are considered to be opportunities to enhance green linkages through the site and also to retain the areas with greatest biodiversity in the south-east portion of the site. All development framework and residential masterplans have a green network designation attached.

No proposed change to the local development plan.

11. This point is concerned with the cumulative impact of further development on the setting of Thorntonhall. Individual planning applications are decided on their merits, once submitted. The local development plan does not currently support any further alterations to the Green Belt boundary between Thorntonhall and East Kilbride.

No proposed change to the local development plan.

12. At this stage, it is not possible to confirm potential developer contributions and/or provision of community facilities related to a future planning application. This particular representation would be dealt with as part of a planning application submission. However the masterplan requirements which cover upgrading of facilities and roads improvements provide a clear basis for identifying what may be required.

No proposed change to the local development plan.

13. This representation argues that the Council should not accept that house builders cannot afford to build on alternative sites and should be allowed to develop on Green Belt sites. The Council has very carefully considered all of the sites currently in the housing land audit and all of the sites put forward for this local development plan. The Council has concluded that Green Belt sites should not be released as an alternative to existing sites simply because the existing sites are too difficult to develop. This exercise was carried out

in conjunction with Homes for Scotland as part of the background data required for the Housing Technical Report (Document G27). The sites proposed for release in the local development plan are not seen as alternatives to existing sites but represent, in the Council's opinion, those which can ensure that there is a flexible and generous supply of housing land in the most sustainable and appropriate locations.

No proposed change to the local development plan.

14. No core paths or defined walking routes will be affected by inclusion of the proposed site for housing land.

No proposed change to the local development plan.

15. A detailed assessment of amenity impacts would be undertaken if a detailed layout is submitted as part of a planning application.

No proposed change to the local development plan.

16. A number of those submitting representation have commented on the existing Cala housing development and that buffer zones should be retained to limit future building near existing residents. This is not a matter for the local development plan.

No proposed change to the local development plan.

17. The number of dwellings that the site can potentially accommodate has not yet been clearly defined, although the Council have provided an indicative capacity of 35, which is based on the need to retain an appropriate landscape setting and robust Green Belt boundaries. There is no objection in principle to linkages with the adjacent Cala site. This is deemed to be a logical method of accessing the site.

No proposed change to the local development plan.

18. This representation refers to the previous history of the site in terms of the Local Plan and also an appeal, which related to part of the site and is deemed relevant to the current site under consideration. The existing settlement edge to the north-west is defined by Peel Road, some rear gardens and the landscaping buffer that was provided as part of the previous housing release (planning permission EK/10/0283). The proposed revision to the Green Belt boundary benefits from a strong geographical feature in the form of a tree-lined watercourse, which can be enhanced further. It is acknowledged that the Council would benefit financially from the release of this site for housing, however there are also considered to be sound planning reasons for its inclusion as housing land. It is considered that the appeal referred to is not directly relevant to the potential alteration of the green belt boundary and inclusion of this housing site.

No proposed change to the local development plan.

19. With regard to flood risk and green network designation it is acknowledged that parts of the site will not be suitable for development. The green network designation also requires a sensitively designed layout to ensure that existing features are retained and enhanced, where appropriate, in order to successfully integrate any development into the landscape.

No proposed change to the local development plan.

20. This would be a matter for the development management process. Should a planning application be made the proposal's design would be fully considered as part of the assessment of the planning application.

No proposed change to the local development plan.

279, 321, 322 – These representations also related to a legal restriction being on development of part of the site. The contents of the representations are noted. These matters are considered to be title issues to be resolved between the respective title owners as and when required and as such are not considered to be material to the assessment of this site for residential development.

No proposed change to the local development plan.

428, 430 - These representations has been submitted in respect of an alternative site to Peel Road at South Hill of Dripps, Thorntonhall. These representations state that the site at South Hill of Dripps is a better residential site than Peel Road and that Peel Road should be deleted and replaced by their site. This is dealt with in Schedule 4 EK21 – South Hill of Dripps, Thorntonhall. Therefore the Council's response is as per that for all other objections to this site.

No proposed change to the local development plan.

Support:

426 – Noted. However, the Council considers that the site is likely to support a smaller number of houses, due to the constraints of topography, existing trees, flooding and the need to provide an appropriate landscape setting.

Comment:

642 – Noted. Part of the application site lies within the 1 in 200 floodplain. No development will be permitted within this area. A Flood Risk Assessment will be required to support any planning application and further consultation with SEPA required.

**Reporter's conclusions:**

1. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis the council has allocated this particular site.

2. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles

of the Scottish Planning Policy, in particular paragraphs 75 and 110.

3. The numerous representations lodged raise a wide range of concerns regarding the council's proposed allocation of this site for residential development. In almost all cases those objecting are not seeking any significant expansion of Thorntonhall into the surrounding green belt – indeed arguing that there is no need or justification to allocate more housing in this particular locality. One of the representations, however, argues that an alternative site (EK21) at South Hill of Dripps on the southern edge of Thorntonhall should be allocated for housing in preference to the site now in question. The detailed case being made in support of that other site being allocated is evaluated elsewhere in this report under the heading EK21. In summary, I conclude there that the case made in support of EK21 being favoured over EK20 for allocation in the proposed new plan is not sufficiently compelling to merit deletion of EK20 from the proposed plan. I now turn to discuss in more detail the arguments concerning site EK20 and its allocation for housing.

4. One of the main contentions made by the representations objecting to the EK20 allocation is that recent housing developments at Thorntonhall have increased the scale of the settlement disproportionately – and at a time when there are no amenities such as shops or schools to serve the resident population here. There is a related concern that the proposed allocation would adversely affect the character and identity of the village and its conservation area in various ways. I find, however, that the village today, whilst lacking local services and community facilities does have a distinct character and is well served by its rail station and bus services that provide easy access to a wide range of facilities and services in East Kilbride and further afield – and these factors would not be diminished by the EK18 allocation. Indeed such an allocation may well provide an additional justification for locating more facilities locally to serve the resident community of Thorntonhall.

5. Accordingly, whilst noting the concerns that have been expressed, I find that individually and in combination they do not provide sufficient justification to delete the EK18 allocation. Furthermore, based on the available evidence I find that the site in question, given its location and sustainability, is the most suitable in the Thorntonhall area for allocation for housing development in the proposed plan. I note that this allocation would expand the existing Cala housing development at Bowmore Crescent, which appears to have been reasonably successfully integrated into the existing village.

6. I am also satisfied that development of the proposed site, which comprises rolling pasture land, would strengthen and make more defensible the settlement edge, without the risk of coalescence with Busby. This is partly because of the local topographical features along 3 of its borders, including an operational railway line and the undulating nature of the local land forms, restrict views and severely limit further development opportunities nearby.

7. In summary, I am persuaded that whilst Thorntonhall has increased in size in recent years, a further expansion on the site in question could be accommodated without significant detriment to the general character of the village, the core of which would be essentially unaltered. Furthermore, based on the available evidence I am satisfied by the council's assessment that the local roads have sufficient capacity to accommodate the scale of housing development envisaged on the site in question.

8. I note that the planning authority has provided reassurance that concerns expressed about the potential loss of habitats and local wildlife would be addressed at the time any planning application for the site was lodged for determination. In my view, that would also be the appropriate stage for consideration of amenity concerns that have been raised. It

will be important at that time for the planning authority to ensure that any proposals being approved take full account of local interests as far as is practicable. These include safeguarding the amenity of the neighbouring residents and the village as a whole, as well as taking the opportunity to provide satisfactory linkages, not only to public transport but also with regard to pedestrian and cycle networks and access to the countryside.

9. I have considered all of the other detailed arguments made objecting to the site in question being allocated for housing. For the reasons summarised above, I conclude that individually and in combination the planning issues of concern that have been raised do not merit deletion of the EK20 allocation in the new plan.

**Reporter's recommendations:**

No modifications.



<b>Issue EK21</b>	<b>South Hill of Dripps, Thorntonhall</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Area Policy 1 Spatial Strategy Chapter 5 People and Places, pages 26 -30 Policy 12 Housing Land	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 428, 430 - Stewart Milne Homes		
<b>Provision of the development plan to which the issue relates:</b>	No change to Green Belt to allow for release of a site at South Hill of Dripps, Thorntonhall for housing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 428, 430 – These representations have raised the following points:</p> <ol style="list-style-type: none"> <li>1. The assessment undertaken for the LDP Call for Sites Technical Report contains no evidence of any scoring having being applied in the assessment. Stewart Milne Homes has reviewed the assessments and has concluded that South Hill of Dripps would accord with the strategy, subject to mitigation.</li> <li>2. The LDP assessment takes no account of evidence prepared by Stewart Milne Homes to date and presented at the last Local Plan Inquiry.</li> <li>3. It is disputed that the development would not round off the settlement boundary and that the railway line acts as a defensible settlement edge. The settlement clearly already extends beyond the railway line in both physical and visual terms. The Thorntonhall settlement boundary should include all the houses along Peel Road to the south west of the station, including the farm steading at South Hill of Dripps. A development of approximately 45 units could be accommodated on the site without adversely affecting the character of the village and there would be no adverse landscape or visual impacts.</li> <li>4. The green network provision and definition of the green belt must take full account of SPP. The inner boundaries of the green belt should not be drawn too tightly around the urban edge but where appropriate should create areas suitable for planned development between the existing settlement and the green belt boundary (SPP paragraph 162). South Hill of Dripps demonstrates that the settlement boundary and inner green belt boundary should be redrawn to reflect the physical nature of the village and allow for some development to round-off the settlement.</li> <li>5. The development of land at South Hill of Dripps for housing should be preferred for housing over the Peel Road site (Ref EK/20).</li> </ol>		

<b>Modifications sought by those submitting representations:</b>
<p>428, 430 – Seek redesignation of the site at South Hill of Dripps, Thorntonhall from green belt to housing land, subject to a residential masterplan.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects: 428, 430 – The Council has considered the representation and would comment as follows:</p> <ol style="list-style-type: none"> <li>1. The South Lanarkshire Council Technical Report 2: Site Assessments (Document G21) sets out a detailed assessment of the site, including potential constraints on development. The results of this process clearly demonstrate that the Council is justified in its decision to exclude the site. In particular it would represent a considerable expansion of Thorntonhall and extend the settlement beyond the railway line which at present forms a clear and defensible boundary. In addition part of the site lies within the 1:200 floodplain and there are possible sewerage and drainage issues with development of the site. With regard to the site assessment process, the Council determined, following its consideration of the system used during the preparation of the previous plan, particularly in light of the comments made at that time, that a less elaborate and complicated approach, not dependant upon a potentially arbitrary empirical analysis, was more appropriate. It is considered that this demonstrates more clearly its conclusions on individual sites, based on a clearly defined set of criteria.</li> <li>2. The evidence previously provided by Stewart Milne Homes was taken into account by the Reporter at the South Lanarkshire Local Plan Public Inquiry. The conclusion was that the site at South Hill of Dripps was not an appropriate site to be released for housing. In particular the Report concluded that “it would represent a very significant breach of the clear Green Belt boundary that is formed by the line of the railway and would be a prominent intrusion into the Green Belt visible from Busby, the Glasgow Southern orbital road and from East Kilbride” (Document EK2). The Council has reassessed the position and concluded that the site is still not suitable for release. The reasons for non-inclusion of the site for housing are outlined in the South Lanarkshire Council Technical Report 2: Site Assessments (Document G21).</li> <li>3. With regard to the settlement edge, the Council disagrees that that the line of houses that sit along Peel Road and the steading of South Hill of Dripps visually form part of the settlement. It is considered that the attractiveness and sense of rural character on this side of the village would be lost if development of this scale at South Hill of Dripps was allowed to proceed. Furthermore, release of this site for housing would result in a less defensible boundary than at present and possible coalescence with East Kilbride.</li> <li>4. The Council have taken account of Scottish Planning Policy (SPP) when considering all aspects of the local development plan and particularly in its approach to reassessing settlement boundary and identifying potential development opportunities. The settlement edge of Thorntonhall represented by the railway line is strong, robust and defensible. The proposed housing site would not round off the settlement and instead would result in a significant incursion into a sensitive area of countryside on the edge of the village.</li> <li>5. The release of the site at Peel Road, Thorntonhall is dealt with in Schedule 4 – EK20 - Peel Road, Thorntonhall.</li> </ol> <p>No change proposed to the local development plan.</p>

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.
2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.
3. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis the council has rejected this particular site.
4. I agree with the council that to the south of the rail station at Thorntonhall, the line of existing houses along Peel Road and the South Hill of Dripps steading do not form part of the settlement in visual terms. Instead I find that those properties are severed from it by the intervening operational railway corridor. Indeed in my view this rail line acts as a clear and defensible boundary between the settlement and the green belt area to the south of it, including the site now in question.
5. In this context, I find that the landscape setting and visibility of the site now being put forward for allocation in the representation remains unchanged from when it was considered as part of the local plan inquiry held in 2008. As was considered the case then, I conclude that allocation and development of this large site for housing would represent a significant breach of the green belt boundary that is clearly and effectively defined by the rail line.
6. Equally importantly, the proposed housing development being suggested for this site would be highly visible. This is because the local landform is such that new houses here would be clearly seen from different surrounding vantage points including the Glasgow Southern Orbital road and from East Kilbride. Furthermore, such development would erode the already narrow but important gap between the East Kilbride and the village of Thorntonhall – which is safeguarded from coalescence by the existing green belt designation at this location.
7. Based on all of these considerations, I conclude that the proposed re-allocation of the site for housing development would not represent an improved rounding off of the settlement of Thorntonhall and would not create an improved boundary for the green belt. Indeed I am concerned that such a new boundary on the outer edge of the proposed housing land would not be as robust or defensible as the existing one defined by the rail

corridor.

8. Taking all of the above into consideration, I do not find the detailed arguments put forward in the representation sufficiently persuasive to justify re-allocation of this site from its present green belt status. Instead I am satisfied that the council has undertaken a fair and balanced assessment of the merits and constraints of the site in question, based on a defined set of criteria, before concluding quite properly that the site concerned is not appropriate for release from the green belt for housing development. Accordingly, I also conclude that the EK21 site should not be preferred to the EK20 site for residential development. The competing arguments put forward in respect of the latter site are considered separately in this report under the heading EK20.

**Reporter's recommendations:**

No modifications.

<b>Issue EK22</b>	<b>Westpark, Strathaven</b>	
<b>Development plan reference:</b>	Policy 1 Spatial Strategy Page 10 Policy 3 Green Belt and Rural Area Page 14 Policy 12 Housing Land Page 27 Policy 13 Affordable Housing and Housing Choice Page 29 Policy 14 Green Network and Greenspace Page 31 Appendix 3 – Development Priorities Page 50 Appendix 5 – Proposals Page 61 Settlement Maps Strathaven	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 281 – Wrights Solicitors & Estates Agents  Comment: 266 – James Wilkie		
<b>Provision of the development plan to which the issue relates:</b>	This relates to the inclusion of the Strathaven West site as a residential site through masterplan development and the non-release of the Westpark site from the Green Belt to residential use through a masterplan development.	
<b>Planning authority’s summary of the representation(s):</b>		
Objects:  381 - This representation has raised the following points with regards to the non-inclusion of land as housing land and the release of the land from the Green Belt:  1. The Westpark site is a preferred location over Strathaven West for any Green Belt release for residential development because of the site’s characteristics and the fact that this site was previously identified by the reporter as being an appropriate site for release if required.  2. The Reporter’s recommendation is also supported by the comments in the Councils ‘Sites for consideration for development – assessment form which stated that the site would round-off Strathaven to the south-west.  3. There is an opportunity to include some disused Council land to the east if deemed appropriate.  4. The Council considers the risk of flooding to properties to be low. On this basis the localised water attenuation is not considered problematic.  5. Access can be readily taken from the B743 Muirkirk Road and there is the opportunity to link the three sections of the site (including Council owned section) to improve the existing sub-standard access.  6. The site is close to local amenities in the Town Centre including the new supermarket.		

7. Although there is a minor watercourse adjacent housing has never been affected by water attenuation.
8. There is a definite developer interest in the site.
9. It is advocated that this is the most suitable location for any proposed additional housing for Strathaven, in terms of the Council's objectives of 'rounding off' the settlement boundaries.
10. This site has distinct advantages in terms of landscape character, size, transport, access and integration with the Town Centre.

**Modifications sought by those submitting representations:**

281 - Seeks inclusion of a site at Crofthead/Westpark Strathaven as a residential masterplan site.

**Summary of responses (including reasons) by planning authority:**

Objects:

381 – The Council responds to the individual points raised in the above representation as follows:

1. All of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply. Through this exercise Strathaven West was considered to be an appropriate logical extension to the Greenbelt. The Westpark site was assessed and not considered suitable for release. Development to the south side of the A71 is not appropriate and SEPA has noted that it has a medium flood risk due to the local watercourses adjacent to the site (Document G27).
2. While the Reporter's previous comments are acknowledged for this site, it is considered that other sites within the Strathaven area are deemed more suitable, including the East Overton site which was identified as a potential housing development at the previous local plan inquiry and which is now progressing towards planning permission. In addition the Strathaven West site is considered more appropriate in terms of scale to satisfy housing land supply.
3. This is not considered to be an issue which should influence the release of the site for housing.
4. While the Council has recently expressed that flood risk in this area to existing properties is low, this conclusion has been reached with limited existing information. The Westpark site contains a watercourse which runs through the site and SEPA has determined that the site has medium flood risk.
5. While it may be possible that an access could be taken from the B743 Muirkirk Road with a potential opportunity to link the site (including Council owned section), it was concluded through the 'call for sites' process that a more appropriate site for release is the Strathaven West site.

6. While it is recognised that the site is relatively close to local amenities, it is considered that it is not the most suitable site given the potential flood risk issues.
  7. Although to date the adjacent residential area has not been affected by flooding, it is recognised that with watercourses running adjacent to the site, the alternative Strathaven West site is a more appropriate site for release.
  8. This is not considered to be an issue which should determine whether or not a site should be released for housing.
  9. It is considered in this instance that the release of the Strathaven West site is of a more appropriate scale to satisfy housing land supply.
  10. In this instance it was concluded that the Strathaven West area was an appropriate extension to the existing settlement of Strathaven in terms of scale, impact and without any flood risk constraints.
- No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.
2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.
3. I note that in the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis it has rejected this particular site.
4. I note that the council cites 3 main reasons for declining to allocate the Westpark site for residential development. Firstly, it contends that the Strathaven West is a logical and more appropriate site for allocation on the west side of the settlement; secondly it refers to the medium flood risk of the Westpark site, as categorised by the Scottish Environment Protection Agency; and lastly it states that development to the south side of the A71 road is “not appropriate”. The representation challenges each of these points when making its case for the site to be allocated – and I have weighed the competing arguments, as summarised below.

5. Firstly, as the representation notes, the council's own assessment of the site stated that this would round-off Strathaven to the south-west. In principle I concur with that view. I am also persuaded by the detailed evidence cited that indicates that the flood risk at this location should be termed low-risk and confined to the areas adjoining the small burns that drain near to the margins of the site. I note that this view is supported by the council's own assessment. Similarly, the detailed observations on this site from the Scottish Environment Protection Agency explain that its potential concerns are essentially confined to those related to the minor local watercourses. This is underlined by the fact that SEPA seek only a basic flood risk assessment (FRA) to identify any parts of the overall site that are not suitable for development – at which point their objection would be lifted. The council acknowledges that the existing residential areas immediately adjoining the Westpark site have not been significantly affected by flooding.

6. I also find that the council's statement that "development to the south of the A71 is not appropriate" is not underpinned by any supporting arguments or the available evidence. Indeed the council also concedes that the site in question could possibly be accessed from the B743 Muirkirk Road. This appears to be the case based on my own site visit. Furthermore, there is no disagreement that the Westpark site is relatively close to local services and amenities – and I note that this is clearly the case compared with the Strathaven West site.

7. Representations made in respect of the council's proposed allocation of the Strathaven West site are dealt with separately in this report under the heading EK18. Accordingly, I am not required to consider that particular site in detail here.

8. The council has expressed a preference for the Strathaven West site, citing in particular the fact that it is free from flood risk. Nevertheless, in the above context I do not find this to be sufficient reason to completely rule out the possibility of phased residential development at EK22 – in particular on those parts of the 6.83 hectares of land at Westpark that prove to be not at significant flood risk. This is because the EK22 site is a generally flat grazing paddock that is mostly readily developable and accessible, including by public transport – as well as being close to all local services and amenities, including the shops and other facilities of Strathaven town centre.

9. Furthermore, I am satisfied by the arguments set out in the representation that the boundaries of the site concerned could be suitably defined, with landscape treatment that has already been initiated, within an overall Masterplan. This should ensure that it provides a robust and defensible edge to the settlement and the green belt beyond. I am persuaded that the resulting loss of green belt land in this case would not be significantly detrimental to the overall integrity of the wider green belt.

10. In summary, I conclude that, despite being rejected by the council, in principle the EK22 site should be allocated for residential use in the plan – and in principle those parts of it where it can be demonstrated that there is no significant flood risk should be deemed suitable for housing development. I conclude that such an allocation is justified along with rather than in place of the EK18 Strathaven West site. As in the case of the Strathaven West site, the take-up of residential development on the Westpark EK22 land would further improve choice locally and counter-balance the large-scale housing land release that has been approved at East Overton on the eastern fringe of Strathaven.

11. Within the overall 6.83 hectares, the precise extent and locations of those areas deemed free of significant flood risk and appropriate for built-development would require to



be the subject of a detailed Masterplan to be agreed between the landowner or developer and the planning authority. This would also delineate the remaining parts of the site that are subject to significant flood risk or required for landscape planting to provide a satisfactory new settlement edge and green belt buffer as well as additional amenity open space to complement the proposed new housing development.

**Reporter's recommendations:**

Modify the local development plan as follows:

- re-allocate site EK22 from green belt to become a residential masterplan site

<b>Issue HM1</b>	<b>Millburn Road, Ashgill</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, Pages 13 – 17 Policy 6 General Urban Area/Settlements Page 17 Local Development Plan Settlement Maps by area Clydesdale, East Kilbride, Hamilton Page 24	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 534, 537 - Banrock Developments Ltd  Comments: 642 - Scottish Environment Protection Agency		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Millburn Road, Ashgill as Green Belt rather than for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>534 – This representation disputes the findings of the South Lanarkshire Council Call for Sites Technical Report which fails to take account of the fact that stretches of the former railway line have already been developed. The representation argues that the development of the site at Millburn Road, Ashgill would complement recent developments and would not significantly alter the existing situation in terms of access along this route.</p> <p>537- This representation argues that the release of this site for residential development will allow a local developer to bring forward a site which will contribute towards meeting a particular local need for first time buyers entering the housing market as part of the Housing Land Supply.</p> <p>Comments:</p> <p>642 – Flood risk information will be required to confirm the developable footprint and encourage buffer strip.</p>		
<b>Modifications sought by those submitting representations:</b>		
534, 537 - Seeks the redesignation of the site at Millburn Road, Ashgill from Green Belt to residential.		
<b>Summary of responses (including reasons) by planning authority:</b>		
534 – The South Lanarkshire Council Call for Sites Assessment Technical Report (Document G28) outlines the methodology and the results of the site assessment process carried out as part of the consultation exercise on the Main Issues Report. This dealt with the sites which interested parties had put forward in response to the invitation made by the		

Council for them to suggest potential development opportunities which could be considered for inclusion in the proposed local development plan. The site at Millburn Road, Ashgill was one of the sites put forward. The report concluded that the site was not a suitable edge of settlement location for development. The detailed conclusions of this site assessment are described in the Council's Supplementary Consultation on Additional Potential Development Sites (Document G20). This concluded that the release of the site at Millburn Road, Ashgill would breach a clearly defined settlement boundary, established by the former dismantled railway line. It is considered that the development of the site which involves removing an embankment which currently forms a robust edge to the village would have an adverse landscape and visual impact. Although some of the former railway line has already been developed, in the area to the rear of Garrion Place, to the west of this site, the majority of the former railway line remains undeveloped. In addition the Council wishes to encourage the development of walking; cycling and public transport networks and recognises the significant contribution that disused railway lines can play in this regard.

No change proposed to the local development plan.

537 - The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls. However the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were considered as proposed additions to the housing land supply (Document G12). This site did not meet the requirements and was not included as a proposed housing site.

No change proposed to the local development plan.

Comments:

646 – Noted. A Flood Risk Assessment and further consultation with SEPA would be required if a planning application were to be brought forward for the site.

**Reporter's conclusions:**

1. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site at Millburn Road. Its findings are set out in Document G21.
2. The site concerned is a disused elongated section of a former railway embankment. This neglected area of elevated ground incorporates steep embankments on either side of the former rail bed. This is raised significantly above the level of the neighbouring houses and their rear gardens to the west of it and the open fields immediately to the east. Whilst some sections of the former rail corridor have been developed most of it has not. I note the council's aspiration to encourage re-use of such disused rail line corridors for walking and

cycling.

3. Whilst the rear garden boundaries of the houses to the west of the site form part of the settlement edge of Ashgill, this does not provide sufficient justification for allocating this section of railway embankment land for housing development. Indeed I consider that the existing settlement boundary along the western edge of the embankment is robust and defensible. That would not be the case if the settlement boundary was moved eastwards to incorporate the site in question.

4. Furthermore, I agree with the council that even if the embankment mounding was removed it would still leave practical issues of concern such as access. Setting these other concerns aside for a moment, most importantly I find that in principle this site would not be an appropriate location for an extension to the existing settlement. In particular, I conclude that its location and configuration as a very narrow strip of land would not represent a logical extension to the settlement.

**Reporter's recommendations:**

No modifications.

<b>Issue HM2</b>	<b>Bartie Gardens, Ashgill</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, page 17 Policy 6 General Urban Area/Settlements, page 17 Local Development Plan (proposed), Settlement Maps, by area, Clydesdale, East Kilbride, Hamilton page 24.	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>88 - George Mc Lean 89 - Barry Collins 263 - George Small 432 - Mr and Mrs Newlands</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to bring an area of land at Bartie Gardens, Ashgill into the settlement boundary.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>88, 89, 263, 432 – These representations dispute the alteration of the Green Belt Boundary in relation to the area of ground to the rear of Bartie Gardens, Ashgill. They argue that there is scope within the existing settlement to accommodate future developments and that there is no requirement for any further release of land. The representations consider that it would be difficult to develop this area of ground due to a number of issues including access, surface water runoff and school capacities.</p>		
<b>Modifications sought by those submitting representations:</b>		
88, 89, 263 and 432 - Seeks the redesignation of the site at Bartie Gardens, Ashgill as Green Belt.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>88, 89, 263, 432 - The Council would respond to the representation made as follows:</p> <p>Part of the preparation of the Main Issues Report (MIR) (Document G37) for the South Lanarkshire Local Development Plan (SLLDP) involved assessment of settlement boundaries to ensure that they were both robust and relevant as outlined in Technical Report 1 Potential Changes to Designations and Settlement Boundaries (Document G22). In this instance the Council considered that the extension of the settlement boundary would establish a sound and rational limit to the settlement by “rounding off”, and that the scale of</p>		

the release would be compatible and proportionate with the existing settlement.

There are at present no specific proposals relating to the site at Bartie Gardens, Ashgill. Should a development proposal come forward matters covering details such as surface water run - off, local school capacity and access would be assessed as part of the planning application process. As part of this process, both Roads and Transportation Services and Education Resources would be consulted regarding their requirements.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Although a detailed analysis has not been provided by the council to fully justify its rationale for identifying a limited number of housing sites to meet local requirements, we conclude that the general approach is reasonable and is to be supported in principle. This is provided that the sites selected could accommodate a level of housing that is commensurate with the size, character and local service infrastructure of the particular settlement. Such allocations will add to the choice and range of housing available, support local community facilities such as shops and contribute towards meeting the housing land requirement. Furthermore, this approach would be consistent with the planning principles of the Scottish Planning Policy, in particular paragraphs 75 and 110.
2. The representations argue that there is no justification for this site to be included within the settlement boundary and allocated for residential development – preferring it to be part of the green belt. Based on the available evidence and my own site visit I do not find compelling the case put forward by the objectors in support of their position.
3. As the council rightly points out, the details relating to drainage, access and school capacities would all be assessed fully as part of the determination of any planning application lodged for the site. Meanwhile, I am satisfied that the proposed extension to the settlement boundary in the proposed plan, to include the site in question, is logical and proportionate to the scale and form of the existing settlement. Indeed this would also allow for some planned growth within reasonably close proximity to the heart of Ashgill’s limited range of community facilities and amenities. I also note that the site concerned affords very easy access to the core area of Ashgill, including the local school that is located just to the south of it.
4. Based on all of these considerations I conclude that there is insufficient justification to remove this allocation from the proposed plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM3</b>	<b>Former Craighead School, Blantyre</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration pages 8 – 20 Policy 7 Employment pages 18 – 20 Chapter 6 Environment pages 31 - 32 Policy 14 Green Network and Greenspace pages 31 - 32	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>477 - Muse Developments Ltd 545, 546 - Clean Power Properties Ltd</p> <p>Support: 476 - Muse Developments Ltd.</p>		
<b>Provision of the development plan to which the issue relates:</b>	This relates to zoning of industrial land in the plan and the provision of greenspace and green network.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>545 – This representation relates to the employment land use category of a site at Whistleberry Road, Blantyre (former Craighead school site). The representation argues that the site should be rezoned from “Other Employment Land Use Area” to “Core Industrial and Business Area” due to its good transport links and spatial relationship to the adjoining core industrial and business area. The representation also seeks that Table 4.1 (page 19 - 20 of proposed South Lanarkshire Local Development Plan) be expanded so that it highlights all of the land designations within each employment land use category.</p> <p>477, 546 – Both of these representations dispute the zoning of the former Craighead School site, Blantyre as forming part of the Green Network. The representations argue that as the site has an extant planning permission for commercial development, is located within a zoned industrial area in the adopted Local Development Plan and will imminently be the subject of a planning application for an Energy Recovery Centre, there is no justification for the land's continued inclusion within the Green Network Policy designation.</p> <p>Support:</p> <p>476 - Supports the designation of the former Craighead School Site as Other Employment Land Use Areas.</p>		
<b>Modifications sought by those submitting representations:</b>		
545 - Seeks the redesignation of the site from “Other Employment Land Uses” to “Core and Industrial Business Area” as shown on the Local Development Plan settlement map. Table		

4.1 should be expanded to list all the sites designated within each category

477, 546 - Seeks the exclusion of the former Craighead School site at Whistleberry Road, Blantyre from the Local Green Network as shown on the local development plan settlement map.

**Summary of responses (including reasons) by planning authority:**

Objects:

The Council have considered the representations and would comment as follows:

545 - The rezoning of this site from a “core industrial and business area” to an “other employment land uses” area reflects the fact the industrial character of the area is changing and consent has been granted for mixed use development. The Council consider that South Lanarkshire Proposed Plan Table 4.1 page 19 – 20 provides a clear breakdown of categories of employment land uses across South Lanarkshire and that there is no requirement to alter this table. A detailed breakdown of the sites in each category and the reasons for their allocation is contained in the Industrial, Commercial and Retail Development Technical Report (Document G26).

No change proposed to the local development plan.

477, 546 - The Council considers that at the local level there is a well established green network within the larger urban centres as identified in the South Lanarkshire Proposed Plan. The former Craighead School site forms part of this local network. The site lies adjacent to Backmuir Woods which is an important wooded burn which provides a context for the surrounding urban areas as well as a significant resource in terms of its biodiversity value. The Council considers that the application of Policy 14 – Green Network and Greenspace will ensure that any development proposal which comes forward in respect of this site will examine opportunities to establish links with the wider network in terms of people/ wildlife as an integral part of the overall development proposal. The site currently benefits from planning approval for a mixed use development Planning Application Reference HM/09/0407 as detailed in the Planning Application Decision Notice extract (Document HM1) granted 8 October 2010. However it is noted that matters of detail relating to landscape and open space require the submission of a further application in this regard. The retention of the green network designation on this site will assist in the delivery of a successful and sustainable green network as part of the development management process.

No change proposed to the local development plan.

It should be noted that an application has been lodged for an Energy Recovery Centre Planning Application ref HM/13/0432 on this site as detailed in the submitted non technical summary extract (Document HM15) which the Council is currently progressing.

**Reporter’s conclusions:**

1. The site in question is a flat area of cleared ground situated between dense woodlands to the east and south-east and industrial areas immediately to the west. It was formerly occupied by a school but all the buildings there have been demolished following its closure. The representations take issue with the proposed zoning of this land and its retention as



part of the Green Network.

2. In my view the council has fully justified its reallocation of the site in question for “other employment uses” rather than retaining it as a “core industrial and business area” as shown in the adopted local plan – for the reasons it has outlined, which I regard as compelling. This reflects the location and changing nature of the site and its locale, where a package of mixed uses was consented in 2010 – although detailed landscape and open space details are still to be approved.

3. In this context, together with the fact that the site shares a long boundary with Blackmuir Woods, I also find that it is logical to include the site in question within the designated Green Network. On this basis when the site itself is developed the detailing of the landscaping and open space provision should be designed to ensure that the Green Network principles are safeguarded and if possible strengthened at this location. I conclude that this can best be achieved when detailed proposals for the overall development are being approved through the development management process.

4. Based on all of the above considerations I conclude that the arguments put forward in the representations seeking to modify the plan in respect of this site are not persuasive.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM4</b>	<b>Shott Farm, Blantyre</b>	
<b>Development plan reference:</b>	<p>Chapter 3 - Vision and Strategy, pages 9-11.                  Table 3.1, Spatial Strategy Development Priorities, pages 10-11.                  Chapter 5 People and Places, pages 26-28.                  Policy 12 Housing Land, page 27.                  Appendix 3 Development Priorities, page 56.                  Appendix 5, Proposals, page 61.                  Hamilton, Blantyre, Bothwell, Uddingston, Larkhall Settlements Maps</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>25 - Maureen Grant                  257 - Mr and Mrs Gorman                  284 - Wallace Land                  410 - Mr and Mrs Flynn</p> <p>Supports: 284 - Wallace Land</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site as a residential masterplan at Shott Farm, Blantyre.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>25, 257 – Previous Reporters have resisted development of this site and as a ‘sensitive wedge’. It should remain as Green Belt.</p> <p>284 – The boundary of the site identified in the local development plan may require to be reassessed through the master planning process.</p> <p>410 – Concerned about dust, noise, site traffic, access and landscape impact.</p> <p>Supports:</p> <p>284 – Supports the identification of land at Shott Farm as a new Greenfield residential release site.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>25, 257, 410 – Shott Farm should be redesignated as Green Belt.</p> <p>284 – Appendix 3 Shott Farm should be modified with the addition of a further bullet point: “The precise western greenbelt edge and development boundary shall be confirmed</p>		

through the master planning process accounting for the principles established in the LDP and other policies in the Plan.”

**Summary of responses (including reasons) by planning authority:**

Objects:

25, 257 – The site at Shott Farm has been fully considered through the site assessment process and included in the local development plan to ensure a five year effective land supply of housing is provided across South Lanarkshire. The site is included in Table 12 of the Housing Technical Paper (Document G27). A larger site was previously considered during the preparation of the South Lanarkshire Local Plan (Adopted 2009) (Document G38). The Council resisted its development at that time as there was no need for additional land for housing and there were concerns regarding the visual impact of developing the larger site, in particular relating to visual coalescence between East Kilbride and Blantyre.

The site identified as a Residential Masterplan site (Map reference 50 as shown on the Hamilton, Blantyre, Bothwell, Uddingston, Larkhall Settlements Maps has been reduced in size from the site that was previously considered by the Council and previous Reporters. It is considered that development of the site, as identified in the proposed plan, can be accommodated without having a significant adverse landscape or visual impact on the surrounding area and that the proposed development is of a scale that can be absorbed by the surrounding area. In addition, the representation in support of the proposal (Representation Number 284) indicates that the boundaries of the site will be landscaped in order to provide a setting for the development and the settlement of Blantyre. The proposal will ensure that development take place below the ridge to avoid visual coalescence with East Kilbride.

No change proposed to the local development plan.

284 – This representation is seeking to extend the site if the masterplan process identifies a need for further land to accommodate 200 houses. As stated above the Council has reduced the size of the site formerly considered by the Council and previous Reporters. This is to ensure that effective landscaping of the site takes place and that the visual impact of the site is minimised. It is noted that Wallace Land have suggested a boundary change to the allocated site. The Council is satisfied with the boundary as shown in the proposed local development plan. Detailed masterplanning for the site may seek to support/justify a revision to this boundary. This is a matter which should be addressed at the development management stage.

No change proposed to the local development plan.

410 – The issues raised in this representation will be fully considered and addressed as part of any planning application submitted in respect of the site’s development.

No change proposed to the local development plan.

Support:

284 – Noted.

**Reporter's conclusions:**

1. I note that the site in question here has previously been retained in the adopted local plan as green belt despite submissions for its re-designation as part of a larger site put forward for housing development at that time. I also recognise, however, that local circumstances – for example relating to housing need and site availability – as well as policy requirements change over time, prompting periodic reviews of the merits of such proposals.
2. It is in that context that the council has undertaken its own new assessment on the basis of which it is now proposing a smaller site for release from the green belt and allocation instead for housing development in the rolling landscape that borders Shotts Farm. It argues that such a limited release is now justified here to contribute to the requirement for the new plan to ensure and demonstrate a 5 year effective housing land supply over the plan period. Based on the available evidence and my own site visit, for the following reasons I find that the logic and conclusions of its allocation, as now proposed, are more persuasive than the contrary arguments that have been put forward in representations.
3. Firstly, I consider that the landscape and visual impact concerns previously raised have been reduced significantly by the more limited extent of the site now being put forward for allocation. Most importantly the built development now would be restricted to only those locations below the ridge line. My conclusion in this regard takes into consideration the nature of the surrounding landform, which is characterised by undulating rolling hills that limit views.
4. Furthermore, I note the reassurances given that suitably landscaped boundary treatments would be incorporated into any scheme here – to provide a setting for the new development and prevent the risk of coalescence of the built up areas of Blantyre and East Kilbride. I am satisfied that these most important principles can be adhered to when a planning application for the site is being determined – in the context of a masterplan for the sensitive and sustainable development of the area concerned. This should ensure that visual intrusion is minimised and that local amenity is safeguarded as far as possible and not adversely impacted significantly.
5. Based on all of these considerations I conclude that, notwithstanding the concerns raised in the representations objecting to the allocation, the council is justified in designating the site in question for residential development.
6. I have taken into consideration each of the other concerns outlined but conclude that these should all be capable of being addressed satisfactorily at the detailed planning stage of any scheme that is put forward for consideration as a planning application for determination.

**Reporter's recommendations:**

No modifications.

<b>Issue HM5</b>	<b>Bothwellbank Farm, Bothwell</b>	
<b>Development plan reference:</b>	<p>Chapter 3 - Vision and Strategy, pages 9-11.  Table 3.1, Spatial Strategy Development Priorities, pages 10-11.  Chapter 5 People and Places, pages 26-28.  Policy 12 Housing Land, page 27.  Chapter 6 Environment, pages 31 &amp; 32.  Policy 14 Green Network and Greenspace, pages 31 &amp; 32.  Appendix 3 Development Priorities, page 56.  Appendix 5, Proposals, page 61.  Hamilton, Blantyre, Bothwell, Uddingston, Larkhall Settlements Maps</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>26 - Karen Cornwell  43 - Iain McMaster  139 - Martin Super</p> <p>Supports/Comments:</p> <p>235 - Bothwell Community Council  389 - Cala Homes (West)  420 - Marjory Robertson  598 - Brighter Bothwell</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of Green Belt to allow for release of a site as a residential masterplan at Bothwellbank Farm, Bothwell.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>26, 43, 139 – These representations relate to redesignation of site from Green Belt and identification as a Residential Masterplan Site, and raise the following points:</p> <ol style="list-style-type: none"> <li>1. Strongly objects to any development at Bothwellbank Farm as it would impact on privacy, natural environment, outlook, views and traffic pollution.</li> <li>2. This site was rejected previously and the reasons for this cannot have changed. The representation also details objections relating to the impact on neighbouring properties which currently overlook the Greenbelt, loss of Greenbelt, the disruption caused by building works, traffic congestion and impact on wildlife.</li> <li>3. The development of the site would result in cycle routes/footpaths being affected, recreational opportunities being limited and amenity would be affected.</li> </ol>		

4. No development should take place within 250 metres of the river.

Supports/Comments:

235, 389, 420, 598 - These representations support the redesignation of the site but have added comments as follows:

235 – The proposal should not involve an excessive number of dwellings, should take account of traffic congestion issues, addresses access issues and contributes to the redevelopment/improvement of Wooddean Park.

420, 598 – The proposal should include the enhancement of the local environment. National Cycle Route 74 could be rerouted to link the existing Bothwell Nature Trail at the old viaduct to the David Livingstone Bridge.

**Modifications sought by those submitting representations:**

43 - Site should to be designated as Green Belt.

139 - No development should take place within 250 metres of the river.

**Summary of responses (including reasons) by planning authority:**

Objects:

26, 43, 139 - The Council would respond to the points raised as follows:

1. The issues raised would be addressed and considered as part of any planning application submission in respect of the site. Issues such as privacy, traffic and impact on wildlife would be fully assessed against local development plan policies and guidance as part of the planning application assessment. This would include Policy 14 which requires new development proposals to identify opportunities to enhance or extend the Green Network.
2. The proposed development of Bothwellbank Farm has been fully considered as part of the local development process and is allocated as a potential site for housing in Table 12 of the Housing Technical Paper (Document G27). The site was previously considered during the preparation of the South Lanarkshire Local Plan (Adopted 2009) (Document G38) and the Council resisted its development as there was no need for additional land for housing at that time. The Reporter concluded, in his report on the South Lanarkshire Local Plan, that the site could make an effective contribution to the housing land supply and that a satisfactory development of good quality houses could be achieved. In addition there has been a further submission in respect of the site (Representation 389) which supports the previous Reporter’s conclusions and those of the Council in redesignating the site as a Residential Masterplan site.
3. As regards the impact on recreation and cycle routes. As part of any planning application submission, the Council would fully consider any impacts on these facilities and, where appropriate, seek improvements and/or contributions towards their enhancement and upgrading.

4. The entire site lies within 250 metres of the river however any planning application will be fully assessed to ensure that development takes place in the appropriate locations and with regard to the retention of an adequate buffer zone between any development and the river.

No change proposed to the local development plan.

Comments:

235, 420, 598 - The issues raised in the comments would be addressed and considered as part of any planning application submission in respect of the site. Issues such as privacy, traffic and impact on wildlife would be fully assessed against local development plan policies and guidance as part of the planning application assessment. This would include Policy 14 which requires new development proposals to identify opportunities to enhance or extend the Green Network.

Support:

235, 389, 420, 598 – Noted.

**Reporter’s conclusions:**

1. I note that this particular piece of land has been considered previously as a potential site for housing development as part of the process leading up to adoption of the local plan in 2009. The associated local plan inquiry report concluded that the site concerned could be developed satisfactorily for housing. Nevertheless, it was not allocated then on the basis that it was not required to meet the council’s overall housing land targets applicable at that time.

2. The form and character of the land in question and its local context do not appear to have changed significantly over the period since 2009. The site remains as undeveloped rough pasture land. This forms part of the green belt that borders existing housing and recreational park areas to the east. The site slopes down westwards towards the River Clyde and it also abuts a large operational water treatment works that is situated at a lower level alongside the river.

3. In the context of the proposed local development plan’s requirements to meet its strategic and local housing land requirements over the plan period, the planning authority has reviewed its position. In summary it now proposes that this site should be re-designated in the new plan for residential development and become the subject of a residential masterplan. This is detailed in Table 12 of the Housing Technical Paper supporting the proposed plan. Based on the available evidence and my own site visit I am satisfied that such a development would accord with the broad principles and vision of the proposed plan as a whole, including with regard to sustainability.

4. I acknowledge the range and significance of the planning issues raised in representations lodged objecting to the proposed re-designation – including with regard to visual amenity, drainage, local ecology, traffic and access. Nevertheless, I conclude that all such matters, along with other relevant planning considerations, could and should be addressed satisfactorily when any planning application for the site is being processed – with reference to the proposed masterplan for the site in its local context.

5. In summary, I conclude that the site concerned could contribute to the effective housing land supply and so help to meet local and strategic housing requirements over the plan period. I am persuaded that this could be achieved whilst providing the necessary safeguards to address the issues raised in the representations.

6. Any development scheme for this site, in its detailed planning and layout design, should also have regard to the need to provide a satisfactory buffer with the River Clyde corridor. Furthermore, the proposed development when approved should be required to retain and where possible improve the existing recreational walking and cycling routes serving the area and provide appropriate linkages to the wider networks. I conclude that these detailed matters can all be addressed satisfactorily through the development management process when any planning application is being determined.

**Reporter's recommendations:**

No modifications.



<b>Issue HM6</b>	<b>Covenanters' Field, Bothwell</b>	
<b>Development plan reference:</b>	<p>Chapter 3 - Vision and Strategy, page 17                  Policy 6 General Urban Area/Settlements, page 17                  Appendix 3 Development Priorities, page 56                  Chapter 6 – Environment, pages 32-34                  Policy 15 Natural and Historic Environment, pages 32 -33                  Table 6.1 Hierarchy of Natural and Historic Designations, pages 33 – 34                  Hamilton, Blantyre, Bothwell, Uddingston, Larkhall Settlements Maps</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 599 – Brighter Bothwell		
<b>Provision of the development plan to which the issue relates:</b>	No change is proposed to the designation of this site.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>599 – The Covenanters' Field should be designated as Open Space with the threat of future housing development removed. The field should be preserved for its historical importance, given its presence on the Inventory of Historic Battlefields.</p>		
<b>Modifications sought by those submitting representations:</b>		
599 – Requests Covenanters' Field is redesignated as Open Space.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>599 – The site at Covenanters' Field is identified on the Proposals Map as being within the General Urban Area/Settlement of Bothwell. It is also located within the designated Conservation Area in Bothwell. The South Lanarkshire Local Plan (Document G38) currently identifies the site as being within the Settlement Boundary of Bothwell and within the designated Conservation Area of Bothwell. In addition the land is covered by Policy RES6. Policy 6 General Urban Area/ Settlements of the proposed South Lanarkshire Local Development Plan reflects the provisions of Policy RES6 in the South Lanarkshire Local Plan in that it states that all proposals will be considered on their own merits and that particular consideration will be given to ensure that residential amenity will be protected. The site is also located within the designated Bothwell Conservation Area in both the adopted local plan and the proposed local development plan and therefore subject to the requirements of the appropriate policies and guidance covering such areas. It is</p>		

considered that these designations continue to properly and reasonably take account of the site's location and qualities.

With regard to the site's designation as a Historic Battlefield, Policy 15 and Table 6.1 of the proposed local development plan specifically identifies and refers to sites which appear on the Inventory as Historic Battlefields as Category 2 sites (See also Issue ST16 – Natural and Historic Environment). The Council will seek to protect important natural and historic sites, and on Category 2 sites, development will only be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised following the implementation of any mitigation measures.

There is a planning application currently under consideration for the erection of 15 dwellings at Covenanters' Field (Reference HM/13/0296), but as yet undetermined. A location plan is attached as (Document HM2). The site's status as a Historic Battlefield together with the above Policy considerations will ensure that, these proposals are assessed against the need to ensure that, the historic value of the site is preserved, without the need for designating the area as Open Space.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. The site concerned is a sloping, broadly rectangular paddock of open ground – being used for horse grazing at the time of my site visit. Its southern edge fronts onto the main B7071 Bothwell Road that leads to the nearby town centre of Bothwell. The site is otherwise enclosed by the rear gardens of houses to the north, west and east. Not only is this paddock land located within the defined settlement boundary of Bothwell, it is also situated within the Bothwell Conservation Area. In the proposed plan the site is not allocated for any particular use. The representation, which seeks retention of the site as open space, also points out that the land concerned, known as Covenanters' Field, is recorded on the Inventory of Historic Battlefields.
2. As such the site is subject to the provisions of Policy 15 of the proposed plan, which states that the council will seek to protect important natural and historic sites from adverse impacts resulting from development. In Category 2 areas, including sites identified in the Inventory of Historic Battlefields, development will only be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised.
3. I conclude that the status of the site as a conservation area and its inclusion within the national Inventory of Historic Battlefields affords the land adequate protection, and therefore that there is no need to designate the Covenanters' Field as open space in the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue HM7</b>	<b>Laighlands Road, Bothwell</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Local Development Plan Settlement Map Larkhall, Hamilton, Blantyre, Uddingston, Bothwell	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 561 - Hamilton and Kinneil Estates		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Laighlands Road, Bothwell as Green Belt, rather than for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>561 – This representation relates to non-inclusion of a site at Laighlands Road, Bothwell for residential development and has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The release of the site for residential development will increase the stock of good quality housing in a sustainable location in line with Scottish Planning Policy.</li> <li>2. The Housing Need and Demand Analysis 2008 – 2025 projects that due to demographic change there will be an increase in households and a reduction in household size resulting in the requirement for new housing across all tenures. The release of this site for residential development will contribute to this supply.</li> <li>3. Disputes the Council's 2011 site assessment process in terms of landscape, flooding and access arrangements.</li> <li>4. Detailed landscape boundary treatment would clearly enable the site to form a logical extension to the settlement at this location.</li> <li>5. The Proposed Plan highlights the major motorway improvements proposed at Junction 5 of the M74. This will have two consequences; it will bring traffic closer to the southern edge of Bothwell and will also make Bothwell a more sustainable location. An opportunity to promote development in a sustainable location such as Bothwell should not be ignored by the Proposed Plan.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
561 - Seeks the redesignation of the site at Laighland Road, Bothwell from Green Belt to residential.		

**Summary of responses (including reasons) by planning authority:**

Objects:

561 - Taking each of the points raised in turn the Council would wish to make the following comments:

1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result, all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. This site is not considered to be suitable for development, as set out below. (Document G21).
2. In terms of the housing land supply the Council expects developers to provide a diverse and attractive mix of house types and sizes. This should include different tenure mixes to ensure that a full range of housing types are provided in order to meet the range of housing needs and demand. This will be enforced through Policy 13 – Affordable Housing and Housing Choice and be informed by advice from the Council's Housing and Technical Services on the specific needs for different parts of South Lanarkshire.
3. The Council's Call For Sites Technical Report (Document G28) outlines the process and results of the site assessments carried out as part of the consultation process in relation to the Main Issues Report whereby parties were invited to put forward sites they considered could be included as development opportunities in the proposed local development plan. The site at Lighthlands Road was one of the sites put forward for consideration. The report concluded that the release of this site would be not be considered appropriate since the site is environmentally sensitive, forming low lying land which separates the edge of the built up area of Bothwell from the M74 motorway to the east. It provides both clear visual separation of the settlement from the motorway and a landscape and visual setting for Bothwell, with its existing built-up area well contained by the partially wooded slopes which form a clear and distinctive boundary to the west of Lighthlands Road. Additional matters of detail in relation the site assessment are detailed in the Council's Technical Report Site Assessments. In particular this highlights that approximately one third of the site falls within the 1:200 floodplain where development is considered to be unacceptable. This is confirmed by comments received from the Scottish Environment Protection Agency (Document G21).
4. As part of the local plan process a review of settlement boundaries was carried out. The Council considered that this site would not be suitable for expansion of the settlement given the clear Green Belt boundary defined by Lighthlands Road. In addition the site provides a natural buffer between the built up area, the M74 motorway and open countryside beyond.
5. The junction improvements that are programmed for the Raith Interchange includes landscaping works which will reinforce the importance of this area in providing a setting for

the settlement of Bothwell.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.
2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.
3. This site in question is a gently sloping area of grazing paddocks together with undeveloped but partially wooded scrubland on the eastern fringe of Bothwell. The representation seeks its allocation for residential development in the proposed plan. The council's assessment identified a number of constraints concerning the development potential of this particular site – its findings are set out in Document G21.
4. Based on the available evidence and my own site visit I conclude that the Laignlands Road site is not appropriate for release for housing development for a number of reasons. In strategic land use terms, this particular part of the green belt provides a clearly defined separation between the built-up area of Bothwell and the M74 motorway corridor immediately to the east. Accordingly, I regard this site as performing an important buffer role in terms of visual amenity and providing a landscape setting for Bothwell – noting that it is highly visible from the M74 corridor. In addition, a significant proportion of the land in question is shown as being within the 1:200 year risk flood plain where new housing development would not normally be acceptable. I note, however, that this flood risk assessment is disputed by those making representations.
5. In any event I am also concerned that the site in question, as well as being peripheral, has poor access to the range of services and amenity of Bothwell. Indeed at present access to it is via narrow, indirect and in some cases very poor standard roads through the intervening established residential areas. These local roads were not designed to accommodate a major injection of additional through-traffic that would be likely to result if the site concerned accommodated a substantial new housing development.
6. In summary, I reject the contention made by the objector that the Laignlands Road site would represent a logical extension to the settlement of Bothwell. Furthermore, whilst noting that proposed improvements are in process for nearby Junction 5 of the M74, I do not regard these as providing sufficient reason, in terms of access or sustainability, to dismiss or override the other concerns outlined above. Also, irrespective of whether or not flood risk is deemed to be a matter of critical concern, I conclude that there are sufficient

other reasons to rule this site out from allocation for residential development in the new plan.

7. Accordingly I conclude that the site should not be re-designated from green belt to provide additional housing land.

**Reporter's recommendations:**

No modifications.

<b>Issue HM8</b>	<b>Bothwell Neighbourhood Centre</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy Policy 6 General Urban Area/Settlements Appendix 5, Proposals, page 61 Hamilton, Blantyre, Bothwell, Uddingston, Larkhall settlement map.	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 229 - David Gillespie</p> <p>Supports: 419 - Marjory Robertson</p>		
<b>Provision of the development plan to which the issue relates:</b>	This relates to an area of land adjacent to Bothwell Neighbourhood Centre currently designated as general urban.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>229 – Objection to re-designation of land in and around Bothwell Medical Centre. The area is of dense trees and a habitat for a variety of wildlife and would cause a destruction of the environment if developed.</p> <p>Comment:</p> <p>419 – Agrees with the proposed changes to Bothwell neighbourhood centre.</p>		
<b>Modifications sought by those submitting representations:</b>		
229 – Requests that the land in and around Bothwell Medical Centre is not redesignated.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>229 – There are no amendments proposed to the wooded area immediately adjacent to Bothwell Medical Centre. The site is identified as general urban in both the adopted local plan and proposed plan. The only amendments proposed which are close to Bothwell Medical Centre are changes to the boundaries of the Bothwell Neighbourhood Centre. These do not have an adverse impact on the existing wooded area.</p> <p>No change proposed to the local development plan.</p> <p>Comment:</p> <p>419 – Noted.</p>		

**Reporter's conclusions:**

1. The representation expresses concerns about the potential detrimental effect on the existing trees and local wildlife habitats that might arise from the proposed boundary change to the area of land adjoining the Bothwell Medical Centre, as shown in the proposed plan.
2. I note that the site concerned is identified as "general urban" in both the adopted local plan and in the proposed plan. Furthermore, the council has provided clarification that the proposed boundary changes at this location are related solely to the delineation of Bothwell Neighbourhood Centre. Mostly importantly, based on the available evidence and my own site visit it is clear that those proposed boundary changes would not affect the wooded area to the north-west of Bothwell Medical Centre in any way.
3. Based on all of these considerations I conclude that there is insufficient reason to modify the proposed plan. In summary, I am satisfied that the proposed boundary changes in question being put forward by the council would not have any adverse effects on the area of woodland or on associated wildlife habitats in the area immediately to the north-west of Bothwell Medical Centre.

**Reporter's recommendations:**

No modifications.



<b>Issue HM9</b>	<b>Hamilton Golf Club Ferniegair</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas, page 14 Settlement Maps by Area - Clydesdale, East Kilbride, Hamilton - Ferniegair	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 447, 450 - Hamilton Golf Club		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Hamilton Golf Club, Ferniegair, as Green Belt.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>447, 450 – This representation is for the non-inclusion of an area of land at Hamilton Golf Club, Ferniegair for residential purposes and has raised the following points:</p> <ol style="list-style-type: none"> <li>1. That release of the site represents an opportunity to add to the managed growth proposed by the Ferniegair Community Growth Area (CGA). This complies with the principles of SPP for sustainable new growth and increasing flexibility in the housing land supply.</li> <li>2. Will round off the settlement boundary with a new, more appropriate, defensible edge.</li> <li>3. Will respect the local landscape character and preserve the character and amenity of Chatelherault Country Park.</li> <li>4. Is financially viable, effective and free of significant constraints.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
450 - Seeks the re-designation of the land at Ferniegair from Green Belt to residential.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>450 - In response to the points raised the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the</li> </ol>		

Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G21). This site is not considered to be suitable for development, as set out below. In addition, a considerable amount of land is already identified within Ferniegair to assist in meeting the Council's housing land requirements. This was designated following consideration of a number of sites in the Ferniegair area, including the site proposed. This site therefore is not considered to be either a necessary or appropriate addition to the housing land supply.

2. Part of the preparation of the Main Issues Report (MIR) for the South Lanarkshire Local Development Plan (SLLDP) involved assessment of settlement boundaries to ensure that they were both robust and relevant as outlined in Technical Report 1 Potential Changes to Designations and Settlement Boundaries (Document G22). No changes were proposed to the Ferniegair settlement at this location as a result of this assessment. The Council's Call For Sites Technical Report (Document G28) concluded that the release of this site would be not be considered appropriate due to its significant adverse impact on the designed landscape of Chatelherault Country Park, within which it is located. Whilst noting that the proposed site has been reduced from that previously assessed within the above reports the Council considers that development of the site would still have a significant and adverse impact on the park setting. The Council therefore considers that this site would not be suitable for expansion of the settlement given the clear Green Belt boundary defined by proposals associated with development of the Ferniegair CGA (site C), which is the subject of a planning application currently under consideration by this Authority (Application No.: HM/13/0325 extract: Location Plan (Document HM3)). Consequently the release of this site is not necessary for the rounding off of the settlement of Ferniegair.

3. As noted above, the Council do not support the respondent's contention that the development of this site would respect the local landscape character and preserve the character and amenity of Chatelherault Country Park. The Council maintains its conclusion within the Council's Call For Sites Technical Report (Document 28) that the release of this site would be not be considered appropriate due to an adverse impact on the designed landscape of Chatelherault Country Park.

4. Whilst noting that the representation considered that the site is viable, effective and free of significant constraints, this does not justify the release of the site for residential purposes. For the reasons stated above the Council remain of the opinion that the site is not suitable for release.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land,

especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site.

4. The site concerned is an open grassed paddock within the designated Chatelherault Country Park. It adjoins areas of woodland to the south and a parkland golf course to the west that also form part of the same Country Park. It is bounded to the east by an old, stone-built estate wall fronting onto the main A72 Carlisle Road. The representation seeks release of this particular parcel of land known as HM9 for housing development.

5. The council has identified a number of constraints concerning the development potential of the site in question. Its findings are set out in Document G21. For the reasons outlined below, based on the available evidence and my own site visit, I broadly agree with that assessment.

6. At the time of my site visit an area of trees immediately to the north of the site in question was in the process of being cleared and prepared for a new development alongside the golf club entrance driveway. That adjoining land is within the proposed settlement boundary of Ferniegair but the HM9 site lies outwith the settlement boundary, as shown in the proposed plan.

7. Most importantly, as stated earlier, the HM9 site forms part of the Chatelherault Country Park, which is a “designed landscape” set in mature woodlands. I am concerned that release of this site for housing development would have a significant adverse impact on the visual amenity, landscape character and setting of the Country Park. The fact that the size of the site now being put forward for release is smaller than previously being sought for development here is not sufficient reason to override these concerns.

8. I also do not find persuasive the contention that the proposed re-designation now being sought would somehow “round off” the settlement of Ferniegair. In any event such an argument would not be sufficient to outweigh the issue of safeguarding the landscape character of the Country Park. In summary, I conclude that this formally constituted “designed landscape” merits protection from significant adverse impacts – such as its development for housing – even if the site in question is relatively small in comparison with the scale of the Country Park as a whole. I reject the contention made that housing development here would respect the landscape character of the area and preserve the character and amenity of the Country Park. Furthermore, I am concerned that if this particular site was released for housing it would set an unfortunate precedent that might well lead to pressure for further releases of the Country Park estate land for built developments that would be harder to resist – even though such incursions would further erode the integrity of the park landscape as a whole.

9. The fact that the site in question may be free of other development constraints and regarded as effective are not sufficient reasons to disregard or override the above concerns. Accordingly, I conclude that the planning authority, in line with the overall principles of the plan, is justified in seeking to safeguard the integrity of the designed landscape from inappropriate developments of the type now being put forward in the representation.

10. The same principles apply in respect of the contention made in the representation that such a re-designation of the site would be supportive of the Ferniegair Growth Area. I do not regard that argument as compelling, let alone a valid basis for making an exception to justify allocation of the land concerned for housing.

11. Based on all of the above considerations, I conclude that the arguments put forward in the representation, individually and in combination, do not outweigh the case outlined above for the site to remain part of the green belt and contribute to the landscape setting of the Chatelherault Country Park.

**Reporter's recommendations:**

No modifications.

<b>Issue HM10</b>	<b>Lanark Road, Garrion</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13– 14 Policy 3 Green Belt & Rural Areas, page 14 Chapter 3 Vision and Strategy, page 17 Policy 6 General Urban Areas/ Settlements, page 17 Local Development Plan Settlement Maps by area. Clydesdale, East Kilbride, Hamilton Appendix 5 Proposals	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>203 – Joseph Conetta 473 – Mrs Pinkerton</p> <p>Supports: 473 – Mrs Pinkerton</p> <p>Comments: 581 - Scotland Gas Networks</p>		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at North Garrion, Garrion as Green Belt rather than housing.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>203 – This representation objects to the failure to identify part of a field which belongs to the property located at 24 Lanark Road Garrion as a site for residential development. The representation advises that planning consent was previously issued for the construction of a dwellinghouse within the grounds of the property however this consent has now lapsed. The representation goes on to advise that it is the intention that only one dwellinghouse would be built within these grounds should the settlement boundary be amended.</p> <p>473 - This representation objects to the failure to adjust the settlement boundary at of Garrion to include an area of land identified in a masterplan. This masterplan also includes the area of ground proposed for residential use in representation 203.</p> <p>Supports:</p> <p>473 – Supports the change of use from Green Belt designation to residential at North Garrion.</p> <p>Comments:</p> <p>581- Scottish Gas have provided information relating to gas pipes in the area from their mains records. They have advised of the presence of Low/Medium and Intermediate</p>		

Pressure gas mains in the proximity of this site and of appropriate safety precaution measures that should be undertaken when carrying out any works. They have advised that gas pipes owned by other Gas Transporters or privately owned may be present in this area and information regarding such pipes should be obtained from the owners.

**Modifications sought by those submitting representations:**

203 - Seeks the redesignation of the site at 24 Lanark Road, Garrion from Green Belt to residential.

473 – Seeks the further extension of the settlement boundary as shown on the submitted masterplan.

**Summary of responses (including reasons) by planning authority:**

Objects: The Council would comment on the representations received as follows:

203, 473 – The Council’s Call For Sites Assessment Technical Report (Document G28) outlines the methodology and the results of the site assessment process carried out as part of the consultation exercise on the Main Issues Report. This dealt with the sites which interested parties had put forward in response to the invitation made by the Council for them to suggest potential development opportunities which could be considered for inclusion in the proposed local development plan. Much of the area, as detailed in the submitted masterplan, was included in this assessment. The report concluded that some limited development could take place however this would require substantial tree planting to screen the development. In addition part of the preparation of the Main Issues Report (MIR) (Document G37) for the South Lanarkshire Local Development Plan (SLLDP) involved an assessment of settlement boundaries to ensure that they were both robust and relevant, as outlined in Technical Report 1 Potential Changes to Designations and Settlement Boundaries (Document G22). As a result it was concluded that, taking account of the site’s location and surroundings and the need to ensure that development was compatible with and capable of being absorbed by its surroundings, only a part of the area covered by the submitted masterplan could be included within the settlement of Garrion. This is identified as Proposal 52 in Appendix 5 of the SLLDP. It was considered that this represents an appropriate extension to the existing settlement in terms of pattern scale and impact.

Representation 203 also refers to consented planning applications. The most recent consent relates to a planning application - HM/05/0765. The site is shown on the committee plan extract (Document HM14). The application relates to a site which is outwith the proposed extension to Garrion.

No change proposed to the local development plan.

Comments: 581 – Noted. These matters of detail can be addressed as part of the development management process.

**Reporter’s conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous

supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.
3. The technical appraisal undertaken by the council concluded that only the southern part of the field to the south of Lea Meadows is appropriate for housing development – and states that this would require extensive tree planting to provide adequate screening. On this basis the proposed plan shows the settlement boundary across part of the field to the south of Lea Meadows and identifies all of the area to the north of this (including Lea Meadows) as green belt.
4. One of the two representations – both of which are seeking an extension northwards of the planning authority’s proposed settlement boundary at Garrion to accommodate one or more additional houses – proposes inclusion of the remaining (northern) part of the field, immediately to the south of the residential dwelling known as Lea Meadows at 24 Lanark Road, in order to accommodate an additional house. The other representation seeks a residential allocation of this together with an area immediately to the north and west of that existing house. That larger area is the subject of a draft Masterplan prepared by the objector to illustrate how parcels of new housing might be accommodated within newly planted areas of trees to provide screening.
5. Based on the available evidence and my own site visit, I agree with the council’s assessment as the basis for defining the settlement boundary of Garrion in the proposed plan – and for not making any further residential development designations in the immediate vicinity of Lea Meadows. I consider that this approach will provide for an appropriate scale of limited expansion for Garrion underpinned with a logical, robust and defensible settlement boundary, albeit not following an existing field boundary.
6. I am concerned that if the settlement boundary of Garrion was extended up to or beyond Lea Meadows to include further land to the west and north, such enlargements of the settlement – whether to the smaller or larger of the 2 boundaries put forward in representations – would be inappropriate in both landscape and visual amenity terms. I conclude that this would also not result in such a robust or defensible settlement boundary.
7. Furthermore, I consider that such extensions would set an unfortunate precedent, risking pressure for further incremental extensions of housing developments northwards that would be harder for the planning authority to dismiss in future. The illustrative masterplan provided by one of those making representations seeks to demonstrate how tree planting could act as a screen and buffer to minimise the visual impact of more housing in this locality. I am not persuaded that this would be effective in preventing pressure for further intrusions into the countryside here. In summary, I conclude that there is justification for the allocation being limited to that shown for the proposed plan.

8. Finally I note the development constraint imposed by gas mains traversing this particular locality. Such gas installations always carry potential safety risks, commonly leading to corridor areas in their immediate vicinity not being deemed suitable for developments such as new housing. In my view this is an issue of potential concern that should be explored in more detail at the detailed planning and layout design stage – when any planning application is lodged and is being assessed prior to its determination by the planning authority.

**Reporter’s recommendations:**

No modifications.



<b>Issue HM11</b>	<b>Hamilton Gas Holder Station, Hamilton</b>	
<b>Development plan reference:</b>	Chapter 5 People and Places, pages 26-27 Policy 12 Housing Land Supply , page 27 Local Development Plan Settlement Maps - Larkhall Hamilton Blantyre Uddingston Bothwell	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects/Supports: 409 - Scottish Gas Network.		
<b>Provision of the development plan to which the issue relates:</b>	This refers to a site at Burnside Lane Hamilton that is currently designated as a housing site.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: This representation relates to a site currently used as a gas holder station in Burnside Lane Hamilton and makes the following points:</p> <p>409 - In order to provide flexibility regarding the future use of the site it is considered that given the mixed use character of the area, that the most appropriate alternative use would be residential, retail or a combination of both. The representation considers that the proposed change would provide more certainty that sufficient value can be created to fund the costs associated with any remediation works necessary.</p> <p>Supports:</p> <p>409 - Supports the proposed inclusion of the site within the proposed plan for housing.</p>		
<b>Modifications sought by those submitting representations:</b>		
409 - Seeks the re-designation of the site to accommodate either residential and retail uses, or a combination of both and identified as a specific development proposal.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>409 - The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result, all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land</p>		

supply (Document G12). The site has been identified on the proposals map for housing as part of the Council's five year effective housing land supply and therefore the residential element of this representation is supported. The area is predominately residential in nature and the site is remote from the Strategic Town Centre (as proposed within the SLLDP) and is not located within either a Neighbourhood Centre or Out of Centre Commercial Location. The site is required as part of the housing land supply and given its location the release of the site for retail use would not therefore be considered appropriate.

It should also be noted however that Policy 12 of the SLLDP requires that development of such sites must accord with other relevant policies and proposal in the development plan and with appropriate guidance. In this respect Policy 6 – General Urban Area/Settlements of the SLLDP advises that “small scale retail units may be acceptable, provided they do not have a significant adverse affect on the amenity and character of the area”. On this basis a mixed use development comprising housing and small scale retail use of the site may be acceptable. It is considered, however, that taking account of the detailed issues this would raise this is a matter which can be more appropriately addressed through the consideration and determination of a planning application and does not require the re-designation of this site.

Finally, if the site was re-designated for solely retail uses it is considered that this would be in direct conflict with the Council's aims for the safeguarding and protection of strategic centres, town centres and neighbourhood centres and therefore Policy 8 Strategic and Town Centres, Policy 9 Neighbourhood Centres and Policy 10 New Retail/Commercial Proposals of the Proposed SLLDP.

No change proposed to the local development plan

Support: 409 – Noted

**Reporter's conclusions:**

1. The site in question is a gas holder facility that is still operational. It occupies a security-fenced site to the south-west of the designated town centre of Hamilton. Based on my site visit I find that this brownfield site is located within a mixed-use but primarily residential area that fringes the town centre.
2. I am satisfied that the brownfield site in question, based on its location and sustainability principles, is appropriate for allocation for housing development in the proposed plan. I note that the landowners, being the sole objectors, are not actually questioning that as such. Instead they are seeking a more flexible designation for the site in the proposed plan – in particular to include retail as well as residential as options for its future development.
3. I share the concerns expressed by the council regarding retail development of this particular site. Whilst small-scale retail units ancillary to residential development may potentially be acceptable this would only be on the basis that they do not have a significant adverse effect on the amenity and character of what is predominantly a residential area. Larger scale retail developments, however, would not be appropriate here for a number of reasons. Firstly, the site is clearly outwith and not even on the edge of the designated strategic town centre. Furthermore, it is not part of a Neighbourhood Centre or a designated out of centre commercial location. Accordingly, significant retail development here would be contrary to the aims of the development plan to safeguard and enhance

strategic centres such as Hamilton town centre, as well as neighbourhood centres. Relevant policies include policies 8 and 9 of the proposed plan.

4. Based on all of these considerations I conclude that the council is justified in allocating the gas holder site for residential development in the proposed plan. This, however would not rule out any planning application including some limited, small-scale retail or perhaps another form of commercial use – alongside housing proposals for the majority of the site. At that time the suitability of the proposed scale and form of any such commercial element within the overall housing-led development of this site could be assessed on its merits in the local context prior to the determination of the planning application.

5. In summary, I conclude that it is inappropriate for the site to be re-designated for mixed development when the plan is adopted, for the reasons outlined earlier.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM12</b>	<b>Hamilton Town Centre</b>	
<b>Development plan reference:</b>	<p>Policy 1 Spatial Strategy, page 10  Table 3.1, Spatial Strategy Development Priorities, page 10  Appendix 3, Development Priorities, page 50  Policy 6 General Urban Area/Settlements, page 17  Policy 8 Strategic and Town Centres, page 21  Table 4.2 Strategic and Town Centres, page 20  Table 4.3 Network of Strategic Centres Roles and Functions; Managing Change, page 21  Appendix 5  Hamilton, Blantyre, Bothwell, Uddingston, Larkhall settlement plan</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 387 - Colin Adams  Comment: 34 - Allan Walker</p>		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of parts of Hamilton town centre to reflect current retailing areas.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 387 – This representation is concerned with the removal of Town Centre designation from the areas described as Map References 5b and 5d on the proposals map and listed in Appendix 5 of the proposed plan, as there are existing businesses currently operating in these areas.</p> <p>Comment: 34 – This representation questions current road traffic restrictions within Hamilton Town Centre and suggests that there should be an easing of those restrictions in order to encourage regeneration of the area.</p>		
<b>Modifications sought by those submitting representations:</b>		
387 – Seeks revisions to the proposed boundary alterations for Hamilton Town Centre.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 387 – The Council has produced an Industrial, Commercial and Retail Development Technical Report (Document G26) which sets out the position regarding retail areas within South Lanarkshire. The Council considers that, with the changing trends in shopping patterns, particularly the decline of the traditional 'high street', many of the retail areas identified in the South Lanarkshire Local Plan (Document G38) have contracted. The proposed deletions and amendments to the existing Hamilton Town Centre boundaries</p>		

have been made in order to reflect the current position and extent of Hamilton’s main and core retail area. It is acknowledged that there are businesses outwith the core retail area however the purpose of the Town Centre designation is to identify the area which is the main concentration and focus of retail and associated town centre activity and accord it the appropriate policy protection. It would not be appropriate to extend this designation beyond the areas in which it is relevant and where it is necessary to apply the terms of the Policy. Several areas are proposed to be deleted from the edges of the Town Centre including the Palace Grounds sports facilities to the north and areas along the southwest and southeast boundaries. Notwithstanding the above the Council has reconsidered the position regarding the deletion of site 5b from Hamilton town centre.

If minded to do so the Council invites the Reporter to include area 5b as part of Hamilton Town Centre instead of removing it as proposed.

Comment: 34 – The designation of specific road traffic restrictions within Hamilton Town Centre is not identified within the local development plan and would be more appropriately considered through the development of the Local Transport Strategy (Document G34). Appendix 3 Development Priorities within the Local Development Plan also refers to the requirement to update existing or undertake new Town Centre Action Plans which can focus on several issues including accessibility.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. The objector is concerned that certain areas that had been previously shown as being part of the designated town centre of Hamilton are not included within the revised boundary depicted in the proposed new plan. In support of his position he points out that there are commercial businesses in those particular areas of concern, referred to as locations 5b and 5d - to the north and south of the town centre core, respectively.
2. In support of its position the council points out the revisions made to the area shown as the strategic town centre in the proposed plan reflect recent changes that have taken place in terms of shopping patterns – notably the decline of the traditional “high street” shopping in Hamilton.
3. Based on the evidence presented and my own site visit I find that the depiction of a reduced strategic town centre area for Hamilton, as proposed in the proposed plan, is justifiable. I am satisfied that within those carefully defined new boundaries is the main concentration and focus of retail and associated commercial activity in the town centre today. Nevertheless, it is evident there are also shops and other established commercial businesses located nearby that are shown as being outwith the core retail area. Indeed I would expect that to be the case for any town of this size.
4. The case put forward in support of the possible retention of site 5b to the north of Cadzow Street within the defined town centre is not convincing in my view. Whilst there are some small retail and other commercial businesses operating with that particular area the majority of the properties here are residential and one of the largest business premises is a local newspaper office. Furthermore, I note that all of the premises located along the main frontage of the sections of Cadzow Street and Castle Street nearest to the town centre core area are shown in the proposed plan as being part of the town centre, which is logical.

5. Similarly, those areas on the south side of the town centre, shown as area 5d, include a number of shops and other commercial premises, many of which may well be long-established. These non-residential uses appear to be predominantly local rather strategic in terms of their market profile and they are generally interspersed with other properties, most of which are in residential or other non-commercial uses.

6. In summary, I conclude that the case made for including areas 5b and 5d within the newly defined strategic town centre when the proposed plan is adopted, is not persuasive. This does not preclude retail and other commercial uses remaining or being proposed in those particular areas where they serve an important local function and are not incompatible with the character and amenity of the mixed use and residential areas in which they are situated.

**Reporter's recommendations:**

No modifications.

<b>Issue HM13</b>	<b>Broomelton Road, Larkhall</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Areas, page 4 Local Development Plan Settlement Maps Larkhall, Hamilton, Blantyre, Uddingston, Bothwell	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 436 - Mr D W Leggat		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Broomelton Road, Larkhall as Green Belt rather than for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>436 – This representation objects to the non-inclusion of a site at Broomelton Road Larkhall for residential purposes and raises the following points:</p> <ol style="list-style-type: none"> <li>1. There is demand for private residential development in Larkhall. In addition the site is capable of contributing to the effective housing supply in the Larkhall Housing Market Area.</li> <li>2. Development of the site for residential purposes would not prejudice the overall objectives of Greenbelt policy.</li> <li>3. Development of the site would not lead to a coalescence of settlements in the area</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
436 – Seeks re-designation of the site at Broomelton Road in Larkhall to residential on the settlement map Larkhall, Hamilton, Blantyre, Uddingston, Bothwell.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>436 - The Council would respond to the points raised as follows:</p> <ol style="list-style-type: none"> <li>1. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part</li> </ol>		

of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. (Document G12). A considerable amount of land is already identified within Larkhall to assist in meeting the Council's housing land requirements. This was designated following consideration of a number of sites in the Larkhall area, including the site proposed. This site is not considered to be suitable for development, as set out below.

2. With regard to the appropriateness of the site, it is identified and considered in the Call for Sites Assessment Technical Report (Document G28), as Site Reference: HM/86/001. This assessment identifies that the site is adjacent to the Powforth Burn ancient woodland, which is recognised as being of high biodiversity value, and that it is isolated from the settlement of Larkhall. In addition the assessment notes that the site has flooding and access issues. It is also located within an area designated as an Incised River Valley and is within the designated Special Landscape Area (proposed local development plan - Policy 15 – Natural and Historic Environment). The Council considers therefore that development of this particular site would have an adverse impact on the natural heritage designations in the area. Furthermore, the Council considers the site to be unsuitable for rounding off the settlement of Larkhall as it bears no relationship to the existing settlement of Larkhall and would represent an isolated development in the greenbelt within a sensitive landscape area.

3. It is accepted that this proposal would not lead to coalescence since there are no settlements nearby Larkhall at this location. This is not a valid argument to allow development of this site since there are other reasons, as shown above, why this site is inappropriate.

No changes proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location. On this basis it rejected this particular site, having identified a number of constraints concerning its development, as set out in Document G21.



4. The site in question is a large paddock of grazing land adjoining Broomelton Road. The land here slopes fairly steeply down towards the nearby west bank of the Avon Water and abuts a mature woodland. Generally this side of the valley is undeveloped apart from a few individual houses. In summary, my site visit confirmed that this site and its environs has an unspoilt rural profile, characterised by woodland and open pasture slopes. This contrasts with the opposite, eastern side of the Avon Water. There the residential area of Millheugh, and a public house represent the western extremity of the built-up area of Larkhall – and face onto Avon Water and across the river valley towards site HM13. Indeed, I find that the Avon Water itself provides a strong and robust boundary for the settlement of Larkhall so any development of the site in question would not represent a logical extension to it in my view.

5. In arguing that site HM13 is not preferred for a housing allocation in the plan, the council quite properly draws attention to potential flooding concerns. I also note the proximity to the Powfirth Burn ancient woodland that is recognised for its biodiversity value, which I regard as another relevant consideration.

6. Furthermore, I note that the site concerned is within a proposed Special Landscape Area under Policy 15 of the proposed plan. Based on my own site visit I also have significant concerns regarding access to the site. In particular, Broomelton Road is both steep and winding and the geometry of the bridge crossing of the Avon Water to Millheugh may represent an additional potential constraint.

7. In summary, the available evidence does not support the contention made in the representation that the suggested designation and development of the site for residential development would be appropriate. I am also concerned that such a designation would be a threat to the integrity and aims of the green belt of which it forms part.

8. Against this background I conclude that the site concerned would represent neither a logical nor acceptable location for a new residential allocation to meet local or other needs. Accordingly, I conclude that the site, largely based on its sensitive rural location, is not appropriate for allocation for housing development in the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue HM14</b>	<b>Larkhall Community Growth Area</b>	
<b>Development plan reference:</b>	<p>Chapter 3 Vision and Strategy, page 10                  Policy 1 Spatial Strategy, page 10                  Table 3.1: Spatial Strategy Development Priorities (full details contained in Appendix 3), page 10                  Appendix 3 Development Priorities, page 51                  Chapter 5 People and Places, pages 26-27                  Policy 12 Housing Land, page 27                  Chapter 6 Environment, page 31                  Policy 14 Green Network and Greenspace, page 31</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects/Supports: 10, 18 – Halley, Jackson & Munro Family		
<b>Provision of the development plan to which the issue relates:</b>	The Community Growth Areas were identified in the South Lanarkshire Local Plan and are a legacy item in the South Lanarkshire Local Development Plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 18 - The entry in Appendix 3 for Larkhall, should include reference to the adopted Masterplan Development Framework as guiding proposals.</p> <p>Support: 10 – Support for the identification of Larkhall as a Community Growth Area and a Development Framework Site in the Hamilton Area as a Development Priority.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>Objects: 18 – In Appendix 3, under the heading "Requirements" for the Community Growth Area in Larkhall include a first sentence to the effect "Prepare more detailed proposals, delivering the contents of the adopted Masterplan Development Framework, and to provide for the following;" and add a final sentence to the effect "More detailed proposals refining the contents of the Masterplan Development Framework, and addressing the above requirements, will be adopted by the Council in the same manner as the Masterplan Development Framework".</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 18 - With regard to the objection the Council would comment as follows:</p> <p>The Community Growth Areas are included in Appendix 3 and the masterplan requirements are listed. These have been extracted from the approved masterplan development frameworks. It should also be noted that the masterplan development frameworks are a guide as to what is expected to be developed in the Community Growth Areas but are open to interpretation and amendment. Any developer would have to take account of factors such as the current state of the economy, further information obtained</p>		

regarding issues such as land stability, flooding, wildlife, mix of house types and tenure before submitting a plan for the area.

No change proposed to the local development plan.

Comments: 10 – Noted.

**Reporter’s conclusions:**

1. In my view, the council has provided a detailed and cogent response to the particular concerns expressed in the representation lodged. It has also provided a detailed justification for the approach it has taken with regard to the matters of concern when drafting the proposed plan.
2. In particular, it has been clarified that the masterplan requirements set out in Appendix 3, in respect of the identified Community Growth Areas, have been sourced from the appropriate approved masterplan development frameworks in each case. Equally importantly, I note that those framework documents are intended only as a guide regarding what is expected to be developed and they cannot be taken as being definitive. Accordingly, they are likely to be subject to interpretation and possible amendment as developers review matters in detail when considering the framing of proposals. This process might include reference to a number of matters – such as economic conditions prevailing at the time; site conditions; flood risk; as well as ecological constraints – prior to a planning application being lodged.
3. Based on all of the above considerations, I conclude that there is insufficient reason to modify the proposed plan in the manner being suggested in the representations.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM15</b>	<b>Cherryhill, Larkhall.</b>	
<b>Development plan reference:</b>	Policy 10 New Retail/Commercial Proposals Policy 12 Housing Land Policy 14 Green Network and Greenspace	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>453 – T J Morris Limited 479, 480, 481 – Muse Developments (Cherryhill)</p> <p>Supports:</p> <p>453 – T J Morris Limited 479, 480 – Muse Developments (Cherryhill)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The site at Cherryhill has been identified for a mix of uses including retail residential and green network.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>453 - The ‘Out of centre commercial location’ designation should be amended to reflect the live proposal for a Home Bargains store (HM/13/0113) and adjoining unit.</p> <p>479 – This representation raises the following points:</p> <ol style="list-style-type: none"> <li>1. The Cherryhill, Larkhall site should be retained within the proposed LDP as a future housing site with amendments to the site boundary to reflect the extant planning permission in principle (HM/09/0361), as per the permission's red line boundary.</li> <li>2. The 'out of centre commercial location' designation boundary should be amended to reflect the planning permission in principle and ensure that the various commercial units are located within the designation.</li> <li>3. Explicit reference should be made to the residential unit numbers associated with each residential site designation.</li> </ol> <p>480 - Afford the site continued support, assistance and priority over less sustainable out of town/greenfield housing sites by using a phasing approach to the release of new sites for development and adopting flexibility in relation to planning obligations associated with delivering housing.</p> <p>481 – Remove the site’s designation as a Green Network and Greenspace Policy as any landscaping/tree preservation requirements can and should be conditioned as per the extant permission on site.</p>		

Supports:

453 - Welcomes the site as an “out-of-centre” location.

479, 480 - Supports the continued designation of the site at Cherryhill for residential development. In addition they welcome the definition of part of the Cherryhill masterplan site as an “out-of-centre” location.

**Modifications sought by those submitting representations:**

453, 479 - Extend Out of Centre Commercial Location boundary to reflect the extant planning permission in principle, current retail proposal and various commercial units in the area.

479 - A reference should be made to residential unit numbers associated with each residential site designation.

480 - Priority to be given to development of the Cherryhill site over less sustainable out of town/greenfield housing sites.

481 - Remove the Green Network and Greenspace Policy designation from the site.

**Summary of responses (including reasons) by planning authority:**

With regard to the objections made the Council would wish to make the following comments:

453 – The Out of Centre Commercial Location boundary should not be amended as the application for the proposed Home Bargains store relating to the erection of two Class 1 retail units with associated access, servicing, car parking and external works (planning application HM/13/01113) (Document HM4) has not yet been granted. It would therefore be inappropriate and premature to amend the local development plan when consent has not been granted.

No change proposed to the local development plan.

479 – The Council would respond to the points raised in this representation as follows:

1. The boundary shown on the proposed settlement map of this legacy item is consistent with that shown in the adopted South Lanarkshire Local Plan and the area shown for residential development on the proposed local development plan is consistent with the 2012 housing land audit which corresponds with HM/09/0361 (Documents HM5, HM6).

2. The approved commercial units (ASDA, restaurant) are located within the out-of-centre designation boundary.

3. It is not considered necessary to make explicit reference to the residential unit numbers associated with the residential site designation until such times as a detailed site layout is submitted. The housing land audit is updated annually and reflects the most up-to-date data available for each site. Once the final details are known the site will be split into various phases and numbers assigned as appropriate.

No change proposed to the local development plan.

480 – The site is allocated for housing in the proposed Local Development Plan and benefits from a planning permission in principle for a mixed use development which mainly incorporates residential development under planning reference HM/09/0361 (Document HM5, HM6). This allocation and permission in principle reflects the Council’s intentions for the site. The Council would not prioritise any particular site in the local development plan or housing land audit. All of the sites assessed in the Housing Technical Report (Document G27) as effective or capable of becoming effective form an important part of the future land supply. As a result the Council would encourage as many sites to come forward to contribute to the housing land requirement in the short and medium term particularly since the building rates have dropped in the past few years due to the recession. No site in the audit is more important than any other and the Council would not give priority to specific housing sites.

No change proposed to the local development plan.

481 - The Council considers that at the local level there is a well established green network within the larger urban centres as identified in the South Lanarkshire Proposed Plan. The land at Cherryhill forms part of this local network. The site lies adjacent to a Special Area for Conservation (SAC), Site of Special Scientific Interest (SSSI), and a Site of Importance for Nature Conservation (SINC); the tree belts have also been designated as Ancient Woodland. The site also incorporates a former railway embankment which provides a significant resource in terms of biodiversity value and amenity open space. The application of Policy 14 – Green Network and Greenspace will ensure that any development proposal which comes forward in respect of this site will examine opportunities to establish links with the wider network in terms of people/wildlife as an integral part of the overall development proposal. The site currently benefits from planning permission in principle for a mixed use development (Planning Application Reference HM/09/0361) (Document HM5, HM6) granted 5 April 2011 and further details relating to landscape and open space require to be submitted to the Council for consideration prior to the development being implemented. The retention of the green network designation on this site will assist in the delivery of a successful and sustainable green network as part of the development management process.

No change proposed to the local development plan.

Supports:

453, 479, 480 - Noted.

**Reporter’s conclusions:**

1. The adjoining parcels of land labelled as HM15 are shown in the proposed plan as being designated for residential and green network (to the north) and as out-of-centre commercial (to the south), respectively. The various representations seek detailed amendments to the particular designation boundaries and descriptions to reflect particular planning proposals for sites located within these areas of land.
2. I agree that the proposals map for each settlement in the plan area should reflect, where appropriate, the boundaries of constituent development proposals that correspond with particular plan allocations. In this case I note that the council has confirmed, firstly, that the retail development granted permission and now built and operational as an ASDA superstore and restaurant at Cherryhill is located within the out-of-centre designation

boundary shown on the Larkhall settlement map in the proposed plan.

3. The planning authority has recently confirmed that earlier in 2014 – so in the period following the production of the Schedule 4 document – planning permission has been granted in respect of 2 other major Class 1 retail units. My understanding is that these relate to land located close to the ASDA store at Cherryhill. In any event, in the light of this planning permission having been granted, I support the representation for the out-of-centre commercial boundary to be amended if necessary to ensure that the development land that comprises that permission – including associated works to provide ancillary facilities such as parking and servicing – is included within the boundary to be shown.

4. The council has provided reassurance in response to one of the representations that the area shown for residential development at HM15 in the proposed plan is consistent with the land granted planning permission for housing – and as previously indicated in the adopted local plan and the housing land audit.

5. There is a suggestion in one representation that the planning authority should prioritise particular sites allocated for development so that they are phased in terms of release for development. In response the council quite properly states that all sites allocated have been assessed as being effective and capable of development – but none are prioritised within the proposed plan or within the housing land audit. Instead the planning authority encourages as many sites as possible to come forward to contribute to meeting the housing land requirement in the short and medium term – particularly as building rates have dropped in recent years due to the recession. I agree with that approach.

6. Another representation seeks removal of the green network designation that affects part of the HM15 land. In response the council makes a persuasive case for retention of that particular designation. I am satisfied that this reflects not only the fact that the land concerned is an established part of the wider green network but also takes into account the environmental designations in the immediate vicinity. Of particular note, there is an adjacent Special Area for Conservation (SAC) and a Site of Special Scientific Interest (SSSI) as well as a Site of Importance for Nature Conservation (SINC). In this context I support the council's approach that provides justification for not modifying the proposed plan in response that this particular representation.

7. The only other issue of concern raised in the representations seeks the plan to include the number of residential units associated with each residential site designation. I accept the council's reasons (above) for declining to specify the housing numbers for each site.

**Reporter's recommendations:**

Modify the local development plan as follows:

Adjust the boundaries of HM15 on the Larkhall settlement plan, as necessary, to reflect the boundaries of extant planning permissions, including the permission granted under the reference HM/13/0113.

<b>Issue HM16</b>	<b>Carlisle Road, Larkhall (former DAKS factory)</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 9 -11 Policy 1 Spatial Strategy, page 10 Table 3.1, Spatial Strategy Development Priorities, page 10 – 11 Appendix 3, Development Priorities, page 53 Appendix 5 Hamilton, Blantyre, Bothwell, Uddingston, Larkhall Settlement Maps	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 548 - Mr and Mrs McAlpine		
<b>Provision of the development plan to which the issue relates:</b>	Development framework sites have been identified to allow for the most appropriate future use of the site to be considered and specific conditions attached to its development.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>548 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. If the site is to be used for residential and/or retail use there are concerns over additional traffic on the B7078.</li> <li>2. Looking for traffic calming to be introduced as at the moment the excessive speed of traffic on B7078 (Strutherhill/ Carlisle Road) needs to be addressed without the increase in traffic.</li> <li>3. There are major concerns should the site be used for industrial use.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
<p>548 – Taking each of the points raised in turn the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. In terms of any development proposal, a Transport Assessment will be required as part of any planning application submission in order to fully assess the impact of the proposal on the existing transport infrastructure. This can take account of the impact on the B7078.</li> <li>2. The Council’s policy on introducing traffic calming is based upon reducing casualties from road traffic accidents. There is no history of injury accidents on this section of Carlisle Road. The detection and prosecution of speeding drivers is the responsibility of Police</li> </ol>		



Scotland, not the Local Authority. Notwithstanding this, as explained in the response to point 1, the impact of traffic generated by the development, including safety issues, can be fully explored in a Transport Assessment.

3. The site was formerly occupied by DAKS Simpson Group PLC, a manufacturing company. In terms of the future development of the site, it is considered that the requirement for a masterplan for the site will ensure that due consideration is given to the integration of any future development proposals with the adjoining land uses. No change proposed to the local development plan.

Note: A planning application is currently lodged with South Lanarkshire Council HM/13/0269 as detailed in the site layout plan extract (Document HM7) which includes a mixed use residential and commercial scheme for this site.

**Reporter’s conclusions:**

1. The site in question is a large, totally cleared area of fenced brownfield land that was previously occupied by a garment-making factory. The site is accessed from the B7078 road in a built-up area south-west of the centre of Larkhall. It adjoins other large-scale industrial premises that remain in use. Immediately to the west of the site there are residential properties located either side of the B7078 road, known locally as Carlisle Road. This is a busy main route corridor leading south from the centre of Larkhall towards the M74 motorway and beyond.

2. The sole representation raises general concerns regarding the possible re-use of the former factory site for industrial use. The more specific issues highlighted relate to the perceived inadequacies of existing speed restrictions and other traffic management issues on the B7078 road. The respondent contends that these problems would be exacerbated if the site in question was developed for either retail or residential purposes.

3. I note that the planning authority would require firstly a masterplan for redevelopment of the site concerned – to ensure that any proposals are well integrated with the adjoining land uses – as well as a Transport Assessment as part of any planning application lodged for the site, irrespective of the uses envisaged there. I am satisfied by the reassurance that, through these and related processes, issues such as traffic management and road safety would be fully assessed in the local context prior to any development being approved here.

4. Accordingly, I conclude that all the issues and related matters of concern raised in the representation can and should be dealt with in detail through the development management process and do not require changes to the proposed plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM17</b>	<b>Raploch Street, Larkhall</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration, pages 20-21 Table 4.2 Strategic and Town Centres, page 20 Policy 8 Strategic and Town Centres, page 21 Appendix 5 Proposals, page 63 Local Development Plan Settlement Maps Larkhall, Hamilton, Blantyre, Uddingston, Bothwell	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 549 – ASDA Stores Limited		
<b>Provision of the development plan to which the issue relates:</b>	Redesignation of parts of Larkhall town centre to reflect current retailing areas.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects: 549 – This representation makes the following points:</p> <ol style="list-style-type: none"> <li>1. The Reporter for the Examination of the adopted South Lanarkshire Local Plan made it very clear in his findings that the site is not a town centre site. The site is geographically an edge of centre location and the railway forms a barrier to direct pedestrian movement between the main street (Union Street) and the new store site. To extend the Town Centre boundary to include the site would be completely contrary to previous deliberations regarding the site.</li> <li>2. There is a question mark over the deliverability of the approved foodstore (HM/09/579) and therefore the effectiveness of this proposal in the short term due to land acquisition complexities. The background to the allocation of the Raploch Street site was to provide a site for a main food shopping destination for the residents of Larkhall; the Asda store will now serve that function and therefore a question is raised as to whether the continued allocation of the Raploch Street is necessary or appropriate.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
549 – Larkhall Town Centre boundary should remain as shown in the adopted Local Plan. Raploch Street should be removed as a town centre designation.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 549 – Taking each of the points raised the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The inclusion of the site reflects the boundary of a current detailed planning permission (HM/09/0579) for the erection of a Class 1 foodstore and formation of car park and</li> </ol>		

associated access (Document HM8). Therefore it is appropriate to extend the town centre boundary to cover this area. If within the lifetime of this plan the development is not implemented the Council will reconsider the designation.

2. Detailed planning permission was granted for the erection of a Class 1 foodstore and formation of car park and associated access on the site on 28 August 2012 (HM/09/0579) (Document HM9). The applicant still has almost two years to address the terms of the planning conditions and implement the permission. As noted above if this is not implemented in the lifetime of the plan the designation will be reconsidered.

No change proposed to the local development plan.

### **Reporter's conclusions:**

1. The sole representation argues that the site in question should not be shown in the new plan as being within the designated town centre of Larkhall. In support of that contention the objector points out, firstly, that whilst there is an existing planning permission for a retail store on this site, irrespective of whether or not that particular development is implemented, the site concerned will remain an edge-of-centre location separated from the recognised town centre by the intervening operational rail line.

2. The council's justification for the proposed plan to now include the site concerned within a newly defined town centre boundary appears to be based solely on the existing planning permission granted in August 2012 for a Class 1 foodstore and associated car parking on the site in question. Indeed the council states that if the planning permission for the foodstore is not implemented within the plan period it would review the town centre designation at this location.

3. I do not find the position taken by the council with regard to this particular part of the proposed town centre boundary to be well founded. Most importantly, it appears to disregard to the fact that the site in question, even if developed for a major foodstore, in reality will remain isolated from the existing town centre. This is because the operational rail line along the eastern boundary of the site provides a strong boundary defining the western limit of the town centre. In that context I agree with the objector that this rail corridor would continue to be an effective physical and psychological barrier even if a foodstore was built on the Raploch street site. I note that this was previously recognised consistently by the planning authority, for example in the adopted local plan of 2009, when this particular site was shown as being edge of centre rather than within the town centre.

4. In summary, for the reasons outlined above, I conclude that the constraint to pedestrian and other east-west movement to and from the existing town centre imposed by the operational rail line serving Larkhall rail station has not been changed significantly by the granting of planning permission for a major foodstore at Raploch Street. I also note that the neighbouring uses to the west of the rail line are mostly residential. Furthermore, the limited number of commercial premises located in the areas on the west side of the rail corridor appear to be generally local rather than town centre in character and function.

5. Accordingly, irrespective of whether or not the existing planning permission for a major foodstore here is implemented, I conclude that the land concerned, which includes a local football ground, should continue to be defined as being outwith the town centre boundary when the new plan is adopted. For the reasons outlined above I also conclude that the western town centre boundary of Larkhall should be defined by the rail corridor running

parallel to and immediately to the west of Caledonian Road – as shown in the adopted local plan.

**Reporter’s recommendations:**

Modify the local development plan as follows:

Re-draw the western boundary of Larkhall town centre to be that previously shown in the existing local plan adopted in 2009, so defined by the rail line corridor running parallel to and immediately to the west of Caledonian Road – and therefore excluding the HM17 site.

<b>Issue HM18</b>	<b>Overton Road, Netherburn</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13-14 Policy 3 Green Belt and Rural Area, page 14 Settlements Maps by area, Clydesdale, East Kilbride, Hamilton, Netherburn	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 532 – Firm of W G Young		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Overton Road, Netherburn as Green Belt.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>532 –</p> <ol style="list-style-type: none"> <li>1. The assessment of this site fails to take into account emerging Scottish Government guidance regarding the viability of development sites.</li> <li>2. The development of this site presents no issues in terms of infrastructure or school capacities. The land is fully serviced and situated on a bus route and is directly opposite the school and village hall.</li> <li>3. The objection site and a parallel planning application HM/12/0154 have been made in response to requests to W.G. Young by local people wishing to acquire self build plots at affordable prices. This proposal could represent a one-off opportunity for low cost home ownership, broadening housing choice in Netherburn and further contributing to community regeneration.</li> <li>4. In terms of visibility the largest and brightest buildings in Netherburn are scarcely visible from any location on the opposite side of the Clyde Valley. Domestic scale residential buildings clad with typical roof tiles and normal wall finishes would not be easily visible and development would have no visual impact on the broader landscape.</li> <li>5. Any visual impact which development may present can readily be mitigated by proposed structure planting which would help not only to define this site but in a broader context would soften the impact which existing housing in Netherburn has on the broader landscape.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
532 – The Plan should be altered to designate this land for development within a revised village boundary.		

**Summary of responses (including reasons) by planning authority:**

Objects:

532 – Taking each of the points raised the Council would wish to make the following comments:

1. The site at Overton Road has been fully considered as part of the local development plan process of ensuring a five year effective land supply of housing across South Lanarkshire. All of the sites submitted to the Council were assessed in the same way, based on the principles laid out in Scottish Planning Policy SPP (Document G1) regarding viability. In addition the Council, in conjunction with Homes for Scotland, assessed the viability of each site. On this basis it was concluded that, not only were further development sites in Netherburn not required, given the number of existing sites in the area, but that the site’s location also raised significant issues (described below) which made it unacceptable for development at this time.
2. The availability of some of the required infrastructure cannot by itself justify the release of the site. Nevertheless, there are potential sewerage issues which require to be addressed relating to the development of this site. In particular there are capacity issues with the existing Netherburn Waste Water Treatment Works.
3. The local development plan does not distinguish between different types of private sector housing such as volume builders or self build plots. The sites are considered on the basis of other factors such as landscape capacity, infrastructure capacity and settlement pattern. Local pressure for plots is not in itself considered as a viable reason for releasing an area of land. In addition were the site to be released the Council could not control what would ultimately be built on the site. In this regard it should be noted that a number of sites across South Lanarkshire were initially promoted by developers as being for plots but were subsequently developed by volume builders.
4. The landscape around this edge of Netherburn is a major part of the wider landscape of the Green Belt when viewed from across the Clyde Valley. Development of the site would create a precedent for further development along Overton Road. This would be visible across the Clyde Valley and create an urban skyline that would be inappropriate and have a significant and adverse impact on the surrounding landscape.
5. Overton Road provides a strong boundary edge to the village and development of the site would breach this. As part of the local plan process a review of settlement boundaries was carried out. The Council considered that this site would not be suitable for expansion of the settlement given the clear Green Belt boundary defined by Overton Road. In addition, the site provides a natural buffer between the built up area and open countryside beyond.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to

2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. In the council's view, there is no requirement for further strategic housing land releases in this area over the plan period. The council confirms that it fully examined this particular site along with other sites as part of the development plan review process when selecting sites to ensure a five year supply of effective housing land supply locally and across the plan area over the plan period. That assessment, undertaken in consultation with Homes for Scotland, found that no further residential development sites were required in Netherburn. Furthermore the council contends that, in any event, this particular site's location makes it unacceptable for allocation, particularly given the availability of other more suitable sites in the local area.

4. The site in question is a slender, elongated rectangular piece of undeveloped land adjoining 3 existing houses and fronting onto the north side of Overton Road. The sole representation seeks this site to be allocated for residential development rather than remaining as green belt. In support of that position the respondent points out that the site has no infrastructure or servicing issues and is well situated on a bus route and opposite a school with spare capacity. It is also suggested that the site could be screened by planting that would reduce any visual impact and define the site boundary. Furthermore, it is contended that its development as self-build house plots at affordable prices would meet a need identified locally.

5. I will set aside for a moment the question of whether or not there is a need for additional sites to be allocated in the Netherburn area. In any event I share the concerns expressed by the council regarding the unsuitability of this particular site for housing development of whatever type or function for the following reasons. The site is a small element of a much wider green belt area of flat pasture land that is widely seen as part of the open, generally undeveloped landscape to the north of Overton Road. The only developments on the same side of this road are the houses located on the corner of Overton Road and Station Road to the west. Most importantly, Overton Road provides a strong defensible edge to the settlement, with countryside green belt to the north of it.

6. Furthermore, the site itself, apart from fronting onto Overton Road, is wholly undefined by natural or other existing features in terms of its eastern and northern boundaries. It is simply part of a much larger open area of pasture land. Accordingly, I conclude that there is no justification for this particular settlement boundary along Overton Road to be amended to accommodate the site in question, irrespective of whether or not there was a need for additional housing land to be allocated locally over the plan period.

7. Against this background the fact that the site is readily developable and opposite a school with spare capacity, as well as being on a bus route, are not sufficient reasons to allocate it for housing – irrespective of how much screen boundary planting was provided.

Similarly, the fact that there may be demand locally for self-build plots once again is not sufficient reason to outweigh or override the other serious planning concerns summarised above.

8. In summary, I conclude that release of the site from the green belt and re-allocation and development of the site concerned for housing would be wholly inappropriate. Indeed I am concerned that such an allocation would set an unfortunate precedent leading to potential pressures for further expansions along the north side of Overton Road that would be harder to resist in future.

**Reporter's recommendations:**

No modifications.



<b>Issue HM19</b>	<b>Carscallan Road, Quarter</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14 Policy 3 Green Belt and Rural Areas Local Development Plan Settlement Maps Larkhall, Hamilton, Blantyre, Uddingston, Bothwell – Quarter.	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 562 - Hamilton and Kinneil Estates		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Carscallan Road, Quarter as Green Belt.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>562 – This representation has raised the following points:</p> <ol style="list-style-type: none"> <li>1. The village has the environmental capacity to accommodate further residential development. The site is small scale, self contained, sustainable, accessible, and compliant with national and strategic planning policy and deliverable.</li> <li>2. The allocation will, in part, meet local identified affordable housing requirements and form part of a wider suite of sites identified in the Local Development Plan. The site should be included as an allocation for up to 50 residential units.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
562 – Seeks the re-designation of the site at Carscallan Road in Quarter to residential.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>562 – Taking each of the points raised the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. The site is identified in the Call for Sites Assessment Technical Report (Document G28) Site Ref: HM/88/001. The assessment concludes that this site is not suitable for rounding off the village of Quarter. Carscallan Road represents an effective settlement boundary in respect of the village and this proposal would breach this strong boundary. Expansion of the village eastwards would consequently change the existing settlement pattern and extend the village beyond the clear settlement edge formed by Carscallan Road and create a major intrusion into the Green Belt. The distinct east entrance to Quarter would also be lost by allowing building east of Carscallan Road. The settlement would be conspicuous and its visual impact would be difficult to mitigate. A review of settlement boundaries was</li> </ol>		

undertaken as part of the local development plan process. The Council consider that this site would not be suitable for expansion of the settlement and considers that Carscallan Road represents an effective boundary to Quarter. A proposal in this location is considered to be incongruous with the existing settlement form and character and have a negative visual impact on the wider countryside.

No change proposed to the local development plan.

2. The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development Plan (SDP). The work carried out by the Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G21). This site was considered and did not meet the criteria for release. In addition there is no requirement for a further release of housing at this location.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site.

4. The site in question is a relatively large, broadly rectangular piece of land situated along the east side of Carscallan Road and the north side of Sunnyside Road. The representation seeks this site to be removed from the green belt and re-designated for residential development in the proposed plan. In support of that position the objector argues that the village of Quarter is capable of expansion in terms of its residential capacity

and contends that this particular site is appropriate for up to 50 new houses being accessible, sustainable and self-contained. On this basis it is suggested that the proposed re-designation would accord with national and strategic planning policy principles. I do not find these arguments compelling for a number of reasons.

5. Firstly, in my view Carscallan Road currently provides a strong and clearly defined settlement boundary for Quarter and this would be breached if the site in question was allocated and developed for housing. In addition I am concerned that such a development would also represent a significant and unwarranted intrusion into the green belt. The site itself is generally flat and comprises mostly pasture with some trees and overgrown bushes at the junction of Carscallan Road and Sunnyside Road. As such it is clearly part of the undeveloped countryside and quite different from the built-up residential character of the area to the west of Carscallan Road.

6. As the site concerned is prominent when viewed from the approach roads, residential development here would be very conspicuous and not readily screened – so making it visually intrusive. I am also concerned that the site itself, apart from fronting onto Carscallan Road and Sunnyside Road is wholly undefined by natural or other significant features in terms of its north-eastern and north-western boundaries. It is simply part of a wider open area of pasture land – and so cannot be justifiably termed “self-contained”.

7. In the above context, I conclude that allocation and development of the site concerned for housing would be inappropriate and incongruous in its local context. Furthermore, this would set an unfortunate precedent – leading to potential pressures for further expansions further into the adjoining green belt land that would be harder to resist in future. Against this background the fact that the site is readily accessible and capable of delivering affordable houses are not sufficient reasons to outweigh the other serious planning concerns outlined above.

8. In summary, for the reasons stated I conclude that the site is not appropriate for release from the green belt or for designation for any form of housing development.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM20</b>	<b>Ayr Road, Shawsburn</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy, pages 13 – 14, Policy 3 Green Belt and Rural Areas Local Development Plan Settlement Maps by Area - Clydesdale, East Kilbride, Hamilton - Shawsburn	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>179 - Paradigm Real Estate Managers Ltd. 563 - Hamilton &amp; Kinneil Estates</p>		
<b>Provision of the development plan to which the issue relates:</b>	The identification of a site at Ayr Road, Shawsburn as Green Belt rather than for housing.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 179, 563 - These representations have raised the following points relating to non-inclusion of the site at Ayr Road Shawsburn for residential purposes:</p> <ol style="list-style-type: none"> <li>1. Site is suitable for housing, serviceable, is sustainable and can be delivered in short term. The site is seen as a natural extension of the existing housing site identified within the SLLDP. hat the plan should identify further land within the Green Belt to ensure an effective land supply. Will contribute to 5 year housing land supply. The release of this site for residential development will contribute to the range and choice of housing.</li> <li>2. Whilst designated as Green Belt, part of the site is industrial in nature and should be considered as "brownfield". Disputes the Council's 2011 site assessment process in terms of rounding off the settlement.</li> <li>3. Site has been designed to accommodate additional road and service capacity/requirements and there are no known physical development constraints and the site is serviceable.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
179, 563 - Seeks the re-designation of the land at Ayr Road, Shawsburn from Green Belt to residential.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 179, 563 - In response to the points raised the Council would wish to make the following comments:</p> <ol style="list-style-type: none"> <li>1. With regard to the site's suitability for housing, this was considered in the Council's Call For Sites Technical Report. It was concluded that it was not suitable for development as</li> </ol>		

set out below, in paragraph 2 (Document G28). With regard to the need for housing land, the Council has also produced a Housing Technical Report (Document G27). This sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has also concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply. (Document G12). In terms of housing choice the Council will seek to ensure that developers will provide, within identified sites, a diverse and attractive mix of house types and sizes, including different tenure mixes. This can ensure that a full range of housing types are provided in order to meet the range of housing needs and demand.

2. Section 3 of the Glossary of Terms (Page 45) of the Proposed South Lanarkshire Local Development Plan (SLLDP) details the meaning of the term “Brownfield Site”. There is no specific land use designation for “brownfield sites” within the SLLDP and such sites can fall within areas designated as either urban or Green Belt. Whilst there is a preference for the development of “brownfield sites” over development of Green Belt sites the status of a site as “brownfield” does not, by itself, indicate that it is suitable for development. It is also noted that the area considered by the representation as being “brownfield” represents only a relatively small area of the much larger site proposed for release and is remote from the settlement of Shawsburn. The Council’s Call For Sites Technical Report (Document G28) concluded that the release of this site, in conjunction with adjoining land, would not be considered appropriate due to a number of factors including difficult access and biodiversity issues. Furthermore, development of a site included in the adopted South Lanarkshire Local Plan (HM/10/0429 (Document HM10)) can allow for a robust settlement boundary to be established. The development of the proposed site, however, would result in an unacceptable intrusive extension into the Green Belt at this location.

3. Whilst noting that the representation, in proposing the site for release, has considered access and service provision and feels that they have addressed these issues satisfactorily, this alone does not justify the release of the site for residential purposes. For the reasons stated above the Council remain of the opinion that the site is not suitable for release.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.
3. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis has rejected this particular site.
4. The site is a broadly triangular parcel of flat land that is mostly used for grazing but also accommodates a house and out-buildings, as well as some temporary structures. It is situated alongside the A71 Ayr Road immediately to the north of the settlement of Shawsburn. The representation notes that the site is accessible, can be readily serviced and has no other development constraints – and seeks it to be removed from the green belt and re-designated for residential development in the proposed plan. The objector argues that this would represent a natural extension to another housing allocation in the plan and would contribute to meeting the 5 year housing land requirements – as well as improving the range and choice of housing options in the area.
5. For a number of reasons, I am not persuaded that the case put forward in the representation merits allocation of this site in the plan. Firstly, whilst part of the site concerned has been termed brownfield I do not regard this as sufficient reason to justify the whole site's removal from the green belt nor its re-designation for housing development. In any event, only a small proportion of the site in question has been put forward as brownfield. I am also concerned about the access and potential bio-diversity issues that would arise from development of this site for housing that have been highlighted. For example, there are problems associated with the existing access onto the main A71 trunk road that serves the site. I acknowledge, however, that the issues of concern in that regard could potentially be satisfactorily addressed if it was deemed an acceptable site in all other respects. Another major issue raised by the scale and location of the site concerned is that its proposed allocation for residential development would represent a significant and unwarranted intrusion into the green belt in my view.
6. Accordingly, I agree with the council that allocation and development of the site concerned for housing would be inappropriate in its local context – and would not represent a logical extension to Shawsburn. Furthermore, I conclude that such an allocation would also set an unfortunate precedent leading to potential pressures for other incremental expansions further into the adjoining green belt land that would be harder to resist in future.
7. In summary, for the reasons stated I conclude that the site is not appropriate for release from the green belt or for designation for any form of housing development.

**Reporter's recommendations:**

No modifications.

<b>Issue HM21</b>	<b>Stonehouse (Various)</b>	
<b>Development plan reference:</b>	<p>Chapter 3 Vision and Strategy, pages 14                  Policy 3 Green Belt and Rural Area, pages 14 – 15                  Policy 6 General Urban Area/Settlements, page 17                  Chapter 4 Economy and Regeneration, pages 18 – 22                  Policy 8 Strategic and Town Centres, pages 21 – 22                  Table 4.4 Neighbourhood Centres, page 22                  Chapter 7 Infrastructure, page 35                  Table 7.1 Road Schemes, page 35                  Appendix 5, Proposals, page 63                  Local Development Plan Settlements Maps                  Stonehouse</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>21 - Galloway and Macleod Ltd                  286 - George Smith                  385 - North and South Lanarkshire Development Trust                  413 - Robert Freel                  443, 596 - Stonehouse Community Council                  531 - Mary Casey</p>		
<b>Provision of the development plan to which the issue relates:</b>	<p>These representations relate to issues around the settlement of Stonehouse ranging from neighbourhood centre changes to plans for the village.</p>	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>21 – Objects to the exclusion of the Galloway and Macleod's site in Stonehouse from the retail area.</p> <p>286, 385, 443 - Objects to the LDP development priorities list as it does not include any proposals for the expansion of Stonehouse. Seeks to make alterations to the settlement of Stonehouse by moving boundary line of the west and north part of the village to the natural boundary of the Avon Valley and the railway line boundary and re-designating the site for mixed use development. Propose this should be a Community Growth Area (CGA) or Residential Masterplan Site to the north of Stonehouse, or at least safeguarded to ensure the settlement is able to grow in a planned manner, should allocated sites elsewhere not come forward for development due to physical constraints.</p> <p>413, 531, 596 - Suggests that a masterplan is prepared for Stonehouse, with a number of specific development projects identified. Suggests various changes to the plan with respect</p>		

to Stonehouse including provision of a new high school and completion of the A71 bypass. In addition specific land use changes should include:

1. The former Stonehouse Hospital, currently designated for housing, should be changed to mixed development of retail and housing.
2. The land currently designated for development of a sports facility adjacent to the Lifestyles Centre, Strathaven Road should be changed to housing and that the site includes affordable houses.
3. The land in Union Street owned by SLC which is designated as housing be removed due to the underlying conditions of a previous land fill site and potential mine workings. Some of this land could be given to the Community to be used as a 'Community Garden.
4. The land which is on the former railway lines from Sidehead Road heading in a south and easterly direction towards Blackwood to be used to create cycle paths.
5. The land in New Street which currently houses the Public Institute building which has been closed by SLC should be designated for change of use to housing.

413 – In addition to the above, suggests that the Loch Park area should be changed to retail/light industrial use.

**Modifications sought by those submitting representations:**

21 – Seeks the re-designation of the Stonehouse town centre to include Galloway and Macleod's land and offices.

286, 385, 443 - Seeks alterations to Stonehouse by moving the boundary line of the west and north part of the village to the natural boundary of the Avon Valley and the railway line boundary and re-designating the site for mixed use development. Propose this should be a Community Growth Area (CGA) or Residential Masterplan Site to the north of Stonehouse, or at least safeguarded.

413, 531, 596 – Specific changes should include:

- Redesignation of Stonehouse Hospital to mixed use development.
- Land adjacent to the Lifestyles Centre, Strathaven Road be changed to housing.
- The land in Union Street be removed from housing and given to the Community to be used as a 'Community Garden.
- The land which is on the former railway lines to be used to create cycle paths.
- The Public Institute building be designated for housing.

413 - The Loch Park area should be changed to retail/light industrial use.

**Summary of responses (including reasons) by planning authority:**

Objects: In response to the points raised the Council would wish to make the following comments:

21 – The Council has produced an Industrial, Commercial and Retail Development Technical Report (Document G26) which sets out the position regarding retail areas within



South Lanarkshire. The Council considers that, with the changing trends in shopping patterns, particularly the decline of the traditional 'high street', many of the retail areas identified in the South Lanarkshire Local Plan (Document G38) have contracted. The proposed deletions and amendments to the existing Stonehouse Local Neighbourhood Centre boundaries have been proposed in order to reflect the current position and extent of the retail area. In addition units such as the Galloway and Mcleod feed merchants, which conform to retail policy, are acceptable uses within areas covered by Policy 6 General Urban Area/Settlements and do not require to have a neighbourhood centre designation.

No change proposed to the local development plan.

286, 385, 443 - The site north west of Stonehouse is identified in the Council's Supplementary Consultation on Additional Potential Development Sites (Document G20) which formed part of the South Lanarkshire Local Development Plan (SLLDP) Main Issues Report (Document G37) and is referred to as Site Reference: HM/91/004.

The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there may be a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise (Document G12) were considered and those which were most suitable in terms of sustainability and location were considered as possible additions to the housing land supply.

This site did not meet the criteria set out in the call for sites assessment. In terms of settlement pattern it has no relationship to the existing settlement and would be a major intrusion into the wider countryside. In addition, development of the site would impact on the integrity of the special landscape area designation and on designated nature conservation sites (ancient woodlands). The site was also deemed to have issues relating to its impact on biodiversity, water environment and landscape in the Strategic Environmental Assessment (Document G23). The site is not considered suitable for development.

The site was considered at the public inquiry into the South Lanarkshire Local Plan. The site was part of a package of development opportunities including money towards completion of the Stonehouse bypass. The Reporter concluded that if the site was developed it would have the effect of locating new houses on the opposite side of the proposed bypass from the rest of Stonehouse. The community benefits from development of the site would not be sufficient to justify its release (Document HM16). Therefore it is concluded that development of a further housing at this location would change the status of the proposed bypass to a distributor road and may have the effect of diverting through traffic back through the village centre.

No change proposed to the local development plan.

413, 531, 596 – Education have been consulted on all proposals in the local development plan and this has not been raised as an issue. At present secondary school pupils attend schools in Hamilton and Larkhall where there is existing capacity.

Regarding completion of the A71 bypass, the Local Transport Strategy 2013 - 2023 Consultative Draft (Document G34) states that, although the proposed bypass did not offer value for money, the land should continue to be protected, as future development in this area could lead to the need for some form of access or link road. However the provision of this scheme would be development led and as such the Council would not be promoting the scheme independently.

In response to specific projects requested the Council would comment as follows:

- The site of the former Stonehouse Hospital is currently designated as a residential opportunity, no other plans have formally been brought forward for this site to be considered. However, small scale ancillary retail uses may be considered in association with residential development when a proposal comes forward for the site.
- Land adjacent to Lifestyles Centre, Strathaven Road is currently included within the general urban area of Stonehouse and could be developed for residential were applications to be brought forward. .
- The land in Union Street is currently designated for residential. If this site is not developed within the lifetime of the plan the Council will reconsider its position. The use of the site for a community garden/allotments could be considered if a scheme was brought forward for the site.
- The land which is on the former railway line leading southeast from Sidehead Road is currently designated as a Core Path within the Council's Core Path Plan (Document G31) which was adopted in November 2012.
- A recently submitted planning application, HM/13/0354 (Document HM11) which is currently under consideration, proposes demolition of the Public Institute on New Street. No specific redevelopment proposals have been submitted in support of the application. However, policy does allow for residential use.
- No change proposed to the local development plan.

413 – The Lochpark site is currently identified as a housing site. It was formerly an underused local industrial area which was rezoned to residential in the South Lanarkshire Local Plan (Document G38) in accordance with Scottish Planning Policy (Document G1) paragraph 46 which advises that where industrial sites are no longer considered appropriate or marketable they should be brought forward for other uses. The site is now cleared and ready for development.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. In considering the issue of housing land, we have found that there is uncertainty about whether there are enough sites likely to become effective as to constitute a generous supply sufficient to meet the strategic development plan housing requirement to 2025. Furthermore, we have found that there is not a sufficient supply of sites for the period to 2020, during which the bulk of the housing is required. In these circumstances, we have considered whether any of the other sites proposed for the plan but which the council does not favour would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan.

2. It is not the case, however, that a shortage in the supply of effective land must be remedied at all costs. We also considered, therefore, whether each of these would be a

suitable site for housing at this time, having regard to the environmental and other information available to us for each site, the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

3. In the council's assessment there is no requirement for further strategic housing land releases in this area over the plan period. It acknowledges, however, that there may be a need for a limited release of land to meet local housing requirements. With that in mind it has considered a number of site options to establish which would be the most appropriate in terms of sustainability and location – and on this basis it has put forward for allocation those it considers most appropriate. Its assessment identified a number of constraints concerning the development potential of the other sites now being put forward in representations for consideration as housing allocations. These are considered in more detail below.

4. In the above context, the respective merits of the housing sites put forward in representations that were not favoured by the council are considered in more detail below. In addition, the cases put forward in unresolved representations regarding other sites and issues of a non-residential nature are also examined. These various sites are dealt with in the order listed earlier in the Schedule 4.

#### Suggested extension south-westwards of the designated Local Neighbourhood Centre

5. This single representation argues that the Local Neighbourhood boundary should be extended south-westwards to also include the Galloway and Macleod premises. Those premises include an agricultural feed mart and associated land and offices, which appear to be currently operational. The land and buildings concerned are situated mostly to the south of King Street. Those premises adjoin the Local Neighbourhood boundary shown in the proposed plan – centred on the nearby Cross, which marks the historic core of the settlement. The suggested extension to include the Galloway and Macleod premises would more than double the areal extent of that defined Local Neighbourhood Centre.

6. In support of retaining the Local Neighbourhood Centre boundary currently shown on the proposed settlement plan as part of the local development plan, the council points out this already reflects the changes that have taken place in terms of local retail provision. Based on the evidence presented and my own site visit I agree with the council that its proposed depiction of the Local Neighbourhood Centre boundary for Stonehouse in the proposed plan is justifiable as it corresponds with the main concentration and focus of retail and associated commercial activity in Stonehouse today.

7. In this context, the case put forward in support of the possible inclusion of the Galloway and Macleod premises within the defined Local Neighbourhood Centre is not persuasive, in my view. There is no barrier to prevent the feed mart and other businesses that have a retail element continuing to trade within areas covered by Policy 6 that applies to the land in question. In summary they do not require a Local Neighbourhood Centre designation to do so. Furthermore, I am concerned that to double the existing area shown as the Local Neighbourhood Centre in the manner being advocated would not be justified as the nature of the existing uses on the Galloway and Macleod site are mostly not retail uses regularly used by most local residents.

Suggested extension of the settlement boundary to allow for further expansion of Stonehouse onto a site to the north-west

8. Based on the available evidence and my own site visit, I am concerned that the site in question raises a number of concerns in its local context. Firstly, and most importantly, as proposed in the new plan the A71 Strathaven Road corridor provides a logical and strong settlement boundary. This by-pass marks the northern edge of the existing and proposed built-up area of Stonehouse over the plan period. I find that the proposal for a major new release of land to the north-west of this trunk road, would be a substantial and illogical breaching of that boundary into the surrounding green belt land that extends into the wider countryside. This possibility has been previously explored in the context of the adopted local plan inquiry and rejected on the basis that the benefits would not be sufficient to justify it – for the reasons summarised by the council. The local circumstances and the planning reasoning in that regard have not changed significantly in the intervening period, in my view.

9. Similarly, there remain concerns regarding the landscape area designation affecting the site in question and its surrounding area. Other outstanding issues have been highlighted with regard to bio-diversity, the water environment and in respect of ancient woodlands here. I do not regard it necessary to explore those particular matters in detail at this time as the site should be excluded in principle for the reasons outlined above. Meanwhile, I am satisfied that there is already sufficient land designated for new housing and mixed developments on a range of sites offering a wide range of choice of development opportunities within the defined settlement boundary of Stonehouse. Some of these are considered below in response to other specific representations.

Possible re-designation of the former Stonehouse Hospital site for mixed use development

10. I note that the site of the former hospital is designated for housing development in the proposed plan. I am not aware of any detailed proposals being put forward by potential developers for this large area of cleared ground that has a landscaped setting close to Strathaven Road. This is within the existing built-up area and adjoins the new hospital that is now operational. In this context, I note the council has indicated that when any development proposals come forward for the former hospital site consideration would be given to some small-scale retail uses being permitted in association with the proposed primarily residential allocation.

Development of land within the settlement boundary immediately to the south-west of the Lifestyles Centre

11. This area of flat, open grazing pasture, which is situated between the Lifestyle Centre and the south-west settlement boundary, is currently designated as part of the general urban area. The council confirms, however, that this could be developed for housing and I am satisfied that, in principle at least, this would seem appropriate.

12. As in the case of the former hospital site considered above, I conclude that this is a matter that can and should be progressed through the development management process. Accordingly, I conclude that this does not require or merit a modification to the proposed plan – particularly as the site is located within the settlement boundary.

Land in Union Street designated for housing

13. A number of concerns and arguments have been put forward in the representations with regard to this particular site, which is owned by the council. I note that in the event that the site is not developed for housing in the plan period the council has agreed to consider its possible re-designation – perhaps for a community garden or allotments – when the plan is next reviewed. I find that this is a logical approach that should address the concerns outlined in the representations satisfactorily to ensure that the site does lie dormant indefinitely but is brought into productive use. Accordingly, I conclude that there is no need to modify the proposed plan to address this particular matter.

The former rail line leading south-east from Sidehead Road

14. I am satisfied that the council has fully addressed the concerns outlined in this particular representation by confirming that the former rail line corridor in question is already designated as a core path as part of the area’s Core Paths Plan adopted in November 2012. Accordingly, I conclude that there is no need or justification to amend the proposed local development plan to address this particular issue.

The Public Institute building in Union Street

15. With regard to this representation I note that the disused Public Institute building is the subject of a planning application seeking its demolition – although no development proposals for re-use of the site have been drawn to my attention. Nevertheless, the council has confirmed that in principle housing would be an acceptable land use here. On this basis I conclude that there is no requirement to modify the proposed plan to address this particular representation.

The Loch Park former industrial area

16. The council makes reference to the Scottish Planning Policy in justifying why this former industrial site was re-designated for residential use in the adopted local plan, in the light of it proving to be no longer needed and not marketable for industrial purposes. The site is now cleared and continues to be shown as a residential allocation in the proposed plan.

17. In my view in principle the site is well suited to being sustainably developed for residential development as it is centrally located and close to existing established housing areas. In this context the suggestion being put forward in a representation that the site should be promoted for retail or light industrial is not compelling. In summary, I conclude that it fails to provide any reasoned justification for modifying the new plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue HM22</b>	<b>Alexandra Workwear/Bellshill Road, Uddingston</b>	
<b>Development plan reference:</b>	<p>Chapter 3 Vision and Strategy, pages 9-11                  Policy 1 Spatial Strategy, page 10                  Table 3.1 Spatial Strategy Development Priorities, pages 10-11                  Chapter 6 Environment, pages 31-32                  Policy 14 Green Network and Greenspace, page 31                  Appendix 3 Development Priorities, page 56                  Appendix 5 Proposals, page 64                  Settlement Maps                  Larkhall, Hamilton, Blantyre, Uddingston, Bothwell, Development Proposal 28</p>	<b>Reporter:</b> Richard Bowden
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Objects: 315 - Dawnfresh Seafoods Ltd		
<b>Provision of the development plan to which the issue relates:</b>	This relates to the redesignation of industrial land at the former Alexandra Workwear Factory and adjoining land at Bellshill Road, Uddingston to residential use through masterplan development.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>315 - The objection relates to the designation of the site of the former Alexandra Workwear Factory and adjoining land at Bellshill Road, Uddingston as a Residential Masterplan Site for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The site is unsuitable for residential development as it would be affected by noise and odour levels generated by the occupiers of the adjoining industrial site, Dawnfresh, on a 24 hour basis.</li> <li>2. There would also be impacts on the air quality of the site arising from the Dawnfresh factory and the adjacent motorway.</li> </ol>		
<b>Modifications sought by those submitting representations:</b>		
315 - The site should remain as an industrial/business opportunity site.		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 315 - Taking each of the points raised into consideration the Council would wish to make the following comments:</p> <p>The Council has produced a Housing Technical Report (Document G27) which sets out the position regarding housing land in South Lanarkshire. The Council are satisfied that the supply of housing land meets the requirements set out in the Glasgow and Clyde Valley</p>		

Housing Need and Demand Assessment (Document G7) produced as part of the development of the Strategic Development plan (SDP). The work carried out by the Council has concluded that there was no need for strategic release of land to meet any shortfalls however the Council concluded that there is a need for a limited release of land to meet local requirements. As a result all of the sites submitted to the Council as part of the Call for Sites exercise were considered and those which were most suitable in terms of sustainability and location were identified as proposed additions to the housing land supply (Document G12). The site at Bellshill Road was assessed through this process and found to be one which could contribute to the effective land supply for South Lanarkshire given its proximity to new residential development and the health centre facility which is to be incorporated into the development. This site was therefore considered suitable for release through this process.

However in terms of the detailed issues raised by the adjoining business, planning applications for residential development with associated works are currently lodged with the Council (HM/13/0127 & HM/13/0128) (Documents HM12 and HM13) for their consideration. Whilst neither planning application has been decided to date, a noise assessment, odour assessment and an air quality assessment have been submitted with each application in order to fully assess the suitability of the site for residential development. If there are issues associated with noise, odour or air quality the assessment of the current applications provides an appropriate mechanism for identifying if appropriate mitigation can be identified and conditioned, prior to consent being given for residential purposes.

No change proposed to the Local Development Plan.

**Reporter's conclusions:**

1. This brownfield site was previously occupied by a clothing factory that ceased to be operational some time ago. The flat site, which has since been cleared of all buildings, is located immediately to the west of the M74 motorway corridor. Whilst it adjoins existing industrial areas to the south, the site concerned also sits directly opposite the cleared site of a former works complex immediately to the north. That neighbouring site is now being re-built as a major new residential development – and will sit alongside existing housing areas to the north and west of it. At my site visit I saw that this new housing scheme is nearing completion. It is against this background that I note that the site now in question is also being proposed as an allocation for major new housing development in the proposed plan.
2. The only representation taking issue with this proposed allocation argues that the site is unsuitable for housing development. This contention is based principally on noise and air quality concerns. In particular those concerns relate to the site's proximity to the M74 motorway to the east and the industrial premises located immediately to the south. I note that those premises operate on a continuous basis, including throughout the night – as of course does the M74 road.
3. Notwithstanding those issues of potential concern, I note that there are planning applications lodged seeking approval for residential development and associated works on the site in question. Whilst those applications are still to be determined, I note that they are accompanied by detailed noise, odour and air quality assessments. I am satisfied that this provides the basis for each of those particular technical matters to be amongst the key issues – along with other factors such as access and landscaping – to be fully investigated and resolved by the planning authority prior to any planning permission being granted.

Accordingly, the development management process offers the opportunity to ensure that any mitigation measures, as necessary, can be incorporated into proposed schemes when they are implemented. Where appropriate this might be through the imposition of suitably framed planning conditions attached to any planning permission that is granted.

4. Based on all of the above considerations and safeguards, I conclude that the site in question is appropriate in principle for designation as a residential development allocation in the proposed proposed plan. I also conclude that the matters raised in the representation, whilst valid are not sufficient, individually or in combination, to justify deletion of this particular allocation. This is because the issues of concern that have been highlighted would be fully investigated and addressed to the satisfaction of the planning authority prior to any development scheme being consented and implemented. I conclude that this is best achieved when an application for planning permission is being determined through the development management process – as is the case here.

**Reporter's recommendations:**

No modifications.



<b>Issue ST1</b>	<b>Vision and Spatial Strategy</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Spatial Strategy General Paragraph 3.2 Page 9	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>231 - Strathaven Community Council 290 - Lord Lithgow's Accumulation and Maintenance Trust 421 - Marjory Robertson</p> <p>Support:</p> <p>394 - Scottish Water 423 - Clyde Gateway URC</p>		
<b>Provision of the development plan to which the issue relates:</b>	This sets out the local development plan's direction and focus.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>231 - The proposed local development plan does not mention the contribution, which can be made by the voluntary sector despite various references to this in other South Lanarkshire Council policy documents and the pending Community Empowerment and Renewal Bill.</p> <p>290 - The local development plan's vision must meet the housing and employment needs of the area in full. There are no serious local environmental or infrastructure constraints which cannot be resolved to allow such development within the life of this plan. If the Council is committed to a low carbon economy then the local development plan must support all appropriate opportunities for renewable energy development in its proposed plan policy framework.</p> <p>421 - Ensure that the plans objectives to safeguard and improve the natural and built environment are applied, especially when considering proposals in Bothwell Conservation Area.</p> <p>Support:</p> <p>394 - Scottish Water supports the broad objectives of the plan: encouraging sustainable economic growth, meeting the needs of communities, enhancing and safeguarding the environment, and maximising the use of existing infrastructure.</p> <p>423 – Clyde Gateway URC support the local development plans position regarding Clyde Gateway.</p>		

<b>Modifications sought by those submitting representations:</b>
<p>231 - Seeks an amendment that recognises the contribution that can be made by the voluntary sector.</p>
<b>Summary of responses (including reasons) by planning authority:</b>
<p>Objects:</p> <p>231 – The Scottish Government, through Planning Legislation and Guidance, have directed all Local Authorities to engage and consult with communities before producing a Main Issues Report (MIR) (Document G37). South Lanarkshire Council carried out extensive consultation with Community Councils, Residents and Tenants Associations and other bodies such as the Disability Partnership, Seniors Together, young people and the general public. The views expressed by all of these groups were analysed and where appropriate included in the MIR for further consultation. The Council acknowledges the contribution that both the voluntary sector and the general public as a whole make to the plan process. This is reflected in the involvement of these groups in the pre MIR engagement process and described in the Consultation and Engagement Report (Document G25) which accompanied the MIR. In terms of the Community Empowerment and Renewal Bill, the Council understands that this has been subject to consultation but has yet to be enacted. As such this is not currently relevant to the local development plan process. Notwithstanding, the Council recognises that there may be some benefit to mentioning the voluntary sector.</p> <p>If minded to do so the Council invites the Reporter to insert the words “including the voluntary sector” after “and its communities” in paragraph 2.6.</p> <p>290 – The local development plan’s clear and concise vision is based on Scottish Government policy and as such seeks to promote economic growth within a low carbon economy whilst protecting the environment. The plan has considered where development is required, and for what purpose. This is reflected in the proposals contained within the plan. To suggest that development, of any type, including housing, industrial or renewable energy, could take place anywhere, without potentially serious local environmental impacts or without regard to infrastructure constraints is incorrect. This can be demonstrated through the Strategic Environmental Assessment (SEA) (Document G23) and Habitats Regulations Appraisal (HRA) (Document G10) process carried out for this local development plan. This considered all the sites put forward at the call for sites stage and assessed their potential impact on the environment and existing infrastructure.</p> <p>No change proposed to the local development plan.</p> <p>421 – A key objective of the plan is to safeguard and improve the natural and historic environment. This will be implemented through the development management process and Policy 15 Natural and Historic Environment which specifically protects designated conservation areas. In addition Supplementary Guidance will be produced on the Natural and Historic Environment. This will give further guidance to officers who are considering proposals in all of the conservation areas across South Lanarkshire.</p> <p>No change proposed to the local development plan.</p>

Support: 394, 423 – Noted.

**Reporter's conclusions:**

1. The overall vision of the proposed plan is:

“To promote the continued growth and regeneration of South Lanarkshire by seeking sustainable economic and social development within a low carbon economy whilst protecting and enhancing the environment.”

This vision leads to 4 themes (economy and regeneration, people and places, environment, and infrastructure), and 4 broad objectives (paragraph 3.4 of the proposed plan), from which more detailed objectives, and a spatial strategy (figure 3.1) are developed. The vision and the objectives are consistent with the spatial vision set out in the Glasgow and Clyde Valley Strategic Development Plan.

2. Adjustments are sought to the vision of the plan, which would: add references to the contributions made by the voluntary sector; provide a commitment to meeting housing and employment needs in full; and ensure that objectives to safeguard and improve the natural and built environment are properly applied.

3. The planning authority acknowledges that the community, including the voluntary sector, contributes to the plan making process. The role of stakeholders and communities in the process of preparing a local development plan is also recognised in Circular 6/2013, Development Planning. There is no doubt that the role of the voluntary sector in plan making, and in shaping the environment through identifying opportunities, benefits and constraints, is important. I therefore consider that it is appropriate to make explicit reference to this sector, and to modify the plan along the lines proposed by the planning authority.

4. The vision in the proposed plan provides the context for the spatial strategy, policies, and proposals set out. It also sets the context for the way in which the planning authority will approach its development planning and development management functions. The vision is a broad, overarching statement, setting out a balanced approach to development, and it should not contain details which are best dealt with elsewhere in the plan. The link between the vision and housing land, employment and renewable energy is shown at figure 3.1, and the plan deals with these matters separately in some detail. There is no benefit to be gained from expanding the vision statement to say more about them. They are dealt with in this examination under Issues ST8 Employment, ST13 Housing Land, and ST20 Wind Energy. No change is required to the proposed plan in relation to this matter.

5. The proposed plan's vision refers to protecting and enhancing the environment. This links to an objective of safeguarding and improving the natural and built environment, and the spatial strategy seeks to protect designated sites and areas of natural or built heritage. The proposed plan considers the natural and historic environment in more detail through policy 15, and it proposes supplementary guidance, which will set out more detailed policies. The supplementary guidance was not placed before the examination. The natural and historic environment is dealt with under issue ST16. In principle, I consider that the proposed plan provides an adequate policy framework to protect the built environment from inappropriate development, including in designated conservation areas, such as the one at Bothwell. The plan can do no more. No change is required to the proposed plan on this

matter.

6. An adjustment is required to the proposed plan, as set out below.

**Reporter's recommendations:**

Modify the local development plan by adjusting the second sentence of paragraph 2.6, as follows (*changes in italics*):

"2.6...This vision is ambitious but soundly based on the opportunities and the benefits offered by South Lanarkshire and its communities, *including the voluntary sector...*"

Issue ST2	Spatial Strategy	
<b>Development plan reference:</b>	Chapter 3: Vision and Spatial Strategy Policy 1 – Spatial Strategy Page 10 Table 3.1 – Spatial Strategy Development Priorities Page 10 Paragraph 1.2 Page 2 Paragraph 3.18 Page 15 Paragraph 5.3 Page 26 Paragraph 5.7 Page 26 Paragraph 5.14 Page 30 Appendix 1 Page 42	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>8, 9, 11, 12, 13, 14, 16, 17 - Halley, Jackson and Munro Family                      340 - Robert Freel                      361 - Stonehouse Community Council                      437 - RSPB Scotland                      526 - RES UK and Ireland Ltd                      535 - Banrock Developments                      551 - Scottish Natural Heritage                      584 - Hamish Neilson</p>		
<b>Provision of the development plan to which the issue relates:</b>	This spatial strategy, policy and supporting table outlines the detailed and specific land use related objectives that will contribute to achieving the plans vision.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>8, 9, 11, 12, 13, 14, 16, 17 - These objections seek clarification of the planning status of the adopted Masterplan Development Frameworks and other associated documents prepared previously, which will continue to guide development in the Community Growth Areas.</p> <p>340, 361 - Bullet point three of Policy 1 should be expanded to indicate that developments need to meet at a minimum 80% of the policy and guidelines prior to being considered. Local development plan (LDP) does not go far enough in the development of strategies for smaller settlements.</p> <p>437, 551 – In Policy 1 Spatial Strategy the delivery of the Green Network should be inserted as a specific development priority in Table 3.1.</p> <p>526 - Planning authorities through local development plans should support the development of a diverse range of renewable energy technologies, not just wind energy. This would ensure that an area's renewable energy potential is realised and optimised in a way that takes account of relevant economic, social, environmental and transport issues and maximises benefits (paragraph 184, SPP, 2010).</p>		

535 - The strategic vision could be further expanded to make clear that the Council is fully committed to meeting the future needs of all residents and communities across the plan area.

584 - A number of the Primary School Modernisation proposals shown on the proposals map have already taken place e.g. Braehead, Carmichael, Coulter, Kirkfieldbank, Rigside, and Wiston. These should be removed from the plans, as it implies they are proposals.

**Modifications sought by those submitting representations:**

8 - Clarify the status of these documents and make reference to them where necessary throughout the LDP.

9 - Amend the final bullet point to read "...development plan, supplementary guidance and adopted Masterplan Development Frameworks".

11 - Change the 3rd sentence of Para 3.18 to include the words "The LDP, ~~and its~~ associated Supplementary Guidance, and adopted Masterplan Development Frameworks set s out the approach the Council will expect developers to adopt when planning and designing new developments".

12 - Change the final paragraph of Policy 4 to include the words "Development proposals must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance and adopted Masterplan Development Frameworks."

13 - Change the final sentence of Para 5.7 to read "Clear guidance on design, including successful place making, is provided in the Supplementary Guidance on Development Management, Place Making and Design, and in the adopted Masterplan Development Framework where relevant ".

14 - Amend the final sentence of Para 5.3 to read "These sites can continue to play a role in achieving the Plan's vision, and their adopted Masterplan Development Frameworks remain in place to guide proposals. Where further proposals, expanding on the Masterplan Development Framework are approved by the Council they shall be similarly adopted".

15 - Change the final sentence of Para 5.14 to read "Clear guidance on design, including successful place making, is provided in the Supplementary Guidance on Development Management, Place Making and Design, and in the adopted Masterplan Development Framework where relevant ".

17 – Within Appendix 1 - Under "Additional Guidance" next to the Policy Reference "Development Management" include a reference to the "adopted Masterplan Development Frameworks" prepared for the Community Growth Areas and give consideration to "including the adoption of further proposals expanding on the Masterplan Development Frameworks".

340, 361 - Bullet point three in Policy 1 Spatial Strategy should be expanded to indicate that developments need to meet a minimum 80% of the policy and guidelines prior to being considered.

437 - Policy 1 Spatial Strategy – Insert Green Network as a specific development priority in Table 3.1.

526 – Amend wording of Policy 1 to better fit with national policy.

535 – Expand the strategic vision by adding the following text after the word "Lanarkshire" *"for the benefit of all residents and communities,* " The second bullet listed under paragraph 3.4 of the plan should be amended to read "Meet the needs arising within all communities" In Policy 1 Spatial Strategy, the following text should be inserted after the word "regeneration" "within all communities and settlements across the plan area".

551 - The second bullet point be amended to read "delivery of the development proposals identified in Table 3.1 and Appendix 3 *and by maintaining and enhancing the green network shown on the proposals map* ".

584 - Primary School Modernisation proposals that have already taken place should be removed from the plans.

**Summary of responses (including reasons) by planning authority:**

Objects:

8, 9, 11, 12, 13, 14, 16, 17 - All of these representations seek clarification of the planning status of the adopted Masterplan Development Frameworks and other associated documents prepared previously, which in the objectors opinion should continue to guide development in the Community Growth Areas. These were produced alongside the adopted South Lanarkshire Local Plan 2009 (Document G38). The objector is concerned that they will not be taken into account when developers come forward with applications for the community growth areas.

The proposed local development plan includes a reference to the adopted local plan at paragraph 2.20 and that this will remain in force until such times as the South Lanarkshire Local Development Plan is adopted. In addition the community growth areas are included in Appendix 3 and the Masterplan requirements which proposals will be expected to satisfy are listed. These have been extracted from the approved Masterplan Development Frameworks. It should also be noted that the Masterplan Development Frameworks are intended to guide, not specify in exact detail, the nature of the detailed proposals for the community growth areas. Developers, at the time these plans are being prepared, would have to take account of factors such as the current state of the economy, further information obtained regarding issues such as land stability, flooding, wildlife, mix of house types and tenure before submitting a plan for the area. It is unnecessary, therefore, to have constant references to the guidance documents throughout the plan.

To date four applications have been received for community growth areas, Hamilton, Newton, East Kilbride and Ferniegair and these all respected the guidelines contained within the masterplan development frameworks but with appropriate and necessary amendments which addressed issues that were unknown when the masterplan development framework documents were produced.

No change proposed to the local development plan.

340, 361 - The objector suggests that bullet point three in Policy 1 Spatial Strategy should be expanded to indicate that developments need to meet a minimum 80% of the policy and guidelines prior to being considered. The planning authority cannot decline to consider proposals which it receives.

Furthermore, it is inappropriate to arbitrarily set a figure for the number of policies to which a proposed development must comply without considering and having regard to the nature of a development, and balancing its specific economic, social and environmental benefits and disadvantages against the aims and objectives of the Plan.

In addition the objector is concerned that the local development plan does not go far enough in the development of strategies for smaller settlements. The aim of the local development plan is to be concise and be focussed on the main proposals for the area, with Supplementary Guidance providing more detailed policies and guidance. Given that South Lanarkshire has 97 settlements ranging from large urban areas to small rural villages it would be unrealistic to expect development strategies to be produced for each settlement but rather establish guiding principles through policy.

No change proposed to the local development plan.

437, 551 – Both representations suggests that in Policy 1 Spatial Strategy the delivery of the Green Network should be inserted as a specific development priority and listed in Table 3.1. The need to take account of green network is listed, where appropriate, under each of the projects outlined in Appendix 3. It was considered that there was no need to have a separate entry for delivery of the green network in Table 3.1 since it would duplicate the sites already listed in Appendix 3 particularly those categorised as community growth areas and development framework sites.

Appendix 3 includes “ensure green network provision” in its list of priorities for individual sites where this would be appropriate. Green network has its own section (section 6) and Policy (Policy 14 Green Network and Greenspace) which makes provision for the protection and enhancement of the green network. This will also be the subject of separate Supplementary Guidance.

No change proposed to the local development plan.

526 – The objector requests that the local development plans supports the development of a diverse range of renewable energy technologies, not just wind energy, to ensure that an area's renewable energy potential is realised and optimised in a way that takes account of relevant economic, social, environmental and transport issues and maximises benefits.

The aim of Policy 1 Spatial Strategy is to be an overarching spatial policy that addresses the key issues of economic regeneration, protection of the environment and the need to move towards a low carbon economy. A specific policy on Wind Energy is included in the plan together with Supplementary Guidance. Alternative forms of renewable energy will be considered in Supplementary Guidance dealing with the Green Belt and Rural Area and in Development Management, Place Making and Design; this will include hydro-schemes, solar farms, combined heat and power systems, biomass and other types of renewable energy.

No change proposed to the local development plan.



535 – This representation would like the strategic vision to be further expended so as to make clear that the Council is fully committed to meeting the future needs of all residents and communities across the plan area.

In paragraph 2.20 it states that “every part of South Lanarkshire is covered by a land use policy”. The title of the plan ‘South Lanarkshire Local Development Plan’ clearly states that this is a plan which covers the entire area of South Lanarkshire. The profile of the area to which the plan relates is outlined in paragraphs 2.1 to 2.6. The accompanying plans cover every part of the local authority area including all settlements. It is clear that the Council is fully committed to addressing the needs of everyone and paragraph 2.6 states “This vision is ambitious but soundly based on the opportunities and benefits offered by South Lanarkshire and its communities; using these to address the forthcoming challenges and promote the area as a place in which to invest, live and work”. There is no need to repeat this in the strategic vision.

No change proposed to the local development plan.

584 – The objector suggests that a number of the Primary School Modernisation proposals shown have already taken place, e.g. Braehead, Carmichael, Coulter, Kirkfieldbank, Rigside, and Wiston. These should be removed from the plans, as it implies that they are outstanding proposals. However, the primary schools as shown on the plan are a snapshot from 2011. This programme is constantly being updated and information will be updated when the plan is adopted. The aim was not to show which schools required to be modernised but rather the location of the various primary (and secondary) schools across South Lanarkshire since this is often an important factor considered by developers or people relocating to South Lanarkshire.

No change proposed to the local development plan.

**Reporter’s conclusions:**

Policy 1 – Adjustments to policy

1. Policy 1 in the proposed plan states:

“Policy 1 Spatial Strategy

The South Lanarkshire Local Development Plan will encourage sustainable economic growth and regeneration, protect and enhance the built and natural environment and move towards a low carbon economy. This will be achieved by:

- supporting regeneration activities and maximising regeneration and local economic benefits;
- delivery of the development proposals identified in Table 3.1 and Appendix 3;
- development that accords with and supports the policies and proposals in the development plan and supplementary guidance.”

Table 3.1 sets out the development priorities for the spatial strategy. Policy 1 and Table 3.1 are in the vision and spatial strategy section of the plan.

2. Adjustments are sought to the policy, which would: refer to the green network being maintained and enhanced; clarify the status of adopted masterplan development

frameworks (clarification is sought at Policy 4, paragraphs 3.18, 5.3, 5.7 and 5.14, and appendix 1); support a diverse range of renewable energy technologies; provide a commitment to meeting the needs of all communities and settlements across the plan area (references to “all communities and residents” is also sought in the strategic vision of the plan, and at paragraph 3.4); and require development proposals to satisfy 80% of the terms of development plan policies and supplementary guidance before being considered. The planning authority proposes no change to the plan.

3. Circular 6/2013, Development Planning, indicates that a local development plan should address the spatial implications of economic, social and environmental change, be clear about the scale of that anticipated change and in particular identify opportunities for development and set out the authority’s policies for the development and use of land. The proposed plan’s spatial strategy comprises its policies and proposals. Policy 1 follows on from the plan’s broad vision, and is an overarching view of the planning authority’s approach to the development and use of land, and Table 3.1 highlights the location of the development priorities. Figure 3.1 sets out the vision and spatial strategy for the proposed plan in more detail, and in diagrammatic form. The terms of the policy are broadly consistent with the thrust of the spatial vision and strategic development strategy of the Glasgow and Clyde Valley Strategic Development Plan.

4. The green network is not referred to in Policy 1 or Table 3.1. However, it is referred to in figure 3.1 under the environment theme, with one objective being to “support delivery of the green network,” and one element of the spatial strategy being to “safeguard the green network and identify opportunities for its enhancement and extension.” It has a separate section in the proposed plan (green network and greenspace) and policy (Policy 14), it is referred to in Policy 2, and it is to be covered in supplementary guidance (which was not placed before the examination). Appendix 3 of the proposed plan sets out more detailed requirements for the development priorities identified in Table 3.1 and, where appropriate, reference is made to the green network. It is clear that the green network is well covered in the proposed plan. I therefore consider it unnecessary to add specific references to it in Policy 1 or Table 3.1.

5. Masterplan development frameworks for community growth areas are not referred to in Policy 1, or the various parts of the proposed plan mentioned at paragraph 2 above. The planning authority indicates that they were produced alongside the adopted 2009 South Lanarkshire Local Plan. The approved frameworks are clearly relevant in bringing forward the community growth areas. However, their role is to guide development, not to specify it in great detail. Appendix 3 of the proposed plan sets out the development priorities, and the masterplan requirements for the community growth areas, the development framework sites, and the residential masterplan sites. The planning authority explains that the requirements for the community growth areas have been extracted from the approved masterplan development frameworks. Given the long lead in times for developments of this scale, it is inevitable that proposals will evolve, and the planning authority indicates that, of the 4 applications received to date for community growth areas, the masterplan development frameworks have been respected but with appropriate and necessary amendments to address new issues. Bearing these factors in mind, particularly the fact that the frameworks only guide development and that the updated requirements for the community growth areas are included in Appendix 3, it seems to me unnecessary to refer to approved masterplan development frameworks at Policies 1 and 4, paragraphs 3.18, 5.3, 5.7 and 5.14, and Appendix 1.

6. An explicit reference to renewable energy is not included in Policy 1, but reference is made to encouraging sustainable economic growth and moving towards a low carbon economy. Figure 3.1 refers to renewable energy under the themes of infrastructure and environment, with objectives to “support renewable energy development in locations with landscape and infrastructure capacity” and “ support the use of renewable energy on appropriate sites.” Renewable energy has its own section in the plan, and there is a related policy (Policy 19). The renewable energy section specifically mentions wind energy because this is the most significant renewable sector in the planning authority’s area. Adjustments to the renewable energy section of the proposed plan are recommended in response to the 2014 SPP, and this includes changing Policy 19 to address all renewable energy developments, not just wind energy. These matters are dealt with in Issue ST20. Overall, and taking into account the recommended adjustments, renewable energy is satisfactorily dealt with in the proposed plan. I consider it unnecessary to add a specific reference to the full range of renewable energy technologies in Policy 1.

7. No reference is made in Policy 1, or in the strategic vision and its supporting text (paragraph 3.4), to meeting the needs of all residents and/or communities and settlements in the plan area. Nonetheless, taking into account the proposed plan’s title, its introduction, its vision and spatial strategy, all its policies and proposals, and its proposals map, it is clear that the plan covers the whole of the South Lanarkshire area, including all of its residents, communities and settlements. It is also clear that it is committed to sustainable economic growth and regeneration. Specific reference is made to “South Lanarkshire and its communities” at paragraph 2.6. Nothing is to be gained from adding references in policy 1, the strategic vision and paragraph 3.4 to residents, communities and settlements in the manner sought.

8. I consider that it is unrealistic and inappropriate to expect development proposals to meet a minimum of 80% of development plan policies and supplementary guidance prior to being considered and/or approved. The planning authority cannot decline to process a planning application on the basis proposed and, in general terms, once lodged, an application has to be determined in accordance with the development plan unless material considerations indicate otherwise.

9. No adjustments are required to Policy 1 (and other parts) of the proposed plan.

Other adjustments proposed

10. Other adjustments are sought to the proposed plan which would: provide growth and regeneration strategies for smaller villages (eg Stonehouse); and remove the references to primary schools where modernisation proposals have been completed (eg Braehead, Carmichael, Coulter, Kirkfieldbank, Rigside, and Wiston). The planning authority proposes no change to the proposed plan.

11. Circular 6/2009 indicates that Scottish Ministers expect local development plans to be concise. The planning authority explains that South Lanarkshire has 97 settlements. I consider that its view that it would be unrealistic to produce development strategies for each settlement, but that guiding principles can be established through policy, is reasonable. It is therefore unnecessary to make any reference in the vision and strategy section of the proposed plan to further developing growth and regeneration strategies for smaller villages. Table 3.1 refers to the primary schools modernisation programme. The planning authority indicates that the primary schools shown on the proposals map are a snapshot of the position in 2011, and that this will be updated. Educational issues can be

important factors in planning decisions, and it is therefore appropriate to continue to show in the proposed plan the locations of the primary and secondary schools across South Lanarkshire. In the circumstances, it is unnecessary to delete schools which have been modernised from the proposed plan and proposals map.

12. No other adjustments are required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue ST3</b>	<b>Climate Change</b>	
<b>Development plan reference:</b>	Chapter 3 Vision and Strategy Policy 2 Climate Change Para 3.12, Page 13	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>292 – Lord Linlithgow’s Accumulation and Maintenance Trust 341 – Robert Freel 362 – Stonehouse Community Council 457 – Homes for Scotland 468 – Persimmon Homes West Scotland 527 – RES UK and Ireland Ltd 544 – Clean Power Properties Ltd. (CPPL) 552 – Scottish Natural Heritage (SNH) 570 – Scottish Government 627 – Strathclyde Passenger Transport (SPT)</p> <p>Support:</p> <p>395 – Scottish Water 438 – RSPB Scotland</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to address land use issues arising from the impact of climate change.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>292 – Lord Lithgow’s Accumulation and Maintenance Trust generally supports the Proposed Plan’s position on climate change but considers that it must maximise renewable energy opportunities wherever appropriate to meet Scottish Government targets.</p> <p>Scottish Planning Policy supports the principle of renewable energy. It notes that planning authorities should support the development of a diverse range of renewable energy technologies, guide development to appropriate locations and provide clarity on the issues that will be taken into account when specific proposals are assessed. Development plans should support all scales of development associated with the generation of energy and heat from renewable sources, ensuring that an area's renewable energy potential is realised and optimised in a way that takes account of relevant economic, social, environmental and transport issues and maximises its benefits.</p> <p>Planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. The Trust supports the Local Development Plan Proposed Plan position on renewable energy development as set out in paragraphs 7.12-7.19, Policy 19 -</p>		

## Wind Energy and Figure 7.1 - SDP broad areas of search and LDP broad areas of search.

SPP notes that the scope for major new hydro-electric schemes is likely to be limited but there may be an increasing number of proposals for small run-of-river projects. This would help diversify the rural employment and income base for landowners and helps promote sustainable development.

Development plans should identify the issues which will be taken into account in decision making on hydro-electric schemes such as impacts on the natural and cultural heritage, water environment, fisheries, aquatic habitats and amenity, and relevant environmental and transport issues. The principle of small scale river hydro schemes should be supported in the Local Development Plan especially where this allows for the opportunity to remediate or clean up river systems that have been contaminated as a result of the mining history of the area.

341, 362 - Disagree with current proposal. Bullet point vii) needs to be expanded by defining "no significant adverse impacts" as this is vague and open to interpretation.

457 – Part 3 Policy 2 Climate Change Homes for Scotland considers that requirements to use low/zero carbon technologies are inappropriate in development plans. In terms of energy efficiency, Homes for Scotland is clear that the progress towards the 2010, 2013 and ultimately the 2016 Building Standards is the key to achieving highly energy-efficient new build. The development plan is not the place to seek implementation of energy-efficiency measures in new-build. The Plan refers to the 2007 Building Standards, but the 2010 Standards are now the ones in force. The 2010 Standards can be achieved without the use of micro-generation technologies. In the main, fabric and construction standards can meet the requirements, though some builders also choose to use heat pumps or mechanical ventilation where passive house standards are used. Technologies such as district heat/power, biomass and many micro-renewables all have similar problems - unproven technologies; unproven cost/benefits; supply chain problems; maintenance; ease of operation; willingness of lenders to include them as part of property valuations; insurance problems, and so on. In other words, while there is much speculation about their potential it is inappropriate for planning documents to be the main method of promoting their use. Planning can deal with the siting and design issues but the promotion of their use is a matter for Government fiscal and regulatory measures, and industry development of commercially-viable products. At best, any planning policy should require that the statutory requirements as set by the Building Standards are met. The means of meeting these are best left to technical approval processes such as the Building Standards, and to the industry to demonstrate innovation in design and construction. The following modification is recommended. Policy 2 delete clause v and replace with: "as a minimum, meeting the current Building Standards in terms of energy-efficiency and carbon emissions".

468 - Persimmon Homes West Scotland do not feel that the development plan is the right place for policies which relate to Buildings Standards matters. Energy efficiency and carbon reduction can be dealt with entirely through Building Standards; however, the development plan should rightly concern itself with matters relating to site planning.

527 - Climate change is happening, whatever the debate about how much it is caused by humans. This proposed LDP needs to further consider how through land use planning we could respond to the challenges and opportunities the area faces as a result of projected changes in climate, and mitigate the causes of climate change.

Although Policy 2 does set out proposals that should be used as criteria for guiding renewable energy development RES would encourage a further statement within Policy 2 that states the national and strategic support for renewable developments and the economic benefits that these projects can provide to the area covered by the South Lanarkshire Local Development Plan.

RES would propose that Policy 2 goes beyond this generalised support for 'renewable energy sources' and align closer to Policy 145 from National Planning Framework 2 (NPF2, 2009) which is more specific in its wording:

*"The Government is committed to establishing Scotland as a leading location for the development of renewable energy technology and an energy exporter over the longer term. It is encouraging a mix of renewable energy technologies, with growing contributions from offshore wind, wave and tidal energy, along with greater use of biomass." (NPF2, 2009: para. 145)*

By including a statement that is supportive of the wider renewables agenda this would support a more favourable spatial framework than what is being proposed and that supports the development of low carbon technologies.

544 - Clean Power Properties Ltd (CPPL) is in full support of Policy 2 (Climate Change). These fundamental principles are considered pre-requisites for all new development proposals in the Borough [sic. Council]. Specifically, the first two criteria (development being sustainably located and maximising the use of vacant and derelict land) are considered to have a spatial development element to them that ensure that development is focused towards urban areas and, in the context of an Energy Recovery Centre development, perfectly aligned with the Zero Waste Plan.

The removal of a generic policy covering renewable energy development (Policy ENV16 in the adopted Development Plan) is disappointing, as the policy reiterated the Council's fundamental support of new infrastructure that generates renewable energy. However, the criteria in Policy 2 do go some way to ensuring that development for renewable energy infrastructure will be supported in policy terms.

552 - In the interests of consistency with other policies of the Plan, we recommend that the seventh bullet point be amended to read "...no significant adverse effects on....biodiversity (including Natura 2000 sites and protected species) and green networks".

570 - The legislation in section 3F of the Town and Country Planning (Scotland) Act 1997 (as amended) requires local development plans to include a policy on low and zero carbon energy generating technologies to apply to all new buildings. Accordingly, the words 'where appropriate' should be deleted from the policy, as this introduces a degree of uncertainty into the plan. However Scottish Government note that some authorities have included certain particular caveats to their section 3F policy, for example in relation to temporary buildings.

Scottish Government believe the reference to the 2007 Building Standards is incorrect; the 2010 Standards are now in place. In regard to CO2 emissions, the 2010 standards are a 30% improvement from the 2007 standards. They would suggest that the policy could be amended to refer to either the 2010 Buildings Standards, or current standards. However meeting the 2010 Building Standards does not require the use of low and zero carbon energy generating technologies, and so the policy should continue to reference that

requirement.

627 - Addition to Viii - "active travel routes and provisions for public transport".

Reason - Such facilities, if provided at an early stage in new developments, can encourage sustainable travel and so reduce CO2 emissions.

Support:

395 - Scottish Water agrees that development should be located sustainably to make best use of infrastructure; it should have no significant adverse affects on the environment and care should be taken to avoid flood risk areas.

438 - RSPB Scotland support this policy.

**Modifications sought by those submitting representations:**

341, 362 - Bullet point vii) needs to be expanded by defining "no significant adverse impacts" as this is vague and open to interpretation.

457 – In Policy 2 delete clause v and replace with : "as a minimum, meeting the current Building Standards in terms of energy-efficiency and carbon emissions".

468 - Points (iii), (iv), (v), (ix) should be removed from this policy along with any related text.

527 - A further statement should be included within Policy 2 that explicitly states the national and strategic support for renewable developments and the economic benefits that these projects can provide to the area covered by the South Lanarkshire Local Development Plan.

552 - The seventh bullet point be amended to read "...no significant adverse effects on...biodiversity (*including Natura 2000 sites and protected species*) and green networks".

570 - The words 'where appropriate' should be deleted from the policy, as this introduces a degree of uncertainty into the plan.

The reference to the 2007 Building Standards is incorrect; the 2010 Standards are now in place.

627 - Addition to Viii - "active travel routes and provisions for public transport"

**Summary of responses (including reasons) by planning authority:**

Objects:

292 - This representation requests that the principle of small scale river hydro schemes should also be supported in the local development plan especially where this allows for the opportunity to remediate or clean up river systems that have been contaminated as a result of the mining history of the area. Applications for this type of renewable energy can be assessed against other policies in the local development plan such as Development Management. However, in addition, alternative forms of renewable energy will be



considered in Supplementary Guidance dealing with the Environment (including Climate change); this will include hydro-schemes, solar farms, combined heat and power systems, biomass and other types of renewable energy.

No change proposed to the local development plan.

341, 362 - With regards to the issue of significant impact, in Scottish Planning law there is no formal definition of what constitutes "significant impact". Significance varies depending on the factors under consideration and the context in which the assessment is made.

The decision maker will take a balanced judgement based on a number of factors including, the scale and location of development, whether the effect is temporary or permanent, the degree of mitigation required and the likely impacts on social, economic and environmental factors. Any planning decision would also be based on the input of professional advice and comment with regard to the potential impact of a development, from a number of bodies such as Scottish Natural Heritage, Historic Scotland and Scottish Environment Protection Agency. Assessment of whether a proposal is likely to have a significant impact is a matter for the decision maker to consider based on a professional assessment of the information available.

No change proposed to the local development plan.

457, 468, 570 – These objections relate to revising the wording of Policy 2. The Environment (including Climate Change) Supplementary Guidance will outline relevant building standards and planning's approach to zero and low-carbon building technologies. As regards deleting parts of the policy as suggested in representation 468, this would be inappropriate since it would remove a number of criteria that is used to tackle climate change and encourage the use of renewable and carbon neutral technologies. However the Council is content to suggest an amendment to part v. of the policy if this provides clarity.

If minded to do so, the Council invites the Reporter to consider an amendment to Part v of Policy 2 Climate Change as follows; "Using low and zero carbon energy generating technologies that reduce predicted carbon dioxide emissions to meet current building standards within new buildings".

527 - Renewable Energy is included as a separate section in the plan with additional guidance provided in Wind Energy and Environment (including Climate Change) Supplementary Guidance. This will include hydro-schemes, solar farms, combined heat and power systems, biomass and other types of renewable energy. Economic benefits are specific to the size and scale of a given development and will be assessed on their own merits.

No change proposed to the local development plan.

544 - This representation is concerned that the plan does not include a generic policy on renewable energy development. However across South Lanarkshire the majority of renewable energy schemes are related to wind farms. It was considered therefore that it was important for the main focus of the plan, and the Policy guidance it provided, to be on wind energy. The Council's view is that the scale and nature of non- wind based renewable energy developments allows them to be assessed against the general development management policy (Policy 4 Development Management and Place Making)

and other relevant policies in the Local Development Plan. The Council notes that more detailed guidance on this matter will be contained in the Environment and Climate Change Supplementary Guidance.

No change proposed to the local development plan.

(The point made within Representation 544 has also been made within Representation 640 and can be viewed within Strategic Issue ST20 – Wind Energy)

552 - In the interests of consistency with other policies of the Plan, the Council is content to accept the amendment proposed by SNH. Therefore if minded to do so the Council invites the Reporter to amend the seventh bullet point of Policy 2 to read "...no significant adverse effects on....biodiversity (*including Natura 2000 sites and protected species*) and green networks".

627 – This representation requests an addition to bullet point viii - "active travel routes and provisions for public transport". The Council agrees that encouraging modal shift can contribute towards tackling climate change. Therefore if minded to do so the Council invites the Reporter to amend bullet point viii to include "active travel routes and provisions for public transport".

Support: 395, 438 – Noted.

**Reporter’s conclusions:**

1. Policy 2 in the proposed plan states:

“Policy 2 Climate Change

Proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by:...

- ...(iii) utilising renewable energy sources;
- (iv) being designed to be as carbon neutral as possible;
- (v) using, where appropriate, low and zero carbon energy generating technologies that reduce predicted carbon dioxide emissions by at least 15% below 2007 building standards within new buildings;...
- ...(vii) having no significant adverse impact on the water and soils environment, air quality, biodiversity and green networks;
- (viii) ensuring new development includes opportunities for creation and enhancement of green networks;
- (ix) providing electric vehicle recharging infrastructure in new developments to encourage the adoption of low carbon vehicles;...”

Policy 2 is included in the vision and strategy section of the proposed plan.

2. Adjustments are sought to the policy, which would: add references to Natura 2000 sites and protected species at criterion (vii), and to active travel routes and provisions for public transport at criterion (viii); delete criteria (iii), (iv) and (ix) because they concern building standard matters; delete criterion (v) for the same reason and, if retained, delete the words “where appropriate” because they introduce uncertainty, refer to the correct building standards, or reword the criterion; define the phrase in criterion (vii) “no significant adverse

impacts”; and add a reference to the national and strategic support for, and the economic benefits of renewable energy developments, including support for small scale river hydro schemes. The planning authority proposes some changes to the proposed plan, as set out below.

3. Section 3E of the 1997 Town and Country Planning (Scotland) Act (as amended) requires, amongst other things, that the preparation of development plans is exercised “with the objective of contributing to sustainable development.” Section 72 of the 2009 Climate Change (Scotland) Act inserted a new Section 3F into the 1997 Act, which requires local development plans to include policies designed “to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use... through the installation and operation of low and zero carbon generating technologies.”

4. The 2010 SPP indicated that the planning system has an important role in supporting the achievement of sustainable development through its influence on the location, layout and design of new development. It also explained that: the need to help mitigate the causes of climate change and the need to adapt to its short and long term impacts should be taken into account in all decisions throughout the planning system; and the design of new development should address the causes of climate change by minimising carbon and other greenhouse gas emissions and should include features that provide effective adaptation to the predicted effects of climate change. The draft 2013 SPP had a policy principle of supporting climate change mitigation and adaptation. The 2014 SPP introduces a presumption in favour of development that contributes to sustainable development, and it has set an outcome of achieving a low carbon place through reducing carbon emissions and adapting to climate change. It indicates that by seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. It also indicates that planning can influence people’s choices to reduce the environmental impacts of consumption and production.

5 Policy 2 is an important element of the proposed plan, supporting its vision and spatial strategy by setting out how new development should address the challenges of climate change. The proposed plan’s approach to climate change is consistent with the strategic approach adopted in the Glasgow and Clyde Valley Strategic Development Plan.

6. The planning authority proposes to refer to Natura 2000 sites and protected species in criterion (vii), and to active travel routes and public transport in criterion (viii). These changes would adequately address the representations that have been lodged, and are reasonable and appropriate. I consider that it is unnecessary and inappropriate to define the phrase in criterion (vii) “no significant adverse impacts.” Assessing whether a proposal would result in a significant adverse impact would be a matter of judgment, based on all the information the planning authority receives on the application. It is also impractical as the criterion is broad in nature, covering a number of issues.

7. The planning authority proposes to change the wording of criterion (v) so that it reads “using low and zero carbon energy generating technologies that reduce predicted carbon dioxide emissions to meet current building standards within new buildings.” This addresses parts of some representations by removing the words ‘where appropriate’ and the reference to the 2007 Building Standards, and by retaining the reference to low and carbon energy technologies. The adjustment satisfies the requirements of Section 3F of the 1997 Act. It also satisfies the objective of national guidance to achieve sustainable development,

which addresses climate change. To remove the criterion, along with criteria (iii), (iv) and (ix), would mean that Section 3F would not be satisfied, and that relevant measures aimed at tackling climate change through influencing the design of new development would be inappropriately omitted from the proposed plan, contrary to the objective of national guidance. The alternative wording proposed for criterion (v) in one representation (“as a minimum, meeting the current building standards in terms of energy efficiency and carbon emissions”) is unsatisfactory because it does not appear to properly reflect the terms of Section 3F. In short, I consider that criteria (iii)-(v) and (ix) should be retained, and that the planning authority’s proposed wording for criterion (v) is appropriate, and preferred to the alternative.

8. References to renewable energy are included in Policy 2 and its supporting text (paragraphs 3.12-.14). Figure 3.1, which sets out the vision and spatial strategy of the proposed plan in diagrammatic form, refers to renewable energy under the themes of infrastructure and environment, with objectives to “support renewable energy development in locations with landscape and infrastructure capacity” and “support the use of renewable energy on appropriate sites.” Renewable energy also has its own section in the plan, and there is a related policy (Policy 19). The renewable energy section specifically mentions wind energy because this is the most significant renewable sector in the planning authority’s area. Adjustments to the renewable energy section of the proposed plan are recommended in response to the 2014 SPP, and this includes changing Policy 19 to address all renewable energy developments, not just wind energy. The adjusted policy therefore covers technologies such as hydro power, and further guidance on this and other technologies will be provided in supplementary guidance. These matters are addressed in Issue ST20. Overall, and taking into account the recommended adjustments, renewable energy is satisfactorily dealt with in the proposed plan. I consider it unnecessary to add further general references to renewable energy and its benefits, or deal in detail with the full range of technologies, in Policy 2 and its supporting text, or in a new policy.

9. Adjustments are required to the proposed plan as set out below

**Reporter’s recommendations:**

Modify the local development plan by adjusting the wording of Policy 2, so that it reads, as follows (*changes in italics*):

“Policy 2 Climate Change

Proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by:...

- ...(iii) utilising renewable energy sources;
- (iv) being designed to be as carbon neutral as possible;
- (v) using low and zero carbon energy generating technologies that reduce predicted carbon dioxide emissions *to meet current building standards* within new buildings;
- ...(vii) having no significant adverse impacts on the water and soils environment, air quality, biodiversity (*including Natura 2000 sites and protected species*) and green networks;
- (viii) ensuring new development includes opportunities for *active travel routes and provisions for public transport, and for the creation and enhancement of green networks*;
- (ix) providing electric vehicle recharging infrastructure in new developments to encourage the adoption of low carbon vehicles;...”

<b>Issue ST4</b>	<b>Green Belt and Rural Area</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Strategy Green Belt and Rural Area Paragraph 3.15 page 14	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>42 - J and W Cruickshank 180 - sportscotland 342 - Robert Freel 363 - Stonehouse Community Council 536 - Banrock Developments</p> <p>Support:</p> <p>291 - Lord Lithgow's Accumulations and Maintenance Trust 293 - The Glengeith Trust</p>		
<b>Provision of the development plan to which the issue relates:</b>	The policy and associated text aims to protect the green belt and wider countryside whilst ensuring appropriate measures are in place to keep rural settlements sustainable.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>42 - Policy 3 does not differentiate between the Green Belt and other rural areas and applies identical policies to both. It would be more appropriate to have the more restrictive policies applying to the Green Belt and the less restrictive policies to the wider rural area. The following exceptions to the general presumption against development in the Green Belt and wider area should be included in the policy:</p> <ul style="list-style-type: none"> <li>○ Business tourism and leisure development requiring a rural location.</li> <li>○ The extension of existing building groups occupying countryside locations (minimum of three houses) by a maximum of 100% in any single local development plan period.</li> </ul> <p>Development plans should support more opportunities for small scale housing development in all rural areas as outlined in Scottish Planning Policy paragraph 94.</p> <p>180 - The policy should be revised to accord with paragraph 163 of the Scottish Planning Policy (SPP). The policy should state that recreational uses that are compatible with an agricultural or natural setting will be allowed in the green belt and rural area. While the policy intent behind the control of isolated and sporadic development is understood, in practice there may be a locational need, as is recognised in the policy, for individual developments which would create isolated and sporadic development. The policy should be amended to state that isolated and sporadic development will be resisted unless there is a clear locational need for a development on a particular site. From an outdoor sport</p>		

perspective, many forms of development will have a locational requirement related to the natural resource that the sport may be dependent on – for example a slipway, changing or boat storage facilities next to a river or loch. Policy 3 should accommodate such forms of development.

342, 363 - Disagree with this policy and would seek alterations including the term proportionate to the scale and built form of the settlement. Development which does not require to locate in the countryside will be expected to be accommodated within the settlements identified on the proposals map, other than in the following circumstance: bullet point i) this need requires to be fully developed and justified.

The statement " In the rural area limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement " This needs to be expanded upon as its open to interpretation and requires some sort of matrix or model as a guide to determine proportionate. Isolated and sporadic development will not be supported, this conflicts with the previous sentence.

The last paragraph states that "development proposals must also accord with other relevant policies and proposals in the development plan and other appropriate guidance. Should this not be further defined and related to percentages.

536 - It is unclear whether in defining the boundaries of its Green Belt the Council has paid regard to the stated purpose of Green Belt designations as is detailed within paragraph 159 of Scottish Planning Policy. Paragraph 3.15 should be amended to make clear the purpose of the Green Belt areas.

Supports: 291, 293 – Supports the proposed plan’s stance on rural development as this reflects national policy on the matter.

**Modifications sought by those submitting representations:**

42 - Include in the policy:

- o Business tourism and leisure development requiring a rural location.
- o The extension of existing building groups occupying countryside locations (minimum of three houses) by a maximum of 100% in any single local development plan period.

180 - The policy should state that recreational uses that are compatible with an agricultural or natural setting will be allowed in the green belt and rural area.

342, 363 - Disagree with this policy and would seek alterations including the term proportionate to the scale and built form of the settlement.

bullet point i) this need requires to be fully developed and justified.

The statement " In the rural area limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement " This needs to be expanded upon as its open to interpretation and requires some sort of matrix or model as a guide to determine proportionate.

Isolated and sporadic development will not be supported; this conflicts with the previous sentence.

The last paragraph states that "development proposals must also accord with other relevant policies and proposals in the development plan and other appropriate guidance. This should be further defined and related to percentages.

536 - Paragraph 3.15 should be amended to make clear the purpose of the Green Belt areas.

**Summary of responses (including reasons) by planning authority:**

Objects:

42 – Paragraph two of Policy 3 Green Belt and Rural Area includes specific policy guidance which sets out the less restrictive approach that will be taken in the rural area compared to the Green Belt.

With regard to business, tourism and leisure developments this is addressed in Policy 7 Employment which states that “the provision of good quality visitor attractions and accommodation will be supported based on the sustainable management and interpretation of the area’s natural, built and cultural resources”. This allows for appropriate development in both the Green Belt and the rural area.

The detailed approach to all types of housing in the Green Belt and rural area will be addressed in Supplementary Guidance.

No change proposed to the local development plan.

180 – Supplementary Guidance will address the issue of the types of use that are appropriate and acceptable in the Green Belt and the rural area. This will consider outdoor sport and recreation uses that are compatible with an agricultural or natural setting.

No change proposed to the local development plan.

342, 363 - The aim of the policy is to ensure that the green belt and rural area are protected and that small rural settlements are not subject of proposals which are clearly out of proportion in terms of size and scale. Developers should be aware that even within settlements a reasonable approach has to be taken to what is acceptable. Deleting “proportionate to the scale and built form of the settlement” would allow inappropriate development to be brought forward and the planning authority would have no policy basis to refuse such development. Further guidance will be provided in the Development management, Place Making and Design and the Green Belt and Rural Areas Supplementary Guidance documents.

No change proposed to the local development plan.

In response to the comment regarding bullet point i) specific locational requirement relates to a development which could not be located elsewhere within an authority area. Proposals of this type are rare but would always be accompanied with appropriate justification.

No change proposed to the local development plan.

Regarding isolated and sporadic development the statement in the policy does not conflict with the previous sentence. Isolated and sporadic development relates to housing or other forms of development that scattered and irregular, often detached from other properties whereas the policy refers to limited settlement expansion which is planned and managed. There is no conflict between the two statements in the policy.

No change proposed to the local development plan.

The objector raises an issue with the last paragraph of the Policy which states that "development proposals must also accord with other relevant polices and proposals in the development plan and other appropriate guidance" and asks should this not be further defined and related to percentages. It is not clear what this actually means but this particular sentence is used as a guide for all developers to consider all appropriate policies and proposals that may be of relevance to their particular site. I am unclear how that would relate to percentages.

No change proposed to the local development plan.

536 – Scottish Planning Policy sets out the purpose of the Green Belt designation and there is no need for the local development plan to repeat national policy, provided the Plan reflects its requirements. Consequently, although the local development plan does not specifically repeat the wording in national policy the matters listed in paragraph 159 in Scottish Planning Policy (Document G1) are clearly addressed throughout the plan in a number of different polices including Policy 1 Spatial Strategy, Policy 14 Green Network and Greenspace, Policy 15 Natural and Historic Environment and associated Supplementary Guidance.

No change proposed to the local development plan.

Support: 291, 293 – Supports Policy 3 Green Belt and Rural Area. This is noted and welcomed.

**Reporter’s conclusions:**

1. Policy 3 in the proposed plan states:

“Policy 3 Green Belt and Rural Area

The green belt and rural area functions primarily for agriculture, forestry, recreation and other uses appropriate to the countryside. Development which does not require to locate in the countryside will be expected to be accommodated in the settlements identified on the proposals map, other than in the following circumstances:

- (i) Where it is demonstrated that there is a specific locational requirement and established need for a proposal.
- (ii) The proposal involves the redevelopment of derelict or redundant land and buildings where significant environmental improvement can be shown.
- (iii) The proposal is for conversion of traditional buildings and those of a local vernacular.
- (iv) The proposal is for limited development within clearly identifiable infill, gap sites and existing building groups.
- (v) The proposal is for extension of existing premises or uses providing it is of a suitable scale and design. Any new built form should be ancillary to the main use.



...In the rural area limited expansion of an existing settlement may be appropriate where the proposal is proportionate to the scale and built form of the settlement, it is supportive of the sustainability of the settlement and a defensible boundary is maintained.

In both the green belt and rural area isolated and sporadic development will not be supported.

Development proposals must also accord with other relevant policies and proposals in the development plan and other supplementary guidance. Appropriate uses in the green belt and rural area are contained within supplementary guidance.”

Paragraph 3.15 deals with the green belt.

2. Adjustments are sought to Policy 4 which would: provide a more restrictive policy in the green belt than in the wider rural area; allow business tourism/leisure developments requiring a rural location, and extensions to existing building groups of 3 houses plus (a maximum of 100% in a plan period, in both the green belt and wider rural area); allow recreational uses that are compatible with an agricultural or natural setting in both areas, including isolated and sporadic development where there is a locational need; and alter the term “proportionate to the scale and built form of the settlement, further explain criterion (i), remove the conflict between the paragraphs dealing with isolated and sporadic development, and expansion of settlements, and define when a development meets other policies and proposals, and planning guidance. An adjustment is also sought to paragraph 3.15 which would make clear the purpose of the green belt (as set out in national guidance). The planning authority proposes no change to the plan.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP indicate that the purposes of the green belt are to direct planning growth to the most appropriate locations and support regeneration, to protect and enhance the character, landscape setting and identity of towns, and to protect and provide access to open space. They seek to promote a pattern of development in rural areas that is appropriate to its character and the challenges it faces, and to encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality. In the pressurised and accessible rural areas, they aim to protect against an unsustainable growth in long distance car based commuting and suburbanisation of the countryside.

4. Policy 3 deals with both the green belt and rural areas, setting out 5 circumstances where development not requiring a countryside location would be allowed, and where expansion of a settlement in the rural area may be appropriate. It does not support isolated or sporadic development. The supporting text indicates that the green belt is viewed as a national, strategic and local resource, and that in the remainder of South Lanarkshire, with its dispersed settlement pattern, pressure for housing development is high, particularly where there are reasonable road connections. Figure 3.1, which sets out the vision and spatial strategy in diagrammatic form, indicates that one of the objectives of the proposed plan is to support appropriate development in the green belt and countryside. In supporting the green belt and generally directing development not requiring a countryside location to settlements, policy 3 is consistent with the strategic development strategy of the Glasgow and Clyde Valley Strategic Development Plan.

5. Policy 3 treats the green belt and rural areas differently. It sets out a less restrictive approach in the rural area by allowing limited expansion of an existing settlement in certain circumstances. By not allowing this approach in the green belt, the policy provides more

clarity and certainty over where development can and cannot take place. As the rural area is identified in the supporting text as an area subject to pressure for housing development, I consider that the circumstances set out in the policy for allowing development in it are reasonable. This remains the case even though the same circumstances also apply to the green belt designated area. The greatest pressure for development in the countryside area of South Lanarkshire is in both the green belt and the more accessible rural areas. Purposes for the green belt are set out in the 2010 SPP, the draft 2013 SPP, and the 2014 SPP and there are green belt objectives in the strategic development plan. While these purposes and objectives are relevant, the proposed plan aspires to be concise, and I consider that there is no requirement or compelling need to repeat them in its text. Overall, the policy framework in the proposed plan seeks to reflect the underlying intention of the objectives, and this is sufficient.

6. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP recognise that certain types and scales of recreational development may be appropriate in a green belt. Policy 3 identifies recreation as one of the primary functions of the green belt and rural area. While it does not exclude recreational uses from either area or business tourism/leisure developments, both would have to be justified against the circumstances set out in the policy, and against other relevant policies and planning guidance. I believe that this is an appropriate approach. Business tourism/leisure proposals in these areas may get more specific policy support in other parts of the proposed plan, in particular, Policy 7 supports good quality visitor attractions and accommodation based on the sustainable management and interpretation of the area's natural, built, and cultural resources. Policy 3 does not require to be expanded to allow for recreational uses and/or business tourism/leisure developments.

7. The development of existing building groups in the green belt and rural area is allowed under Policy 3. It is inappropriate to set a precise percentage figure for extending a building group. I consider that the main thrust of the policy is reasonable, being for limited development within groups. If an extension can be justified, then its extent would depend on the circumstances of that particular case.

8. The planning authority indicates that further details on the approach to housing in the green belt and rural area, and on acceptable uses, will be provided in supplementary guidance. Policy 3 establishes the main principles for development in the green belt and rural area and, within this framework, I consider further more detailed policies can reasonably be set out in such guidance.

9. While circumstance (i) in Policy 3 is reasonably clear in its intention, the phrase "specific locational requirement" would benefit from some clarification. This can be achieved by defining it in the glossary as the requirement for a development to be at a particular location. There is no conflict in Policy 3 between the paragraph dealing with the expansion of an existing settlement, and the one referring to isolated and sporadic development, because the former is planned and managed and the latter unplanned, scattered and irregular. That part of the third last paragraph, which refers to the expansion of an existing settlement being proportionate to its scale and built form, requires no further explanation in the policy. The planning authority reasonably indicates that further details will be provided in supplementary guidance. Taking the terms of the policy as a whole, there is no need to indicate in the second last paragraph that sporadic and isolated development is acceptable if there is a clear locational need. The last paragraph in Policy 3, which requires proposed developments to accord with other relevant policies, proposals and supplementary guidance, is also sufficiently clear, and no further explanation in the

policy is required. It is unrealistic and inappropriate to expect proposed developments to meet a pre-determined percentage of policies and supplementary guidance prior to being considered and/or approved.

10. No adjustments are required to Policy 3 or the supporting text, but an adjustment is required to the glossary of terms of the proposed plan.

**Reporter's recommendations:**

Modify the local development plan by adding to the glossary of terms (Appendix 2) the following definition (*changes in italics*):

“Glossary of terms...

*...Specific locational requirement (Policy 3): the requirement for a development to be at a particular location...*”

<b>Issue ST5</b>	<b>Development Management and Place Making</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Strategy Policy 4 Development Management and Place Making Page 15	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>189 - Graham Cann 343 - Robert Freel 364 - Stonehouse Community Council 440 - RSPB Scotland 622 - The Coal Authority 635 - SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy 4 Development Management and Place Making aims to provide clear guidance on the criteria used to assess development proposals.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>189 - The wording of the policy is unclear and too broad. There needs to be more clarity as to what is meant by the term "significant" in sections i. and ii.</p> <p>343, 364 The use of wording "no significant adverse impacts" needs to be addressed in the local plan. On too many occasions the definition of significant adverse effects has been moved to suit the council's favoured developments. Significant adverse impacts/effects requires to be defined as well as the words appropriate.</p> <p>440 – Policy 4 (ii) - The criteria should be changed to refer to no significant adverse impacts on biodiversity.</p> <p>622 - Policy Omission - Development on Unstable Land. The Coal Authority is disappointed to note that the issue of unstable land has not been addressed in the LDP. South Lanarkshire Council should be aware of this locally distinctive issue, given the significant legacy of past coal mining activity present within South Lanarkshire. The Coal Authority worked with the Council's Development Management team to pilot the risk based approach to ensuring that land stability issues are addressed as part of planning applications, prior to it being implemented in late 2011 with all coalfield Scottish LPAs. The Council therefore has The Coal Authority's GIS data which illustrates the spatial extent of recorded coal mining legacy that poses a potential risk to the stability of new development.</p> <p>The Coal Authority previously tried to get the issue of unstable land acknowledged within the South Lanarkshire MLDP. However, the Reporter concluded in their Findings following the Public Examination that, whilst the issue of unstable land in South Lanarkshire needed to be addressed in local planning policy, the MLDP was not the appropriate place for it, as unstable land was an issue that influenced all development types and was not specific only</p>		

to minerals proposals. The South Lanarkshire LDP is therefore the appropriate document to address this issue.

The Coal Authority would therefore recommend that the Council either include a new policy in the LDP which addresses the topic of unstable land or that the scope of an existing policy, such as Policy 4: Development Management and Place Making, is expanded to encompass this issue in order to accord with the Reporter's Findings into the South Lanarkshire MLDP. If the Council chooses to amend Policy 4: Development Management and Place Making, then The Coal Authority would recommend inclusion of the following criterion:

*"viii. risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development."*

635 - In relation to 'air quality' recommend the inclusion of a statement which ensures that "Proposals will be assessed to ensure development does not adversely affect air quality in identified Air Quality Management Areas (AQMA's) or, by cumulative impacts, lead to the creation of further AQMA's in South Lanarkshire.

**Modifications sought by those submitting representations:**

189, 343, 364 – The wording in Policy 4 in relation to significant adverse impacts/effects requires to be defined as well as the words appropriate.

440- Amend criteria ii of Policy 4 to include no significant adverse impacts on biodiversity

622 – A new policy or inclusion of the following criterion in Policy 4:

*"viii. risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development."*

635 - Recommend the inclusion of a statement which ensures that "Proposals will be assessed to ensure development does not adversely affect air quality in identified Air Quality Management Areas (AQMA's) or, by cumulative impacts, lead to the creation of further AQMA's in South Lanarkshire".

**Summary of responses (including reasons) by planning authority:**

Objects:

The Council has considered the representations and would comment as follows:

189, 343, 364 – With regards to the issue of significant impact, in Scottish Planning law there is no formal definition of what constitutes "significant impact". Significance varies depending on the factors under consideration and the context in which the assessment is made.

The decision maker will take a balanced judgement based on a number of factors including, the scale and location of development, whether the effect is temporary or permanent, the degree of mitigation required and the likely impacts on social, economic and environmental factors. Any planning decision would also be based on the input of professional advice and comment with regard to the potential impact of a development,

from a number of bodies such as Scottish Natural Heritage, Historic Scotland and Scottish Environment Protection Agency. Assessment of whether a proposal is likely to have a significant impact is a matter for the decision maker to consider based on a professional assessment of the information available.

No change proposed to the local development plan.

440 – This representation seeks a minor wording amendment to criterion ii of Policy 4 to include the assessment of impact on biodiversity.

If minded to do so the Council invites the Reporter to include the word ‘biodiversity’ after ‘Natura 2000 sites’ in criterion ii of Policy 4.

622 – This representation seeks the inclusion of an additional criterion within Policy 4 to allow for the assessment of development on land affected by past mining activities.

If minded to do so the Council invites the Reporter to include the following additional criterion within Policy 4:

"viii. risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development."

635 - This representation seeks the inclusion of a statement which ensures that “proposals will be assessed to ensure development does not adversely affect air quality in identified Air Quality Management Areas (AQMA’s) or, by cumulative impacts, lead to the creation of further AQMA’s in South Lanarkshire”. Criterion ii of Policy 4 states that “the Council will ensure that there is no significant adverse impact on landscape character nor on amenity as a result of light, noise, odours, dust or particulates”. Thus the impact of a development proposal on air quality is clearly required to be assessed as part of Policy 4’s requirements. However further guidance and advice on the assessment of development proposals in relation to Air Quality Management Areas and that of cumulative impact will be provided within the Supplementary Guidance on Climate Change.

No change proposed to the local development plan.

**Reporter’s conclusions:**

1. Policy 4 in the proposed plan states:

“Policy 4 Development Management and Place Making

All development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate should include measures to enhance the environment as well as address the 6 qualities of place making (as detailed in Appendix 1 of Development Management, Place Making and Design Supplementary Guidance).

When assessing development proposals, the council will ensure that:

- (i) there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity;
- (ii) there is no significant adverse impact on landscape character, built heritage, habitats or

species including Natura 2000 sites and protected species nor on amenity as a result of light, noise, odours, dust or particulates;...

...(iv) the proposal includes appropriate integrated and accessible infrastructure, open space, green infrastructure and landscape provision;...

...(vi) the development does not result in any significant adverse impact on the water environment as required by the Water Framework Directive and related regulations and as appropriate, mitigation to minimise any adverse effects is provided; and

(vii) there are no significant adverse effects on air, water or soil quality and as appropriate, mitigation to minimise any adverse effects is provided..."

2. Adjustments are sought to Policy 4, which would: clarify and define the words "no significant adverse impacts", including in criteria (i) and (ii); add references to biodiversity at criterion (ii); address the topic of unstable land; and address air quality in Air Quality Management Areas. The planning authority proposes some changes to the plan, as set out below.

3. In general terms, the 2010 SPP, the draft 2013 SPP, and the 2014 SPP all recognise that development management has an important part to play in a planning system that strives to: support the creation of high quality, well designed, sustainable places; protect and enhance the built and natural environment; and support sustainable economic growth and the change to a low carbon economy. Policy 4 is a general policy, setting out factors to be taken into account in planning and designing new developments. It recognises the 6 qualities of positive placemaking. To the extent that the policy is supporting high quality development in appropriate, sustainable locations, it is consistent with the strategic vision and spatial development strategy of the Glasgow and Clyde Valley Strategic Development Plan.

4. The planning authority proposes 2 changes to Policy 4. One would allow for assessing the impact of a proposal on biodiversity, and the other would allow for assessing proposals on land affected by past mining activities. The changes would meet the terms of the representations, and are appropriate.

5. The impact of proposed developments on air quality is covered in general terms in 2 criteria ([iii] and [vii]) in Policy 4. However, there is no reference to impacts on air quality management areas, and these are important designations. The planning authority indicates that further guidance on assessing the impacts of proposals on these areas, including the need to prevent cumulative impacts leading to further designations in South Lanarkshire, will be covered in supplementary guidance. While this is a reasonable approach, I consider that it is appropriate to highlight in the policy that significant adverse effects should be avoided in particular in and around air quality management areas, and this can be achieved by referring to these areas in criterion (vii), as set out below.

6. The phrase "no significant adverse impact(s)" is used several times in the policy, including the introduction and criteria (i), (ii), (vi), and (vii). I consider that it is unnecessary and inappropriate to define it. Assessing whether a proposal would result in a significant adverse impact would be a matter of judgment, based on all the information the planning authority receives on the application. It is also impractical to define it as the policy is broad in nature, covering a number of issues.

7. Adjustments are required to the proposed plan as set out below.

**Reporter's recommendations:**

Modify the local development plan by adjusting the wording of Policy 4, and adding a new criterion, so that it reads, as follows (*changes in italics*):

“Policy 4 Development Management and Place Making

All development proposals will require to take account of and be integrated with the local context and built form. Development proposals should have no significant adverse impacts on the local community and where appropriate should include measures to enhance the environment as well as address the 6 qualities of place making (as detailed in Appendix 1 of Development Management, Place Making and Design Supplementary Guidance).

When assessing development proposals, the council will ensure that:

- i. there is no significant adverse impact on adjacent buildings or streetscape in terms of layout, scale, massing, design, external materials or amenity;
- ii. there is no significant adverse impact on landscape character, built heritage, habitats or species including Natura 2000 sites, *biodiversity* and protected species nor on amenity as a result of light, noise, odours, dust or particulates;...
- ...iv. the proposal includes appropriate integrated and accessible infrastructure, open space, green infrastructure and landscape provision;...
- ...vi. the development does not result in any significant adverse impact on the water environment as required by the Water Framework Directive and related regulations and as appropriate, mitigation to minimise any adverse effects is provided;
- vii. there are no significant adverse effects on air *quality (particularly in and around Air Quality Management Areas)*, or on water or soil quality and as appropriate, mitigation to minimise any adverse effects is provided; *and*
- viii. *risks to new development from unstable land resulting from past mining activities are fully assessed and, where necessary, mitigated prior to development...*”



<b>Issue ST6</b>	<b>Community Infrastructure Assessment</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Strategy, pages 16-17 Policy 5 - Community Infrastructure Assessment, page 16, paragraph 3.25	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>344 - Robert Freel 365 - Stonehouse Community Council 460 - ASDA Stores Ltd 628 - SPT</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy 5 aims to ensure that developers are aware that a contribution may be required if their proposed development requires capital or other works to enable the development to proceed.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>344, 365 – In paragraph 3.25 of the Proposed South Lanarkshire Local Development Plan (Document G38) it states that "the Council takes a reasonable and proportionate approach to the level of contribution expected and the timing of the funding". It is agreed that a contribution should be sought however the objectors do not agree with the policy in its current form. A definition of 'planning purpose' is required as well as of 'fairly and reasonably related in scale and kind to the proposed development.' The council should provide a matrix of when and why different types of endowments or bonds are used.</p> <p>460 – ASDA supports the role that developer contributions play in the planning system where they are justified, reasonable and in accordance with the tests set out in the new Circular 3/2012: Planning Obligations and Good Neighbour Agreements. ASDA notes that the Council have reflected these tests within this policy. The development sector has contributed to significant infrastructure delivery and ASDA considers that this is appropriate where contributions are sought to address the impacts of the proposed development. ASDA would recommend clarity in the supporting text to the policy in relation to the time frames in which monies should be spent. ASDA recommend that the Council ensure that such timescales are short-term in their nature. At present this can often be 5 or 10 years from the payment of the monies and there are concerns that this negates the relevance between the scheme and the associated facility or infrastructure. For example if a developer were required to contribute a certain amount towards a junction upgrade due to the impacts of their development, then it must be carried out by the Council in the short-term to ensure that the mitigation measures are acknowledged as being related to that development. ASDA has experience of the S75 process functioning quickly and effectively as a method of seeking developer contributions. ASDA would support the increased use of draft heads of terms for S75 agreements prior to committees to speed up the process post committee and to allow the decision notice to be issued in timely manner.</p>		

628 - Add "and bus services" to "capital or other works or facilities" to the wording of Policy 5. In mitigating the direct impact of some new developments and where identified in a transport assessment, it may be appropriate to provide financial support for new or re-routed bus.

**Modifications sought by those submitting representations:**

628 - Add "and bus services" to "capital or other works or facilities" to the wording of Policy 5.

**Summary of responses (including reasons) by planning authority:**

Objects:

344, 365 – Paragraph 3.25 sets out the background to the Council’s policy on Community Infrastructure Assessment. Policy 5 itself states that “in each case contributions must:

- i. serve a planning purpose;
- ii. be necessary to make the proposed development acceptable in planning terms;
- iii. be directly related to the proposed development;
- iv. be fairly and reasonably related in scale and kind to the proposed development; and
- v. be reasonable in all other aspects.

This provides a clear set of tests against which to assess the level and nature of the contributions needed. In terms of providing a matrix of when and why a Community Infrastructure Assessment would be required, Supplementary Guidance is being prepared on Community Infrastructure Assessment. This can provide detailed guidance on when and how contributions will be required.

No change proposed to the local development plan

460 – As stated above, the Council is preparing Supplementary Guidance on Community Infrastructure Assessment. The timing and nature of any financial contributions would be discussed and agreed with the applicant as part of any legal agreement. The Council will continue to use model legal agreements as part of the process of negotiating financial contributions.

No change proposed to the local development plan.

628 – Each planning application which is the subject of a Community Infrastructure Assessment will be considered on its individual merits and against the Development Plan. The facilities or services required therefore as a result of the proposal will vary in each situation. The planning application and Community Infrastructure Assessment processes would include consultation with statutory consultees in order to identify any direct impacts of the development which require to be addressed. This may include the provision of bus services.

No change proposed to the local development plan

**Reporter's conclusions:**

1. Policy 5 in the proposed plan states:

**“Policy 5 Community Infrastructure Provision**

Where development proposals would require capital or other works or facilities to enable the development to proceed, financial contributions towards their implementation will be required. These contributions will be appropriately assessed and developers will be required to ensure transparency in the financial viability of a development. In each case contributions must:

- (i) serve a planning purpose;
- (ii) be necessary to make the proposed development acceptable in planning terms;
- (iii) be directly related to the proposed development;
- (iv) be fairly and reasonably related in scale and kind to the proposed development; and
- (v) be reasonable in all other respects.

The council will either seek the direct provision of such works or facilities by developers or, in appropriate cases, a financial contribution from the developer to fund off site provision either by third parties or by the council itself...”

2. Adjustments are sought to the plan, which would: define “a planning purpose” (criterion [i]) and “fairly and reasonably related in scale and kind”(criterion [ii]); clarify in the supporting text the timeframes within which financial contributions should be spent, ensuring that they are short term; and add bus services to the capital, other works or facilities required to enable development to proceed. The planning authority proposes no change to the plan.

3. Circular 3/2012, Planning Obligations and Good Neighbour Agreements, sets out 5 policy tests that financial contributions from developers should meet. Policy 5 includes these tests. The proposed plan also sets out the contributions required towards affordable housing (Policy 13), the requirements, including contributions, for community growth areas, development framework sites and residential masterplan sites (Appendix 3), and the types of facilities and infrastructure requiring contributions in new housing developments (paragraph 5.16). The planning authority also proposes supplementary guidance on community infrastructure assessments which are intended to address the impacts of a development on an area. This guidance has not been placed before the examination.

4. Criteria (i) and (iv) of the policy are based on well established tests which are contained in Circular 3/2012. A more detailed explanation of the tests is provided in the circular. Whether a contribution serves a planning purpose or is fairly and reasonably related in scale and kind to a proposal is a matter of judgment, with guidance being provided by the development plan where the likely contributions are already known (eg at Appendix 3 where the requirements, including contributions, for certain proposals are set out). I consider that, in the interests of being concise, there is no need to repeat in the proposed plan the explanations provided of the tests in the circular.

5. The supporting text of the proposed plan indicates that the planning authority intends to take a reasonable and proportionate approach to the level of contribution and the timing of the funds. The failure to spend a financial contribution received from a developer, particularly in a short timeframe, does not necessarily mean that the contribution no longer

satisfies the tests in the circular. There may be good reasons why a contribution is not spent quickly, eg the complexity of bringing forward the proposals themselves and the works or facilities required, and a possible need to pool contributions in large scale combined developments which will be built over a lengthy period of time. I therefore consider that it is unwise and unnecessary to set short timeframes for the spending of contributions in the supporting text of Policy 5. The proposed plan sets out the broad principles of the planning authority's approach to contributions, and this is sufficient.

6. I also consider that it is unnecessary to make a specific reference to bus services in the policy. A financial contribution towards a new bus service could be made under the terms of the policy as it stands, provided the contribution satisfies the 5 criteria set out.

7. No adjustments are required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue ST7</b>	<b>General Urban/Settlements</b>	
<b>Development plan reference:</b>	Chapter 3: Vision and Strategy General Urban/Settlements Page 17	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>345 – Robert Freel 366 – Stonehouse Community Council 396 - Scottish Water</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to protect and enhance the character and amenity of the main urban areas and small settlements.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>345, 366 - The use of wording "no significant adverse impacts" needs to be addressed in the local plan. On too many occasions the definition of significant adverse effects has been moved to suit the council’s favoured developments.</p> <p>396 - In relation to bad neighbour developments, we would encourage the use of a buffer zone to help mitigate any future issues that may be caused by the proximity of a waste water treatment works to a development.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 345, 366 - With regards to the issue of significant impact, in Scottish Planning law there is no formal definition of what constitutes “significant impact”. Significance varies depending on the factors under consideration and the context in which the assessment is made.</p> <p>The decision maker will take a balanced judgement based on a number of factors including, the scale and location of development, whether the effect is temporary or permanent, the degree of mitigation required and the likely impacts on social, economic and environmental factors. Any planning decision would also be based on the input of professional advice and comment with regard to the potential impact of a development, from a number of bodies such as Scottish Natural Heritage, Historic Scotland and Scottish Environment Protection Agency. Assessment of whether a proposal is likely to have a significant impact is a matter for the decision maker to consider based on a professional assessment of the information available.</p> <p>No change proposed to the local development plan.</p>		

396 - In relation to developments that are proposed adjacent to existing 'bad neighbour' developments, the Council can ensure that appropriate mitigation measures are taken. Applying buffer zones to all 'bad neighbour' developments may be unduly restrictive and these proposals can be dealt with through the development management process, which can consider the detailed impact of specific proposals on a case by case basis.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Policy 6 of the proposed plan states:

"Policy 6 General Urban Area/Settlement

Within the urban areas and settlements identified on the proposals map, residential developments and those of an ancillary nature such as guest houses, children's nurseries, medical facilities, community uses, small scale retail or workshop units may be acceptable, provided they do not have a significant adverse effect on the amenity and character of the area. Developments, particularly 'bad neighbour' uses which by virtue of visual impact, noise, smell, air pollution, disturbance, traffic or public safety, will not be permitted if they are detrimental to the amenity of residents..."

2. Adjustments are sought to Policy 6, which would: define the phrase a "significant adverse effect"; and add buffer zones to help mitigate future problems that may be caused by siting development close to waste water treatment works. The planning authority proposes no change to the plan.

3. Policy 6 seeks to safeguard the character and amenity of urban areas and settlements and, as such, it contributes to creating and maintaining successful places in line with the thrust of the 2010 SPP, the draft 2013 SPP, and the 2014 SPP. The policy applies to areas within settlement boundaries where no specific policies or proposals apply.

4. I consider that it is unnecessary and inappropriate to define the phrase a "significant adverse effect." Assessing whether a proposal would result in a significant adverse effect would be a matter of judgment, based on all the information the planning authority receives on the application. It is also impractical to define it, as Policy 6 is a general one covering a number of different uses in built up areas.

5. It is also unnecessary to add buffer zones to help mitigate future problems that may be caused by siting development close to waste water treatment works. I consider that adding a buffer zone around such uses, and other existing bad neighbours, could unduly restrict possible development opportunities. The planning authority indicates that the assessment of a proposal through the development management process would take into account the effects of existing bad neighbour uses, and possible mitigation measures could be introduced. I believe that this is a reasonable approach.

6. No adjustments are required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue ST8</b>	<b>Employment</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration Policy 7 Employment Page 19	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Comment: 331 – New Lanark Trust</p> <p>Support:</p> <p>294 - The Glengeith Trust 346 - Robert Freel 367 - Stonehouse Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to provide a range and choice of employment sites and encourage appropriate employment uses across South Lanarkshire.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Comment:</p> <p>331 - Whilst the New Lanark Trust welcomes the acknowledgement of New Lanark as a World Heritage Site, it is worth noting the high number of domestic, international and day-trip visitors to the site which supports job growth in the tourism sector. It is essential the Council's policies and development plans are designed not only to protect and preserve, but also to promote this extremely valuable heritage asset. New Lanark significantly underperforms through lack of support from both local and national government. This support is needed in order to promote further growth.</p> <p>Support:</p> <p>294 - The Glengeith Trust supports the Council stance on rural employment opportunities as expressed through Local Development Plan Proposed Plan Policies 7 and 11.</p> <p>346, 367 - Agree with and support this policy.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>331 – This is noted. The local development plan can deal with the land use planning aspects of New Lanark but the promotion of this resource is outwith the remit of the local development plan.</p> <p>294, 346, 367 - The Council welcomes the support for this policy.</p>		

**Reporter's conclusions:**

1. Policy 7 of the proposed plan states:

“Policy 7 Employment

The council will support sustainable economic growth and regeneration by encouraging the development of business in South Lanarkshire through the identification of employment land use areas...

The provision of good quality visitor attractions and accommodation will be supported based on the sustainable management and interpretation of the area's natural, built and cultural resources...”

2. Adjustments are sought to the proposed plan which would: promote New Lanark, an extremely valuable heritage asset, and provide appropriate marketing and improved access infrastructure; and alter the number of world heritage sites stated as being in Scotland from 4 to 5. The planning authority proposes no change to the proposed plan.

3. Policy 7 deals with a wide range of economic activity, and includes support for good quality visitor attractions. It broadly reflects the thrust of the overall approach in the 2010 SPP, the draft 2013 SPP and the 2014 SPP to business, employment and economic development and, in particular, it recognises the economic opportunities provided by tourism.

4. At paragraph 4.6 of the proposed plan, reference is made to New Lanark, a world heritage site, which is identified as a major attraction for visitors, and Policy 15 indicates that the planning authority will seek to protect and preserve its outstanding universal value. The proposed plan therefore recognises this valuable asset. I consider that its international importance would be fully recognised in the proposed plan if a reference is made to the international visitors it attracts. At Issue ST17, the planning authority has indicated that the provision of an alternative access to New Lanark would require to be developer led, and it considers that this is unlikely to happen in the current economic climate. The planning authority has therefore already considered the issue of improving access to this attraction, and I consider that its view that this would be unlikely to be delivered in the short to medium term, is reasonable. Subject to the adjustment referred to, the proposed plan deals satisfactorily with New Lanark. The proposed plan is a statutory land use planning document, and it would be inappropriate to promote and market New Lanark through it in the manner requested.

5. A further minor correction is required to paragraph 4.6 by changing the number of world heritage sites in Scotland from 4 to 5. This adjustment is also requested as a “non notifiable technical wording amendment” by the planning authority at Issue ST26. While such amendments are not before the examination, this matter has been raised in a representation under this issue, and an adjustment can therefore be made.

6. Adjustments are required to the proposed plan as set out below.



**Reporter's recommendations:**

Modify the local development plan by adjusting the wording of paragraph 4.6, so that it reads (*changes in italics*):

"4.6 South Lanarkshire's location on the edge of the central belt and major north-south and east-west transport links and the high quality historic and natural environment gives the area a large potential tourist market, especially for short breaks and day visitors. South Lanarkshire also offers a wide variety of tourist and visitor attractions that contribute to the local economy by providing employment and generating expenditure on goods and services. In particular New Lanark, one of only *five* world heritage sites in Scotland, is a major attraction for visitors, *including international visitors.*"

<b>Issue ST9</b>	<b>Strategic and Town Centres</b>	
<b>Development plan reference:</b>	Chapter 4 Economy and Regeneration Policy 8 Strategic and Town Centres Page 21	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Comment:</p> <p>347 – Robert Freel 368 - Stonehouse Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	The aim of this policy is to safeguard and protect Strategic and Town Centres and to adopt a flexible approach that provides shopping facilities that meet consumer expectations of choice and quality.	
<b>Planning authority’s summary of the representation(s):</b>		
347, 368 – Establish a timeline for carrying out town centre health checks.		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>347, 368 – There are ten Strategic and Town Centres identified in the Local Development Plan. The timeline for undertaking Health Checks will be set out in the Supplementary Guidance for Retail Development.</p> <p>No change proposed to the local development plan.</p>		
<b>Reporter’s conclusions:</b>		
<p>1. Policy 8 of the proposed plan states:</p> <p>“Policy 8 Strategic and Town Centres</p> <p>Within the strategic town and town centres listed...the council will allow a mixture of uses compatible with their role as commercial and community focal points...</p> <p>...The council will endeavour to undertake health checks for each of the strategic and town centres and this work will be subject to stakeholder consultation...”</p> <p>2. An adjustment is sought to the proposed plan which would set out a “time line” for the strategic and town centre health checks. The planning authority proposes no change to the plan.</p>		

3. The use of town centre health checks is supported in the 2010 SPP, the draft 2013 SPP, the 2014 SPP and the Glasgow and Clyde Valley Strategic Development Plan. Health checks assess the strengths, vitality and viability, weaknesses and resilience of a town centre. They are important because they inform planning decisions on the management and improvement of town centres, including the preparation of town centre strategies. The 2014 SPP indicates that health checks should be regularly updated to monitor town centre performance, preferably every 2 years. In these circumstances, an appropriate policy commitment to undertaking the health checks is required in the proposed plan, and this can be achieved by deleting the words “endeavour to” from Policy 8, so that it reads as set out below. The proposed plan identifies 10 strategic and other town centres in South Lanarkshire. Policy 8 provides no timescales for undertaking health checks in these centres, but the planning authority indicates that they will be set out in supplementary guidance. If the principle of undertaking the checks is clearly established in the proposed plan, I consider this to be a reasonable approach.

4. An adjustment is required to the proposed plan.

**Reporter’s recommendations:**

Modify the local development plan by deleting the words “endeavour to” from Policy 8, so that it reads as follows:

“Policy 8 Strategic and Town Centres...

The council will undertake health checks for each of the strategic and town centres and this work will be subject to stakeholder consultation...”

<b>Issue ST10</b>	<b>Neighbourhood Centres</b>	
<b>Development plan reference:</b>	Chapter 4: Economy and Regeneration Policy 9 Neighbourhood Centres Page 22	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects: 600 – East Mains Community Council</p> <p>Comments:</p> <p>348 - Robert Freel 369 - Stonehouse Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy seeks to safeguard the role of neighbourhood centres in the provision of an appropriate mix of uses and that a retail element, able to serve the local community, is retained.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects: 600 - Object to the proposed Policy because the "Neighbourhood Centre" Policy 9 has been further weakened by the deletion of the "60%" rule currently adopted.</p> <p>Comment: 348, 369 - A retail element should not be retained to the detriment of the area where previous problems have been recorded. Areas 15a &amp; b (Stonehouse) should be subject to further discussion as these were only added to the local plan at a late stage.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects: 600 – It is recognised that neighbourhood centres across South Lanarkshire have a role to play in providing a provision of retail uses for the local community; however other services are required within these centres including hairdressers, dentists, etc. A more flexible approach therefore has been identified to encourage appropriate occupiers into vacant units and ensure the continuing provision of an appropriate mix and range facilities for the community, thus encouraging the continued use of these centres.</p> <p>No change proposed to the local development plan.</p> <p>Comment: 348, 369 – It is considered that a retail element should be retained within neighbourhood centres to serve local community needs. Any future proposals for change of use in neighbourhood's centres will be assessed against the policy with a view to ensuring that there is an appropriate mix of uses. The neighbourhood boundary for Stonehouse (areas 15a &amp; 15b) has been reduced to reflect the current position and the extent of the retail area. The proposal for Stonehouse is part of the proposed plan which was subject to public consultation between May and June 2013.</p>		

**Reporter's conclusions:**

1. Policy 9 of the proposed plan states:

“Policy 9 Neighbourhood Centres

Any proposals for changes of use will be assessed with regard to the need to have an appropriate mix of uses. A retail element should be retained to serve the needs of the local community...”

2. An adjustment is sought to Policy 9 which would insert a requirement that changes of use would not be supported if the representation of retail units in neighbourhood centres falls below 60%. Some concern was also expressed about the reduction in size of Stonehouse Neighbourhood Centre. The planning authority proposes no change to the plan.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP indicate that development plans should identify a network of centres, which would comprise town centres, local centres, and commercial centres. Neighbourhood centres would be included under local centres. Policy 9 has dropped the provision in the adopted local plan (Policy COM6), which indicates that changes of use will not be supported in village and neighbourhood centres if the representation of retail units is below 60%. The supporting text of the proposed plan recognises that such centres typically provide a range of retail uses, and that they may also contain other services useful to local communities. Policy 9 seeks to retain a retail element in neighbourhood centres, but it adopts a more flexible approach than the previous policy by not imposing a precise percentage figure for the representation of retail units. It allows each development proposal to be assessed against the impact it would have on the role and function of a particular centre. The planning authority's explanation that this approach aims to encourage appropriate occupiers into vacant units, and ensure the continuing provision of a suitable mix and range of facilities for the community provides a reasonable justification for the policy in its proposed form. In the circumstances, I consider that the policy is appropriate and acceptable.

4. A representation sought further discussion on the reduction in size of Stonehouse Neighbourhood Centre, because it was claimed that this change was introduced to the proposed plan at a late stage. The planning authority indicates that this was included in the proposed plan when it was subject to public consultation between May and June 2013, and that the reduced size reflects the current position and extent of the retail area. The centre has been reduced in size, along with some other centres, but the revised boundaries seem to reasonably reflect its current extent. I therefore do not consider that the change is inappropriate. At Issue ST25, the planning authority has withdrawn its statement that it had reconsidered its position and now wished to increase the size of the neighbourhood centre.

5. No adjustment is required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue ST11</b>	<b>New Retail/Commercial Proposals</b>	
<b>Development plan reference:</b>	Chapter 4: Economy and Regeneration Paragraph 4.17 Policy 10 New Retail/Commercial Proposals Page 23	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>199 - James Barr Ltd 349 - Robert Freel 370 - Stonehouse Community Council 590 - ASDA Stores Ltd</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy considers any proposals that come forward for retail or commercial development and the impact this will have on existing centres.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>199 - This objection relates to Policy 10 in the LDP, paragraph 4.17 and the glossary of terms. SPP requires out of centre proposals to consider town centres, then edge of town centre sites and then other commercial centres.</p> <p>1. Clarification should be given to what is meant by town centre and Appendix 2 Glossary of Terms should include a definition for town centres.</p> <p>2. The proposed LDP also appears to contradict SPP and Policy 10 (i) at paragraph 4.17 as it states that proposals at out of centre locations would require to consider both town centres and local and neighbourhood centres to satisfy Policy 10. Given there are no local centres identified in the LDP and neighbourhood centres do not have the same status as town centres, and therefore do not require to be considered in advance of out of centre proposals, the wording of paragraph 4.17 should be removed or modified to ensure consistency with the sequential approach in SPP.</p> <p>349, 370 - Bullet point ii) of Policy 10 needs to be expanded and detailed how this would be assessed.</p> <p>590 - Paragraph 65 of the SPP clearly states that the threshold for requiring a retail assessment - whether for comparison or convenience floorspace proposals - is over 2,500 sq m gross. Proposed LDP Policy 10, as currently worded, is contrary to the SPP. While it is acknowledged that Paragraph 65 allows for circumstances in which smaller developments might require to be accompanied by a retail assessment, there is no sound basis for a policy within the LDP requiring retail assessments on all convenience proposals over 1,000 sq m gross floorspace as a matter of course. The wording of Policy 10 should be amended to properly reflect the SPP.</p>		

**Modifications sought by those submitting representations:**

199 – Add a definition of town centre to Appendix 2 Glossary of Terms and at paragraph 4.17 remove reference to local/ neighbourhood centres

349, 370 – Expand Bullet point ii) of Policy 10 to provide more detail on how this would be assessed.

590 - At Policy 10 delete wording requiring retail assessment on convenience proposals of 1,000 sq m gross or less; amend wording to state that retail assessment required for comparison or convenience development proposals over 2,500 sq m gross.

**Summary of responses (including reasons) by planning authority:**

Objects:

199 – The Council would respond to the representation as follows:

1. Town centres are listed in Table 4.2 and neighbourhood centres are listed in Table 4.4 of the South Lanarkshire Local Development Plan (SLLDP). It is considered that no definition of town centre needs to be added to Appendix 2 Glossary of terms.

No change proposed to the local development plan.

2. With regard to the reference to local and neighbourhood centres within Paragraph 4.17 the Council is content to make an amendment to this wording.

If minded to do so the Council invites the Reporter to remove the “and/or local and neighbourhood centres” and insert “, edge of centre and other commercial centres” in paragraph 4.17.

349, 370 – Bullet point ii) refers to the assessment of the proposal on the vitality and viability of the strategic and town centres and/or neighbourhood centres. Further detail will be provided in the Industrial, Commercial and Retail Supplementary Guidance. No change proposed to the local development plan.

590 – Policy 10 is in accordance with SPP and requires that a retail impact analysis should be undertaken where retail/commercial development proposals are over 2,500 sqm (gross). SPP states that an impact analysis may also be necessary for smaller retail and leisure proposals which may have a significant impact on vitality and viability. The South Lanarkshire Local Development Plan Monitoring Statement (Document G36) documents retail proposals within the Local Plan period 2007 – 2011. This demonstrates that seven out-of-centre convenience retail proposals are below 2,500sqm. The incremental impact of out-of-centre convenience retail proposals of below 2,500sqm could be detrimental to the network of centres in South Lanarkshire. The demand for convenience retailing proposals continues to grow and in order to fully and meaningfully assess their impact on the Council’s network of centres it is therefore considered that a retail impact analysis is also required to support applications for proposals of 1,000sqm gross floorspace or more. The Industrial, Commercial and Retail Supplementary Guidance will provide further guidance on retail impact analysis and town centre and neighbourhood centre profiles.

No change proposed to the local development plan.

**Reporter's conclusions:**

1. Policy 10 of the proposed plan states:

“Policy 10 New Retail/Commercial Proposals

Any proposals for retail or commercial development will be assessed against the following criteria and must:

- (i) follow the sequential approach as set out in the SPP;
- (ii) not undermine the vitality and viability of the strategic and town centres and/or neighbourhood centres;
- (iii) be supported by the area's catchment population...

...Major development proposals over 2500 square metres (gross) comparison floorspace, 1000 square metres (gross) convenience floorspace, should be accompanied by a retail assessment...

...In particular locations, for example, neighbourhood centres, a retail assessment may also be required for developments less than 1000 square metres (gross) floorspace...”

2. Adjustments are sought to the proposed plan, which would: add a definition of town centre to the glossary of terms, and change the wording of paragraph 4.17 to ensure that the approach to the sequential test is consistent with the approach outlined in the SPP; expand on criterion (ii), and explain how vitality and viability would be assessed; and adjust the limit for a retail assessment of a convenience store proposal from 1000 to 2500 square metres (gross). The planning authority proposes some changes as set out below.

3. The 2010 SPP defines town centres, and the draft 2013 SPP and the 2014 SPP identify the characteristics they display. They all set out the sequential approach to selecting locations for retail developments and other developments. They refer to vitality and viability. The 2010 SPP set out what vitality and viability means, and highlighted examples of indicators. The draft 2013 SPP and the 2014 SPP include these indicators as a part of town centre health checks. The 3 documents also give a threshold for requesting a retail impact analysis, and explain that an analysis may be requested for smaller proposals which may have a significant impact on vitality and viability. The Glasgow and Clyde Valley Strategic Development Plan identifies 3 strategic centres in South Lanarkshire, and schedule 12 defines their current planning status/dominant roles and function as town centres. The proposed plan refers to the 3 strategic centres.

4. Paragraphs 4.10-.13 of the proposed plan deal with strategic and town centres, and table 4.2 shows 7 town centres in addition to the strategic centres. Table 4.3 clearly indicates that the strategic centres function as town centres. The proposed plan therefore identifies 10 town centres. Criterion (i) indicates that assessments must follow the sequential approach in the SPP, which requires locations to be considered in the order of town centre, edge of town centre, other commercial centres, and out of centre locations. Paragraph 4.17 is confusing because when referring to the sequential approach, it incorrectly mentions local and neighbourhood centres. The planning authority proposes to correct this by setting out the locations for the sequential approach as they appear in the 2010 SPP, the draft 2013 SPP, and the 2014 SPP. Taking this change, together with the fact that the proposed plan clearly identifies the town centres in South Lanarkshire, I consider that is unnecessary to provide a definition of a town centre in the glossary to



support criterion (i), other elements of the policy, and the supporting text. It is also unnecessary to state that town centres do not include neighbourhood centres. Neighbourhood centres are listed in their own table (Table 4.4), and are dealt with mainly in their own subsection and policy. While they are referred to in policy 10 and the supporting text, the terms of the proposed change to paragraph 4.17 means that there is no suggestion that they would be treated as town centres.

5. The planning authority indicates that the reference in criterion (ii) to assessing the impact of a proposal on the vitality and viability of existing centres will be explained more fully in supplementary guidance (which has not been lodged as a document for the examination). Criterion (ii) establishes the principle of doing such an assessment. Given this, I believe that it is reasonable to set out in supplementary guidance a more detailed explanation of what the assessment would involve.

6. Policy 10 requires retail assessments for all convenience stores of over 1000 square metres gross floorspace, and it may require assessments in particular locations, eg neighbourhood centres, for developments of less than 1000 square metres gross floorspace. The 2010 SPP, the draft 2013 SPP and the 2014 SPP all indicate that a retail impact analysis is required where a retail and leisure development over 2500 square metres gross floorspace is proposed outwith a town centre, contrary to the development plan. However, they all accept that a retail impact analysis may also be necessary for smaller developments which may have a significant impact on vitality and viability. The planning authority believes that the thresholds set in Policy 10 should be retained because the demand for convenience retailing continues to grow, and the lower threshold for convenience retailing allows a meaningful assessment of the impact of a proposal on the network of centres. I consider that this is a reasonable justification for having a lower floorspace threshold for convenience store proposals, particularly when it is taken together with the potential for cumulative impacts and the trend identified in the proposed plan, towards proposals for smaller convenience stores rather than supermarkets. I also consider that it is reasonable to make clear in the policy that retail assessments may be required for developments of less than 1000 square metres gross floorspace in locations such as neighbourhood centres because such centres have an important role in local communities. The approach in the policy is not out of line with national guidance because it is accepted that a retail impact analysis may be necessary for developments of less than 2500 square metres gross floorspace. It is unnecessary to change the thresholds in the policy.

7. An adjustment is required to the policy as set out below.

**Reporter’s recommendations:**

Modify the local development plan by adjusting the wording of paragraph 4.17, so that it reads as follows (*changes in italics*):

“4.17 There is continued interest in retail and commercial development. The retail development market is changing with a move towards a focus on convenience goods. As a consequence the format of proposed stores is reducing in size from a supermarket format (approximately 9000 square metres gross and above) to smaller convenience stores ranging from 5000 square metres to 1000 square metres gross. Proposals of this nature can often look to out of centre locations. *However, an alternative such as this will only be considered once strategic and other town centre locations, edge of strategic and edge of other town centre locations, and other commercial centre locations have been assessed*

*through the sequential approach outlined in Policy 10. Policy 10 also requires that developers must assess the impact of the proposal on the vitality and viability of the strategic and town centres and neighbourhood centres and demonstrate that there will be no unacceptable cumulative impacts...*

<b>Issue ST12</b>	<b>Economic Development and Regeneration</b>	
<b>Development plan reference:</b>	Chapter 4: Economy and Regeneration Policy 11 Economic Development and Regeneration Page 25	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Comment: 528 – RES UK and Ireland Ltd</p> <p>Support:</p> <p>295 - The Glengeith Trust 350 - Robert Freel 371 - Stonehouse Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to maximise economic development and regeneration particularly through the projects included as development priorities.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Comment: 528 - Renewable energy development can help sustain and diversify neighbourhoods, villages, towns, cities and the countryside through investment from renewable energy related infrastructure.</p> <p>At a macro level, the area covered by the LDP should seek to attract inward investment from renewable energy projects. Analysis on figures produced by the Department of Energy and Climate Change (DECC, 2013) shows that investment in Scotland's renewable energy industry topped £1.5 billion in 2012, reaching over £1bn in Scotland in one year for the first time in the industry's history.</p> <p>At a micro level, such benefits as rental payments to farmers and landowners, local taxes, infrastructure improvements, habitat enhancement and management schemes; tourism and recreation; discounted electricity bills; and community funds and sponsorship provide numerous opportunities to better the places we live in and help to finance local projects. These would all <i>'positively contribute to the local economy'</i> as outlined in Policy 11.</p> <p>Support: 295 - The Glengeith Trust supports the Councils stance on rural employment opportunities as expressed through Local Development Plan Proposed Plan Policies 7 and 11.</p> <p>350, 371 - Agree with and support this policy.</p>		
<b>Modifications sought by those submitting representations:</b>		

**Summary of responses (including reasons) by planning authority:**

Comment: 528 – The Council agrees that the renewable energy sector has a major role to play in economic growth and will continue to work with developers to deliver appropriate renewable energy projects.

Support: 295, 350, 371 - The Council welcomes the support for this policy.

**Reporter’s conclusions:**

1. Policy 11 of the proposed plan states:

“Policy 11 Economic Development and Regeneration

The council will support activities that maximise economic development and regeneration particularly through implementation of the policies in this plan and the proposals listed in Appendix 3. Priority will be given to development proposals that deliver physical and community regeneration and positively contribute to the local economy.”

2. Comments are made that highlight the investment arising from renewable energy projects, and the contribution that they make to the local economy in accordance with Policy 11. This is a general economic policy dealing with economic activity and regeneration across South Lanarkshire. Renewable energy is dealt with in the infrastructure section of the proposed plan, and is referred to in other parts. While I recognise the economic benefits of renewable energy, I do not believe that there is a need to make a specific reference to them in Policy 11 or its supporting text.

3. No adjustment is required to the proposed plan.

**Reporter’s recommendations:**

No modifications.

<b>Issue ST13</b>	<b>Housing Land</b>	
<b>Development plan reference:</b>	Chapter 5: People and Places Policy 12 Housing Land Figure 5.1, Page 27	<b>Reporter:</b> David Liddell
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>15 - Halley, Jackson and Munro Family                  245 - Mr and Mrs Marr                  335 - Alistair Stewart                  338 - Jackton and Thorntonhall Community Council                  447 - Hamilton Golf Club                  467, 469 - Persimmon Homes                  497 - Homes for Scotland                  560 - Hamilton and Kinneil Estates                  586 - D W Leggat                  620 - Ashfield Land                  632 - The Glengeith Trust</p> <p>Comment: 398 - Scottish Water</p> <p>Support:</p> <p>351 - Robert Freel                  372 - Stonehouse Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to ensure an effective five year housing land supply at all times.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>15 - Request that the final sentence relating to the guidance be expanded to include a reference to the adopted Masterplan Development Frameworks where appropriate. Change the final sentence of Policy 12 to read "Any development proposals must accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance, <u>and where appropriate the adopted Masterplan Development Framework</u>".</p> <p>245, 335, 338 - Opposes the proposal to Add 2,837 Additional Units to the Existing Established Land Supply. The established land supply for South Lanarkshire that was used in calculating Schedules 8 and 9 of the Strategic Development Plan (SDP) was based on an aggregate Housing Land Audit and Urban Capacity Study supply of 18,332 units. Table 7 of the LDP's Housing Technical Report shows that South Lanarkshire's established land supply alone was 21,626 units in 2009 (the base year for the SDP's calculations) to which must be added 3,205 units from the Urban Capacity Study making a total of 24,831</p>		

units. It appears that South Lanarkshire's private sector housing capacity at 2009 was under-reported to the SDP by around 6,500 units. The modest local surpluses for each of the Housing Market Areas, to which South Lanarkshire contributes, and which are shown in Schedules 8 and 9 of the SDP should be substantially greater.

There is no justification arising from the SDP for additional units to be added to the existing supply. The only justification for adding further land to the established land supply would be if the latter did not contain sufficient land capable of becoming effective, if demand were to increase to levels projected in the SDP.

Expected demand for private sector housing over the forecast period will come to an overwhelming extent (90%) from growth in households containing only a single adult and in the majority of cases this adult will be aged 60 or over (source: SDP Technical Report BR10 – Tables A5 and A12). Such households, on average, are among the least affluent private sector households, likely to be more reliant on public transport, likely to require access to medical and welfare facilities and unlikely to be able to afford medium or high priced housing. This clearly indicates that there will be relatively strong demand for lower-priced high density housing with a bias towards urban situations.

Examining the shape of the 2012 established land supply, reveals that the average density is 19.5 units per hectare. Only 10% (by area) of the land supply is shown as having the potential to support density of 30 or more units per hectare – the type of density that will be required for the expected pattern of private sector demand and/or contribute low cost housing with the capacity to help to alleviate the shortage of social housing. There is considerable scope to boost the effective capacity of the existing supply by raising density assumptions to a level consistent with the expected pattern of demand. The proposed additions being brought forward in the LDP have aggregate indicative density of 16.5 units per hectare – significantly lower even than the existing supply and so entirely inappropriate.

Figure 5.1 of the LDP seeks to show private housing land supply and demand schematically. Item 10 of the diagram assumes that only 60% of non-effective land in the established land supply will be capable of becoming effective before 2025. Much of the non-effective supply was, however, considered to be effective as recently as 2008 (see Housing Technical Paper – Table 7). Furthermore, the effective sites are shown in the HLA to have post-seven year capacity of over 11,000 units; it would be extraordinary if this capacity were not to become effective at some point before 2025.

Taking a conservative estimate of 11,000 non-effective sites becoming effective together with 50% of Urban Capacity gives a total of 12,000 units to be added to the effective supply before 2025 giving a surplus of over 4,000 units at that date compared to 1,745 units in box 11 of the diagram.

If the established land supply contains sites that are incapable of being developed they should be removed. To avoid land hoarding any additions to the established land supply should only be considered if an equivalent or greater amount of land of a similar classification (for example, greenfield) is simultaneously released.

There are four main reasons why the Councils approach to housing land is or may be damaging:

1. Adding more housing land to an already generous supply will force down the price of housing land. This will be damaging to developers who will be forced to write down the

value of their land bank and who might become insolvent or face a struggle to roll-over bank debt.

2. Holding excessive land for housing means that it will not be used productively for other purposes.
3. Residents of settlements whose characters or existence would be altered significantly by major housing developments may face years of needless uncertainty.
4. Adding further greenfield land to the established supply will reduce the likelihood that brownfield sites will be regenerated or will delay regeneration needlessly.

The projections for household growth contained in the SDP are based on a combination of relatively high immigration and diminishing household sizes that is improbable. There is a high probability that household growth will be lower than projected and an almost infinitely small probability that it will be higher than projected.

447, 467, 497, 560, 586, 620, 632 – These objections all relate to an issue regarding housing land supply. However some of representations have included a table which was based on figures initially produced by Homes for Scotland and then copied by their members. Due to a technical error in the first submission from Homes for Scotland the numbers have been revised, by Homes for Scotland. For the purposes of clarity only Homes for Scotland's representation is included in this summary accompanied by their corrected and revised figures.

In the Glasgow and Clyde Valley Strategic Development Plan (SDP) there is a total housing land requirement of 32,900 homes (private and affordable housing) to 2025. This equates to an annual housing land requirement of 1,935 homes.

The Council stated that they do not intend to meet the housing land requirement through release of land for new build housing. Table 14: *Private Housing Land Supply and Demand* of the Housing Technical Paper identifies the past housing completions from 2009 to 2012 (2,138 homes), the effective land supply from 2012 to 2020 (5,148 homes) and the contribution made by urban capacity sites from 2016 to 2020 (595 homes). In total, the potential effective land supply from 2009 to 2020 is 7,881 homes.

When set against the housing land requirement for private housing (15,800 homes) from the SDP, the housing land shortfall is anticipated to be 7,919 homes by 2020. The Council intends to allocate only 2,837 homes over this period. These allocations will also include a proportion of affordable homes (circa 25%).

Using South Lanarkshire Council Local Housing Strategy Targets and assuming 800 homes per annum are built for the period 2009 to 2012, as set out in Table 10: *Effective Private Sector Land Supply and LHS Target* of the Housing Technical Paper, this would equate to a housing land requirement for private housing of 11,800 homes over the equivalent period (2009 to 2020). The emerging housing land shortfall from an effective land supply of 7,881 homes is 3,919 homes. The Council has not allocated a generous land supply land to meet this housing supply target.

Some sites may come forward from the non-effective supply, South Lanarkshire Council have not provided any justification to the number of units which they foresee emerging which will have an influence on the effective supply. At present, the sites which are non-

effective have justification for being so, whether due to ownership issues, physical constraints (for example, access or ground conditions) or for reasons of financial viability.

The Council's proposed development strategy to allocate only 2,837 homes in the Proposed South Lanarkshire Local Development Plan will not meet either of its housing land requirements (GCV SDP or Local Housing Strategy) nor will it maintain a 5 year effective housing land supply at all times which is a requirement of SPP. A further review to address the actual housing land shortfall across South Lanarkshire is required by the Council in order to identify sites capable of being effective during the period of the LDP to 2020, as a minimum, in accordance with PAN 2/2010. Release of further sites for private development would also assist in dealing with the identified need for affordable housing within South Lanarkshire.

469 - Para 5.17 should be reworded to remove reference to "*in appropriate locations*" as a five year effective supply of residential land should always be maintained regardless of the location of potential sites. Sites should be assessed against the five points contained within PAN 2/2010.

Comment:

398 - Scottish Water is funded to provide for growth of Part 4 assets, which are the Water Treatment Works and Waste Water Treatment Works. Developers meet the cost of Parts 2 and 3, and these costs are subject to a Reasonable Cost Contribution from Scottish Water. The Part 1 assets are funded solely by the Developer. For new developments, Scottish Water recommends early engagement to discuss the requirements of a new development; therefore any issues that may arise can be addressed as early as possible.

Support: 351, 372 - Agree with and support this policy.

**Modifications sought by those submitting representations:**

15 - Change the final sentence of Policy 12 to read "Any development proposals must accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance, and where appropriate the adopted Masterplan Development Framework".

245, 335, 338 - Delete Residential Masterplan Sites from Table 3.1. Delete "and identified on the proposals map" from the end of the first paragraph of Policy 12

467 - Policy 12 – Housing Land should have an additional sentence:

"Where a shortfall in the effective five year land supply emerges, actions should be taken to rectify this by approving appropriate planning applications on unallocated sites"

469 - Para 5.17 should be reworded to remove reference to "*in appropriate locations*"

**Summary of responses (including reasons) by planning authority:**

Objects:

15 - This representation requests wording changes to include Masterplan Development Frameworks in the wording of Policy 12, as part of the other relevant policies and proposals



to be complied with in the Development Plan. These frameworks were produced as part of the adopted South Lanarkshire Local Plan 2009 (Document G38). The proposed local development plan includes a reference to the adopted local plan at paragraph 2.20 and that this will remain in force until such times as the South Lanarkshire Local Development Plan is adopted. In addition the community growth areas are included in Appendix 3 and the masterplan requirements are listed. These have been extracted from the approved masterplan development frameworks. It should also be noted that the masterplan development frameworks are a guide as to what is expected to be developed in the community growth areas but are open to interpretation and amendment. Any developer would have to take account of factors such as the current state of the economy, further information obtained regarding issues such as land stability, flooding, wildlife, mix of house types and tenure before submitting a plan for the area. It is inappropriate therefore to include a reference to masterplan development frameworks in Policy 12.

No change proposed to the local development plan.

245, 335, 338 – These objections relate to issues previously raised, during the preparation and consideration of the current South Lanarkshire Local Plan, regarding the need for the release of sites for housing development in South Lanarkshire and in particular the need for the Community Growth Area identified in East Kilbride. A similar objection was subject of a hearing at the previous local plan inquiry (Document G54). This was part of the strategy section dealing with Community Growth Areas and the Reporter concluded that “the scale of Greenfield release was consistent with the requirements of the Structure Plan, and the increased capacity of the existing land supply will provide additional flexibility and choice”. A subsequent representation was made to the Housing Need and Demand Assessment (HNDA) (Document G7) produced to inform the preparation of the Glasgow and the Clyde Valley Strategic Development Plan (Document G6). The Reporter concluded that “local development plans will have to address the need for new sites to be allocated..... This is likely to include new sites which have been identified through the urban capacity studies, but also others which emerge in the course of the preparation of the local development plans. Each will require to be the subject of the strategic environmental assessment process, but also tested in relation to deliverability so as to confirm that it is likely to become effective during the relevant plan period”. (Document G8).

In addition the representations therefore question the validity of the approach taken in the HNDA specifically with regard to densities, urban capacities and effectiveness of stock. Matters specifically relevant to the preparation of both the Council’s Local Housing Strategy and the Proposed Local Development Plan. The HNDA and its underlying assumptions, however, had to be submitted to the Centre for Housing Market Analysis (CHMA) in 2011 for scrutiny and assessment. Following this exercise the HNDA was found, by the CHMA, to be robust and credible. In its letter (Document G9) to the Glasgow and the Clyde Valley Strategic Development Planning Authority the CHMA confirmed that:

“the process and methodology used to produce the Glasgow and the Clyde Valley’s HNDA is robust and credible. Should the credibility of the HNDA process or methodology be challenged during consultation on the Development Plan it should be ensured that this appraisal is drawn to the attention of the Directorate for Planning and Environmental Appeals at the point that the Development Plan is submitted to Scottish Ministers for examination.”

Taking account of the above, and in view of the clearly expressed views of the CHMA on both the process and methodology adopted in the preparation of the HNDA the

representations made questioning its methodology and assumptions cannot be sustained.

The objection to this local development plan reiterates previous objections made to the South Lanarkshire Local Plan and the Glasgow and the Clyde Valley Strategic Development Plan. These suggest that the assumptions made regarding the number of units that will be built are based on flawed density calculations, overestimations in urban capacity, and unrealistic assumptions being made about the number of non-effective sites. These have been cited as factors which contribute to the inaccuracies in the Housing Technical Report.

The argument made is flawed and based on the premise that as the Council's assumptions are wrong there will be a huge surplus of housing built in the area thus negating the need for the release of further sites; and consequently some of the existing sites in the housing land audit should be deleted.

This objection has been raised and dismissed on a number of occasions. The Council, however, is content that the numbers used and the calculations described in the Housing Technical Report provide the best indication of the position regarding the supply of, and need, for housing land in South Lanarkshire. The assumptions used and the sites proposed have been carefully and explicitly considered and a detailed analysis of the housing land system in South Lanarkshire has been carried out which has led to the production of the Housing Technical Report, and in particular Figure 5.1 the Local Development Plan. This describes the numbers and assumptions used in all parts of the housing land calculation and includes narrative as to how and why each of these assumptions were made. This was based on a carefully considered assessment and analysis of the housing land process in South Lanarkshire and an understanding of each site in South Lanarkshire and their current status.

In addition all of the identified CGA's (including East Kilbride) are an integral part of the Strategic Development Plan and factored into future housing need and demand calculations across the conurbation.

No issues have been raised by previous Reporters that suggest that the Council have erred in any way when assessing housing sites. The Council is content therefore that the numbers used in the HNDA and the Housing Technical Report are correct and fully justify its position regarding the need for housing land.

No change proposed to the local development plan.

447, 467, 497, 560, 586, 620, 632 – The Council is satisfied that it has a sufficient, effective five year land supply to meet the needs of both the house building sector and the requirements of the Glasgow and the Clyde Valley Strategic Development Plan (Document G7) and the South Lanarkshire Local Housing Strategy (Document G19). This is explained fully in the Housing Technical Report (Document G27).

The objectors are concerned that insufficient land has been allocated to meet the numbers set out in the strategic development plan, however paragraph 3.17 of the Housing Technical Report explains the Council's position:

“South Lanarkshire Council (SLC) do not intend to meet the all tenure requirement through release of land for new build housing since it is unlikely that further large scale release would be able to be developed given the current economic conditions and the lack of

available funding to either purchase private housing or to develop affordable housing. The SDP criteria (GCVSDP Section 4.86a) can be used to demonstrate how SLC will meet the requirement”.

The GCV HNDA identified an all tenure housing requirement which the Council and partners are unable to realistically meet. This has been detailed in the Local Housing Strategy and the Housing Technical Report and as set out above, has set a challenging yet achievable target for all tenures.

The figures used by the Council are included in the Housing Technical Report and illustrated in Figure 7 (Document G27). Long term analysis of the trends in the operation of the housing market in South Lanarkshire and in particular the assumptions made regarding urban capacity and the shift from non-effective to effective land are included in the figure. These are based on extensive knowledge, experience and understanding of the housing land audit process and have proven to be robust and credible by the Centre for Housing Market Analysis (CHMA).

The Council are satisfied that the sites identified in the Plan are sufficient to ensure there is a generous five year effective land supply in South Lanarkshire at all times during the lifetime of the Plan.

No change proposed to the local development plan.

15, 335, 338, 469, 497 - Consultation between the Council, Homes for Scotland and a number of house builders was undertaken to establish the areas in South Lanarkshire where it was agreed that development should be targeted. This was based on the extensive knowledge of all parties regarding the operation of the four housing market areas of Cambuslang/Rutherglen, East Kilbride, Hamilton and Clydesdale. This exercise concluded that there were areas in South Lanarkshire that were appropriate for development and other areas where development would be constrained. The reference to ‘appropriate locations’ is included to ensure that proposals that come forward can be developed and would be of interest to house builders. Releasing sites where there is a range of existing undeveloped sites or in remote rural areas will not necessarily accord with national or strategic policy and may not necessarily generate development.

Proposed Amendments to Policy 12:

A number of representations refer to the wording of Policy 12 and the need for clarity and further guidance. In discussion with Homes for Scotland it concluded that there may be an opportunity to reword the policy without changing the meaning thus giving the house building industry the extra guidance required. Therefore, for the purposes of clarity and if minded to do so the Council invite the Reporter to consider the following wording as an alternative to the existing Policy 12 Housing Land.

“Policy 12 Housing Land

There will be a minimum five year effective supply of housing land at all times during the lifetime of the plan. This will be monitored and updated annually. The Council will support development on the sites included in the Housing Land Audit and identified on the proposals map.

If during the period of the plan the Housing Land Audit identifies a potential shortfall in effective land, taking into account the performance of the house building sector, consideration will be given to identifying potential additions to the land supply from, in order of preference:

- Non-effective sites
- Urban Capacity sites
- Additional brownfield sites
- Sustainable greenfield sites

Any development proposals must take account of other relevant policies and proposals in the development plan and with appropriate supplementary guidance.”

Homes for Scotland have been asked to comment on this and conclude that they would prefer the following wording:

“Policy 12 Housing Land

There will be a minimum five year effective supply of housing land at all times during the lifetime of the plan. This will be monitored and updated annually. The Council will support development on the sites included in the Housing Land Audit and identified on the proposals map.

If during the period of the plan the Housing Land Audit identifies a potential shortfall in effective land then consideration will be given to identifying potential additions to the land supply from, in order of preference:

1. Non-effective sites
2. Urban Capacity sites
3. Additional brownfield sites

Should it be demonstrated that the identified shortfall cannot be filled by a sufficient number of immediately effective sites within these categories the Council will consider the release of greenfield sites that are sustainable, that the housebuilders can demonstrate are immediately effective and which can contribute towards meeting the identified shortfall.

Any development proposals must take account of other relevant policies and proposals in the development plan and with appropriate supplementary guidance. “

Homes for Scotland’s wording removes the need for the performance of the housebuilding industry in delivering on existing developments to be explicitly considered, when assessing the need for additional sites. Similarly it takes the onus off house builders to prove that they have explored every avenue in making a site effective. Additionally it gives the house building industry an opportunity to bring forward sites without the need to prove that these sites are required, sustainable and free from constraint. The Council is concerned that sites will be brought forward in locations that cannot be made immediately effective and others that developed at the expense of other more challenging sites simply because they are easier or cost less to develop. The Council are not content with Homes for Scotland’s proposed changes and would encourage the Reporter to consider the alternative wording proposed by the Council.

Comment: 398 - Noted. South Lanarkshire Council work closely with Scottish Water and this will continue. Discussions take place on a regular basis about sites that are subject to a planning application and sites which are being proposed in the local development plan.

Support: 351, 372 – Noted.

**Reporter's conclusions:**

Preliminary Matters

1. In addition to the representations submitted in response to the proposed plan, further written evidence was requested from the council and Homes for Scotland on certain matters relating to the housing land requirement and the supply of housing land. Following receipt of this evidence, these two parties gave oral evidence at a hearing session held in Hamilton on 28 May 2014.
2. The Scottish Government published a revised Scottish Planning Policy (SPP) in June 2014. All parties who had made representations on Issue ST13 Housing Land were given the opportunity to submit further comments on the implications of the new SPP.
3. The conclusions and recommendations set out below are informed by this further evidence.
4. Representations 245, 335 and 338 seek the deletion of Residential Masterplan Sites from Table 3.1. However, there is no Table 3.1 in the plan, and I take this to mean their deletion from the table in Appendix 3.

Housing Land Requirement

5. Scottish Planning Policy states that plans should be informed by a robust housing need and demand assessment and, based on this evidence, should set out the housing supply target (separated into affordable and market sector) for each functional housing market area. It goes on to say that, within city regions, strategic development plans should state the amount and broad locations of land which should be allocated in local development plans to meet the housing land requirement up to year 12 from adoption.
6. The strategic development plan for South Lanarkshire is the Glasgow and Clyde Valley Strategic Development Plan. This was informed by a housing need and demand assessment, the process for which was certified as robust and credible by the Scottish Government's Centre for Housing Market Analysis. All unresolved issues raised in representations on the proposed strategic development plan were examined by Reporters appointed by the Scottish Ministers. Following their report of the examination, the Scottish Ministers approved, with modifications, the Glasgow and Clyde Valley Strategic Development Plan in 2012.
7. The council's Local Housing Strategy contains a housing supply target, informed by factors such as past completion rates and current market conditions. The council's proposed approach in the local development plan, illustrated in Table 5.1 of the proposed plan, is to derive a private sector requirement (4,800 homes per year to 2020) based on recent build-rates, and add 30% to this to identify a figure which would represent a generous supply – 6,240 homes, so meeting the target in the Local Housing Strategy.

8. However, the housing requirement in the strategic development plan is clear, was approved relatively recently in 2012, and legislation requires the local development plan to be consistent with the strategic development plan. In addition, the Local Housing Strategy only covers the period to 2017 whereas the local development plan should be concerned with the housing land supply to year 10 beyond its adoption. In these circumstances, the housing land requirement for the South Lanarkshire Local Development Plan should derive from the strategic development plan.
9. Some representations argue that the scale of the established housing land supply in South Lanarkshire was underestimated during the preparation of the strategic development plan. The council refutes this.
10. Whatever the case may be, this does not have a significant bearing on my conclusions and recommendations. The strategic development plan identifies a housing requirement. It is the job of the local development plan, now, to identify sufficient land to ensure that requirement can be met. Accordingly, the examination focusses on current assessments of the availability of land now and in the future to meet that requirement.
11. Schedule 7 of the strategic development plan sets the requirement for 15,800 new-build private sector homes for the period 2009-20, and a further 2,500 homes in the period 2020-2025. The proposed local development plan seeks to plan for this same period – to 2025. Therefore the relevant requirement for private sector homes is the sum of the two figures above – 18,300. Schedule 10 of the strategic development plan then sets out the indicative affordable housing need – 14,600 homes for the period 2008-25. Adding these together gives an indicative ‘all-tenure’ requirement of 32,900 homes in South Lanarkshire in the period to 2025, as shown in Schedule 11A.
12. The proposed local development plan, in identifying housing land, focusses mostly on private sector housing. Table 5.1 of the plan outlines the approach to this, with more detailed information provided in the Housing Technical Report. In relation to affordable housing, where the council has expressed a preference for social-rented housing, the council’s target in the Local Housing Strategy and reflected in the proposed local development plan is 180-200 new build homes per year. This is based on the council’s assessment of what can realistically be delivered given the funding likely to be available.
13. Some representations have argued that the plan should focus more on meeting the full all-tenure housing requirement from Schedule 11A of the strategic development plan. Paragraph 4.92 of the strategic development plans anticipates sufficient land being identified to deliver the requirement across all tenures.
14. However, paragraph 5.46 of the housing need and demand assessment urges caution in applying the all-tenure requirement. This is because of the different scenarios used, the possibility of double counting, and because new-build is not the only means of addressing affordable housing need. The strategic development plan itself states, at paragraph 4.80, that ‘this housing need does not directly translate into a new house building requirement for affordable housing. Local authorities, through their LHSs, will determine appropriate housing supply targets to be met in their LDPs, taking into account the range of housing needs and available resources together with other forms of housing provision, including subdivision, conversion and the use of empty properties, and other policy interventions such as adaptations and the management of lettings’.

15. In these circumstances, the council's approach of focussing, for the most part, on the private sector housing requirement, is therefore appropriate. This should be based on the strategic development plan requirement for 18,300 such homes in the period 2009-25.

#### A generous supply of housing land

16. SPP states that local development plans in city-regions should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement of the strategic development plan up to year 10 from adoption. In this case the council is planning to 2025 to align with the strategic development plan.

17. Paragraph 4.76 of the strategic development plan states that the number of additional private sector house completions required in each local authority area is set out in Schedule 7. Paragraph 4.92 states that local development plans should allocate sufficient land which is effective, or likely to be capable of becoming effective, so as to deliver the scale of house completions required.

18. The expectation in the revised SPP is that strategic development plans will add 10 to 20% to the housing supply target to establish the housing land requirement. It is clear that the strategic development plan housing requirement is for 18,300 new homes to be built in the period 2009-25. The local development plan therefore needs to ensure the supply of housing land is sufficiently generous so as to be capable of delivering this amount of new homes. Without any compelling evidence on how much additional land is required to render the supply generous, it is reasonable to consider the range between 10 and 20%.

19. This could be added to the entire requirement of 18,300 private sector homes for the period 2009-25. However, the proposed plan is founded upon housing data from 2012, which shows that 2,138 homes were completed in the period 2009-12. Therefore adding between 10% and 20% to the remaining requirement of 16,162 would give a housing land requirement for the local development plan of between 17,778 and 19,394 private sector homes. Applying the same calculations to the housing required by 2020, which is the bulk of the strategic development plan requirement, would give a range of between 15,028 and 16,394.

#### The established housing land supply

20. Recent years have seen much of the effective supply of housing land in South Lanarkshire reclassified as non-effective, albeit remaining part of the established supply. Table 7 of the Housing Technical Report shows this process taking place over several years. In 2008, some 14,092 units out of a total of 21,840 were considered to be effective. This reduced each year to a figure of only 4,723 units out of a total of 19,067 in 2012, albeit at the hearing the council provided a different figure for the effective land supply in 2012. Table 8 of the Housing Technical Report forecasts that 5,148 private sector homes will be delivered in the period 2012 to 2020, the same figure identified in Figure 5.1 of the proposed plan as the effective land supply.

21. We are informed that it is largely market conditions which are responsible for this shift. Market conditions could also reverse it. Homes for Scotland's representation acknowledges that the effective supply has been significantly reduced in recent years by marketability and viability issues. Homes for Scotland also accepts that a major source of effective supply during the plan period will be constrained sites becoming effective again as the market improves.

22. For a variety of reasons some sites have not been developed at the pace anticipated in earlier housing land audits, and have experienced significant delay. The scale of the Community Growth Areas is such that they will take some time to be fully completed. Leaving aside marketing and viability, some sites may indeed be constrained by factors such as infrastructure costs or historic land values and options. Nevertheless, and although the degree and nature of constraint will vary from site to site, the evidence suggests that the majority of effective sites are capable of becoming effective and subsequently developed. There is no compelling, specific evidence to the contrary.

23. Figure 5.1 in the proposed plan shows the council's estimate that, based on its past experience and knowledge of the housing market in South Lanarkshire, 60% of the currently non-effective sites are 'potential additions' during the plan period. Some representations argue that this assumption is too pessimistic, and that a greater proportion of this would be developed. Others, mostly developers and site owners, argue the opposite. Homes for Scotland has commented that it is reasonable for the council to make such an assumption, but that Homes for Scotland has no basis on which to judge whether it is accurate or not.

24. There is no clear evidence which contradicts the council's estimate of 60%. However, the degree to which non-effective sites may become effective, and the speed this may happen, is difficult to predict. There is uncertainty about whether sufficient non-effective housing land is capable of becoming effective and developed during the plan period to 2025 such as to meet the housing requirement in the strategic development plan. Table 8 assumes that none of the non-effective supply will be delivered in the period to 2020.

#### The Urban Capacity Study

25. An Urban Capacity Study informed the preparation of the strategic development plan. The council has updated this in preparing the local development plan, and sought to estimate the likely contribution of sites covered by the Study to the housing land supply during the plan period.

26. The contribution assumed in Figure 5.1 of the proposed plan is that such sites could potentially contribute 1,047 homes during the plan period. The council supplied updated figures in response to our request for further written evidence, and advised at the hearing session that these had been updated a further time. The most recent estimate provided by the council is a total of 1,669 units to 2024. Such an estimate will always be a snapshot in time, and subject to change. The council also confirmed that no analysis had been undertaken of how much of the capacity of the sites in the Study would likely be developed for affordable rather than private sector housing. Some of the sites are confidential. The site capacities are indicative.

27. SPP states that any assessment of the expected contribution to the housing land requirement from windfall sites must be realistic and based on clear evidence of past completions and sound assumptions about likely future trends. In urban areas this should be informed by an urban capacity study. Although it did not supply figures, the council confirmed at the hearing session that a number of sites from each successive urban capacity study undertaken over the years have in the end been developed. The council has not assumed any further contribution from windfall sites outwith those included in the Study, albeit the Housing Technical Report indicates that some further windfall development is likely.



28. In these circumstances, it is reasonable to accept the premise that sites from the Urban Capacity Study are likely to contribute to the supply of private sector housing. However, given the circumstances outlined in paragraph 26 above, there must be a significant degree of uncertainty about how many homes this will deliver.

29. There are a number of additional sites, with an estimated total capacity of 494 units, which were proposed to the council during the consultation process for the plan. Rather than identify these as allocations, the council advises that, because they are within settlement boundaries, these sites can be progressed through planning applications rather than be specifically identified as allocations in the plan.

30. This is a reasonable approach. Once again, however, the uncertainty about the speed and degree to which this estimated capacity will translate into private sector housing completions must be acknowledged.

#### Maintaining a five-year effective land supply

31. Scottish Planning Policy states that development plans should provide for a minimum of 5 years effective land supply at all times.

32. The council's stated position is that the required amount of such land is derived from an appreciation of what can be realistically delivered, informed by past completion rates and by knowledge of the housing market, development sites and indeed the developers operating in South Lanarkshire. The view of Homes for Scotland, and of others with an interest in various development proposals, is that the required amount derives from the overall housing requirement in the strategic development plan.

33. Scottish Planning Policy does not contain detailed policy on this question. However, it states that, in allocating sites, planning authorities should be confident that land can be brought forward for development within the plan period and that the range of sites allocated will enable the housing supply target to be met.

34. The amount of land which constitutes a five-year supply should therefore derive from the overall housing requirement – from the volume of need and demand the development plan is seeking to meet. It should not derive from an assessment of the 'supply' side of the equation, which is the council's suggested approach.

35. There may be several ways of calculating such a figure. Homes for Scotland's favoured approach, which is a reasonable one, is to take the private sector housing requirement of 15,800 homes for the period 2009-2020, divide by eleven to establish the annual yearly figure, and then multiply by five to produce the required figure for a five-year land supply. By their calculations the figure is land for 7,175 homes – 1,435 per year.

36. This figure can be compared with the actual land supply. The council considers the effective supply as being the number of units which are programmed in the housing land audit to be built during (in this case) the following 5 years. The council gives a figure from the agreed 2013 housing land audit of 5,382. The 2014 audit has not yet been agreed with Homes for Scotland, but the council reported a likely figure in the range 6,000 to 6,300.

37. The precise figure need not be established here, and will in any event be subject to constant change. The figures above do, however, seem to indicate an improving position, albeit even the range suggested for the 2014 audit would be below the five-year

requirement as calculated by Homes for Scotland.

### Proposed housing sites

38. The established housing land supply (5,148 effective land supply and 13,909 non-effective sites in Table 5.1 of the proposed plan) together with the council's most recent estimated contribution from sites in the Urban Capacity Study (1,669) and from sites to be progressed through planning applications (494) would total 21,220. This would exceed the range for the housing land requirement for private sector homes identified in paragraph 19 above.

39. However, the proportion of these sites which are currently effective is relatively low. There is uncertainty about the extent to which the remaining sites are capable of becoming effective and being built in the period to 2025. Assuming, as the council does, that 60% of the non-effective supply is built by 2025 and the other figures remain the same as paragraph 38, this would deliver 15,656 private sector homes – less than the remaining 16,162 homes required by the strategic development plan. Given that the bulk of the housing requirement is for the period to 2020, when non-effective sites are not expected by the council to contribute at all, the shortfall in meeting the requirement for that period would be significantly greater.

40. We have been made aware of a recent planning permission in principle for a retirement village at Peel Park North, East Kilbride, but this will still contribute a relatively small number of units in relation to the overall supply and the level of uncertainty which exists.

41. In these circumstances it is right for the council look to allocate new land for private sector housing. This is particularly the case where a site can deliver new homes in the early years of the plan to help meet the housing requirement to 2020.

42. The consideration of individual sites is dealt with elsewhere in this report. In general terms, however, we consider that the sites the council proposes to allocate are appropriate. The exceptions to this are three relatively small sites at Lanark (Issue CL16), Kaimend (CL13) and Newbigging (CL25) with a total capacity of around 39 private sector homes which we recommend are not allocated for housing at this time.

43. The estimated capacity of the remaining sites which the council proposes to allocate for housing totals 2,304 units. Again, the council confirms that the estimated capacity of these proposed sites is indicative. If the council's assumptions noted in paragraph 39 above are borne out, and all the proposed sites fully developed, the plan could deliver 17,960 private sector homes by 2025. This would exceed the remaining requirement in the strategic development plan. For the reasons noted above, however, there is a considerable degree of uncertainty as to whether this can be achieved.

44. Table 14 of the Housing Technical Report indicated an expectation that the sites the council proposes to allocate could be fully developed by 2018/19. In subsequent evidence, however, the council confirmed that this was based on the submissions of those proposing those sites, and its own view is that it would take longer for all of them to be fully delivered.

45. For the period to 2020, the estimated numbers of completions from the established supply (5,148 from Table 8 of the Housing Technical Report) and the new allocations (2,304 even assuming all were delivered by that time) would total 7,452. Adding a

proportion of the 1,699 units from the Urban Capacity Study and the 494 units to be progressed through planning applications would leave completions far below the remaining requirement of 13,662 from the strategic development plan.

46. The strategic development plan aimed to meet the full backlog identified in the housing need and demand assessment by 2020. This is why the bulk (15,800 homes) of the private sector housing requirement, is for that period. The straitened circumstances of the housing market restricted housing completions in the period 2009-12 to 2,138. A realistic assessment of the housing market and its potential recovery is that, no matter how much land is allocated, it is unlikely that the remaining requirement of 13,662 homes could be delivered in South Lanarkshire during this period.

47. We have, nevertheless, for all the other sites proposed for the plan but which the council does not favour, actively considered whether any would be likely to contribute further to the supply of effective housing land, especially during the early years of the plan. We also, importantly, considered whether each of these would be a suitable site for housing at this time, having regard to the environmental and other information available to us for each site, all the representations before us, and the presumption in SPP in favour of development which contributes to sustainable development.

48. Having carried out such an exercise, we recommend that only one further site be allocated – Westpark in Strathaven (Issue EK22) which has an overall indicative capacity of around 100 homes.

49. We acknowledge that there is uncertainty as to whether there is sufficient housing land capable of becoming effective and built such as to meet the housing requirement in the strategic development plan to 2025, and indeed that there does not appear to be sufficient land to meet the requirement to 2020. We also acknowledge that Scottish Planning Policy expects a generous supply of land to be identified in each housing market area. However, although there were a number of other sites proposed, we do not consider that any of these should be allocated for housing at this time. We do note, however, that the Rolls Royce site in East Kilbride may have a capacity for housing which is greater than the 100 units assigned to it in the 2012 Housing Land Audit.

#### Policy 12 Housing Land

50. Proposed Policy 12 states that there will be a five year effective supply of housing land at all times throughout the lifetime of the plan. Following discussions between the council and Homes for Scotland, the council proposed amendments to Policy 12 to deal with circumstances where the supply of effective housing land has the potential to fall below five years. The council also submitted Homes for Scotland's alternative version of these proposed amendments. Both versions seek to achieve broadly the same ends.

51. Some of the further written evidence submitted by the council and Homes for Scotland prior to the hearing, and of the oral submissions at the hearing itself, focussed on this issue. In broad terms, the council views the purpose of such amendments to Policy 12 as two-fold. Firstly, to signal what actions the council will take, separate from the development management process, if a shortage in the five-year effective supply exists or seems to be looming. Secondly, to inform the consideration of planning applications for housing development in these circumstances.

52. Given the uncertainty about the rate at which sites will become effective over the plan period, and the large apparent shortfall in meeting the housing requirement to 2020, Policy 12 should be amended along these lines. Scottish Planning Policy states that, where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing will not be considered up-to-date. In such circumstances, the presumption in SPP in favour of development which contributes to sustainable development will be a significant material consideration, and decision makers should also take into account significant adverse impacts which may outweigh the benefits of the proposal.

53. Whilst the council's willingness to take action should there be the prospect of a shortfall in the effective land supply is to be commended, the most important function of amendments to Policy 12 would be to inform development management decisions. The council may still, regardless of the wording of the policy, choose to take actions within its powers if it is concerned about a shortage arising in the future. Therefore, to provide certainty for developers and communities, and to be consistent with SPP, the policy should refer simply to a 'shortfall', not a 'potential shortfall'.

54. In response to questions prior to and at the hearing session, the council sought to explain the meaning of the phrase 'taking into account the performance of the house building sector'. I remain concerned, however, that this is too imprecise. The council may be confident in its meaning, but that is not sufficient. Developers, communities and others with an interest should also be able to clearly understand the plan, and this phrase does not assist this. In any event, reference to the Housing Land Audit would help to establish whether a shortfall exists, regardless of the performance of house builders. In these circumstances, this phrase should not be used.

55. Focussing still on development management, the suggested phrase 'consideration will be given to identifying potential additions to the land supply from' is not sufficiently strong, in particular having removed the word 'potential'. To provide greater clarity and a stronger response should a deficit in the land supply exist, this should be replaced with the phrase 'the council will support development on'.

56. The proposed amendments to the policy list a hierarchy of categories of site, presented in order of preference. On the basis that it is chiefly with reference to the housing land audit that the council determines whether a shortfall exists, there will be few non-effective sites which can, according to the audit, help address a shortfall. These should be excluded from the hierarchy. It was acknowledged during the hearing that increasing the capacity of sites and thereby the density of development would be another means by which the effective supply could be increased. However, the site capacities are indicative and will only be confirmed as and when each proposal reaches the appropriate stage.

57. In both the council's and Homes for Scotland's versions of the amendments to the policy, greenfield sites are at the bottom of the hierarchy. In the council's version these are described simply as 'sustainable greenfield sites'. This is the simplest and most effective approach. Homes for Scotland did, however, suggest that any proposed site must contribute towards meeting the identified shortfall. It is important to include this requirement, which is the very reason for the proposed amendments in the first place. This should, however, be a requirement on any site proposed through this policy mechanism, not just greenfield sites.

58. Given our other findings, further additions to the policy are needed to clarify that it relates to private sector housing, and that the five year effective supply derives from the housing requirement in the strategic development plan.

59. The policy should also more closely mirror paragraph 33 of the SPP in requiring decision makers to take account of any adverse impacts from a proposed development in these circumstances.

60. Accordingly, the references to ‘appropriate locations’ in paragraphs 5.8 and 5.17 of the proposed plan are consistent with the policy as amended, and should be retained.

61. Finally in respect of Policy 12, the concern to ensure that development proposals take account of approved Masterplan Development Frameworks is legitimate. However, as the council points out, these may be subject to further interpretation and alteration as circumstances may change and more detailed information about each site is obtained. Appendix 3 of the plan extracts some of the key information from these frameworks for each of the Community Growth Areas. In this context, there is no need to alter Policy 12 to include specific reference to the Masterplan Development Frameworks.

Figure 5.1 Private housing land supply and demand

62. Although Figure 5.1 aims to demonstrate how the housing calculations which underpin the proposed plan were carried out, this will be of lesser importance once the plan is adopted, and both the Housing Technical Report and this examination report will exist for reference.

63. I have found that both the overall housing land requirement and the five-year supply of effective housing land should derive from the housing requirement in the strategic development plan. Figure 5.1 is less than clear about this, introducing both the target in the Local Housing Strategy and a separate local development plan requirement based on current build rates. I have found that there is uncertainty about the assumptions used. Included in the figure of 2,837 units identified as ‘Proposed LDP’ are sites totalling 494 units which are in fact to be progressed through planning applications rather than the plan itself. The plan does not assign a capacity to any of the sites on which the table is based. Finally, written evidence submitted by the council during the course of the examination sought to change some of the statistics in Figure 5.1.

64. Given these circumstances Figure 5.1, even modified, would add very little value to the proposed plan, and should be removed. References to Figure 4 in paragraphs 5.5 and 5.6, which I assume ought to refer instead to Figure 5.1, should also be deleted.

**Reporter’s recommendations:**

Modify the local development plan as follows:

1. Delete the text of Policy 12 Housing Land and replace with:

“There will be a minimum five year effective supply of private sector housing land at all times during the lifetime of the plan, based on the SDP housing requirement. This will be monitored and updated annually. The Council will support development on the sites included in the Housing Land Audit and identified on the proposals map.

If the Housing Land Audit identifies a shortfall in effective land the council will support development proposals which are effective for, in order of preference:

- Urban Capacity sites
- Additional brownfield sites
- Sustainable greenfield sites

Account will be taken of other local development plan policies and of any adverse impacts which would significantly and demonstrably outweigh the benefits of the proposal.”

2. Delete Figure 5.1.
3. Delete “and illustrated in Figure 4” in paragraph 5.4.
4. Delete “The methodology used is outlined in Figure 4 and” in paragraph 5.5.

<b>Issue ST14</b>	<b>Affordable Housing and Housing Choice</b>	
<b>Development plan reference:</b>	Chapter 5: People and Places Affordable Housing and Housing Choice Page 29	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>352 - Robert Freel 373 - Stonehouse Community Council</p> <p>Support: 591 - Banks Developments</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy aims to ensure that an appropriate level of affordable housing and a wide range of house types and sizes is provided across South Lanarkshire.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>352, 373 - Sites of more than 20 units in rural areas may never come along or only come along every 20 years therefore the threshold for rural areas should be reduced to say 10. Consideration should also be taken of developers changing to self build throughout the planning process. Rural areas should have a lower threshold to allow affordable housing to be delivered.</p> <p>Support:</p> <p>395 - Supports the flexible approach to affordable housing with specific requirements being assessed on a site by site basis.</p> <p>Welcomes the wording of Policy 13 which requires developers on sites of 20 units or more to provide "... up to 25%of the sites capacity". The phrase "up to" is an important inclusions in this policy as it facilitates a flexible approach to the provision of affordable housing by allowing assessment on a site by site basis. Also welcome the flexibility in relation to how affordable housing is delivered on-site, off-site or through a commuted sum.</p>		
<b>Modifications sought by those submitting representations:</b>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>Objects:</p> <p>352, 373 – This representation is concerned that sites that come forward in the rural area are often less than 20 units and as a result the affordable housing policy would not be applied. However, this is not true. Sites that come forward in the rural area particularly in</p>		

the larger settlements can be for a significant number of units and would qualify as potential sites for affordable housing. Furthermore, smaller sites can be unsuitable for affordable housing since they will not produce the requisite number of units that can be properly managed by a housing association or other registered social landlord. In addition many smaller rural sites are marginally economically viable and a request for a commuted sum for affordable housing would make the project uneconomic to pursue.

Proposed sites may also be in areas where affordable housing is not required. The rural area has a significant number of empty properties and it is not always advisable to build more social rented housing in particular locations. In some cases it is more appropriate to take a commuted sum which can be used to bring housing back into use or be used in another part of the rural area. It is not appropriate for lower thresholds to be applied in rural areas.

No change proposed to the local development plan.

Support: 395 – The Council welcomes the support.

**Reporter’s conclusions:**

1. Policy 13 of the proposed plan states:

“Policy 13 Affordable Housing and Housing Choice

The council will expect developers to contribute to meeting affordable housing needs across South Lanarkshire by providing, on sites of 20 units or more, up to 25% of the site’s capacity as serviced land for the provision of affordable housing, where there is a proven need. If on-site provision is not a viable option, the council will consider off site provision in the same housing market area.

The provision of a commuted sum will only be acceptable if on or off site provision cannot be provided in the locale or there are no funding commitments from the Scottish Government. The council will require developers to make a contribution to fund social rented affordable housing on alternative locations within the same housing market area...”

2. Adjustments are sought to the policy which would lower the threshold for requiring affordable housing on sites in rural areas, from 20 houses to about 10 houses. The planning authority proposes no change to the plan.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP provide no guidance on the minimum size of development required before on site provision for affordable housing can be sought. PAN 2/2010, Affordable Housing and Housing Land Audits, indicates on site provision for affordable housing can normally be expected to be suitable for developments of 20 or more houses. It also indicates that in rural areas, where the general scale of development is smaller, a lower threshold for on site provision may be appropriate in order to make affordable housing available in a range of locations. The Glasgow and Clyde Valley Strategic Development Plan indicates that local authorities require to reflect on their individual housing needs, taking forward the realities of actual available funding and the resources available for delivery within the affordable housing sector. Figure 3.1 of the proposed plan sets out its vision and spatial strategy in diagrammatic form, and one of its objectives is to meet the needs of communities, and another is to support urban and rural regeneration. One of the elements of the spatial strategy is to identify a range of housing



sites in sustainable locations.

4. Policy 3 of the proposed plan directs development in rural areas not requiring a countryside location to settlements. The planning authority has set a target of providing 180-200 new affordable houses in South Lanarkshire per annum over the local housing strategy period. This is based on £8 million of funding being made available annually. Given the funding constraints in place, not all housing need can be met from building new houses, some will have to be met from the more efficient and effective use of the existing housing stock. The planning authority recognises in the local housing strategy that rural areas can face particular housing challenges, albeit its focus is on one particular rural area, the Clydesdale Housing Market Area. The plan proposes housing sites of different sizes and in varying locations in rural settlements across South Lanarkshire. The planning authority has shown that a number of these sites are expected to deliver either on site provision of new affordable houses or commuted sums which would fund affordable housing in other locations. For social rented housing, the planning authority explains that requiring an on site contribution from smaller developments can cause management problems for housing associations and other registered social landlords. The planning authority's approach of only requiring an affordable housing contribution on sites of 20 houses or more is in step with PAN 2/2010. While a lower threshold could be set, I consider that the indications are that this is unnecessary and inappropriate.

5. No adjustment is required to the proposed plan.

**Reporter's recommendations:**

No modifications.

<b>Issue ST15</b>	<b>Green Network and Greenspace</b>	
<b>Development plan reference:</b>	Chapter 6 Environment Green Network and Greenspace Paragraph 6.7 Page 31	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>40, 182 - sportscotland 190 - Neil Gainford 353 - Robert Freel 374 - Stonehouse Community Council 404 - Cambuslang Community Council 575 - Scottish Government 585 - Hamish Neilson 636 - SEPA</p> <p>Comment:</p> <p>529 - RES UK and Ireland Ltd 553 - SNH</p> <p>Support:</p> <p>298 - The Glengeith Trust 400 - Scottish Water 441 - RSPB 601 - East Mains Community Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy and associated text aims to safeguard and enhance the green network and greenspaces across South Lanarkshire.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>40 - A number of proposed land use allocations appear to show development on land which includes a sports pitch or playing field:</p> <ul style="list-style-type: none"> <li>• Land identified in the 2012 Housing Audit at West Whitlawburn includes a synthetic pitch. If this pitch is 0.2 hectares or above then sport scotland would be a statutory consultee for development affecting it. In any event it appears that this is a relatively new facility and it is hoped that the land allocation will not lead to its loss.</li> <li>• Land to the east of Thaness Park, Uddingston (north of Castle Gate) this site was allocated as a residential development opportunity following the last Local Plan Inquiry, Inquiry site reference 896)</li> <li>• Land allocated for residential development of Wellcroft Road, Hamilton, which is understood to be used as a pitch/playing field.</li> </ul>		

- Land at Chantinghall Road, Hamilton, which is understood to comprise a sports pitch.

Where compensatory provision of pitches or playing fields will be required or where a development site includes such a facility and the intention is to retain that facility; then explanatory text to confirm this position would be helpful. Clarity is needed regarding the statutory protection of sports pitches and playing fields. Outdoor sports facilities should be specifically protected in policy. Suggest that the text below is used in policy.

"Playing fields and sports pitches should not be redeveloped except where:

- the proposed development is ancillary to the principal use of the site as a playing field,
- the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,
- the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area, or
- a playing field strategy prepared in consultation with sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision."

It is recognised that this may be addressed in forthcoming Supplementary Guidance on Green Network and Greenspace.

182 - Consider there is a need for a separate policy protecting access rights. Paragraph 6.2 makes a specific reference to access routes but the policy itself refers only to the green network as identified on the proposals map. The proposals map is specific on what comprises the green network but does not cater for the breadth of access rights, including important access rights off path, on water and for a range of activities such as rock climbing or air sports. Recommend that an additional policy be included in the development plan that accords with paragraph 150 of the SPP which protects core paths and other important routes and access rights with the following wording:

*refuse applications where there will be a negative impact on important rights of access, where the impact is significant and impacts cannot be acceptably mitigated against*

Policy 15 Natural and Historic Environment duplicates and complicates the Council's approach to the protection of access rights.

190 – This objection does not challenge the purpose of Policy 14, but contends that Policy 14 as interpreted on the settlement maps lacks consistency, and Green Network and Greenspace issues do not appear to have been afforded the same status as residential development. It is acknowledged that the Council intends to produce supplementary guidance on the Green Network and Greenspace. The preparation of a detailed policy statement on this subject is welcomed, but it is submitted that the production of the SG at a separate time from the local development plan must inevitably introduce scope for greater uncertainty and inconsistency particularly in relation to the status of individual sites within the Green Network and Greenspace. The Glossary of Terms defines "Priority Greenspace"

as areas of important open space within settlements. Some of the most important areas of open space within South Lanarkshire are not located within settlement boundaries. Lanark Loch/Lanark Moor and Racecourse and all of the Public Park area at Biggar for example are considered as being "some of the most important areas of open space". The only regulation sized sports pitches in Lanark and Biggar are in these areas. Policy 14 states that open space including sports pitches are a major component of the Green Network, and that the loss of any priority greenspace will not be supported. It follows that greater status should be afforded to sports pitches irrespective of whether they are located within settlement boundaries.

The question also arises as to whether the settlement boundaries have been appropriately defined. Important open spaces and sports pitches which are not recognised in the Proposal Map Settlement Plans include: Burn Braes in Biggar, Lanark Loch, Lanark Racecourse, Biggar Public Park, Recreation Ground in Douglas, Sir John Mann Park in Carnwath, Recreation Ground at Forth. The only sports pitch in Crossford is not identified as a priority greenspace, whilst nearby Netherburn the sports pitch is identified as a priority. If these designations are intentional, it would suggest that all children in Crossford may have to walk along unlit roads with no pavements to access the nearest pitch. At Garrion, a green network priority is designated which appears completely out of context. It is suggested that the Council's declared intention to produce separate policy guidance at a later time on Greenspace and the Green Network does not excuse the Council from presenting a consistent approach to Greenspace and Green Network issues in the Local development plan. All sports pitches, parks and important open spaces should be identified and safeguarded through the local development plan.

353, 374 - Consideration of community gardens or allotments should be incorporated into this policy as should cycle paths and walkways.

404 - The Council should make a strong and specific commitment to investment in sustainable transport and the development of Green Networks in Cambuslang. According to SLC's own assessment of South Lanarkshire's settlement profiles, Rutherglen/Cambuslang has one of the worst provisions of green space in the county.

New housing developments in Cambuslang have recently included minimal investment in new parkland, sports facilities or other amenity green space beyond relatively small-scale play areas. Some developments have seen existing greenspace eroded (e.g. Holmhill Park, Richmond Park, Halfway Park) without compensating provision of replacement open space.

The Proposed Local Plan notes, development proposals are meant to include "open space, green infrastructure and landscape provision", yet development proposals in the Proposed Local Plan (and its predecessors) have been put forward without obvious consideration of amenity greenspace.

575 - Paragraph 6.7 includes reference to the Glasgow Clyde Valley Forest and Woodland Framework. This should be referred to as "Glasgow and Clyde Valley Forest and Woodland Strategy". The Green Network and Greenspace policy does not make mention of the Glasgow and Clyde Valley Green Network Strategy - this should be referred to.

585 - Priority Greenspace Land Use is applied to open spaces in some settlements for example Blackwood and Kirkmuirhill, but not others e.g. Biggar (Burnbraes Park, and Biggar Public Park - not within settlement boundary, but closely linked with settlement).

Some areas proposed for housing land for example the south side of Forth, are also shown as being covered by the Green Network Policy. On the face of it these two land uses are difficult to reconcile, although the local development plan document does make a strong case for safeguarding the local Green Network. There is no suggestion as to how the amount of extension and enhancement of the Green Network will be worked out.

Experience suggests that pressure to maximise the number of houses is always very strong and the natural environment usually loses out. Can you build in some way of defining the scope for extension and enhancement? Can you also add in the desirability of setting up Local Heritage Trusts, which could be endowed, by developers, with funds to cover all or some future maintenance?

Taking further the point about the Green Network, why not apply a generous belt of it around existing settlements, where its benefits in terms of shelter, screening, recreation, and biodiversity would enhance those settlements, which often suffer from stark and windswept surroundings?

636 – Support but would request the inclusion in (v) “including flood storage and buffer strips, as this will further enhance both (v) and (iii).

Comment:

529 - Policy 14 aims to extend and enhance the green network and seek opportunities for creating new links to the network. Onshore wind farm development provides both onsite and offsite opportunities to upgrade and build new and existing access tracks. Access to 'green infrastructure' implemented by RES to attract visitors for outdoor pursuits and to enjoy the local environment has been demonstrated at Kelburn Wind Farm in North Ayrshire and Meikle Carewe Wind Farm in Aberdeenshire.

Furthermore, as part of a consented wind farm, most developers will create a Habitat Management Plan (HMP); alongside mitigation a HMP can provide an overall environmental benefit. This is achieved due to the large scope of the HMP outweighing any negative impacts and providing a net enhancement of the environment. Therefore, a HMP will be coherent with the overall aim of Policy 14.

553 – SNH note the contents of the final sentence of paragraph 6.13 and the reference to 'specific criteria' in relation to green space in residential areas. We assume from our reading of the Development Management, Place Making and Design Supplementary Guidance, that the specific criteria refers to that contained in Policy DM 13 - Development within General Urban Area/Settlement (page 28). It would be beneficial to clarify this.

Support:

298 - The Glengeith Trust supports the commitment set out in the Local Development Plan Proposed Plan paragraph 6.2 to extend and enhance the green network in the Council area. The Trust supports the right to roam in a responsible manner subject to recognition that certain rural areas are commercially managed e.g. grouse moors, which support jobs etc in the rural area, and this should be taken into account in any future designation made as part of the Council Core Path Network.

400 - Scottish Water fully supports the contribution developments can make to providing water management, including flood storage, as referred to in Policy 14, Part v. This will

support the Local Flood Risk Management Planning process and Surface Water Management Planning process currently being implemented across Scotland by Local Authorities, Scottish Water and SEPA.

441 - Policy 14 - We support this policy.

601 - Fully supportive of Policy 14 Green Network and Greenspaces, as this encompasses the showpark in East Kilbride. This area needs to be protected and Policy 14 will achieve this objective.

**Modifications sought by those submitting representations:**

40 – Include the following wording in policy

"Playing fields and sports pitches should not be redeveloped except where:

- the proposed development is ancillary to the principal use of the site as a playing field,
- the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training,
- the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area, or
- a playing field strategy prepared in consultation with sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision."

182 - an additional policy be included in the development plan that accords with paragraph 150 of the SPP which protects core paths and other important routes and access rights with the following wording:

*refuse applications where there will be a negative impact on important rights of access, where the impact is significant and impacts cannot be acceptably mitigated against*

575 - Paragraph 6.7 includes reference to the Glasgow Clyde Valley Forest and Woodland Framework. This should be referred to as "Glasgow and Clyde Valley Forest and Woodland Strategy". The Green Network and Greenspace policy does not make mention of the Glasgow and Clyde Valley Green Network Strategy - this should be referred to.

636 – Request the inclusion in (v) “including flood storage and buffer strips, as this will further enhance both (v) and (iii).

**Summary of responses (including reasons) by planning authority:**

Objects:

40 – This representation identifies four sites which contain pitches or playing fields and which are identified on the settlements maps as forming part of the 2012 housing land supply. The representation suggests that explanatory text is included to clarify the status of

such sites. It also suggests wording that could be included in policy to specify the criteria which should be applied if such sites are being proposed for development.

The sites referred to are included in the housing land supply because they have been subject to previous proposals or consents for development. The location of these playing fields and pitches has been taken into consideration in this process. It is not considered necessary for the local development plan to contain detailed explanatory text to clarify their status. The detailed policy wording suggested would be more appropriate in Supplementary Guidance.

No change proposed to the local development plan.

182 – The Council does not consider there is a need for a separate policy in the local development plan protecting access rights. Policy 14 specifically relates to the protection and enhancement of the Green Network. Policy 15 Natural and Historic Environment contains a general statement at the start of the policy that ‘The Council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment’. The Council considers this is sufficient to address any development management issues which may arise in relation to access rights. However, a statement can be included in Supplementary Guidance to make it clear that where relevant, access rights will be considered when determining planning applications.

No change proposed to the local development plan.

190 – The Council is aware that some areas of open space within South Lanarkshire, including sports pitches and playing fields, are not located within settlement boundaries and are not therefore covered by Policy 14. It is the Council’s view that the Green Belt and Rural areas designations set out in Policy 3 give adequate protection to such resources. In addition, any development proposals affecting sports pitches or playing fields must be referred to sportscotland. More detailed settlement profiles will be set out in Supplementary Guidance and there may be an opportunity at this stage to identify areas of public open space which serve these settlements, but lie outwith the settlement boundary.

No change proposed to the local development plan.

353, 374 – Uses such as community gardens or allotments in appropriate locations would contribute to the local green network. The local green network identified on the proposals maps includes cycle paths and walkways where these fulfil a green network function connecting and linking areas of greenspace. It is not considered necessary to specifically refer to all these uses in the policy.

No change proposed to the local development plan.

404 - The Community Council’s comment that the Council should make a strong and specific commitment to investment in sustainable transport and the development of Green Networks in Cambuslang is noted. However the local development plan contains a number of major development proposals in the Cambuslang/Rutherglen area including Clyde Gateway and Newton Community Growth Area which will enable the creation of significant additions to the local green network. Policy 14 also states that development proposals should safeguard the existing green network. Further detail regarding green network provision in local settlements including Cambuslang will be contained in Supplementary Guidance. No change proposed to the local development plan.

575 – This representation seeks the inclusion of a reference in Policy 14 to the Glasgow and Clyde Valley Green Network Strategy. The Council has checked with the Glasgow and Clyde Valley Green Network Partnership and there is no such document. The Council therefore considers that the proposed change is not required. The representation also seeks minor wording amendments to paragraph 6.7 to correct a reference to a document. If minded to do so the Council invites the Reporter to replace ‘Glasgow Clyde Valley Forest and Woodland Framework’ with ‘Glasgow and Clyde Valley Forest and Woodland Strategy’ in paragraph 6.7

585 – This representation makes a number of points about the interpretation and implementation of Policy 14.

i) It is queried why some areas of greenspace outwith settlements are not identified on the proposals maps. This is similar to the point raised by Rep 190 and the same response from the Council applies.

ii) The representation queries why some proposed development sites on the proposals maps are also covered by the green network designation. The Council wished to illustrate that, for Development Framework and Residential Masterplan sites which do not yet have an approved masterplan or planning consent, there is a requirement for green network provision to be included when considering site design and layout. This is referred to in Policy 14. An indicative green network designation is therefore shown on these sites on the proposals map.

iii) The representation seeks that the local development plan defines the scope for extension and enhancement of the green network and contains a reference promoting Local Heritage Trusts, which could be endowed, by developers, with funds to cover all or some future maintenance. The Council notes that detailed guidance for developers on the requirements for implementation of the green network will be contained in supplementary guidance. It is not considered that the local development plan is the appropriate place to promote the formation of delivery mechanisms such as local heritage trusts.

iv) The representation seeks the creation of a ‘generous belt of green network’ around existing settlements. Such provision is not within the scope of the local development plan, however it is considered by the Council that the requirements for development priorities set out in Appendix 3 of the proposed plan will contribute to establishing significant new green network provision on the edge of settlements where new development is proposed.

No change proposed to the local development plan.

636 – This representation seeks a minor wording amendment to criterion v) of Policy 14 Green Networks and Greenspace. If minded to do so the Council invites the Reporter to include the words ‘and buffer strips’ after ‘flood storage’ in criterion v) of policy 14.

Comment:

529 – This representation notes the ways in which on shore wind farm developments can extend and enhance the green network and provide opportunities for creating new links to the network. The local development plan recognises the role that major new developments can play in delivering the green network. Noted.

553 – Noted. Assumption made by SNH is confirmed.



Support: 298, 400, 441, 601 - The Council welcomes the support for Policy 14 Green Networks and Greenspace.

**Reporter's conclusions:**

1. Policy 14 of the proposed plan states:

“Policy 14 Green Network and Greenspace

Any development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:

- (i) place making,
- (ii) mitigating greenhouse gases,
- (iii) supporting biodiversity,
- (iv) enhancing health and quality of life,
- (v) providing water management, including flood storage,
- (vi) providing areas for leisure activity, and
- (vii) promoting active travel.

The protection and enhancement of the green network will be a core component of any masterplan, development framework site or community growth area.

The loss of any areas of priority greenspace, identified on the proposals map, will not be supported. Partial loss will only be considered where it can be demonstrated that:

- the retention or enhancement, including positive management, of the areas to be retained can be best achieved by the redevelopment of part of the site which would not affect its function;
- there is no significant adverse impact on the landscape character and amenity of the site and surrounding area;
- there is no significant adverse impact on natural and/or built heritage resources, including Natura 2000 sites and protected species;
- compensatory provision of at least equal quality and accessibility is provided locally.

Any development proposals which may impact on greenspace and green networks must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.”

2. Adjustments are sought to the proposed plan and Policy 14, which would: protect outdoor sports facilities, and access rights (including rights “off path”); explain how on proposed housing sites where Policy 14 applies, the amount by which the green network is to be extended and enhanced would be calculated; apply a generous belt of the green network around existing settlements; recognise the important role of community gardens, allotments, cycle paths and walkways, and the contribution of on shore wind farms (eg through upgrading existing tracks and building new ones, and implementing habitat management plans); include a reference to the Glasgow and Clyde Valley Green Network Strategy and the Glasgow and Clyde Valley Forest Strategy (not Framework) at paragraph 6.7, and to buffer strips at Policy 14 Criterion (v); and provide a strong and specific commitment to developing the green network in Cambuslang, facilitating safe cycling and walking;

3. Additionally, concern has been expressed about: allocating for development land used or last used as sports pitches/playing fields, with reference to 4 examples (South of Albany Terrace, West Whitlawburn; East of Thaness Park, Uddingston; Wellcroft Road, Hamilton; and land at Chantinghall Road, Hamilton); and failing to include appropriate areas of open space, including sports pitches, within settlement boundaries as green space, and to protect all areas which have an open space function. Clarification is also sought that the reference to “specific criteria contained in the Development Management, Place Making and Design Supplementary Guidance” at paragraph 6.3 of the proposed plan, is to the criteria in Policy DM13.

4. The 2010 SPP supported green networks linking greenspaces in and around settlements, and indicated that development plans should identify and promote them where this would add value to the provision, protection, enhancement and connectivity of open space and habitats. The draft 2013 SPP and the 2014 SPP indicate that the planning system should protect and enhance green infrastructure, and that authorities should adopt a holistic, integrated approach that promotes consistency between the development plan and strategies covering green infrastructure. The Glasgow and Clyde Valley Strategic Development Plan states that the Glasgow and Clyde Valley Green Network is a fundamental key component of the spatial development strategy. It also states that in order to provide critical focus for delivery over such a large part of the city region and to provide momentum to the planned transformational change, prioritisation of action is key. PAN 65, Planning and Open Space, explains that development plans have a key role in protecting and promoting high quality open space, that they safeguard important open spaces from development in the long term, and that they should indicate the circumstances in which new green spaces will be required as part of new developments. Policy 14 seeks to safeguard the green network, to identify appropriate opportunities for its enhancement and/or extension, and to protect areas of priority greenspace, all as shown on the proposals map. Figure 3.1, which sets out the vision and spatial strategy in diagrammatic form, also highlights the proposed plan’s support for the green network. The areas designated as priority greenspace form a major component of the green network. The delivery of the green network involves working in partnership with other organisations and agencies.

5. The planning authority proposes to adjust paragraph 6.7 of the proposed plan by referring to the Glasgow and Clyde Valley Forest and Woodland Strategy, and Policy 14 Criterion (v) by adding buffer strips as a way of providing water management. These changes satisfactorily address the representations on these matters. The planning authority confirmed that the reference to “specific criteria contained in the Development Management, Place Making and Design Supplementary Guidance” at paragraph 6.3 of the proposed plan is to the criteria in Policy DM13 in the guidance. The planning authority indicates that there is no such document as the Glasgow and Clyde Valley Green Network Strategy, and it need not therefore be referred to in the proposed plan.

6. Policy 14, and the priority greenspace designation, applies within settlement boundaries. A number of open spaces, and sports pitches and facilities within settlements are designated priority greenspaces, and are therefore covered by Policy 14. Outwith settlement boundaries, open spaces, and sports pitches and facilities are protected by Policy 3, which covers the green network in the green belt and rural areas, and controls development in these locations. Where settlements contain open spaces, and sports pitches and facilities which are not identified as priority greenspace, development would still be controlled by Policy 6 (General Urban Area/Settlement) of the proposed plan, and policy DM13 of the Development Management, Place Making and Design Supplementary

Guidance, which protects open spaces and play spaces, amongst other things. Priority greenspace is defined in the proposed plan as “areas of important open space within settlements identified through an open space audit.” It does not therefore necessarily include all open spaces in settlements, including sports pitches. Importantly, the priority greenspace designations are based on an open space audit. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP set out criteria which require to be taken into account when assessing development proposals for all playing fields and sports pitches. It is unnecessary to repeat such detailed matters in the proposed plan, which seeks to be concise, and the planning authority’s view that they would be more appropriate in supplementary guidance is reasonable. The proposed plan acknowledges that sports pitches are a major component of the green network at paragraph 6.3. Overall, I consider that there is an appropriate and sufficient policy framework in place to protect open spaces and sport pitches and facilities both within and outwith settlement boundaries. There is no requirement to designate all areas of open space, including sports pitches, as priority greenspaces. The 4 examples given of development proposed on land used or last used as sports pitches/playing fields all appear to relate to sites already allocated for development in the adopted local plan, and the planning authority indicates that in considering proposals for them account was taken of these facilities.

7. Policy 14 makes provision for the enhancement and/or extension of the green network. This would include contributions from development proposals and Appendix 3 sets out development priorities for sites in the proposed plan, highlighting green network requirements. The planning authority indicates that indicative green network designations are shown on development framework and residential masterplan sites on the proposals map where there is no approved masterplan or planning consent in place. I consider that the extent and nature of any green network provision would be a matter that could reasonably be assessed at the development brief, masterplan, or site design and layout stages. There may be opportunities to extend the green network through other development proposals that come forward during the life of the proposed plan. While there is concern about existing and proposed levels of green network provision in Cambuslang, the proposed plan shows the green network policy being applied to several sites, including existing areas of open space and development sites, most notably Newton Community Growth Area. Additionally, immediately to the west, in Rutherglen, Clyde Gateway has been identified as a green network strategic priority in the strategic development plan and, as a part of this project, the proposed plan shows a woodland park being created at Cuningar Loop. Reasonable provision is therefore made in the proposed plan for adding to the green network in this part of South Lanarkshire. I also believe that Policy 14 makes reasonable provision for safeguarding the green network and priority greenspaces.

8. It is inappropriate to show a belt of green network around all settlements in South Lanarkshire. Settlement boundaries are defined in the proposed plan, and they are contained by either green belt or rural area designations. The green network extends into the rural area providing strategic links between urban areas and green networks, and the wider countryside. The strategic development plan and the proposed plan recognise the potential scale of the strategic green network, but the latter has to focus its efforts on those locations where the green network can realistically be delivered.

9. Where appropriately sited, community gardens, allotments, cycle paths and walkways, and the tracks on on shore wind farm sites (as well as the areas covered by habitat management plans) could all form part of the green network. However, it is unnecessary to make specific reference to this in the proposed plan.

10. Regarding access rights, the planning authority indicates that this is dealt with under policy 15 of the proposed plan, which is concerned with the natural and historical environment (see Issue ST16). Policies 14 and 15 overlap, with Policy 15 setting out a protection regime for a hierarchy of natural and historical designations, including recreational resources, eg, core paths and rights of way, and Policy 14 protecting the green network and priority greenspaces. The 2010 SPP indicated that planning authorities should consider access issues and protect core and other important routes and access rights when preparing development plans and making decisions on planning applications. The draft 2013 SPP and the 2014 SPP indicate that local development plans should safeguard access rights and core paths. There is no need for a separate policy in the proposed plan seeking to protect general access rights. Policy 15 explains that all proposals will be assessed in terms of their effect on the character and amenity of the natural and built environment, and I consider that the planning authority's view that this is sufficient to address access issues from a development management perspective, is not unreasonable. The planning authority indicates that a statement can be added to supplementary guidance to make it clear that, where relevant, access rights will be considered when determining planning applications. To ensure that it is completely clear that the proposed plan and Policy 15 are intended to cover the breadth of access rights, it is more appropriate to insert a statement along these lines into paragraph 6.7 of the proposed plan, as set out below, rather than put it into supplementary guidance. A change is therefore necessary.

11. Adjustments are required to the proposed plan.

**Reporter's recommendations:**

Modify the local development plan, as follows (*changes in italics*) (see also Issue ST16):

(1) adjust the wording of Policy 14, so that it reads:

"Policy 14 Green Network and Greenspace

Any development proposals should safeguard the local green network, identified on the proposals map, and identify opportunities for enhancement and/or extension which can contribute towards:

- (i) place making,
- (ii) mitigating greenhouse gases,
- (iii) supporting biodiversity,
- (iv) enhancing health and quality of life,
- (v) providing water management, including flood storage *and buffer strips*,
- (vi) providing areas for leisure activity, and
- (vii) promoting active travel..."; and

(2) adjust paragraph 6.7 so that it reads (see also Issue ST16):

"6.7 The extensive rural area of South Lanarkshire also offers opportunities to create new woodlands and forestry in line with *the Glasgow and Clyde Valley Forest and Woodland Strategy*. Similarly, through the council's participation in the Clyde and Avon Valley Landscape Partnership there will be an opportunity to take forward projects which will conserve and enhance the unique landscape and cultural heritage of the Clyde and Avon Valleys. *In addition, access rights are an important issue and, where relevant, they will be considered when determining planning applications.*"

<b>Issue ST16</b>	<b>Natural and Historic Environment</b>	
<b>Development plan reference:</b>	Chapter 6 Environment Policy 15 Natural and Historic Environment Page 32, paragraph 6.5 Table 6.1 Hierarchy of Natural and Historic Environment Designations Page 33	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>183 - sportscotland 240, 241 - Clyde River Action Group 259 - Save Our Landscapes 334 - New Lanark Trust 355 - Robert Freel 375 - Stonehouse Community Council 422 - Marjory Roberston 442, 444 - RSPB 592 - Wind Prospect</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy 15 sets out the local development plan's priorities for protecting and enhancing the Natural and Historic Environment	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>183 - Resources such as country parks, core paths and rights of way should not be included in this policy since they are not natural heritage designations but primarily about outdoor recreation. The planning approach should be through the protection already afforded to these resources by Policy 14 Green Network and Greenspace and a new policy on access rights. Policy advice in Policy 15 on country parks and access routes appears contrary to that in Policy 14 with potentially less policy protection afforded to these resources by Policy 15. Policy 15 is contrary to paragraph 150 of the Scottish Planning Policy which requires the protection of core paths and <i>other important routes and access rights</i> rather than just core paths and rights of way.</p> <p>240 - The proposed plan does not recognise the role which the River Clyde plays within South Lanarkshire. It is identified in the South Lanarkshire Council Core Paths Plan as a Core Water Route, reflecting the recreational status of the river but the proposed plan does not recognise this. Core Water Routes should be identified in Table 6.1 as a Category 3 designation alongside Core Paths. The proposals map must identify the Core Water Routes in the same way as it does the Core Paths.</p> <p>241 - The proposals map identifies areas covered by the Special Landscape Area designation. This is recognised in Table 6.1 as a Category 3 designation. The proposed plan provides little guidance other than identifying landscape impact as an important consideration for certain types of development. Further information should be provided to</p>		

inform developers of the possible constraints presented by the Special Landscape Areas. Whilst each development would continue to be assessed on its own merits, some clarity on landscape constraints, and areas where development would be inappropriate could direct some forms of development away from sensitive areas to areas better able to accommodate the development. One such example is the Tinto Hill Special Landscape Area, currently there is no commentary of the key constraints presented within this area, and no direction given to developers of locations of highest sensitivities within the landscape area. It would be useful to include brief commentary on the character of the landscape areas within the Proposed Plan. In the case of Tinto, this would provide information to developers of the most sensitive areas, such as on Tinto itself and within the key views across the Clyde Valley towards the Lammermuir Hills to the south.

259 – Request clarification of meaning of Category 1, 2 and 3 areas and suggest that the hierarchy of Category 1, 2 and 3 sites should be made clear in paragraph 6.5, Table 1.6 and in Policy 15. Once it is established that Category 1 sites reflect international designations, Category 2 sites denote national significance, etc., the rationale behind the policy becomes clearer.

There is no direct reference to the Buffer Zone of the New Lanark World Heritage Site in the plan. The Buffer Zone is part of the same UNESCO designation as the World Heritage Site (WHS), and neither its designation nor its boundaries can be amended without UNESCO's agreement. The Buffer Zone should be identified in the plan as representing the setting of the WHS and identified as being part of the Category 1 area. There is no reason why the World Heritage Site should be protected by a different principle from the other Category 1 designations.

The principle of "integrity" can be applied to multiple designations, and has an intuitive meaning that is best operationalised through detailed supplementary guidance. In the case of the WHS it would include the properties that contribute to its Outstanding Universal Value, as evidenced by the Advisory Body's (ICOMOS) report, statement of Outstanding Universal Value and nomination documentation. Similarly, the Inventory of Gardens and Designed Landscapes specifies how an area meets the designation criteria established in Scottish Historic Environment Policy (SHEP). Would favour the application of the generic principle of "integrity" in Policy 15 to all Category 1 areas. The wording currently applied to Special Protection Areas (SPAs) and Special Conservation Areas (SACs) should be applied also to the World Heritage Site and its Buffer Zone.

Policy 15 provides insufficient differentiation between Category 2 and Category 3 sites. These anomalies should be avoided by removing the reference to "significant adverse effects" for Category 2 sites, to read "adverse effects". The word "overall" should be removed from the reference to the "overall integrity of the area" as this may have unintended consequences for groups of gardens/ designed landscapes that have been entered into the Inventory as a single group, as is the case with the Falls of Clyde.

334 – It appears from the key to the settlement maps that the term "setting" equates to the Buffer Zone, as delineated in the World Heritage Inscription. Requests clarification of the criteria against which proposed developments in this wider landscape setting will be assessed.

355, 375 - Disagree with policy

Cat 1: Use of wording "will not adversely affect the integrity of the site" needs to be

expanded upon with perhaps a quantitative or matrix being produced to provide transparency in decision making. Imperative reasons need to be defined and quantified.

CAT 2: The use of wording "any significant adverse effects must be clearly outweighed by social or economical benefits or national importance" needs to be further examined.

CAT3: Definition of "no significant impact on the protected resource" is required.

The term 'protected species' needs defined.

422 - The Inventory of Scottish Battlefields is assigned to Category 2 status rather than Category 1 status. Given the historical importance of the area known as the Covenanters' Field, it should be removed as an area which could be considered in future for residential development. The designation of the Covenanters' Field should be reconsidered.

442 - Policy 15 (i) - The requirements relating to Natura 2000 are more complex than described, including, for example, stipulations about compensation and whether the site hosts priority species and habitats. The paragraph should be reworded to say: 'Special Protection Areas and Special Areas of Conservation are strictly protected. These sites are of European importance and are also referred to as Natura 200 sites. For more details refer to supplementary guidance on the Natural and Historic Environment.' - The policy should also clarify that SPAs and SACs are also referred to as Natura sites as this is how they are referred to elsewhere (e.g. Policy 4, 13).

444 - Table 6.1 Concerned that there is no reference to Local Nature Conservation Sites in the table. South Lanarkshire has designated Local Nature Conservation Sites (LNCSs) in the form of Sites of Importance for Nature Conservation (SINCs) but the lack of policy guidance on them leads to confusion about their status and ultimately a lack of protection. This lack of guidance is contrary to Scottish Planning Policy (SPP) which says that: "Local designations should be clearly identified and protected through the development plan." Table 6.1 should be amended to include Local Nature Conservation Sites in Category 3 with supporting policy text to explain that specific sites will be identified at a later date and further information will be provided in Supplementary Guidance.

It should be noted that policy ENV6 of the adopted local plan said that there would be a review of all the SINCs and protection was given to them through policy ENV27. This position was supported by the Reporter in the Local Plan Inquiry Report (para 36.4). This review has not taken place to date but the lack of it should not mean that LNCSs should be dropped from the proposed local development plan. Without SINCs or other Local Nature Conservation there is no real protection given to sites that are of regional importance for biodiversity but have not met the criteria for designation as SSSIs or Natura 2000 sites - Welcome the inclusion of peatlands and long-established or woodlands of a high conservation value in Category 3.

592 – Several of the policies refer to 'having no significant adverse impacts.' Most EIA scale wind energy developments do have adverse impacts, which are described as significant in EIA terms, however this does not mean that they are necessarily unacceptable when considered in the balance of planning merits. Suggest changing wording to reflect acceptability of impacts rather than automatically prohibiting development where impacts occur.

**Modifications sought by those submitting representations:**

183 – Suggests addition of new policy for Access Rights

240 - Core Water Routes should be identified in Table 6.1 as a Category 3 designation alongside Core Paths.

259 –

- Suggests that the hierarchy of Category 1, 2 and 3 sites should be made clear in paragraph 6.5, Table 1.6 and in Policy 15.
- The Buffer Zone should be identified in the plan as representing the setting of the WHS and identified as being part of the Category 1 area.
- The wording currently applied to Special Protection Areas (SPAs) and Special Conservation Areas (SACs) should be applied also to the World Heritage Site and its Buffer Zone.
- Remove the reference to "significant adverse effects" for Category 2 sites, to read "adverse effects". The word "overall" should be removed from the reference to the "overall integrity of the area"

422 – Historic Battlefields should be a Category 1 designation in Table 6.1

442 – Seeks rewording of Policy 15 (i) as follows: “Special Protection Areas and Special areas of Conservation are strictly protected. These sites are of European importance and are also referred to as Natura 2000 sites. For more details refer to Supplementary Guidance on the Natural and Historic Environment”

444 – Local Nature Conservation Sites should be a Category 3 designation in Table 6.1 with supporting text.

355, 375 592 – The Plan should contain further explanation of terms such as ‘significant adverse impacts’

**Summary of responses (including reasons) by planning authority:**

Objects:

183 – This representation considers that resources such as country parks, core paths and rights of way should not be included in Policy 15 since they are not natural heritage designations but primarily about outdoor recreation. The planning approach should be through the protection already afforded to these resources by Policy 14 and a new policy on access rights. The approach taken by the Council in Policy 15 to identify a hierarchy of designations, including recreational resources such as country parks and core paths/rights of way, builds on the approach taken in both the adopted South Lanarkshire Local Plan and Minerals Local Development Plan. Both of these documents included a similar policy, which has proved a successful basis for development management and forward planning. The Council’s response with regard to access rights is contained in Issue ST15 (REP 182), which concludes that a separate policy on access rights is not required. It should be noted that SNH supports the approach the local development plan has taken in relation to safeguarding and improving the natural environment and made no comments on Policy 15.

No change proposed to the local development plan.



240 – This representation considers that core water routes should be identified in Table 6.1 as a Category 3 designation alongside core paths and identified on the proposals map. The Council acknowledges that core water routes, water access/egress points and core paths share the same status with respect to the Land Reform (Scotland) Act 2003 and are included in the Core Paths Plan (document G31). It would therefore seem appropriate to add these to Table 6.1. If minded to do so the Council invites the Reporter to include the words ‘core water routes and water access/egress points’ after ‘core paths’ in the second last line of Table 6.1.

241 – This representation seeks further information to be provided in the local development plan to inform developers of the possible constraints presented by the Special Landscape Areas. The Council notes that this information is contained in the technical studies that were prepared to inform the preparation of the local development plan (see paragraph 2.19 of the proposed plan). In particular ‘Validating Local Landscape Designations’ (Document G29) sets out detailed information about the six Special Landscape Areas in South Lanarkshire including guidance on landscape conservation issues and opportunities for change. Further policy guidance for the Special Landscape Areas will be contained in Supplementary Guidance.

No change proposed to the local development plan.

259 – This representation seeks a number of changes to policy 15 and table 6.1.

1. It suggests that the hierarchy of Category 1, 2 and 3 sites should be made clear in paragraph 6.5, Table 1.6 and in Policy 15 to reflect that these categories denote international, national and local significance. The Council considers that this is self explanatory but in the interest of clarity the terms ‘international’, ‘national’ and ‘local’ could be added to table 6.1. It is not considered necessary to add these words more than once. If minded to do so the Council invites the Reporter to include the words ‘international’ after Category 1, ‘national’ after Category 2 and ‘local’ after Category 3 in table 6.1.

2. It is recommended by the objector that the Buffer Zone of the New Lanark World Heritage Site (WHS) should be identified in the plan as representing the setting of the WHS and identified as being part of the Category 1 area. Historic Scotland in a letter to the Council dated 22<sup>nd</sup> January 2013, notes that Buffer Zones are considered to represent zones that are not in themselves of outstanding value, but that may influence a World Heritage Site (Document G41) A key function of the buffer zone is to protect the setting of the World Heritage Site by ensuring that the potential impact on the Outstanding Universal Value is considered in the assessment of any development proposals in the area. The Management Plan for New Lanark (Document G32) notes that there appears to be a general lack of awareness of the meaning or purpose of the site’s buffer zone which can lead to confusion and misunderstanding of planning issues. The terms ‘buffer zone’ and ‘setting’ are not interchangeable as the setting can potentially cover a different area, and elements of the setting may be outwith the buffer zone and vice versa. Historic Scotland guidance ‘Managing Change in the Historic Environment’ October 2010 (Document G52) points out that ‘setting often extends beyond the property boundary, or curtilage, of an individual historic asset into a broader landscape context. Less tangible elements can also be important in understanding the setting. These may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes’. For these reasons it is difficult to define the setting of New Lanark on a map. It is noted that the Buffer Zone is incorrectly labelled as ‘Setting’ on the proposals map and the Council proposes to make a technical amendment to correct this. In addition it is

proposed to make a technical amendment to the glossary of terms to include the terms 'World Heritage Site Buffer Zone' and 'Setting' to clarify that these have different meanings (see ST25 Mapping Changes and ST22 Appendix 2 Glossary of Terms). With regard to table 6.1 the Council is satisfied that it would be appropriate to add the term 'setting' in relation to New Lanark as this would be consistent with Scottish Planning Policy.(Document G1) If minded to do so the Council invites the Reporter to include the words 'and its Setting' after 'World Heritage Site' in Table 6.1.

3. The objector considers there is no reason why the World Heritage Site should be protected by a different principle from the other Category 1 designations and the wording currently applied to Special Protection Areas and Special Areas of Conservation should be applied also to the World Heritage Site and its Buffer Zone. The Council notes that the wording in relation to Special Protection Areas and Special Areas of Conservation was provided by SNH. The wording of Policy 15 in relation to New Lanark has not been subject to objection from Historic Scotland or the New Lanark Heritage Trust. It is noted that the detailed policy considerations for New Lanark world heritage site and its setting shall be set out in Supplementary Guidance.

No change proposed to the local development plan.

4. The objector suggests a number of changes to the wording of Policy 15 to better differentiate between the categories of designation. The Council considers that the policy and supporting text is clear about the requirements for each category and further detailed policy for each designation will be set out in Supplementary Guidance. It should be noted that SNH supports the approach the local development plan has taken in relation to safeguarding and improving the natural environment and made no comments on the wording of Policy 15.

No change proposed to the local development plan.

334 – This representation notes that it appears from the key to the settlement maps that the term "setting" equates to the Buffer Zone, as delineated in the World Heritage Inscription. Requests clarification of the criteria against which proposed developments in this wider landscape setting will be assessed. See response to representation 259. If minded to do so the Council invites the Reporter to include the words 'and its Setting' after 'World Heritage Site' in table 6.1.

355, 375 - With regards to the issue of significant impact, in Scottish Planning law there is no formal definition of what constitutes "significant impact". Significance varies depending on the factors under consideration and the context in which the assessment is made.

The decision maker will take a balanced judgement based on a number of factors including, the scale and location of development, whether the effect is temporary or permanent, the degree of mitigation required and the likely impacts on social, economic and environmental factors. Any planning decision would also be based on the input of professional advice and comment with regard to the potential impact of a development, from a number of bodies such as Scottish Natural Heritage, Historic Scotland and Scottish Environment Protection Agency. Assessment of whether a proposal is likely to have a significant impact is a matter for the decision maker to consider based on a professional assessment of the information available.

As regards 'protected species' this is defined in legislation and more detailed policy

guidance will be included in supplementary guidance. No change proposed to the local development plan.

422 - This representation seeks additional protection for the 'Covenanters field' site at Hamilton Road, Bothwell. The site is within a Historic Battlefield and the representation considers that this should be a Category 1 designation not Category 2 as currently shown in table 6.1. The council would point out that Category 1 designations only relate to international designations. Historic Battlefields are identified by Historic Scotland in their Inventory of nationally important sites, therefore listing these as Category 2 national designations in table 6.1 is correct. With regard to additional protection for the Covenanters' field site itself, the Council does not propose to allocate any further designations to this site (See Issue HM6).

No change proposed to the local development plan.

442 – This representation seeks wording changes to Policy 15 in relation to Category 1 areas. It also notes that the policy and supporting text do not make it clear that Special Protection Areas and Special Areas of Conservation are collectively known as 'Natura 2000 sites'. The Council notes that the wording of Policy 15 in relation to Special Protection Areas and Special Areas of Conservation was provided by SNH. More detailed policy guidance on these designations will be provided in Supplementary Guidance and this should address the matters raised in the representation. In the interests of clarity, the council considers that adding a reference to Natura 2000 sites in the policy would be beneficial. If minded to do so the Council invites the Reporter to include the words '(Natura 2000 sites)' after '(SACs)' in policy 15.

444 - This representation considers that Table 6.1 should be amended to include Local Nature Conservation Sites in Category 3 with supporting policy text to explain that specific sites will be identified at a later date and further information will be provided in Supplementary Guidance. Due to the lack of comprehensive and consistent data and mapping of local nature conservation sites in South Lanarkshire these were not included as a specific category in table 6.1. The Council's current policy for nature conservation, as explained in the Local Biodiversity Draft Action Plan (LBAP) 2010 – 2015 (Document G33) takes an ecosystem based approach which seeks to protect individual species and habitats by conserving the whole of the environment in which they are found. The LBAP identifies four key ecosystems in South Lanarkshire – freshwater and wetland, woodland, upland and lowland. The local development plan reflects this wider environmental protection role through the inclusion of the water environment, ancient semi natural woodland and other long established woodland of high conservation value and peatlands as categories in Table 6.1. Further policy guidance for developments affecting these key biodiversity assets will be contained in supplementary guidance.

No change proposed to the local development plan.

592 – This representation notes that most Environmental Impact Assessments (EIA) scale wind energy developments do have adverse impacts, which are described as significant in EIA terms. This however this does not mean these developments are automatically unacceptable when these impacts are balanced against other material planning factors. Suggest changing wording to reflect acceptability of impacts rather than automatically prohibiting development where impacts occur. See Council's response to representations 355, 375 which sets out the Council's interpretation of the term 'no significant adverse impacts'. No change proposed to the local development plan.

**Reporter's conclusions:**

1. Policy 15 of the proposed plan states:

“Policy 15 Natural and Historic Environment

The council will assess all development proposals in terms of their effect on the character and amenity of the natural and built environment. In addition, where specific designations are affected, as listed in Table 6.1... and as shown on the proposals map, the following applies:

Category 1, 2 and 3 sites

The council will seek to protect important natural and historic sites and features, as listed in Table 6.1 and shown on the proposals map from adverse impacts resulting from development, including cumulative impacts.

In category 1 areas:

(i) Development which could affect Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) will only be permitted where an appropriate assessment of the proposal demonstrates that it will not adversely affect the integrity of the site following the implementation of any mitigation measures. Proposals where it cannot be ascertained that it would not adversely affect the integrity of the site will only be permitted where there are no alternative solutions and there are imperative reasons of overriding public interest.

(ii) The council will seek to protect and preserve the Outstanding Universal Value of New Lanark World Heritage Site. Development proposals affecting the world heritage site and its setting will be assessed against the detailed criteria set out in supplementary guidance.

In category 2 areas development will be permitted where the objectives of the designation and the overall integrity of the area can be shown not to be compromised following the implementation of any mitigation measures. Any significant adverse effects must be clearly outweighed by social or economic benefits of national importance.

In Category 3 areas development which would affect these areas following the implementation of any mitigation measures will only be permitted where there is no significant adverse impact on the protected resource.

Where possible, any development proposals which affect natural and historic designations should include measures to enhance the conservation value of the site affected...”

Table 6.1 sets out a hierarchy of natural and historic environment designations for Category 1 (international designations), Category 2 (national designations) and Category 3 (local designations).

2. Adjustments are sought to the proposed plan and Policy 15, which would: protect access rights, and core water routes; explain how a special landscape designation would constrain development; clarify what is meant by Category 1, 2 and 3 sites and what is meant by phrases such as “significant adverse effects must be clearly outweighed by social or economic benefits of national importance”, provide more differentiation between the treatment of Category 2 and 3 sites, and remove the word ‘overall’ when referring to the

overall integrity of the area in Category 2; identify the buffer zone for the New Lanark World Heritage Site, apply the principle of not adversely affecting integrity to the world heritage site and its buffer zone, and clarify the criteria against which developments affecting the setting of the world heritage site will be assessed; classify the Inventory of Historic Battlefields referred to in Table 6.1 as Category 1 not Category 2; clarify that special protection areas and special areas of conservation are Natura 2000 sites, and recognise that the requirements for them are more complex than stated; include a reference to local nature conservation sites in Table 6.1; and refer to the acceptability of impacts rather than requiring no significant adverse impacts.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP set out a number of the protection regimes applying to the natural and historic environment. The 2010 SPP indicated that a strategic approach should be taken to natural heritage, and that provision should be made for the protection, conservation and enhancement of all elements of the historic environment. The draft 2013 SPP and the 2014 SPP indicate that development plans should address the potential effects of development on the natural environment, that they should consider the natural and cultural components together, and that the planning system should promote the care and protection of the historic environment, including the individual assets and the related settings. Policy 15 of the proposed plan covers a wide range of historic and natural heritage designations. It contains a broad based framework for protecting and enhancing the natural and historic environment, rather than setting out the fully detailed terms of all the various statutory tests that apply to some of the designations. The planning authority explains that more detailed policy considerations will be provided in supplementary guidance (which has not been placed before the examination).

4. The planning authority proposes to adjust the proposed plan by: adding core water routes (paths) and water access/egress points to Category 3 of the hierarchy of designations set out in Table 6.1; referring in Table 6.1 to Categories 1, 2 and 3 as international, national, and local designations; adding the setting of the New Lanark World Heritage Site to Category 1 of Table 6.1; and making clear that special protection areas and special areas of conservation are shown as Natura 2000 sites in Policy 15 (Category 1). These changes reasonably address some points raised in representations. I also consider that it is appropriate to add core water routes (paths) and water access/egress points to the proposals map, as other environmental designations are already shown on it, including core paths and rights of way.

5. General access rights are dealt with in more detail at Issue ST15. It is unnecessary to have a separate policy in the proposed plan protecting such rights. In Issue ST15, an adjustment is recommended to paragraph 6.7 of the proposed plan to make it clear that Policy 15 is intended to cover the breadth of access rights. Policy 15 covers a wide range of designations, and it offers an appropriate degree of policy protection for the recreational resources listed in Table 6.1. It is acceptable to have recreational resources such as country park covered by its terms. Taking account of the recommended adjustments, I consider that the policy and its supporting text and table are broadly consistent with the draft 2013 SPP and the 2014 SPP's intentions that local development plans safeguard access rights and core paths, and the 2010 SPP's intention that planning authorities should consider access issues and should protect core and other important routes and access rights when preparing development plans.

6. New Lanark World Heritage Site is identified in Policy 15 as a Category 1 (international) designation. Its setting is also referred to in the policy, but there is no reference to its buffer

zone in either the policy or Table 6.1. Additionally, the 2010 SPP, the draft 2013 SPP, and the 2014 SPP do not refer to a buffer zone. However, they seek to protect and preserve the outstanding universal value of a world heritage site. In both the adopted local plan and the minerals local development plan, the setting of the world heritage site appears to be treated as the equivalent of the buffer zone. Based on Historic Scotland's letter of 22 January 2013, and the references it contains to the guidance in place on setting and UNESCO's guidance on buffer zones, it appears that the setting is not necessarily the equivalent of the buffer zone, albeit that they are likely to overlap. UNESCO's guidance indicates that a buffer zone should include the immediate setting of the nominated property, important views, and other areas or attributes that are functionally important as a support to the property and its protection. While the buffer zone is not a part of the world heritage site, it is closely related to it, it influences it, and it clearly has an important role in its support and protection. I therefore consider that it is appropriate to refer to its role in the policy, as set out below, and to include it in table 6.1. This requires other changes to be made to the proposed plan – to the proposals map so that it is clear that it is showing the buffer zone and not the setting, and to the glossary where definitions of each should be provided. These adjustments are also requested as “non notifiable technical wording amendments” by the planning authority at Issues ST22 and ST25. Although such amendments are not before the examination, in this case they help to address matters raised in a representation under this issue, and adjustments can be made. The definitions proposed by the planning authority of setting and buffer zone are reasonable and appropriate.

7. The wording used in relation to the world heritage site in Policy 15 adequately reflects the terms of the guidance in place, ie national guidance and Unesco's guidelines for the implementation of the World Heritage Convention. It is therefore unnecessary to change it to refer to the generic principle of integrity. While that part of the policy dealing with other international designations, ie special protection areas and special areas of conservation, does refer to the effect development would have on the integrity of a designated site, it too broadly reflects the requirements of the guidance in place. It requires no change. It is unnecessary and inappropriate to expand on or define the phrase “will not adversely affect the integrity of the site.” Assessing whether a proposal would result in an adverse effect would be a matter of judgment, based on all the information the planning authority receives on the application. For the same reason, it is also unnecessary and inappropriate to expand on or define the phrases “any significant adverse effects must be clearly outweighed by social or economic benefits of national importance”, “there is no significant adverse impact on the protected resource”, and “development which will have an adverse effect on protected species...will not be permitted...” I consider that it is acceptable to use the phrase significant adverse impact/effect in general policies such as this which cover a wide range of development proposals, a very small proportion of which are subject to an environmental impact assessment. Such phrases are often used in policies in development plans. There is unlikely to be any significant confusion with similar phrases used in environmental impact assessments because they are being used in a different context.

8. The Inventory of Historic Battlefields is correctly identified as a Category 2 designation in Table 6.1, not Category 1. The planning authority explains that Historic Scotland prepares the inventory, which contains nationally important battlefields. Category 2 covers national designations. It would be inappropriate to place the inventory in Category 1, which covers international designations. The Covenanters' Field is within a historic battlefield, and Category 2 of Policy 15 provides a suitable level of protection.

9. Policy 15 sets out different approaches for assessing development proposals affecting category 2 and category 3 designations. It is unnecessary to differentiate further between these 2 categories. Unlike the part of Policy 15 which deals with Category 2 (national) designations, neither the 2010 SPP nor the draft 2013 SPP referred to “significant” when referring to “adverse effects” or “overall” when referring to the “integrity” of the area. However, the 2014 SPP does refer to “significant” and “overall”, and Policy 15 is consistent with its terms and establishes an appropriate basis for protecting the national designations listed. The equivalent policy in the minerals local development plan has been set out in a different way, and I consider that a direct comparison cannot properly be made with Policy 15.

10. Special landscape areas are identified in Table 6.1 as Category 3 (local) designations. They are also on the proposals map. Policy 15 indicates that developments will only be permitted in special landscape areas where they have no significant adverse impact. The proposed plan indicates that detailed policies for the designations covered by Policy 15 will be set out in supplementary guidance. No supplementary guidance on this matter was placed before the examination. There are 6 special landscape areas in South Lanarkshire. Tinto is included in the Upper Clyde Valley and Tinto Special Landscape Area. South Lanarkshire Council’s Validating Local Landscape Designations (2010) provides more detail about the special landscape areas in South Lanarkshire, including the landscape character types each area covers, and descriptions of the areas. It also identifies the landscape conservation issues and the positive opportunities for change in each special landscape area. Planning Circular 6/2013 indicates that local development plans are expected to be concise, map based documents. The policy principle of protecting special landscape areas has been established in the proposed plan, and the detailed policies applying to them can reasonably be set out in supplementary guidance. I consider that it is unnecessary to provide in the proposed plan a commentary on the character of the special landscape areas, including details of the constraints and the locations of greatest sensitivity.

11. Local Nature Conservations Sites are not listed as a natural environment designation under Category 3 in Table 6.1. The planning authority explains that because of a lack of comprehensive and consistent data and mapping of local nature conservation sites in South Lanarkshire, they were not included in table 6.1. While this is a weakness of the proposed plan, which the planning authority should seek to resolve at the earliest opportunity, local nature conservation is dealt with through a broadly based ecosystems approach as outlined in the Local Biodiversity Draft Action Plan 2010-15. The biodiversity action plan identifies 4 key ecosystems – upland, freshwater and wetland, woodland and lowland. To reflect these ecosystems, the proposed plan includes in Table 6.1, under Categories 2 and 3, the water environment, ancient semi-natural woodland, other long established woodlands and woodlands of high conservation value, and peatlands. This should allow local nature conservation interests that would have been covered by a designation to be properly taken into account when assessing development proposals. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP recognise the importance of conserving and enhancing healthy ecosystems and natural processes, and Scottish Natural Heritage has not objected to the policy or table 6.1. While the approach taken in the proposed plan is not ideal, in the circumstances, I consider that it can be regarded as reasonable and acceptable.

12. Adjustments are required to the proposed plan, as set out below.

**Reporter’s recommendations:**

Modify the local development plan as follows (*changes in italics*)(see also issue ST15):

(1) adjust the wording of Policy 15, so that it reads:

“Policy 15 Natural and Historic Environment...

...In Category 1 areas

(i) Development which could affect Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (*Natura 2000 sites*) will only be permitted where an appropriate assessment of the proposal demonstrates that it will not adversely affect the integrity of the site following the implementation of any mitigation measures...

...(ii) The council will seek to protect and preserve the outstanding universal value of New Lanark World Heritage Site. Development proposals affecting the world heritage site and its setting will be assessed against the detailed criteria set out in supplementary guidance. *Development proposals within the buffer zone will be assessed for their potential impact on the site’s outstanding universal value...*”;

(2) adjust Table 6.1 so that it reads as follows:

Table 6.1 Hierarchy of Natural and Historic Environment Designations

<u>Category</u>	<u>Designation</u>
Category 1 ( <i>International</i> )	Special Protection Areas... ...World Heritage Site <i>and its setting, and its buffer zone...</i>
Category 2 ( <i>National</i> )	Scheduled monuments and their setting...
Category 3 ( <i>Local</i> )	Special Landscape Areas... Core Paths, <i>Core Water Routes (Paths) and water access/egress points</i> , and Rights of Way...”;

(3) add to the proposals map (environmental designations) core water routes (paths) and water access/egress points;

(4) add the following definitions to the glossary (and adjust the numbering of the subsequent definitions):

*“55. Setting (historic asset/place): The way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. Setting often extends beyond the immediate property boundary into the broader landscape.*

*69. World Heritage Site Buffer Zone: An area surrounding the nominate property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection. (UNESCO 2012)”;* and

(5) adjust all map keys referring to the “New Lanark World Heritage Site Setting” so that they read “*New Lanark World Heritage Site Buffer Zone.*”



<b>Issue ST17</b>	<b>Travel and Transport</b>	
<b>Development plan reference:</b>	Chapter 7 Infrastructure Policy 17 Travel and Transport Page 35 Table 7.1 Page 35	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>336 - New Lanark Trust 405 - Cambuslang Community Council 571, 572 - Scottish Government 629 - SPT</p> <p>Comments:</p> <p>356 - Robert Freel 376 - Stonehouse Community Council 637 - SEPA</p>		
<b>Provision of the development plan to which the issue relates:</b>	This policy focuses on the link between land use planning and all forms of transport.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>336 - A traffic circulatory system in the heart of Lanark requires very careful consideration, particularly in relation to the potential impact on the town's historic and landmark buildings. The area involved is a Conservation area, as well as being part of a World Heritage Site Buffer Zone.</p> <p>Also note that the long postponed Beeches access road is not included in the local development plan. Provision of an alternative access route to New Lanark would have significant benefits for traffic management in the town centre of Lanark, and for New Lanark. The Council should consider this.</p> <p>405 - The Council should make a strong and specific commitment to investment in sustainable transport and the development of Green Networks in Cambuslang.</p> <p>The Proposed Local Plan refers to the importance of green networks and the promotion of active travel (walking, cycling) - which are also important objectives of Scottish Planning Policy and the Glasgow and Clyde Valley Structure Plan. The Proposed Local Development Plan has development priorities associated with community growth and residential development which include commitments to ensuring Green Network provision in Hamilton, Ferniegair, Larkhall, East Kilbride, Carluke, Blantyre, Uddingston, Biggar, Lesmahagow, Coalburn and Rutherglen.</p>		

By contrast, there are no obvious or specific commitments for investment in green networks for Cambuslang. SLC has drawn up a map of aspirational Green Networks, but these have not been translated into practice. Cambuslang has almost no on/off road cycle networks in the town, despite the potential offered by the national cycle routes to the north (N75: Cambuslang-Uddingston) and south of the town (NCR 756: East Kilbride -Rutherglen). A priority for green networks in Cambuslang that facilitates safe cycling and walking should include:

- (a) links between Cambuslang Park and Holmhill Park across Greenlees Road;
- (b) links between the two parks and the NCR 75 and NCR 756;
- (c) links between the Main Street and the Clyde Walkway as part of the Hoover site redevelopment;
- (d) cycling access routes to primary and secondary schools.

More generally, the Local Plan lacks a high-level commitment to active travel. The Local Plan identifies the implications of climate change but does not have a strategic commitment to sustainable transport beyond referring to the need for development to make best use of public transport. Active travel through walking and cycling is mentioned only in passing.

571 - Raith Interchange should be removed from Table 7.1 and paragraph 7.2 should read:

*"Scottish Government's Infrastructure Investment Plan details that the M8 M73 M74 Motorway Improvements project is programmed within this plan period. This will specifically result in improvements to the Raith interchange in South Lanarkshire, together with widening and junction improvements along much of the M74 between Raith and Maryville." ~~Table 7.1 summarises identified by Transport Scotland and in the LTS. These are identified on the proposals map.~~*

with an additional paragraph 7.3 which states:

*"Table 7.1 summarises road schemes identified in the LTS. These are identified on the proposals map."*

Reason for change

Table 7.1 indicates a series of Road Schemes, the only one of which is Transport Scotland's responsibility is Raith Interchange.

The wording of paragraph 7.2 is somewhat ambiguous in so far as responsibility and the amendments are suggested to avoid confusion.

572 - Policy 16 should be reworded as follows:

*"New development proposals must consider and where appropriate mitigate the resulting impacts of development related traffic and have regard to the need to reduce the effects of greenhouse gas emissions but at the same time support and facilitate economic recovery, regeneration and sustainable growth."*

629 - Add a reference to the Regional Transport strategy as its is the statutory transport strategy for the West of Scotland and the emerging SLC Local Transport Strategy has been developed to take account of the RTS. The SPT Transport Outcomes Report for SL could also be a useful report for the Action Plan as it sets out annual progress on SPT funded

and supported transport projects, services and initiatives.

SPT has allocated funding to a range of transport projects in its current Capital Programme. In addition SPT is seeking additional funding from the Scottish Government's "Bus Investment Fund" for a new bus facility in Biggar (estimated total cost £300k) and an improved bus facility at Lanark (estimated cost £400k)

SPT funding has not been specifically allocated to the road schemes set out in Table 7.1.

Comment:

356, 376 - Rural bus services or community transport activities must be encouraged as private bus operators seek to cut out the non profitable routes. Rural areas with disused railway lines should be considered a higher priority than towns with sufficient infrastructure.

637 – Support, however would emphasise need to assess overall impacts and relationship with other policy drivers when considering benefit.

**Modifications sought by those submitting representations:**

405 - A priority for green networks in Cambuslang that facilitates safe cycling and walking should include:

- (a) links between Cambuslang Park and Holmhill Park across Greenlees Road;
- (b) links between the two parks and the NCR 75 and NCR 756;
- (c) links between the Main Street and the Clyde Walkway as part of the Hoover site redevelopment;
- (d) cycling access routes to primary and secondary schools.

571 - Raith Interchange should be removed from Table 7.1 and paragraph 7.2 should read:

*"Scottish Government's Infrastructure Investment Plan details that the M8 M73 M74 Motorway Improvements project is programmed within this plan period. This will specifically result in improvements to the Raith interchange in South Lanarkshire, together with widening and junction improvements along much of the M74 between Raith and Maryville." ~~Table 7.1 summarises identified by Transport Scotland and in the LTS. These are identified on the proposals map.~~*

with an additional paragraph 7.3 which states:

*"Table 7.1 summarises road schemes identified in the LTS. These are identified on the proposals map."*

572 - Policy 16 should be reworded as follows:

*"New development proposals must consider and where appropriate mitigate the resulting impacts of development related traffic and have regard to the need to reduce the effects of greenhouse gas emissions but at the same time support and facilitate economic recovery, regeneration and sustainable growth."*

629 - Add a reference to the Regional Transport strategy as it is the statutory transport strategy for the West of Scotland.

**Summary of responses (including reasons) by planning authority:**

Objects:

The Council has considered the representations submitted and would comment as follows:

336 – The Council’s Roads and Transportation Service are considering a traffic circulatory system in Lanark as part of the Local Transport Strategy (Document G34). The Council consider that a solution can be identified and that this will take account of the historic buildings and features in the area.

The Beeches access road is not included in the local development plan since the provision of an alternative access route to New Lanark would require to be developer led. In the current economic climate this is considered unlikely. The Council therefore have not included any roads schemes which are unlikely to be developed in the short to medium term. The Beeches access road is unlikely to be developed in this timescale.

No change proposed to the local development plan.

405 - This representation is concerned about specific projects relating to Cambuslang. Taking each of these in turn the Council makes the following comments:

- In relation to green network provision – the Newton Community growth Area which is within in Cambuslang will have appropriate provision as outlined in the masterplan approved for the area. In addition green networks provision will be part of development of the larger housing sites in Cambuslang, along the Clyde and on the former Hoover site at Bridge Street, which has planning consent for mixed use development.
- In relation to green networks the core path network allows for cycling, walking and bridle paths across South Lanarkshire. A new route from Hamilton to Rutherglen is proposed for cycling and walking, this will be via Cambuslang and will form part of the core paths green network. In addition links will be provided between the parks in Cambuslang and between the Main Street and the Clyde walkway, via the Hoover site development.
- As regards primary and secondary schools, school travel plans are being developed by the schools and the Councils Roads and Transportation Service or are in place to address sustainable travel to and from schools.

The Cambuslang area is well served with green network and access provision and this will improve as further developments come forward that will contribute to the network of paths.

No change proposed to the local development plan.

571 – The Scottish Government propose that the entry for Raith Interchange should be removed from Table 7.1 and paragraph 7.2 should read:

*"Scottish Government's Infrastructure Investment Plan details that the M8 M73 M74 Motorway Improvements project is programmed within this plan period. This will specifically result in improvements to the Raith interchange in South Lanarkshire, together with widening and junction improvements along much of the M74 between Raith and Maryville." ~~Table 7.1 summarises identified by Transport Scotland and in the LTS. These are identified on the proposals map.~~*

with an additional paragraph 7.3 which states:

*"Table 7.1 summarises road schemes identified in the LTS. These are identified on the proposals map."*

The Council suggests a further amendment to paragraph 7.3 and if minded to do so the Council therefore invites the Reporter to reword paragraph 7.2 on the basis described above and to add a paragraph 7.3 as follows:

"Table 7.1 summarises new road schemes contained in the Local Transport Strategy. Responsibility for the delivery of these will be by South Lanarkshire Council with the exception of Raith Interchange (Transport Scotland) and Stonehouse (Private Developer).

572 – The Scottish Government suggest an amendment to the wording of Policy 16 concerned with "development related traffic" however the Council is concerned that this would only relate to 'development' whereas it is the overall impacts of traffic growth that is the thrust of this policy and this can include other factors not related to developments. The Council is content that the wording of Policy 16 is correct and that no change should be made.

No change proposed to the local development plan.

629 - This objection requests that a reference to the Regional Transport strategy is included in the local development plan as this is the statutory transport strategy for the West of Scotland. This is already acknowledged in the text of the Local Transport Strategy and this will be reflected in the local development plan.

If minded to do so the Council invites the Reporter to include a reference to the Regional Transport Strategy in the text of Chapter 7 Infrastructure – Travel and Transport.

Comment:

356, 376 - In regards to rural bus services and community transport activities the Local Transport Strategy recognises the value of such schemes.

637 – Supports policy. The Council notes the comment relating to impacts of developments.

**Reporter's conclusions:**

1. Policy 16 of the proposed plan states:

"Policy 16 Travel and Transport

New development proposals must consider and where appropriate mitigate the resulting impacts of traffic growth and have regard to the need to reduce the effects of greenhouse gas emissions but at the same time support and facilitate economic recovery, regeneration and sustainable growth.

Development of walking, cycling and public transport networks which provide a viable and attractive alternative to car travel, thus reducing the effects of transport on the environment, will be supported. In addition existing and proposed walking and cycling routes will be

safeguarded including former railway lines which can provide walking, cycling and horse riding opportunities.

Development proposals must also accord with other policies and proposals in the development plan and with appropriate supplementary guidance. In particular proposals must conform to the Local Transport Strategy, Core Path Plan, and the Council Guidelines for Development Roads.”

Table 7.1 sets out the road schemes proposed over the plan period.

2. In essence, adjustments are sought to the proposed plan and Policy 16, which would: clarify that the proposed Raith Interchange works are Transport Scotland’s responsibility; replace the reference in the policy to traffic growth with development related traffic; add a reference to the regional transport strategy (in the supporting text); recognise that a traffic circulatory system in the heart of Lanark not only requires careful consideration, but should be linked to the provision of an alternative access route to New Lanark; provide a strong and specific commitment to investment in sustainable transport, including in Cambuslang; and encourage rural bus services or community transport.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP indicate that the planning system should support a pattern of development which reduces the need to travel, facilitates travel by public transport and freight movement by rail or water, and provides safe and convenient opportunities for walking and cycling. The 2014 SPP also refers to optimising the use of existing infrastructure. The Glasgow and Clyde Valley Strategic Development Plan explains that public transport, integrated mass transit systems (eg trains, trams and buses), and the promotion of active travel provide the alternative to the private car, and it prioritises development to locations accessible by such sustainable transport. Policy 16 broadly reflects this policy guidance by setting out an appropriate approach to traffic growth and greenhouse emissions, and to walking, cycling and public transport networks.

4. The planning authority proposes to adjust the proposed plan by making clear the agencies responsible for the road schemes set out in Table 7.1, including that Transport Scotland are responsible for the Raith Interchange works. This change reasonably addresses the representation made on this matter. The planning authority also proposes that a reference is made to the regional transport strategy in the supporting text of the policy, but does not provide any suggested wording. The change set out below is based on the terms of the emerging local transport strategy and the representation made on this matter.

5. The planning authority indicates that Policy 16 refers to development proposals considering and mitigating the impacts of traffic growth, rather than development related traffic, because it is concerned with the overall impacts of such growth, which can include other factors unrelated to a development. While this may be so, the traffic directly related to a development is a particularly important factor when assessing and considering a development proposal and possible mitigation measures. I consider therefore that the policy should therefore be changed to include a reference to development related traffic as set out below.

6. Policy 16 and paragraph 7.3 emphasise the proposed plan’s commitment to supporting sustainable transport options and active travel. The second paragraph of Policy 16 covers walking, cycling and public transport networks, and Figure 3.1, which sets out the proposed

plan’s vision and spatial strategy, includes an objective to support sustainable transport, and indicates that an element of its spatial strategy is to provide walking and cycling routes to link places where people live to facilities and jobs. The local transport strategy refers to the benefits of cycling and walking. Despite the concerns expressed, the Cambuslang area is served by 2 national cycle routes and a network of core paths. The adopted South Lanarkshire Core Paths Plan indicates that there are some 67 kilometres (42 miles) of core paths in the Cambuslang and Rutherglen area. There are proposals to extend the network in this area, and benefits can be secured through development schemes. Other organisations may bring forward suggestions to extend the network and, where appropriate, some may be capable of implementation. However, the proposed plan cannot take these matters forward. The planning authority explains that sustainable travel to and from schools is being addressed in school travel plans, and the local transport strategy indicates that the council seeks to increase the number of schools that develop travel plans and the proportion of journeys that are made to school on foot or by bike. I consider that the proposed plan, through Figure 3.1, policy 16 and paragraph 7.3, provides an appropriate and sufficient policy commitment to sustainable and active travel, including walking, cycling and public transport throughout South Lanarkshire. This includes public transport in rural areas. Further concerns about the green network and sustainable transport in Cambuslang are dealt with at issues ST15 and CR1.

7. Table 7.1 of the plan refers to a proposed town centre circulatory system in Lanark. The local transport strategy indicates, under policy LTP30, that the planning authority will investigate, determine a solution and look to secure funding for this location. The local transport strategy highlights a problem with congestion in the town which is affecting its economic vitality and air quality. It indicates that a detailed assessment requires to be carried out of nitrogen dioxide (NO<sub>2</sub>) in the town centre. The planning authority indicates that any solution to the congestion problem would take into account the historic buildings and features in place. In the circumstances, and given that the strategic development plan refers to action being required to improve accessibility to the town centre, I consider that its inclusion as a proposal in the proposed plan is appropriate. The planning authority’s position that an alternative access route to New Lanark would need to be developer led, and that in the current economic climate it would be unlikely to be delivered in the short to medium term, is reasonable. It is therefore unnecessary to include such a proposal in the proposed plan, and this remains the case even if there are significant benefits to be had for traffic management in the town centre. The matter of an alternative access to New Lanark is also referred to at Issue ST8.

8. Adjustments are required to the proposed plan.

**Reporter’s recommendations:**

Modify the local development plan, as follows (*changes in italics*):

(1) adjust the wording of Policy 16, so that it reads:

“Policy 16 Travel and Transport

New development proposals must consider and where appropriate mitigate the resulting impacts of traffic growth, *particularly development related traffic*, and have regard to the need to reduce the effects of greenhouse gas emissions but at the same time support and facilitate economic recovery, regeneration and sustainable growth...”;

(2) adjust paragraph 7.1 so that it reads:

“7.1 SPP highlights how the link between transport and land use has a strong influence on sustainable economic growth. It also highlights that the Local Transport Strategy (LTS) and SLLDP should be complementary and ensure consistency between the appropriate authorities involved in transportation. The SLLDP therefore has taken account of *the LTS 2013-2023 which, in turn, takes account of the Regional Transport Strategy prepared by the Strathclyde Partnership for Transport*”;

(3) adjust paragraph 7.2, to include the deletion of the last 2 sentences, so that it reads:

“7.2 *Scottish Government’s Infrastructure Investment Plan details that the M8, M73, M74 Motorway Improvements project is programmed within this plan period. This will specifically result in improvements to the Raith interchange in South Lanarkshire, together with widening and junction improvements along much of the M74 between Raith and Maryville*”; and

(4) add a new paragraph 7.3 to read (and adjust the numbering of subsequent paragraphs):

“7.3 *Table 7.1 summarises new road schemes contained in the Local Transport Strategy. Responsibility for the delivery of these will be by South Lanarkshire, with the exception of Raith Interchange (Transport Scotland) and Stonehouse (Private Developer).*”



<b>Issue ST18</b>	<b>Water Environment and Flooding</b>	
<b>Development plan reference:</b>	Chapter 7 Infrastructure Water Environment and Flooding Page 36	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>184, 186 - sportscotland 243 - Clyde River Action Group 593 - Wind Prospect 623 - The Coal Authority 638 - SEPA</p> <p>Support:</p> <p>357 - Robert Freel 377 - Stonehouse Community Council 445 - RSPB</p> <p>Comment:</p> <p>337 - New Lanark Trust</p> <p>Technical Amendment:</p> <p>402 - Scottish Water</p>		
<b>Provision of the development plan to which the issue relates:</b>	This relates to the water environment and any impacts that may occur from development.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>184, 186 - Include a reference to the importance of the water environment for recreation purposes. In addition a reference should be made to impact on access rights on water. Access to, on and in water is an integral component of access rights and one that it is important to promote and protect.</p> <p>243 – Recognition should be made of the economic and leisure implications of flood risk. The Policy should make specific mention of the leisure and tourist uses of the rivers and lakes in South Lanarkshire; fishing and watersports form an important part of the rural economy and if any development would negatively impact on this important aspect of the water environment then it should be resisted. Another key aspect to consider when discussing the water environment in South Lanarkshire, which has been overlooked in this Policy, is possible impacts on sensitive economic activity on the banks. One such example is organic farming, where should a flood event occur in association with a pollution event</p>		

from a proposed development, the organic status and livelihood of the farm owner would be in jeopardy. Given this we ask that Policy 17 recognises the leisure users on the river, and sensitive land uses adjacent to the water environment.

593 – In Policy 17, p. 37 it states " *This includes engineering works such as culverting.*" The Controlled Activity Regulations (CAR), which all developments must comply with, already provides the legal protection that this policy seems to be seeking to do.

Culverting of drainage ditches, for example, is often likely to be acceptable, especially where they are dry for much of the year. Implementation of bridges is probably only worthwhile for permanent water courses of a certain size where flooding and natural heritage issues are likely to be an important consideration. Because the CARs already provide a detailed framework for considering the merits of water crossings based upon flood risk and natural heritage considerations, we don't believe that this needs a simplified interpretation in planning policy - other than to acknowledge compliance with such regulations.

623 – Rising mine water is a potential problem within South Lanarkshire. Suggest the inclusion of additional wording at paragraph 7.7 as follows:

*" through the delivery of the Metropolitan Glasgow Strategic Drainage Plan, the extension of the Glasgow and Clyde Valley Green network, the work of The Coal Authority treating rising mine water, the use of sustainable urban drainage systems (SUDS) and the safeguarding of the storage capacity of the functional floodplain."*

638 – Support but would recommend the inclusion of the phrase in Paragraph 3, e.g. "The Proposed Plan will take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management".

Slight alteration to the wording in Paragraph 7.6 from "South Lanarkshire is the responsible authority" to instead "South Lanarkshire is identified as a responsible authority".

Recommend the use of additional text in the opening paragraph of the policy which states,

"These measures have been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive(WFD) and the underlying aims of the River Basin Management Plans (RBMP'S)".

Support:

357, 377 - Agree with and support this policy.

445 – Support this policy and look forward to supplementary guidance that deals with the issue in further detail. Note that RSPB Scotland has produced guidance for Local Authorities and developers on SUDs that benefit wildlife.

Comments:

337 - There is a significant flood risk to the historic settlement of New Lanark which must also be carefully assessed and managed. Recommend that a Flood Risk Assessment for New Lanark is carried out by SLC.

Technical Amendment:

402 - Scottish Water agrees with the aims set out in Section 7, regarding protection of water environment, reduction of flooding, and also the protection of flood plains and the use of SUDs. Minor amendment may be required to the first sentence of the third paragraph of Policy 17, to state "local flood risk assessment, as opposed to "local flood risk management assessment".

**Modifications sought by those submitting representations:**

184, 186 - Include a reference to the importance of the water environment for recreation purposes. In addition a reference should be made to impact on access rights on water. Access to, on and in water is an integral component of access rights and one that it is important to promote and protect.

402 - Minor amendment may be required to the first sentence of the third paragraph of Policy 17, from "local flood risk management assessment" to "local flood risk assessment.

623 – Suggest the inclusion of additional wording at paragraph 7.7 as follows:

*" through the delivery of the Metropolitan Glasgow Strategic Drainage Plan, the extension of the Glasgow and Clyde Valley Green network, the work of The Coal Authority treating rising mine water, the use of sustainable urban drainage systems (SUDS) and the safeguarding of the storage capacity of the functional floodplain."*

638 – Recommend the inclusion of the phrase in Paragraph 3, e.g. "The Proposed Plan will take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management".

Slight alteration to the wording in Paragraph 7.6 from "South Lanarkshire is the responsible authority" to instead "South Lanarkshire is identified as a responsible authority".

Recommend the use of additional text in the opening paragraph of the policy which states,

"These measures have been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive(WFD) and the underlying aims of the River Basin Management Plans (RBMP'S)".

**Summary of responses (including reasons) by planning authority:**

The Council has considered the representations and would comment as follows:

184, 186 – In response to these representations and those relating to Rep 240 in Strategy Issue ST16 – Natural and Historic Environment the Council does not object to the inclusion of the water environment as a Category 3 designation alongside core paths and identified on the proposals map. The Council acknowledges that core water routes, water access/egress points and core paths share the same status with respect to the Land Reform (Scotland) Act 2003 and are included in the Core Paths Plan (Document G31).

If minded to do so the Council therefore invites the Reporter to include the words 'core water routes and water access/egress points' after 'core paths' in the second last line of

Table 6.1.

In addition watercourses are referred to in paragraph 6.2 of Chapter 6 Environment which covers the use of watercourses as part of the green network. It is inappropriate to add a comment relating to leisure uses in the Water Environment and Flooding section since this is essentially a protection policy rather than one encouraging use of waterways for leisure.

No change proposed to the local development plan.

243 – In relation to the first part of the representation regarding leisure and tourist uses of the rivers and lakes in South Lanarkshire And possible impacts on sensitive economic activity on the banks of water courses. Any proposals which would have an adverse impact on this type of activity would be carefully considered by the Council in consultation with SEPA, before determining whether the proposals should be allowed to proceed. The Council and SEPA are aware of the risks of flooding that can be caused by development both in situ and downstream from development sites. The policy allows the Council to consider such developments and where appropriate refuse applications that would result in an unacceptable flood risk or have a significant and adverse effect on the water environment.

No change proposed to the local development plan.

593 – This representation relates to the use of culverts and is correct in that it states that the Controlled Activity Regulations (CAR) already provides protection. However whilst in some circumstances it may be acceptable to use culverts the principle policy for the Council is that culverts should not be permitted. In relation to wind farm applications (to which this representation is referring) the Council has a standard conditions which states “Water courses should not be bridged or culverted unless agreed with the planning authority”. The Council are therefore content that the direction in Policy 17 Water Environment and Flooding offers the best approach to dealing with development proposals. Applications can be considered on their own merits against the policy and in consultation with SEPA.

No change proposed to the local development plan.

623 – This representation suggests that rising mine water is a potential problem within South Lanarkshire. However the Council are of the opinion that the specific wording sought by the Coal Authority is not required. Any issues which might arise can be dealt with on a site by site basis.

No change proposed to the local development plan.

638 – The Council notes the comments made by SEPA and invites the Reporter if minded to do so to accept the changes proposed as follows:

- In paragraph 3 include the phrase “The Proposed Plan will take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management”.
- Alter paragraph 7.6 from “South Lanarkshire is the responsible authority” to “South Lanarkshire is identified as a responsible authority”.
- additional text in the opening paragraph of the policy which states, “These measures have been identified as having a key role to play in ensuring the protection and

improvement of the water environment in accordance with the Water Framework Directive(WFD) and the underlying aims of the River Basin Management Plans (RBMP'S)".

Support:

357, 377, 445 - The Council notes and welcomes the support for Policy 17 Water Environment and Flooding

Comments:

337 – Noted but this is not a matter for the local development planning authority.  
Technical Amendment:

402 - Scottish Water suggests a minor amendment may be required to the first sentence of the third paragraph of Policy 17.

If minded to do so the Council invites the Reporter to amend the wording of Policy 17 from "local flood risk management assessment" to "local flood risk assessment".

**Reporter’s conclusions:**

1. Policy 17 of the proposed plan states:

“Policy 17 Water Environment and Flooding

Any development proposals which will have a significant adverse impact on the water environment will not be permitted. This includes engineering works such as culverting. In determining proposals consideration shall be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment. The use of buffer and no development zones will be introduced to protect the riparian zone.

The avoidance principle of flood risk management as set out in SPP must be met. Within areas identified as functional floodplain the council will not support any development proposals except where a specific location is essential for operational reasons and appropriate mitigation measures can be taken that meet the principles of flood risk management.

Sites where flood risk may be an issue (due to the breaching of watercourses, surface water and run off, and impact of the proposal on groundwater) shall be the subject of a local flood risk management assessment. Any development where the flood risk cannot be appropriately managed to prevent a significant adverse increase in the risk of flooding either on the site or elsewhere will not be permitted...”

2. Adjustments are sought to the proposed plan and Policy 17, which would: add references to the recreational, leisure and tourist use of the water environment, and to access rights to it; recognise that sensitive economic activities exist on river banks, eg organic farming; require the planning authority to carry out a flood risk assessment for New Lanark; delete the word management from the phrase local flood risk management assessment in Policy 17; delete the reference to culverting in Policy 17, and replace it with a reference to the Controlled Activity Regulations; add a reference in the supporting text to the work of the coal authority in treating rising mine water; add a reference in Policy 17 to a

precautionary approach to managing flood risk; explain that the measures in the first paragraph of Policy 17 ensure the protection and improvement of the water environment; and identify the council as a responsible authority for river basin management planning.

3. The 2010 SPP, the draft 2013 SPP, and the 2014 SPP indicate that planning authorities should take the probability of flooding from all sources and the risks involved into account when preparing plans. The 2014 SPP also indicates that the planning system should promote the protection and improvement of the water environment, a precautionary approach to flood risk, flood avoidance, flood reduction, and the requirements for sustainable drainage. The Glasgow and Clyde Valley Strategic Development Plan explains that securing improvements to water and drainage capacity and water quality as well as reducing flood risk are fundamental to the long term sustainable development of the area, and it promotes a water catchment management based approach through the delivery of the Metropolitan Glasgow Strategic Drainage Plan. Furthermore, the strategic development plan recognises the many benefits that implementation of the Water Framework Directive can bring, particularly in relation to delivering the green network, biodiversity, tourism, regeneration, climate change, health and recreation. Policy 17 of the proposed plan reasonably seeks to protect the water environment, and it sets out an appropriate general framework which supports a risk based approach to the assessment of flooding and development proposals. The proposed plan indicates that more details on the water environment and flooding will be included in supplementary guidance (which has not been placed before the examination).

4. The planning authority proposes to adjust the plan by: deleting the word management from the phrase local flood risk management assessment in Policy 17; adding a reference in Policy 17 to a precautionary approach to managing flood risk; explaining that the measures in the first paragraph of the policy ensure the protection and improvement of the water environment; and identifying the council as a responsible authority for river basin management planning. These changes reasonably address points made in representations.

5. In this section of the proposed plan, there is no reference to recreation, leisure and tourism uses of the water environment. There is no doubt that such uses have an important role, and the strategic development plan refers to them when dealing with the water environment, highlighting that they are one of the benefits which can be delivered when implementing the Water Framework Directive. It is unnecessary to refer to them in Policy 17 itself. However, I consider that a reference to them in the supporting text, as set out below, would be appropriate, and would complement the recommendation at issue ST16, to add core water routes and water access/egress points to Table 6.1 and the proposals map. Taking this into account with the recommendation on general access rights at Issue ST15, access rights are now dealt with adequately in the proposed plan, and no further references to them are required. I also consider that it is unnecessary to highlight and make a specific reference in this section to sensitive economic activities along river banks, eg organic farming.

6. Policy 17 includes a reference to culverts. While culverts are dealt with under other legislation, they can be a cause of local flooding, and it is reasonable for the planning authority to seek to control them through the proposed plan. The policy does not prevent the use of culverts unless it is judged that they would have a significant adverse impact on the water environment. The concern about controlling culverts through the policy appears to relate to their use in wind farm developments. However, the policy is not just concerned with this type of development, but with all types of development. The planning

authority has explained that when granting planning permissions for wind farms, it imposes a standard condition, which states that “water courses should not be bridged or culverted unless agreed with the planning authority.” This approach is broadly in line with the policy, would allow the use of culverts where they can be justified, and acknowledges that the principal aim of the planning authority is to avoid them. I consider that no change is required to the policy on this matter.

7. It is recognised that rising mine water may be a potential problem in South Lanarkshire, and that planning permission has been granted for a mine water treatment scheme in the Douglas area. However, I consider that it is unnecessary to refer in the proposed plan to the role of the Coal Authority in dealing with this issue, and a sufficient case has not been made for highlighting it as a matter which the proposed plan requires to address at this stage.

8. While a representation seeks a flood risk assessment of New Lanark from the planning authority, this is a matter which falls outwith the scope of Policy 17 and the proposed plan.

9. Adjustments are required to the proposed plan.

**Reporter’s recommendations:**

Modify the local development plan, as follows (*changes in italics*):

(1) adjust the wording of Policy 17, so that it reads:

“Policy 17 Water Environment and Flooding

Any development proposals which will have a significant adverse impact on the water environment will not be permitted. This includes engineering works such as culverting. In determining proposals consideration shall be given to water levels, flows, quality, features, flood risk and biodiversity within the water environment. The use of buffer and no development zones will be introduced to protect the riparian zone. *These measures have been identified as having a key role to play in ensuring the protection and improvement of the water environment in accordance with the Water Framework Directive (WFD) and the underlying aims of the River Basins Management Plans (RBMPs)...*

... Sites where flood risk may be an issue (due to the breaching of watercourses, surface water and run off, and impact of the proposal on groundwater) shall be the subject of a *local flood risk assessment*. Any development where the flood risk cannot be appropriately managed to prevent a significant adverse increase in the risk of flooding either on the site or elsewhere will not be permitted. *The plan will take a precautionary approach to managing flood risk by considering flooding from all sources and working towards sustainable flood management*”;

(2) adjust the wording of paragraph 7.5, so that it reads:

“7.5 The water environment is made up of groundwater, surface water and also includes the associated riparian zone. It also includes the catchments of watercourses and wetland networks. Developments should not have a significant adverse impact on any part of the water environment. SEPA is the regulatory authority responsible for ensuring that water quantity and quality is protected and maintained. The water environment has an important role to play in biodiversity and supports a variety of wildlife, including protected species,

birds, aquatic species and biota. *It also supports recreational and leisure uses, and tourism*"; and

(3) adjust the wording of paragraph 7.6, so that it reads:

"7.6 Under the Water Framework Directive (WFD), *South Lanarkshire Council is identified as a responsible authority* for river basin management planning. A key factor in the SLLDP will be protecting and enhancing the water environment and preventing development from taking place within the floodplain or where it will have an impact on its function..."



<b>Issue ST19</b>	<b>Waste</b>	
<b>Development plan reference:</b>	Chapter 7: Infrastructure Waste Policy 18 Paragraphs 7.8 to 7.11 page 37	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>358 – Robert Freel 378 – Stonehouse Community Council 547 – Clean Power Properties Ltd (CPPL) 554 – Scottish Natural Heritage (SNH) 639 – Scottish Environment Protection Agency (SEPA)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The aim of this policy and associated text is to ensure that existing and new waste management facilities shall be safeguarded.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Objects:</p> <p>358, 378 – These representations raise the following points:</p> <ol style="list-style-type: none"> <li>1. A separate waste plan should be considered and subject to public consultation similar to the minerals plan.</li> <li>2. The demonstrated need must be quantifiable. Bullet point iii) needs to be further developed.</li> <li>3. Use of the phrase "no significant adverse impact/effect" required to be quantifiable.</li> <li>4. Sufficient bonds or endowments are required to be obtained to cover restoration and these should not be linked to the capital cost of the development. They should be aligned to restoration and all administration in obtaining another company to carry out the work.</li> </ol> <p>547 – CPPL objects to the following criteria within Policy 18:</p> <p>Criterion i) - There is a demonstrated need for the facility or operation</p> <p>Annex B of the Zero Waste Plan (ZWP) provides indicative figures for waste arising by Scottish Region. However, the ZWP is clear that the capacity figures should not be treated as a limit and must only be used in conjunction with the text in Annex B. Accordingly, there is no policy basis for determining planning applications for waste development based on demonstrated need and therefore CPPL object to the criterion. If this criterion is to remain, it should be clearly linked to Annex B of the ZWP and the data provided in this document.</p> <p>Criterion iii) - The impact on local communities and other sensitive land uses is considered acceptable</p>		

CPPL objects to the current wording which is considered to be open ended and highly subjective. CPPL proposes that the wording be amended to link the criterion assessment of local community impact to Policy 4, which provides the 'significant adverse impact' test to development proposals so that impacts can be properly assessed, quantified and where appropriate, mitigated, through Environmental Impact Assessment.

554 – In the interests of consistency with other policies of the Plan, SNH recommend that the fourth bullet point of Policy 18 be amended to read "...no significant adverse impact on any natural or built heritage features including the Green Belt, agricultural land, landscape and landscape character, habitats and species (*including Natura 2000 sites and protected species*)".

639 – In general, SEPA do not support criteria based policies as they do not generally provide positive approaches towards waste management. They support the safeguarding of existing and new waste management facilities, and support the position that development adjacent to these sites which would adversely affect or be adversely affected by operation of the facility will not be considered favourably. With regard to Policy 18, SEPA comment specifically on two aspects of the criteria and on policy direction:

1. Criterion i - The Scottish Government considers that there will be a need for new waste management facilities until there is a national annual capacity available to meet the targets set out in the ZWP. An estimation of national need (disaggregated into regional need for planning purposes based on 2008 baseline data) is given in Table 1 of Annex B of the ZWP. SEPA recommend that the text in this criteria is changed from "*There is a demonstrated need for the facility or operation*" to "*Contributes towards delivering the national annual capacity required to meet the targets set out in the ZWP*".
2. Criterion ii - Requiring the site to be "suitably located in relation to the main sources of waste" may negatively reflect on waste management or resource reprocessing facilities which, by nature of the technology, receive or manage materials which have been sourced from elsewhere in the country. The ZWP Annex B (paragraph 4.3) states that "*need and proximity for waste management facilities should be considered strategically as the achievement of a sustainable strategy may involve waste crossing planning boundaries within Scotland*". SEPA's interpretation of this is that it is acceptable for waste arising from any location within Scotland to be treated in any waste management facility proposed in Scotland. SEPA recommend that this criteria is therefore removed.
3. SEPA support the direction, within the policy, of waste management facilities to industrial locations/existing waste management sites, however the advice in ZWP Annex B states that in preparing local and strategic development plans, "*planning authorities should set out a locational or spatial strategy which includes waste management development. For all wastes arising in Scotland, this can be achieved by either allocating specific sites for waste management facilities, and/or indicating clearly and positively that land designated for employment, industrial or storage and distribution uses is appropriate for many waste management installations (subject to site specific considerations).*" Modern waste management infrastructure is designed and regulated to high standards and is similar to other industrial processes. Subject to detailed site specific considerations, waste management facilities can be considered appropriate land uses within industrial and employment sites; this position is consistent with SPP (paragraph 216) and ZWP Annex B (paragraph 5.6). ZWP Annex B (paragraph 2.2) states that "*LDPs should identify a plentiful supply of employment and industrial land as a network of sites suitable for waste management uses, consistent with SPP, to ensure private sector competition, as not all*

*industrial sites will be developed for waste management uses.*” This is to make sure that there is no constraint to developing waste facilities, and to allow for alternative options to be brought forward if required. It is therefore recommended that Policy 18 is extended to include employment and storage and distribution uses as appropriate for waste management installations (subject to site specific considerations).

**Modifications sought by those submitting representations:**

358, 378 –The demonstrated need must be quantifiable. Bullet point iii) needs to be further developed. Use of the phrase "no significant adverse impact/effect" requires to be quantifiable.

547 – In Policy 18:

Criteria i) should be clearly linked to Annex B of the ZWP and the data provided in this document; and

Criteria iii) should be amended to link the criterion assessment of local community impact to Policy 4, which provides the ‘significant adverse impact’ test to development proposals so that impacts can be properly assessed, quantified and where appropriate, mitigated, through Environmental Impact Assessment.

554 – The fourth bullet point in Policy 18 should be amended to read "...no significant adverse impact on any natural or built heritage features including the Green Belt, agricultural land, landscape and landscape character, habitats and species (*including Natura 2000 sites and protected species*)".

639 – In Policy 18:

1. Criteria i) - The text in this criteria should be changed from “*There is a demonstrated need for the facility or operation*” to “*Contributes towards delivering the national annual capacity required to meet the targets set out in the ZWP*”;
2. Remove criteria ii); and
3. The policy should be extended to include employment and storage and distribution uses as appropriate for waste management installations (subject to site specific considerations).

**Summary of responses (including reasons) by planning authority:**

Objects:

358, 378 – The Council responds to the points made as follows:

1. South Lanarkshire Council’s Environmental Services will be responsible for preparing a separate waste plan, for the management of Council generated and collected waste.
2. In relation to the request that demonstrated need must be quantifiable, this matter is assessed within the response to 547 (SEPA) below. With regard to the request that bullet point iii) is further developed it is noted that a proposal involving waste management infrastructure could potentially cause a wide range of adverse impacts on a local community, if insufficient mitigation measures were put in place or if the development was inappropriately located. The impacts could include odour, dust, noise, visual intrusion,

rodent and insect infestations, transportation impact and so on. However when assessing development proposals, the criterion would be informed through Environmental Impact Assessment (EIA) (where necessary) and through a detailed assessment of any planning application made, including consultation with consultees such as SEPA and SNH. The Council considers the test contained within this criterion to be appropriate both for this reason and for the reason, detailed below, in respect of the Planning Authority's response to the objector's comment on 'significant impact'.

3. With regards to the issue of significant impact, in Scottish Planning law there is no formal definition of what constitutes "significant impact". Significance varies depending on the factors under consideration and the context in which the assessment is made. The decision maker will take a balanced judgement based on a number of factors including, the scale and location of development, whether the effect is temporary or permanent, the degree of mitigation required and the likely impacts on social, economic and environmental factors. Any planning decision would also be based on the input of professional advice and comment with regard to the potential impact of a development, from a number of bodies such as Scottish Natural Heritage, Historic Scotland and Scottish Environment Protection Agency. Assessment of whether a proposal is likely to have a significant impact is a matter for the decision maker to consider based on a professional assessment of the information available.

4. The need for a restoration bond, the amount and administration procedure required, if one was necessary would be a matter to be assessed as part of the development management process on receipt of a waste related planning application.

No change proposed to the local development plan.

547 – With reference to criteria in the Policy the Council would respond as follows:

*Criterion i) - There is a demonstrated need for the facility or operation*

The Thermal Treatment for Waste Guidelines 2009 (TTWG) (Document G42) sets out SEPA's expectation with regards to applications for an environmental licence for a thermal treatment facility and planning permission. It is clearly stated within Section 1.1 of the TTWG that these guidelines are a 'material planning consideration'. SEPA note within this document that their role as a 'key agency' and statutory consultee for development proposals places a responsibility on them to comment on both the policies and the proposals relating to the thermal treatment of waste. To do this, SEPA confirm that they must look at, amongst other things, 'need'. Section 2.3 of the TTWG clearly states that the 'need' for a facility is a material planning consideration and that it is the 'applicant's responsibility to submit information in support of the need for the development.'

This view is supported in Planning Advice Note 63 (PAN63) within paragraph 15 (Document G46). The TTWG are also expressly referred to in paragraph 260 of the draft Scottish Planning Policy (Document G45). Further, Paragraph 253 of draft SPP makes it clear that 'need' is required to be a consideration when determining planning applications.

Although the ZWP (Annex B) does not expressly refer to the consideration of need, paragraph 2.6 of Annex C states that "*in order to achieve the high levels of prevention, reuse and recycling outlined in the Zero Waste Plan it is imperative that materials that could be reused or recycled are not directed to mixed waste treatment facilities such as Energy for Waste (EfW) facilities*". The Council consider it necessary to consider the need

for a waste management facility to avoid a proliferation of facilities in an area and to ensure 'waste hungry' EfW's do not adversely affect recycling and composting rates.

Therefore a policy direction is contained within a variety of documents which clearly state that the 'need' for a particular type of waste management facility should be given consideration when determining a planning application. Furthermore, the ZWP does not state that need should not be taken into account when determining waste management infrastructure. The inclusion of Criterion i) is therefore consistent with national policy and necessary to ensure waste management infrastructure is properly planned both locally and nationally. Furthermore linking this criterion to the ZWP would not fully address the requirements of national planning guidance and advice.

*Criterion iii) - The impact on local communities and other sensitive land uses is considered acceptable;*

As stated in response to 358, 378 above. However it should also be noted that all planning applications received would still require to be assessed in terms of Policy 4.

No change proposed to the local development plan.

554 – In the interests of consistency with other policies of the Plan, the Council is content to accept the amendment proposed by SNH.

Therefore if minded to do so the Council invites the Reporter to amend the fourth bullet point of Policy 18 to read "...no significant adverse impact on any natural or built heritage features including the Green Belt, agricultural land, landscape and landscape character, habitats and species (*including Natura 2000 sites and protected species*)".

639 – The Council would respond as follows:

1. With reference to *Criterion i) - There is a demonstrated need for the facility or operation please see the response to 547 above.*

2. *Criterion ii) – The site is suitably located in relation to main sources of waste;* Paragraph 213 of SPP (Document G1) states that a sustainable approach to waste management planning relies on a number of objectives including those reflected in the Zero Waste Plan and, amongst other things, the proximity principle. This principle requires waste to be dealt with as close as possible to where it is produced. Paragraph 253 of draft SPP (Document G45) states that *as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity in identifying suitable locations for new facilities.* Both SPP and draft SPP therefore require proximity to be considered when determining planning applications for waste management facilities. Criterion ii) of Policy 18 is therefore consistent with policy contained within SPP, draft SPP and paragraph 5.8 of the ZWP Annex B, which states *Every effort should be made to ensure that proposed waste management facilities for all wastes are consistent with the national approach to proximity and need to enable delivery of an integrated and adequate network of installations across Scotland.*

3. This representation also seeks amendment to the wording of the policy to include employment and storage and distribution uses as appropriate for waste management installations (subject to site specific considerations).

If minded to do so, the Council invites the Reporter to amend the wording of the second last paragraph of Policy 18 Waste from “In general waste management facilities... will be directed to industrial locations and/or... unless other material considerations indicate otherwise” to “In general waste management facilities... will be directed to employment land and/or... unless other material considerations indicate otherwise.

Additional Comment:

An additional comment submitted in relation to Policy 19 Wind Energy (Representation 640) seeks that the South Lanarkshire Local Development Plan provides a positive position regarding energy from waste facilities and that consideration will be given towards locations which are accessible to and can connect with heat/power grids and users of heat and power. This representation has been summarised in Strategic Issue ST20 – Wind Energy and whilst more detail will be included in supplementary guidance on Environment (including Climate Change) the Council proposes to make an amendment to Policy 18 to allow potential developers to take energy from waste into account. Therefore if minded to do so the Council invites the Reporter to add the following wording before the final paragraph of Policy 18 Waste:

“The Council will support reduced reliance on the use of landfill sites for waste. Any applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users.”

**Reporter’s conclusions:**

Consideration of policy 18

1. The relevant part of Policy 18 in the proposed plan states:

“Policy 18 Waste

The council will ensure that existing and new waste management facilities for the treatment and disposal of municipal and commercial waste, including waste transfer stations and recycling centres, shall be safeguarded for waste management use...

Any proposals for waste management facilities such as landfill, waste recycling and processing operations, composting or anaerobic digestion plants and thermal treatment plants must accord with the criteria set out in supplementary guidance.

Planning applications for waste management operations shall be assessed against the following criteria:

- i. There is a demonstrated need for the facility or operation;
- ii. The site is suitably located in relation to the main sources of waste;
- iii. The impact on local communities and other sensitive land uses is considered acceptable;
- iv. The development will have no significant adverse impact on any natural or built heritage features including the green belt, agricultural land, landscape and landscape character, habitats and species;
- v. The development will have no significant adverse impact in terms of local environmental effects including noise, dust, vibration, odour, air quality, attraction of vermin or birds, litter, potential for the pollution of surface water or ground water contamination;...
- ...x. Suitability of the restoration and aftercare proposals for the site.

In general waste management facilities, recycling centres and transfer stations will be directed to industrial locations and/or existing waste management sites unless material considerations indicate otherwise.

Development proposals must also accord with other relevant policies in the development plan and with appropriate supplementary guidance.”

2. During the course of the examination, the 2014 SPP was published. In response to a further information request on its implications, the planning authority indicated that no change required to be made to the criteria in Policy 18. More recently the Scottish Government has confirmed that, following a review of planning policy in 2014, the guidance in Annex B of the Zero Waste Plan was superseded, and local planners should now refer to Scottish Planning Policy (with particular reference to pages 41-44) to guide them in their planning and delivery of waste management capacity.

3. Some concern was expressed about a policy based on criteria because it does not provide a positive approach towards waste management. The planning authority indicates in the proposed plan that this has been done because it is uncertain of the land use implications of the different types of facility. The now superseded 2010 SPP indicated that development plans must identify appropriate locations for required waste management facilities, where possible allocating specific sites, and provide a policy framework which facilitates development of these facilities. The revised 2011 Annex B of the Zero Waste Plan indicated that authorities should set out a locational or spatial strategy which includes waste management development, explaining that this can be achieved either by allocating specific sites and/or indicating clearly and positively that land designated for employment, industrial or storage and distribution is appropriate for many installations (subject to site specific considerations). The draft SPP and 2014 SPP indicate that plans should safeguard existing waste management installations. They also reflect the earlier guidance by supporting an approach based on identifying appropriate locations for new infrastructure, allocating specific sites, and providing a policy framework to facilitate delivery.

4. Policy 18 safeguards existing and new waste management facilities, directs proposed facilities to certain types of site, and sets out criteria for assessing proposals. The national guidance in place does not rule out the approach adopted in the proposed plan, and the planning authority has included a reasonable explanation in it for not identifying specific sites. Subject to the adjustments set out below, which include making clearer the types of site to which waste management facilities should be directed, I consider that the locational and criteria based approach followed in the policy, along with the safeguarding of facilities, is acceptable.

5. Adjustments are sought to Criterion (i) of Policy 18, which would remove the requirement to demonstrate need. Further representations request that need be quantified, and that the criterion refers to no more than there being a national need. The planning authority proposes no change to the plan. The 2010 SPP indicated that the Scottish Government has adopted Zero Waste as a goal. The revised 2011 Annex B indicated that need (and proximity) should be considered strategically, and that the need for facilities can be assessed by referring to Tables 1 (additional operational and waste management infrastructure capacity required) and 2 (10 year rolling landfill capacity required [excluding the capacity remaining in existing landfills]). The tables were to be updated annually, and they would therefore take account of any reduction in the required capacity. The draft SPP and 2014 SPP indicate that the planning system should support the achievement of

Scotland's zero waste targets, and that planning authorities should have regard to the annual update of required capacity for source segregated and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity. The Glasgow and Clyde Valley Strategic Development Plan supports the provision of the appropriate infrastructure to meet the Zero Waste Plan targets.

6. The planning authority refers to the 2009 Thermal Treatment for Waste Guidelines and PAN 63, but both pre-date current national guidance, and the former has now been replaced and the latter is to be updated. It also refers to Annex C of the Zero Waste Plan, but this deals with bans on landfills. The planning authority claims that the revised 2011 Annex B did not expressly refer to the consideration of need. However, section 4 was titled need and proximity, and it set out how these matters should be approached. Need and proximity were also referred to in other sections. The 2014 SPP is now the most up to date and authoritative statement on the role of land use planning in delivering zero waste. It continues the thrust of the revised 2011 Annex B by suggesting that a Scotland-wide approach to need will continue until such time as there is sufficient capacity available to allow the targets set out in the Zero Waste Plan to be met. As the tables which provide the annual update of required capacity (the replacement revised 2011 Annex B tables) are listed as a key document in the 2014 SPP, and they give the Scotland-wide annual infrastructure capacity required by groups of authorities or development plan areas, it is unnecessary and inappropriate to make an applicant demonstrate a need. It would also be inappropriate to change criterion (i) so that it referred only to the existence of a national need. Instead, criterion (i) should be changed to make a proposal show how it contributes towards delivering the national capacity required in the tables (as suggested by SEPA). It is expected that the capacity needed, including the 10 year rolling capacity for land fill, will reduce over time. An adjustment to the proposed plan is required.

7. The removal of Criterion (ii) is sought. A further representation indicates that if this is unacceptable, an applicant should only be required to demonstrate that a site is suitably located in relation to the main sources of waste once the national need for infrastructure has been met. The planning authority proposes no change to the plan. The 2010 SPP referred to the proximity principle, requiring waste to be dealt with as close as possible to where it is produced. The strategic development plan indicates that the strategic authority and its constituent authorities will work together to develop an integrated network of waste management facilities.

8. The revised 2011 Annex B highlighted Article 16(1) of the revised EU Waste Framework Directive (Directive (2008/98/EC), which seeks to establish the principles of self sufficiency and proximity, and indicates that "member states shall take appropriate measures...to establish an integrated and adequate network of waste disposal installations and of installations for the recovery of mixed municipal waste..." On the proximity principle, the revised 2011 annex clarified that paragraph 213 of the 2010 SPP should be taken in the context of the guidance it provides on proximity and need. The draft SPP and the 2014 SPP both indicate that the achievement of a sustainable strategy may involve waste crossing planning boundaries within Scotland. They also both point towards a current significant shortfall in waste management infrastructure and, given this, they require emphasis to be placed on need over proximity. Additionally, the 2014 SPP explains: that the amount of capacity required should not be regarded as a cap; that planning authorities should generally facilitate growth in sustainable resource management; that development should be prioritised in line with the waste hierarchy; and that particular attention should be given to encouraging opportunities for reuse, refurbishment, remanufacturing and reprocessing of high value materials and products.



9. There is no doubt that proximity is a consideration when dealing with waste management facilities, and that the waste hierarchy (prevention, reduction, reuse, recycling, energy recovery, and disposal) is the bedrock of waste management policy. However, the revised 2011 Annex B introduced a new approach requiring proximity and need to be assessed on a Scotland-wide basis for at least the time being, and this has been continued through into the draft SPP and the 2014 SPP. While the proximity principle means that waste should be processed as close to source as possible, the approach now being followed provides flexibility to achieve the objectives of the Zero Waste Plan, which are based on the revised Waste Framework Directive and its principles. Specifically, the approach recognises, amongst other things, that there is a significant unmet need, that waste may have to travel, that the establishment of an adequate and integrated network is important, and that waste represents an opportunity for economic growth. The principles of the revised Directive are only likely to be met when there is enough waste infrastructure to deal with all waste arising annually in Scotland. The 2014 SPP indicates that there will be scope for giving greater weight to proximity as the national network of facilities becomes more fully developed. However, there is no suggestion that this stage has yet been reached.

10. In light of the above, SEPA's concerns about Criterion (ii), and its view that it is acceptable for waste arising from any location in Scotland to be treated in any waste management facility proposed in Scotland, have a sound basis for the time being. I therefore consider that it would be appropriate to delete Criterion (ii). However, the development of an integrated and adequate network of facilities is also an important part of the approach to proximity and need. The strategic development plan, and the latest national guidance refer to the need for a network. Indeed, the strategic development plan refers to the constituent authorities working together to develop an integrated network of facilities. While it is not obvious from the guidance in place what constitutes an integrated and adequate network of waste disposal and recovery, such a network is clearly a part of the approach being followed, and the removal of Criterion (ii) should involve a reference being added to the policy which requires proposals to show how they would contribute to its delivery. This can be achieved through expanding the revised Criterion (i). A brief explanatory paragraph should also be added which sets out the new approach to proximity and need as set out in the most recent national guidance, the 2014 SPP. An adjustment to the plan is required.

11. Adjustments are sought to Criterion (iii). One representation requests further developing the criterion. Another is concerned that it is open ended and highly subjective, and suggests that it should be linked to Policy 4 (development management and place making). The criterion is concerned with the acceptability of the impacts of a proposal on local communities and other sensitive land uses, and it is reasonable and appropriate to include a criterion such as this in the policy. The planning authority indicates that the types of impact to be assessed would include dust, visual intrusion, odour, transport and so on. These impacts, and others, are referred to in other criteria in the policy. The terms of the policy (and the proposed plan) require to be considered as a whole, not as a number of different unrelated parts. The criterion is not open ended because any assessment would be restricted to material planning considerations, such as those referred to above and others mentioned in different criteria and other policies. There is no reason why this criterion should be regarded as highly subjective. An assessment of a proposal against its terms will be based on information lodged with the application, consultation responses from a variety of consultees, and representations that may be received from the public. I consider that no further development of the criterion is required. Additionally, a specific link to Policy 4 is unnecessary because that is a general policy which would be used in

assessing all development proposals. No adjustment to the proposed plan is required.

12. Adjustments are sought to Criteria (iv) and (v), which would allow the phrase “no significant adverse impact” to be quantified. A further adjustment to Criterion (iv) would involve adding a reference to Natura 2000 sites and protected species. The planning authority proposes to add the reference requested, but to make no other change to the 2 criteria. Assessing whether a proposal would result in a significant adverse impact would be a matter of judgment, based on all the information the planning authority receives on the application. Given this, it is unnecessary and inappropriate to refine the criteria in the manner requested. It is also impractical as the criteria are broad in nature, covering a number of issues. No adjustment to the proposed plan is required on this matter. The additional reference proposed in Criterion (iv) to Natura 2000 sites and protected species satisfies the terms of the representation and is acceptable. An adjustment to the plan is therefore required.

13. Adjustment is sought to Criterion (x), which would require bonds or endowments to be linked to the cost of restoration rather than the capital cost of the development. The planning authority proposes no change to the plan. In general terms, the 2010 SPP, the draft SPP and the 2014 SPP all refer to a need for appropriate restoration, and require that landfill permissions are linked to an appropriate financial bond, unless the developer can demonstrate that its programme of restoration, including the necessary financing, phasing, and aftercare of sites, is sufficient. Criterion (x) establishes that suitable restoration and aftercare proposals are required at the time of application, and this satisfies the intention underlying the 2010 SPP, the draft SPP, and the 2014 SPP. The details of any financial bond or endowment that may be required, and the associated administrative costs, can be reasonably assessed and dealt with as a part of any permission granted. It is unnecessary to refer in the criterion to how bonds and endowments should be calculated. No adjustment to the criterion is required.

14. Adjustment is sought to the penultimate paragraph of Policy 18, which would extend the range of sites considered suitable for waste management installations to include those used for employment, storage and distribution uses. The planning authority proposes to change the plan by directing waste management facilities to employment land and deleting the reference to industrial locations. The 2010 SPP, the revised 2011 Annex B, the draft SPP, and the 2014 SPP all consider industrial, storage and distribution locations, and employment land, to be suitable for many modern waste management installations. Strategy support measure 13 of the strategic development plan also supports the use of such locations for this purpose. The planning authority’s proposed change reflects the guidance in place, and I consider that it is a reasonable response to the representation, subject to making it clear that the full range of locations referred to in the guidance is considered suitable. An adjustment to the policy is required.

15. In response to representations made on renewable heat under Issue 20 (Policy 19 – wind energy), the planning authority proposes to change Policy 18 by adding a new paragraph immediately before the final paragraph, as follows: “the council will support reduced reliance on the use of landfill sites for waste. Any applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users.” The reference in the proposed change to the planning authority’s support for reduced reliance on landfill sites would be an unhelpful addition to the policy, and is unnecessary. I believe that the reduced role of landfill sites, as a part of the improved management of waste, can more appropriately be referred to at the end of paragraph 7.8 (which has also been adjusted under Issue 20). The proposed reference to energy from

waste facilities in Policy 18 is dealt with under Issue 20, and requires a change to the policy as set out below.

Other waste related considerations

16. The preparation of a separate waste plan is sought, and it should be subject to public consultation. The plan would be similar to a minerals plan. The planning authority indicates that its Environmental Services Department is responsible for preparing a separate waste plan for the management of council generated and collected waste. It proposes no change to the proposed local development plan. From a land use planning perspective, there is no requirement for waste to be dealt with separately, and it is not clear that any significant advantages would be gained from preparing a further plan. The land use implications of waste are properly covered, along other with matters, in the proposed plan. The plan has already been subject to appropriate public consultation. No adjustment to the proposed plan is required.

**Reporter’s recommendations:**

Modify the local development plan, as follows (*changes in italics*) (see also Issue 20):

- (1) delete Criterion (ii) from Policy 18;
- (2) adjust the wording of Policy 18 (see also Issue 20), so that it reads:

“Policy 18 Waste...

...Planning applications for waste management operations shall be assessed against the following criteria:

- i. *the contribution a proposal makes towards delivering both the national annual waste management capacity required to meet the targets set out in the Zero Waste Plan, and an integrated and adequate network of waste management facilities*  
(*Note: the capacity required is set out in the waste capacity tables referred to in the key documents listed at page 42 of the 2014 SPP*);
- ii. the impact on local communities and other sensitive land uses is considered acceptable;
- iii. the development will have no significant adverse impact on any natural or built heritage features including the green belt, agricultural land, landscape and landscape character, habitats and species (*including Natura 2000 sites and protected species*);
- iv. the development will have no significant adverse impact in terms of local environmental effects including noise, dust, vibration, odour, air quality, attraction of vermin or birds, litter, potential for the pollution of surface water or ground water contamination;...

...In general waste management facilities, recycling centres and transfer stations will be directed to *employment land (including industrial, and storage and distribution sites)* and/or existing waste management sites, unless other material considerations indicate otherwise.

*Any applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users...;*”

(3) adjust paragraph 7.8 (see also Issue 20), so that it reads:

*“7.8 The Scottish Government’s Zero Waste Plan (June 2010) sets out a vision for reducing waste and treating it as a resource. In particular, before considering waste disposal, authorities must identify ways of reducing, reusing, recycling, and recovering waste. This includes recycling demolition material as secondary aggregates, reusing “green” waste and converting it to compost and recycling as much household waste as possible through the introduction of glass, paper and plastic bins for households (source segregation). Waste can be used to recover energy, which has an important role to play in meeting renewable energy targets. However, this should not be at the expense of measures to reduce, reuse and recycle waste. As a part of the improved management of waste under the Zero Waste Plan, there will be a reduced reliance on landfill.”*

(4) add the following new paragraph immediately after paragraph 7.10:

*“The 2014 SPP states that the planning system should support the provision of a network of infrastructure to allow Scotland’s waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies. It also explains: that while a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity; that the achievement of a sustainable strategy may involve waste crossing planning boundaries; that, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity; that regard should be had to the annual update of required capacity for waste mindful of the need to achieve the all-Scotland operational capacity; and that this should not be regarded as a cap. All proposals for waste management facilities should show how they contribute towards delivering both the national annual waste management capacity required and an adequate and integrated network of waste management facilities.”*

<b>Issue ST20</b>	<b>Wind Energy</b>	
<b>Development plan reference:</b>	Chapter 7 Infrastructure Policy 19 Wind Energy Figure 7.1 Strategy Map Paragraph 7.19	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Objects:</p> <p>244 - Clyde River Action Group 359 - Robert Freel 379 - Stonehouse Community Council 515 - Banks Developments 524 - PNE Wind UK Ltd 530 - RES UK and Ireland Ltd 533 - Burcote Wind Limited (BWL) 574 - Scottish Government 583 - Hamish Neilson 587 - RSPB 594 - Wind Prospect 624 - Strathaven Balloon Festival 640 - SEPA</p> <p>HRA comments - SNH</p> <p>Support: 296, 297 - The Glengeith Trust</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy 19 Wind Energy makes provision for wind energy developments in South Lanarkshire and sets out the requirements for the assessment of proposals.	
<b>Planning authority's summary of the representation(s):</b>		
<p>Objects:</p> <p>244 - The proposals map identifies areas "where cumulative impact limits further development of windfarms. We bring to your attention paragraph 102 of the Overburns Appeal decision (PPA/380/2021), where the Reporter states that:</p> <p><i>"The planning authority and several objectors are concerned with the issues of cumulative landscape and visual impact with the Clyde Windfarm, which is situated at a high elevation, several kilometres to the south of the site. I agree that, in principle, wind energy and mineral extraction may have significant effects on the landscape and on visual receptors. I therefore accept that there is the potential for a cumulative effect."</i></p> <p>The role of mineral development when considering cumulative impacts for windfarms and vice versa has been recognised by the Scottish Government appointed Reporter. The local development plan should recognise that where cumulative impacts limit further</p>		

development of windfarms, it should also recognise that this should be a consideration when determining minerals proposals within the identified areas. The text associated with the cumulative impact limitations on the proposals map should be amended to read "Where cumulative impact limits further development of windfarms and mineral development."

359, 379 - Single and small scale wind turbine developments require to be assessed and sufficient buffer zones set.

515 – This representation raises a number of points in relation to Policy 19:

1. The reference to Policy 15 in item iii) of Policy 19 is confusing. It infers that all designations listed in Table 6.1 are international or national heritage designations and therefore are significantly protected when it comes to windfarm developments. However this should not be the case. As set out in the Wind Energy Supplementary Guidance (SG) paragraph 3.2 international and nationally designated sites requiring significant protection are Special Protection Areas, Special Areas of Conservation, Sites of Special Scientific Interest and National Nature Reserves. Banks Developments suggests that the reference to Policy 15 is removed from Policy 19 and replaced with a reference to the Supplementary Guidance Wind Energy.
  2. Objects to SLLDP proposed areas of search illustrated on Figure 7.1. The proposed areas of search indicated in Figure 7.1 and on the Strategy Map should be increased in scale 1) increase area of search around Kype Muir, Dungavel and Bankend Rigg to the west, 2) Retain boundaries of the area of search presented in the 2010 SPG Renewable Energy around Middle Muir, Andershaw, Glentaggart, Penbreck and Kennoxhead Wind Farms, and 3) Introduce an additional area of search to the east of Forth. The Banks Group question how the reduction of areas of search from 2010 SPG Renewable Energy, an increase in the areas where there are constraints to wind farm development, combined with the majority of the proposed areas of search already being subject to wind farm proposals, which limit their capacity to accommodate further development, sits with supporting Scottish Government's renewable energy targets.
  3. The Banks Group would suggest that areas where SLC may wish to accept larger amounts of cumulative impact are around operational/consented windfarms. Rather than limiting areas around operational/consented windfarms from further development the Banks Group suggests that SLC look at an alternative spatial strategy for windfarm development which accepts a landscape change in these areas to a "wind turbine landscape" rather than just a "landscape with turbines".
  4. The Council should consider looking at an alternative spatial strategy for windfarm development that focuses upon creating larger clusters around existing areas of development, with strategic gaps between the larger clusters to provide separation between concentrations of wind turbine development. Within the clustered areas higher levels of landscape change would be acceptable.
  5. The Banks Group welcomes the review of the Renewable Energy Fund (REF) to consider how grant assistance could facilitate employment and investment in local communities that is outlined in paragraph 7.19 of the proposed SLLDP. The Banks Group would however encourage SLC to undertake this review early in the life of the SLLDP.
- 524 - PNE note and welcome the broad recognition of the importance and contribution of wind energy to the UK and Scottish Government's targets and the position of support set out at the start of Policy 19.

The use of the word “considered” in bullet iv. is slightly ambiguous. It is unclear whether SLC are stating:

- that applications will only be considered to contain adequate information if they are accompanied by information on landscape criteria; or,
- whether windfarms will only be considered acceptable where cumulative issues are adequately addressed and shown to be acceptable.

Clarity on this point would be useful.

PNE support the position of providing a community benefit payment and volunteer this on their proposed windfarm developments. However, as noted elsewhere in the LDP and SG, community benefit is not material planning consideration. In that respect the inclusion of the reference to community benefit within the policy could give rise to legal challenge and may give the public and Councillors the wrong impression that development only becomes acceptable when judged against policy.

The tests for contributions through the planning system remain very much as set through established legislation and case law and in principle the inclusion of community benefit within a wind energy policy would not comply with Circular 3/2012 "Planning Agreements".

On this basis it is recommended that the reference to community benefit is removed from the SLDP policy, and pursued individually in discussion with developers.

530 – This representation raises a number of points in relation to Policy 19:

1. There is a significant deficit (circa 438km<sup>2</sup>) between the broad areas of search indicated within the Strategic Development Plan, approx (542km<sup>2</sup>) and the broad areas of search within the proposed local development plan, approx (104 km<sup>2</sup>). This is inconsistent with the Glasgow and the Clyde Valley Strategic Development Plan (GCVSDP) and does not reflect the approach and direction that the SDP is aiming for. It is noted that the SDP did not take into account landscape capacity and cumulative impact; however this is a significant decrease. Given that the Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 are also out for consultation at present we would suggest it is premature to decrease the preferred area of search so drastically without this consultation being complete.

2. The policy sets out that wind energy developments will generally be supported, subject to meeting four considerations. The first consideration, the assessment checklist, could be subject to various interpretations and thus it should be considered that this checklist is used as guidance rather than absolute policy.

3. The second consideration states any scale of windfarms outwith the 20MW preferred broad areas of search will be judged on their merit. However, it is recommended that there is also a without prejudice approach to assessing the acceptability of windfarm developments over 20MW in these areas.

4. This approach should also relate specifically to 20MW+ windfarms which are proposed within greenbelt or protected areas (consideration three). There should be an acknowledgment within Policy 19 that while these areas have been identified " *for their national or international landscape or natural heritage value, are designated as green belt or are areas where the cumulative impact of existing and consented wind farms limits*

*further development* " (ref.: para 189 SPP), development within them may still be acceptable if a developer can show that, following a more detailed survey of the area, it can develop a site sensitively. As such, there should be an explicit statement that this policy does not completely rule out development in these areas.

5. Paragraph 7.19 highlights the community benefit related to windfarms and the minimum contribution of £2500 per megawatt based on installed capacity. RES believes that local communities should benefit directly from hosting windfarms in their area. Policy 19 encourages windfarm developers to contribute to the Council's Renewable Energy Fund. We support the acknowledgement that developers can also make contributions via "another similar mechanism as appropriate". RES consults with the communities identified as local to our developments as to how they would like their community benefit funds to be set up. RES believes that there is not a one size fits all approach to community benefit funds and it should be flexible and community-led.

533 – This representation raises a number of points in relation to Policy 19:

1. BWL welcomes the Vision and Strategy statement within the LDP on climate change and the statement in Paragraph 3.13. This firm commitment to supporting renewable energy in South Lanarkshire is not reflected in the level of identified broad Areas of Search in the LDP. Whilst the Glasgow and Clyde Valley Strategic Development Plan (SDP) did not address matters of landscape capacity and cumulative impact, it did provide a strategy that included Areas of Search to the north and east of the local authority boundary. This includes sites close to Biggar, Carluke, and Forth. BWL recommends that these areas are reassessed in terms of suitability for windfarm developments over 20MW following the consultation process on the SPG and landscape capacity studies that have informed the process.
2. One proposed change to policy wording is in relation to the statement that windfarm developments that meet the stated considerations will "generally" be supported. This is a weak statement and BWL would request that a stronger statement would be to delete the word "generally" to make clear that where a windfarm development does meet all considerations there is a presumption in favour of development.
3. A recommendation that BWL wish to make at this time relates to paragraph 7.19 that notes £2,500 per MW, in terms of community benefit, as being appropriate. It is BWL's position that a monetary community benefit payment, or payments, to communities is very much at the developer's discretion and in principle does not comply with Circular 3/2012 "Planning Agreements" and importantly the case law: *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1WLR 759. On this basis it is recommended that the reference to a monetary sum for community benefit is removed from the LDP.

574 - The Proposed Plan makes no specific reference to the Woodland Removal Policy for the proposed development of wind farms in the South Lanarkshire Council area which is, as previously expressed to the Council, of major concern to Forestry Commission Scotland given the amount of current proposed wind farm schemes in the South Lanarkshire area.

In relation to the potential development of Wind Farms, The Forestry Commission is particularly concerned with the amount of woodland loss due to renewable developments across Central Scotland and as a result Scottish Ministers have approved a Policy on Control of Woodland Removal.



This Policy seeks to protect the existing forest resource in Scotland and supports woodland removal only where it would achieve significant and clearly defined additional public benefits. Where woodland is removed in association with development there will be a strong presumption in favour of compensatory planting".

Scottish Government's "Scoping Guidance for Wind Farm Developers" makes particular reference to Forestry and Woodlands. The fifth paragraph is of particular relevance: "Internationally there is now a strong presumption against deforestation (which accounts for 18% of the world's greenhouse gas emissions). Reflecting this, Scottish Ministers have approved a Policy on Control of Woodland Removal".

The Policy on Control of Woodland Removal must be taken account in the Local Development Plan especially in Policy 19 Wind Energy, particularly in relation to the strong presumption against deforestation, and to provide policy to ensure that where woodland is removed in association with development there will be a strong presumption in favour of compensatory planting.

583 - There is confusion in the term "Southern Uplands Foothills and Pentland Hills Area of Significant Protection for Windfarms". I consider that it would be clearer and better English to call it the "Southern Uplands Foothills and Pentland Hills Area of Significant Protection From Windfarms".

In addition, the highly significant hill Culter Fell, somewhat to the east of Lamington, is just as significant as Tinto Hill, and deserves the same level of protection in landscape terms. The currently proposed Clyde Wind farm Extension comes quite close enough - about 4km. The Area of Significant Protection From Windfarms" should be extended to protect Culter Fell.

587 - Policy 19. iv. Should be amended to say: "windfarm proposals in areas where cumulative impact limits further development will only be considered if they address the landscape and biodiversity criteria set out in supplementary guidance."

594 - We always provide trust funds for our developments and believe that it's often a good way to bring additional benefits to communities near windfarms. However sometimes setting limits and stating that these benefits should always be in the form of a financial payment can have the effect of stifling innovation in community benefits. It's established that trust funds are not material considerations in planning terms and we question the appropriateness of including this within a planning policy.

624 – On behalf of The Strathaven Balloon Festival, I write to advise you that the accumulation of wind turbines in our area (i.e. within a circle of approximately 10 miles around Strathaven, that being the likely maximum range of our participating hot air balloons) is now a matter of serious concern. From being an area which so strongly attracted balloonists, thanks to open country and fine scenery, ours has been rendered a new industrial landscape, with turbine hazards already numerous enough to pose a risk to the future of our very popular event.

640 - Support in relation to wind energy, however we would recommend the requirement for wind developments to consider impacts on the water environment and carbon rich soils, which could include the provision of soil/peat management plans.

The Proposed Plan does not include policy position regarding non-wind powered renewable energy. The development plan is a key opportunity to plan for future renewable energy opportunities. Recommend that a policy is included which seeks to maximise opportunities for renewable heat, including those which support the use of waste as a source material for renewable heat and power facilities, links to policies related to climate change. Waste management is not a standalone issue – it is linked to climate change, economic, energy and infrastructure issues.

Encourage linkages to be made in development plans between waste and waste management facilities and climate change, in particular the opportunities to use waste to work towards the Scottish Government’s renewables targets. Object unless the South Lanarkshire Local Development Plan provides a positive position regarding energy from waste and the consideration that will be given towards location and accessibility to connect with heat/power grid and users of heat and power. The policy should include support for delivery of renewable heat, in particular requiring a link to be made from energy producing facilities (such as Anaerobic Digestion, Biomass, Energy from Waste) and heat users. Support the preparation of supplementary guidance but the key policy positions regarding renewable heat/combined heat and power facilities must be contained within the Local Development Plan. The Scottish Government’s Heat Map project can help to identify areas of heat demand and heat supply.

Habitats Regulations Appraisal – A change to the wording of Policy 19 is needed in order to meet the requirements of the Habitats Regulations Appraisal. In their response to the local development plan consultation SNH made the following comment:

- Screening: Policy 19 appears to largely be a ‘general criteria based policy’, expressing the tests the Council will apply when considering particular proposals. However, the desire to direct windfarms over 20MW to the Broad Areas of Search (BAOS) could result in a likely significant effect on the Muirkirk and North Lowther Uplands SPA, given that the BAOS are located close, and in one case immediately adjacent, to the SPA and therefore within the foraging ranges of some of the qualifying interests. We consider that it will not be possible to introduce mitigation to avoid all possibility of a likely significant effect at the screening stage and that this policy should therefore be taken forward to the appropriate assessment stage. However, it appears that simple mitigation measures could be used early in the Appropriate Assessment to demonstrate no adverse effect on the integrity of any European site.
- Wording: We suggest that a specific policy caveat could be used to demonstrate no adverse effect on the integrity of the SPA from the policy, by amending the policy to read:
  - “ii. The broad areas of search identified on the proposals map are the preferred location for windfarms over 20MW. *To be in accordance with this development plan, and for permission to be granted, developments in these areas must demonstrate that there would be no adverse effect on the integrity of the Muirkirk and North Lowther Uplands SPA*”.
  - iii. Wind farm developments out with these areas will be judged on their merits but must address the key constraints set out in Supplementary Guidance”.

Support:

296, 297 - The Glengeith Trust supports the Local Development Plan Proposed Plan position on renewable energy development. The Trust is also supportive of hydro energy.

**Modifications sought by those submitting representations:**

244 - The text associated with the cumulative impact limitations on the proposals map should be amended to read "Where cumulative impact limits further development of windfarms and mineral development."

515 - i) the reference to Policy 15 should be removed from Policy 19 and replaced with a reference to the Supplementary Guidance on Wind Energy. ii) Amendments to increase the scale of the proposed areas of search: 1) increase area of search around Kype Muir, Dungavel and Bankend Rigg to the west, 2) Retain boundaries of the area of search presented in the 2010 SPG Renewable Energy around Middle Muir, Andershaw, Glentaggart, Penbreck and Kennoxhead Wind Farms, and 3) Introduce an additional area of search to the east of Forth.

524 - it is recommended that the reference to community benefit is removed from Policy 19, and pursued individually in discussion with developers.

530 - There should be an acknowledgment within Policy 19 that while these areas have been identified " *for their national or international landscape or natural heritage value, are designated as green belt or are areas where the cumulative impact of existing and consented wind farms limits further development* " (ref.: para 189 SPP), development within them may still be acceptable if a developer can show that, following a more detailed survey of the area, it can develop a site sensitively.

533 – i) delete the word "generally" from first line of policy 19 to make clear that where a windfarm development does meet all considerations there is a presumption in favour of development. ii) it is recommended that the reference to a monetary sum for community benefit in paragraph 7.19 is removed from the LDP.

574 - Policy in the plan should set out that

"Where woodland is removed in association with development there will be a strong presumption in favour of compensatory planting."

583 – Southern Uplands Foothills and Pentland Hills Area of Significant Protection for Windfarms should be changed to Southern Uplands Foothills and Pentland Hills Area of Significant Protection From Windfarms

The "Area of Significant Protection for Windfarms" should be extended to protect Culter Fell.

587 - Policy 19. iv. Should be amended to say: "windfarm proposals in areas where cumulative impact limits further development will only be considered if they address the landscape and biodiversity criteria set out in supplementary guidance."

640 - Recommend that a policy is included which seeks to maximise opportunities for renewable heat, including those which support the use of waste as a source material for renewable heat and power facilities.

Habitats Regulations Appraisal – amend bullet point ii) of policy 19 to read:

"ii. The broad areas of search identified on the proposals map are the preferred location for wind farms over 20MW. *To be in accordance with this development plan, and for*

*permission to be granted, developments in these areas must demonstrate that there would be no adverse effect on the integrity of the Muirkirk and North Lowther Uplands SPA”.*

iii. Wind farm developments out with these areas will be judged on their merits but must address the key constraints set out in Supplementary Guidance”.

**Summary of responses (including reasons) by planning authority:**

Objects:

244 - This representation considers that the local development plan should recognise that, where cumulative impacts limit further development of windfarms, it should also recognise that this should be a consideration when determining minerals proposals within the identified areas. The Council has followed the guidance in Scottish Planning Policy (Document G1) paragraph 188 which states that when considering cumulative impact of windfarms, planning authorities should take account of existing windfarms, those which have permission, and valid applications for windfarms which have not been determined. The areas identified on the Strategy Map titled ‘areas where cumulative impact limits further development of windfarms’ are based on this analysis. The Council accepts that there may be local circumstances where the landscape and visual impacts associated with minerals and windfarm proposals may combine to create a cumulative effect, but considers that this is best addressed on a case by case basis through consideration of the Environmental Impact Assessment submitted in association with any planning application.

No change proposed to the local development plan.

359, 379 - This representation considers that single and small scale wind turbine developments require to be assessed and sufficient buffer zones set. The Council notes that Policy 19 bullet point v. in the proposed local development plan states that single and small scale wind turbine developments (less than 4 turbines) will be judged on their merits and assessed against the criteria in supplementary guidance. Guidance in relation to separation distances is set out in paragraph 4.33 of the Wind Energy Supplementary Guidance. This advises that there is currently no standard minimum distance specified in Scottish Government guidance between residential properties and turbines, other than in relation to shadow flicker where a distance of 10 rotor diameters is recommended. Taking account of the above it is considered that setting specified buffer zone limits in the LDP cannot be justified.

No change proposed to the local development plan.

515 – This representation raises a number of points in relation to Policy 19:

1. Firstly it suggests that the reference to Policy 15 is removed from Policy 19 and replaced with a reference to the Wind Energy Supplementary Guidance. The Council included this cross reference as Policy 15 is the principal policy in the local development plan for the protection of the natural and historic environment. However it is accepted that Policy 15 protects more than the ‘international and national natural heritage designations’ referred to in Policy 19. In the interests of clarity, this cross reference could be removed. The policy already contains a cross reference to the Wind Energy Supplementary Guidance so there is no need to repeat this. If minded to do so, the Council invites the Reporter to delete the words ‘(see policy 15)’ from item 1 of bullet point iii) in Policy 19. A revised version of Policy 19 is included at the end of this schedule 4.

2. The objector considers that the proposed areas of search indicated in Figure 7.1 and on the Strategy Map should be increased in scale and additional areas identified. A series of technical studies were prepared to inform the preparation of the Supplementary Planning Guidance Renewable Energy 2010 (Document G35) which include the South Lanarkshire Landscape Character Assessment 2010 (Document G43), Validating Local Landscape Designations 2010 (Document G29) and Spatial Framework and Landscape Capacity for Wind Farms 2010 (Document G44). The technical studies underwent consultation and were approved by the Council in December 2010. The Spatial Framework 2010 assessed the sensitivity and capacity of the various landscape character types in South Lanarkshire to accommodate wind farm development, and identified Broad Areas of Search (BAOS) for areas with potential for wind energy development over 20MW. It also identified the spatial constraints that must be addressed when assessing wind energy developments. The Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 (Document G30), builds on the Spatial Framework 2010 taking into account wind farm and wind turbine developments and consents since 2010. It also informs the Supplementary Guidance on Wind Energy on the issues of landscape capacity and cumulative impact. The Spatial Framework Update 2013 is a local development plan technical report and has undergone consultation along with the proposed plan and Wind Energy Supplementary Guidance. There were no specific comments received on this technical report.

The Spatial Framework Update 2013:

- Sets out an updated vision for onshore wind energy development and opportunities for wind energy in South Lanarkshire, and allows a better understanding of the constraints from cumulative impact and how these can or should be addressed;
- Updates the existing landscape capacity for wind turbines and Broad Areas of Search for onshore wind turbines in South Lanarkshire;
- Determines the thresholds of acceptable change and identifies critical factors which are likely to present an eventual limit to development;
- Sets out clear assessment methodology and development criteria to ensure unacceptable cumulative impacts are minimised now and in the future; and
- Identifies areas most suitable for wind energy development.

This is an extensive piece of work which specifically assesses landscape capacity and the impact of cumulative wind energy development in order to determine where there is existing capacity and where significant protection from further development may be required. This study addresses these requirements through a staged assessment process described in sections 2.0 to 6.0 of the Spatial Framework Update 2013 which is in line with Scottish Government web based guidance 'Process for Preparing Spatial Frameworks for Windfarms' (Document G47) and Scottish Planning Policy (Document G1). On this basis the Council does not accept the objector's suggested amendments to the BAOS. Furthermore, the Council would point out that the proposed BAOS are reduced from those in the previous South Lanarkshire Local Plan 2009 (Document G38) due to these areas being developed for wind farms. Therefore it is considered that the Council has an extensive record of contributing to the Scottish Government's renewable energy targets and continues to accommodate renewable energy developments where the technology can operate efficiently and environmental and cumulative impacts can be addressed satisfactorily.

No change proposed to the local development plan.

3. Cumulative impact has been assessed in the Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 (Document G30). Cumulative impact is a critical component in the consideration of the landscape and visual impacts of onshore wind energy in Scotland. This is due to the current number of existing and consented developments in the landscape; proposed developments in the planning system and the long term implications of a national policy that encourages the development of renewable energy generation. As stated in SPP landscape capacity and cumulative impacts require to be determined as they are potentially a significant constraint to development. Nevertheless, it is recognised in guidance that the assessment of landscape capacity and cumulative impacts is not a straightforward exercise. Guidance on the assessment of cumulative impacts and landscape capacity has been applied in the methodology of the Spatial Framework Update 2013, most particularly through SNH Assessing the cumulative impact of onshore wind energy developments (March 2012); UK guidance e.g. Landscape Character Assessment Guidance for England and Scotland Topic Paper 6: and Techniques and Criteria for Judging Capacity and Sensitivity (SNH and The Countryside Agency, 2002). The background considerations and detailed methodology for this process are provided in Appendix 2 of the Spatial Framework 2013. Scottish Government onshore wind turbines web based guidance 'Process for Preparing Spatial Frameworks for Wind Farms' August 2012 states that in areas approaching their carrying capacity the assessment of cumulative effects is likely to become more pertinent in considering new turbines, either as stand alone groups or as extensions to existing wind farms. This is particularly prevalent in South Lanarkshire where there have been significant wind turbine developments/consents since Spatial Framework 2010 was prepared. Since January 2010 to October 2013 a further 5 wind farms (a total of 56 turbines), are now operational/under construction. In addition 81 single turbines, 34 sites for two turbines and 11 sites for three turbines have been granted. The Council's view is that the strategic assessment undertaken in the Spatial Framework Update 2013 clearly sets out the landscape capacity in the areas where cumulative impact limits further development, and therefore would not accept the objector's proposal to change the landscape in these areas from a "landscape with wind turbines" to a "wind turbine landscape". No change proposed to the local development plan.

4. The objector's view is that the Council should consider an alternative spatial strategy for windfarm development that focuses upon creating larger clusters around existing areas of development, with strategic gaps between the larger clusters to provide separation between concentrations of wind turbine development. The Council considers that its Spatial Framework for Wind Energy Development 2013 (Document G30), as summarised in Policy 19 and set out in detail in the Wind Energy Supplementary Guidance, is already based on a 'clusters and gaps' approach. As noted above the methodology for preparing the spatial framework is set out in detail in Appendix 2 of the Spatial Framework 2013. It is in line with Scottish Government web based guidance 'Process for Preparing Spatial Frameworks for Wind Farms' August 2012, which provides guidance on the cluster and gaps approach. There are a number of clusters of windfarms in South Lanarkshire. These are largely situated in previous areas of search identified in the South Lanarkshire Local Plan 2009 (Document G38). These include not only the area to the north of Forth but also areas to the north and south west of Strathaven. Due to the level of development already existing in South Lanarkshire the areas of search identified in the current plan are less extensive than in previous plans, but are in close proximity to existing windfarms thus supporting the concept of 'clustering'. The Council recognises the importance of maintaining undeveloped 'gaps' at a strategic level between clusters, and the Southern Uplands Foothills and Pentland Hills area of significant protection shown on the Strategy Map has therefore been identified as an area where windfarm proposals are unlikely to be

supported. The objector suggests that there is additional capacity in those areas where there are existing 'clusters' of windfarms, and that additional/extended areas of search should be identified based on this. The Council's view is that these areas are constrained due to cumulative impact, as identified through the Spatial Framework, and has therefore identified them as 'areas where cumulative impact limits further development of windfarms'. The Wind Energy Supplementary Guidance does not provide a blanket restriction in these areas but requires that proposals must demonstrate they do not significantly affect the landscape objectives, as summarised in Table 4.1 of the Wind Energy Supplementary Guidance. It would, however, be misleading to identify such areas as 'areas of search', and within these areas appropriate scale of development must be considered on a case by case basis. The Wind Energy Supplementary Guidance sets out in paragraphs 4.9, 4.10 and Table 4.1 the circumstances in which such development may be acceptable.

No change proposed to the local development plan.

5. The objector seeks that the review of the Renewable Energy Fund (REF) referred to in paragraph 7.19 of the local development be undertaken early in the life of the plan. The Council notes that the Renewable Energy Fund is subject to ongoing monitoring and review. This is undertaken by the Council's Regeneration Service who administers the fund.

No change proposed to the local development plan.

524 – This representation raises a number of points in relation to Policy 19:

1. Questions the use of the word "*considered*" in bullet iv. stating it is unclear whether SLC are indicating:

- that applications will only be considered to contain adequate information if they are accompanied by information on landscape criteria; or,
- whether windfarms will only be considered acceptable where cumulative issues are adequately addressed and shown to be acceptable.

The intention of bullet point iv. is to ensure that proposals in areas where cumulative impact limits further development accord with the detailed landscape guidance and objectives for these areas set out in Table 4.1 of the Wind Energy Supplementary Guidance. However the Council accepts that the wording, if read in isolation, may suggest that this is the only requirement a proposal has to satisfy in order to be acceptable. This is evidenced in representation 587 which seeks additional wording to be added to the bullet point in relation to biodiversity. A minor re-wording of the bullet point could be made in the interests of clarity. If minded to do so the Council invites the Reporter to delete the words 'will only be considered if they address the landscape criteria set out in supplementary guidance' from bullet point iv) in Policy 19 and replace with the words 'must demonstrate not to significantly affect the landscape objectives set out in Table 4.1 of Wind Energy Supplementary Guidance'. A revised version of Policy 19 is included at the end of this schedule 4.

2. The representation seeks that the reference to community benefit is removed from Policy 19, as it is not a material planning consideration and could give rise to legal challenge. The Council considers that the wording in Policy 19 in relation to community benefit is acceptable as it only 'encourages' developers to contribute to the Council's renewable energy fund or another similar mechanism. The policy does not require

contributions to be made. Paragraph 7.19 of the local development plan also makes it clear that such contributions are not treated as material considerations in the assessment and determination of planning applications. No change proposed to the local development plan.

530 - This representation raises a number of points in relation to Policy 19:

1. This representation notes that there is a significant reduction between the broad areas of search indicated within the Strategic Development Plan (SDP) (Document G6) and the broad areas of search within the proposed Local Development Plan (LDP) and considers that, given that the Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 (Document G30) is also out for consultation at present, it is premature to decrease the preferred area of search without this consultation being complete. The Council would point out that the areas of search shown in the local development plan strategy map and figure 7.1 are broadly similar to those shown in the Council's Supplementary Planning Guidance for Renewable Energy 2010 (Document G35) with only a small reduction to one area of search to reflect consented developments. As noted in the representation, the areas shown in the SDP did not take account of landscape and visual impact and cumulative impact and thus they are considerably more extensive than those in the local development plan. The Council therefore considers that the areas of search shown in the LDP properly reflect the spatial framework which accords with the requirements set out in SPP. This provides a more realistic indication of those areas where future wind energy development may be accommodated. With regard to the Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 this provides the technical basis for Policy 19 and the Wind Energy Supplementary Guidance, therefore it is not considered premature for the local development plan to include the findings of this study with respect to areas of search.

No change proposed to the local development plan.

2. The representation considers that the assessment checklist referred to in bullet point i) should be used as guidance rather than policy. The Council notes that the assessment checklist is contained in the Wind Energy Supplementary Guidance which is referred to in Policy 19 (i). SPP paragraph 187 (Document G1) advises that development plans should set out the criteria that will be used to assess and determine applications for all wind farm developments. The Council therefore considers the wording of bullet point i) to be acceptable.

No change proposed to the local development plan.

3. The representation also seeks a rewording of bullet point ii) to make it clear that there is also a without prejudice approach to assessing the acceptability of windfarm developments over 20MW in the broad areas of search. The Council considers that it may be more appropriate for the 'without prejudice' statement 'judged on their merits' to be included in bullet point i) rather than bullet point ii) as effectively it applies to all developments. It should also be noted that the Council is seeking a re-wording of bullet point ii) to address issues raised in the Habitats Regulations Appraisal of the local development plan. This is discussed separately below. If minded to do so the Council invites the Reporter to delete the words 'will be judged on their merits, but' from bullet point ii) and add the words 'judged on their merits and' to bullet point i) between the words 'will be' and 'assessed'. A revised version of Policy 19 is included at the end of this schedule 4.



4. In addition the representation considers that there should be an explicit statement that this policy does not completely rule out development in the areas of significant protection including greenbelt referred to in bullet point iii). The Council would point out that Scottish Planning Policy (paragraph 189) (Document G1) and Scottish Government web based guidance 'Process for Preparing Spatial Frameworks for Windfarms' (Document G47) requires planning authorities to set out in the development plan a spatial framework which should identify areas of significant protection. The phrase 'significant protection' implies that there will be restrictions on development in such areas. The Council considers that the phrase used in bullet point iii) of the policy, 'windfarm developments are unlikely to be supported', has an element of flexibility whilst identifying the significant constraint in these areas.

No change proposed to the local development plan.

5. The representation supports the acknowledgement in Policy 19 that developers can also make contributions via "another similar mechanism as appropriate". This support is welcomed by the Council.

533 – This representation raises a number of points in relation to Policy 19:

1. The representation seeks that areas around Biggar, Carluke, and Forth identified in the Glasgow and Clyde Valley Strategic Development Plan (Document G6) as broad areas of search but not identified as such in the local development plan should be reassessed in terms of suitability for windfarm developments over 20MW. As noted in the representation, the areas shown in the Strategic Development Plan did not take account of landscape and visual impact and cumulative impact and thus they are more extensive than those in the local development plan. The Council therefore considers that the areas of search shown in the LDP reflect the spatial framework which accords with the requirements set out in SPP. This provides a more realistic indication of those areas where future wind energy development may be accommodated. The Biggar, Carluke and Forth areas were assessed again in the Spatial Framework Update 2013 (Document G30) which found that:

- The area around Biggar falls within an 'area of significant protection' and plays a key role in separating existing clusters of development (see response to representation 515).
- The areas around Carluke and Forth are constrained due to cumulative impact and have therefore been identified as 'areas where cumulative impact limits further development of windfarms'.

It would be misleading to identify such areas as 'areas of search,' however the Council recognises that there may be some opportunity for wind energy development. The Wind Energy Supplementary Guidance sets out in paragraphs 4.9, 4.10 and Table 4.1 the circumstances in which such development may be acceptable. No change proposed to the local development plan.

2. The representation seeks a change to the wording of the first sentence in Policy 19 to delete the word "generally" to make clear that where a windfarm development does meet all considerations there is a presumption in favour of development. The Council considers that the term 'generally' enables a degree of flexibility which allows consideration of new issues that may emerge during the lifetime of the Plan.

No change proposed to the local development plan.

3. The representation recommends that the reference in paragraph 7.19 to a monetary sum for community benefit is removed. The Council considers that the reference in paragraph 7.19 is acceptable as it relates to the Council's approved Renewable Energy Fund scheme, as summarised in Appendix IV of Wind Energy Supplementary Guidance of the proposed South Lanarkshire Local Development Plan. The scheme is completely separate from the planning process and is administered by the Council's Regeneration Service. Paragraph 7.19 of the proposed local development plan makes it clear that such contributions are not treated as material considerations in the assessment and determination of planning applications.

No change proposed to the local development plan.

574 – This representation seeks additional wording in Policy 19 to address control of woodland removal. The policy in the plan should set out that:

"Where woodland is removed in association with development there will be a strong presumption in favour of compensatory planting."

The Council considers that Policy 19 is a broad strategic policy which sets out the spatial framework for wind energy developments, with detailed guidance set out in Supplementary Guidance. Bullet point i) in Policy 19 states that all proposals for wind energy developments will be assessed against the criteria in the checklist in the Wind Energy Supplementary Guidance. The Wind Energy Supplementary Guidance in paragraphs 4.20 – 4.22 and Criterion 11 in the Assessment Checklist set out the Council's requirements in relation to wind energy developments affecting forests and woodlands. Criterion 11 in the SG states that 'any wind energy proposal that includes woodland removal should be discussed at an early stage with Forestry Commission Scotland and take account of the advice in Scottish Government Control of Woodland Removal Policy which includes a presumption in favour of protecting woodland resources and woodland removal should only be allowed where it would achieve significant and clearly defined additional public benefits. In appropriate cases compensatory planting may form part of the balance.' The Council considers this is sufficient to address this issue and does not consider it appropriate to include this level of detail in Policy 19.

No change proposed to the local development plan.

583 – This representation raises two specific points

1. With reference to the Proposals Map, the objector would prefer the term "Southern Uplands Foothills and Pentland Hills Area of Significant Protection From Windfarms" to be used as this would be clearer and better English. This area has been titled "Southern Uplands Foothills and Pentland Hills Area of Significant Protection For Windfarms" since it was first identified in Supplementary Planning Guidance in 2010 and this has been accepted by developers and consultees. Therefore the Council does not consider it necessary to make this change.

No change proposed to the local development plan.

2. The objector considers that that the "Area of Significant Protection For Windfarms" should be extended to protect Culter Fell. The Council notes that the boundary of the Southern Uplands Foothills and Pentland Hills Area of Significant Protection is based on a grouping of a number of local landscape character types. The function of this area of

significant protection is not primarily related to local landscape protection but has a wider role of maintaining an undeveloped 'gap' at a strategic level between clusters of windfarms. This is discussed in more detail in paragraph 6.4.5 of Spatial Framework and Landscape Capacity for Wind Turbines Update 2013 (Document G30). The Council accepts that Culter Fell is an important local landscape feature, however it falls within the extensive 'Southern Uplands' landscape character type where it would be difficult to identify an appropriate boundary for the area of significant protection. Furthermore Culter Fell is already covered by a Special Landscape Area designation, and is within an 'area where cumulative impact limits further development of windfarms'. The Council considers this offers adequate protection for this local landscape feature.

No change proposed to the local development plan.

587 – This representation seeks the inclusion of biodiversity in the wording of Policy 19 bullet point iv. As noted in relation to representation 524, the intention of this bullet point is to ensure that proposals in areas where cumulative impact limits further development accord with the detailed landscape guidance and objectives for these areas set out in Table 4.1 of the Wind Energy Supplementary Guidance. Bullet point i) in Policy 19 states that all proposals for wind energy developments will be assessed against the criteria in the checklist in the Wind Energy Supplementary Guidance. The Wind Energy Supplementary Guidance in paragraphs 4.15 – 4.31 and Criterion 10 and 13 in the Assessment Checklist set out the Council's requirements in relation to biodiversity considerations. A proposed amendment is suggested for Bullet point iv in response to representation 524, however this does not include the modification proposed in representation 587. In respect of Representation 587 no change is proposed to the local development plan.

594 – This representation questions the appropriateness of including a reference to renewable energy fund contributions within a planning policy. As noted in the response to representation 524, the Council considers that the wording in Policy 19 in relation to community benefit is acceptable as it 'encourages' developers to contribute to the Council's renewable energy fund or another similar mechanism. Paragraph 7.19 of the local development plan makes it clear that such contributions are not treated as material considerations in the assessment and determination of planning applications.

No change proposed to the local development plan.

624 – This representation expresses concern about the number of wind turbines being developed around Strathaven, and the impact this may have on the Strathaven balloon festival. The Council recognises that the plateau and rolling moorland areas to the north, west and south of Strathaven have been a focus for wind energy development. These areas were identified in the South Lanarkshire Local Plan (Document G38) as areas of search for windfarms however these areas are now identified as 'areas where cumulative impact limits further development of windfarms'. The comments of local community groups and residents are taken into account by the Council when processing windfarm and wind turbine applications.

No change proposed to the local development plan.

640 – This representation raises a number of points in relation to renewable energy:

1. The representation expresses support in relation to wind energy, however SEPA would recommend a requirement for wind developments to consider impacts on the water

environment and carbon rich soils, which could include the provision of soil/peat management plans. The Council notes that its requirements in relation to these issues are set out in the Wind Energy Supplementary Guidance. The water environment is discussed in paragraphs 4.30 – 4.31, and Criterion 15 in the assessment checklist for wind energy proposals requires that ‘wind energy proposals must not have an unacceptable adverse impact on the water environment, as required by the Water Framework Directive and related regulations.’ The supplementary guidance does not specifically refer to carbon rich soils as there is no agreed definition or mapping of these available. However the supplementary guidance contains detailed guidance for developments affecting peat (paragraphs 4.27 – 4.28 and Criterion 13 in the assessment checklist) and prime agricultural land (paragraph 4.29 and Criterion 14 in the assessment checklist). The Council considers this is sufficient to protect these interests.

No change proposed to the local development plan.

2. It is noted that the proposed local development plan does not include a policy position regarding non-wind powered renewable energy. For clarification Policy 19 deals specifically with wind energy developments. The Council’s view is that the scale and nature of non- wind based renewable energy developments allows them to be assessed against the general development management policy (Policy 4 Development Management and Place Making) and other relevant policies in the Local Development Plan. However more detailed guidance on this matter will be contained in the Environment and Climate Change Supplementary Guidance.

No change proposed to the local development plan.

3. It is recommended that a policy is included which seeks to maximise opportunities for renewable heat, including those which support the use of waste as a source material for renewable heat and power facilities. The Council notes that renewable heat will be considered in the Environment and Climate Change Supplementary Guidance and that its policy approach to energy from waste is dealt with under the Waste section of the local development plan.

No change proposed to the local development plan.

4. The representation requires that the South Lanarkshire Local Development Plan provides a positive position regarding energy from waste and the consideration that will be given towards location and accessibility to connect with heat/power grid and users of heat and power. The Council notes that its policy approach to energy from waste is dealt with under the Waste section of the local development plan. Amendments have been suggested to Policy 18 Waste to address the issues raised by SEPA. See Schedule 4 for Strategic Issue ST19 – Policy 18 Waste within the Summary of responses (including reasons) by planning authority under representation 639.

Habitats Regulations Appraisal – A change to the wording of Policy 19 is needed in order to meet the requirements of the Habitats Regulations Appraisal (Document G10). The Council has discussed this in detail with SNH and a modified version of the wording contained in SNH’s consultation response is suggested. If minded to do so the Council invites the Reporter to replace the current bullet point ii) in Policy 19 with the following wording. (This also incorporates the minor wording change suggested in Rep 530 point 3).

ii. the broad areas of search (BAOS) identified on the proposals map are the preferred

location for windfarms over 20MW. Proposed developments of any scale in the BAOS must address the key constraints set out in supplementary guidance and must demonstrate no adverse effect on the integrity of Muirkirk and North Lowther Uplands SPA.

- iii. Windfarm developments of any scale outwith the BAOS must address the key constraints set out in supplementary guidance;

It is noted that this change will have implications for the numbering sequence of bullet points as the original bullet point ii) is split.

Support:

296, 297 – Noted. The Glengeith Trust supports the Local Development Plan Proposed Plan position on renewable energy development. The Trust is also supportive of hydro energy.

Summary of proposed amendments to Policy 19:

As a result of taking into account representations and amendments sought in respect of clarity, Policy 19 is proposed to be re-worded. If minded to do so the Council invites the Reporter to accept the amended rewording of Policy 19 below:

#### Policy 19 - Wind Energy

Applications for wind energy developments will generally be supported subject to the following considerations:

- i. all proposals for wind energy developments will be judged on their merits and assessed against the criteria in the assessment checklist set out in Wind Energy Supplementary Guidance;
- ii. the broad areas of search (BAOS) identified on the proposals map are the preferred location for windfarms over 20MW. Proposed developments of any scale in the BAOS must address the key constraints set out in supplementary guidance and must demonstrate no adverse effect on the integrity of Muirkirk and North Lowther Uplands SPA.
- iii. Windfarm developments of any scale outwith the BAOS must address the key constraints set out in supplementary guidance;
- iv. windfarm developments are unlikely to be supported in the following areas of significant protection as defined in supplementary guidance
  - a. International and national natural heritage designations
  - b. Southern Uplands foothills and Pentland Hills area of significant protection.
  - c. Green Belt (proposals over 20MW);
- v. in areas where cumulative impact limits further development wind energy proposals must demonstrate that they will not significantly affect the landscape objectives set out in Table 4.1 of supplementary guidance.
- vi. single and small scale wind turbine developments (less than 4 turbines) will be judged on their merits and assessed against the criteria in supplementary guidance. Particular attention shall be given to the cumulative impact and landscape capacity of these developments.

The Council will encourage operators of wind turbines/wind farms within South Lanarkshire to contribute to the Council's Renewable Energy Fund (REF) or another similar mechanism as appropriate.

Development proposals must also accord with other relevant policies and proposals in the development plan and with supplementary guidance.

**Reporter’s conclusions:**

Policy 19 in the proposed local development plan, and the revised Policy 19 proposed by the planning authority

1. Policy 19 in the proposed plan states:

“Policy 19 Wind Energy

Applications for wind energy developments will generally be supported subject to the following considerations:

- (i) all proposals for wind energy developments will be assessed against the criteria in the assessment checklist set out in Wind Energy Supplementary Guidance;
- (ii) the broad areas of search identified on the proposals map are the preferred location for wind farms over 20MW. Wind farm developments of any scale outwith these areas will be judged on their merits but must address the key constraints set out in supplementary guidance;
- (iii) wind farm developments are unlikely to be supported in the following areas of significant protection as defined in supplementary guidance:
  - 1. international and national natural heritage designations (see Policy 15)
  - 2. Southern Uplands Foothills and Pentland Hills area of significant protection
  - 3. green belt (proposals over 20MW);
- (iv) wind farm proposals in areas where cumulative impact limits further development will only be considered if they address the landscape criteria set out in supplementary guidance;
- (v) single and small scale wind turbine developments (less than 4 turbines) will be judged on their merits and assessed against the criteria in supplementary guidance. Particular attention shall be given to the cumulative impact and landscape capacity of these developments.

The council will encourage operators of wind turbines/wind farms within South Lanarkshire to contribute to the council’s renewable energy fund (Ref) or another similar mechanism as appropriate.

Development proposals must also accord with other relevant policies and proposals in the development plan and with supplementary guidance.”

The local development plan identifies 3 proposed areas of search for wind farms over 20MW close to the western edge of the planning authority’s area. The areas are by Lesmahagow (area A), by Crawfordjohn (area B), and by Abington (Leadhills and the Southern Uplands - area C). It also proposes a significant area of protection stretching from the council’s north eastern boundary to Abington and Rigside by the M74, and 3 areas where cumulative impact limits further development in the north east, west, and south east of the South Lanarkshire area.

2. During the course of the examination, the 2014 SPP was published. This set out a new approach on spatial frameworks for onshore wind farms. In response to a further information request, the planning authority indicated that they proposed a revised Policy

19, which states:

“Policy 19 Renewable Energy

Applications for renewable energy development will be assessed against the principles set out in SPP.

The council will produce statutory supplementary guidance which contains the spatial framework for onshore wind energy and sets out policy considerations against which all proposals for renewable energy developments will be assessed.

The council will encourage operators of renewable energy within South Lanarkshire to contribute to the council’s renewable energy fund (Ref) or another similar mechanism as appropriate.

Development proposals must also accord with other relevant policies and proposals in the development plan and with supplementary guidance.”

The planning authority indicates that changes would also require to be made to the supporting text in the proposed plan, and to the strategy map.

The background to Policy 19 in the proposed plan

3. The approach in the proposed plan is based on the now superseded 2010 SPP, which indicated that planning authorities should support the development of wind farms in locations where the technology can operate efficiently and environmental and cumulative impacts can be satisfactorily addressed. It stated that development plans should provide a clear indication of the potential for development of wind farms of all scales, and that they should set out the criteria that would be considered in deciding applications for all wind farm developments. It also indicated that the development plan should set out a spatial framework for onshore wind farms of over 20MW, which could include wind farms of less than 20MW, if that was considered appropriate. The framework should identify areas requiring significant protection, areas with potential constraints, and areas of search.

4. The draft 2013 SPP maintained the 2010 SPP’s support for wind farms where impacts on the environment and communities could be satisfactorily addressed. It indicated that strategic development plans should identify capacity for strategic onshore wind farms as well as cumulative impact pressures, and that local development plans should clearly set out the potential for wind turbine and wind farm development of all scales as part of a spatial framework. A framework should be based on 4 groupings: (1) areas where wind farms would not be acceptable; (2) areas of significant protection [wind farms would only be appropriate where it could be demonstrated that any significant effects on the qualities for which the area was identified could be substantially overcome by siting, design or mitigation]; (3) areas where planning constraints were less significant, where opportunities for wind farm development could be realised through good design or mitigation; and (4) areas where wind farms were likely to be supported subject to detailed consideration against policy. Under this guidance, plans should recognise that with the exception of group (1), the existence of planning constraints would not impose a blanket restriction.

5. The 2012 Glasgow and Clyde Valley Strategic Development Plan states that the city region is characterised by significant potential for wind energy. It sets out (at Diagram 16) broad areas of search, and indicates that these provide a strategic spatial framework for

more detailed local development planning. In refining their strategy, authorities are required to distinguish those areas outwith the broad areas of search which require significant protection from those with potential constraints. Strategy Support Measure 9 explains, amongst other things, that it will be for local development plans to take forward the refinement of the areas of search to establish their long term potential.

6. The adopted 2009 South Lanarkshire Local Plan identified 5 potential wind farm areas – to the west, north and east of Forth, to the south west of East Kilbride, to the west of Lesmahagow, Coalburn and Douglas, to the west of Crawfordjohn and Glespin, and to the west of Abington, Crawford, and Elvanfoot. However, the plan committed to reviewing the policy and spatial framework for wind farms over 20MW, and it highlighted concerns with the cumulative impact of wind farms in the Forth area and to the south west of East Kilbride. The council undertook (amongst other things) a spatial framework and landscape capacity study (2010), which contributed to the authority's 2010 supplementary planning guidance. The methodology for the 2010 study was based on the advice set out in Planning Advice Note 45, Annex 2. The 2010 study highlights an issue with the cumulative impact of wind farms, and identifies a clear pattern of potential wind farms, with a chain forming on upland areas stretching from Whitelee Wind Farm in the north west to Clyde Wind Farm in the south east (and Harestanes Wind Farm continuing the chain further south into Dumfries and Galloway Council's area), and a second concentration in the north east based on Black Law Wind Farm and others. The 2010 study removes the potential wind farm areas by Forth and East Kilbride, reduces the size of the ones by Lesmahagow (area A) and Crawfordjohn (area B), adjusts the position, and increases the size of the one by Abington (Leadhills and the Southern Uplands - area C), introduces significant areas where cumulative impacts limit further development, and identifies a significant area of protection. The revised search areas, the areas where cumulative impacts limit further development, and the area of protection were all incorporated in the planning authority's 2010 supplementary guidance.

7. The 2010 spatial framework and landscape capacity study was updated in 2013. Both the 2010 study and the 2013 update inform the authority's 2013 supplementary guidance and policy 19 in the proposed plan, including the proposed areas of search. The 2013 update retains the 3 areas of search, the significant areas where cumulative impacts limit further development, and the area of significant protection. However, it slightly reduces the area of search by Lesmahagow (area A), significantly reduces the size of the one by Crawfordjohn (area B), and increases the area (to the west) where cumulative impacts limit further development. The 2013 update finds that the upland areas have the greatest capacity for wind farm development. While it suggests that much of that capacity is already occupied by wind farms, some further capacity has been identified. The proposed plan has therefore made cumulative impact a stage 2 (potential) constraint using the approach set out in the Scottish Government's online guidance for preparing spatial frameworks. The study concludes that taking current applications for wind farms and turbines in the upland and farmland areas together with those already given permission, would exceed an acceptable level of cumulative development. Scottish Natural Heritage has indicated that it supports the content and direction of the 2013 supplementary guidance.

#### The 2014 SPP

8. The 2014 SPP, which replaces the 2010 SPP, indicates that development plans should seek to ensure that an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations. Local development



plans should set out the factors to be taken into account in considering proposals for energy developments. These would be likely to include the following factors listed in the 2014 SPP (paragraph 169): net economic benefits; the scale of contribution to renewable energy targets; effect on greenhouse emissions; cumulative impacts; impacts on communities and individual dwellings; landscape and visual impacts; effects on the natural heritage, hydrology, the water environment, and flood risk; impacts on carbon rich soils, public access, the historic environment, tourism and recreation, aviation, defence interests and seismological recording, telecommunications and broadcasting installations, road traffic and adjacent trunk roads; the need for conditions relating to decommissioning and robust planning obligations for achieving site restoration; and opportunities for energy storage.

9. The 2014 SPP explains that planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms, following the approach set out in table 1, and indicating the minimum scale of development that the framework is intended to apply to. Table 1 divides the spatial framework into 3 groupings: (1) areas where wind farms will not be acceptable (National Parks and National Scenic Areas); (2) areas of significant protection (national and international designations; other nationally important mapped environmental interests; and community separation (an area around cities, towns, and villages identified in the local development plan); and (3) areas with potential for wind farm development (beyond groups (1) and (2), wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria).

10. The 2014 SPP indicates that development plans should identify areas capable of accommodating renewable electricity projects in addition to wind generation, including hydro-electricity generation. It also states that where a proposal is acceptable in land use terms, and consent is being granted, local authorities may wish to engage in negotiations to secure community benefit in line with the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments.

#### Consideration of representations

11. In essence, adjustments were sought to Policy 19 of the proposed plan which would: extend the areas of search by Lesmahagow (area A) and Crawfordjohn (area B); introduce a new search area in the north east of the authority's area (including around Biggar); extend the Southern Upland Foothills and the Pentlands Hills area of significant protection; more accurately reflect the larger areas of search identified in the strategic development plan; restrict mineral developments in areas where cumulative impact limits wind farms; delete the word "generally" from the introduction to the policy; ensure that the "assessment checklist" referred to in consideration (i) is treated as guidance, not policy; require applications in broad areas of search and in areas of significant protection (considerations [ii] and [iii]) to be treated on their merits, and show that there would be no adverse impact on the integrity of the Muirkirk and North Lowther Special Protection Area (consideration [ii]); clarify consideration (iv), in particular what is meant by the word "considered", and add biodiversity as a further factor to be addressed; add a specific reference in the policy to the Scottish Government's policy on control of woodland removal; remove from the policy references to the planning authority's renewable energy fund and monetary sums/benefits, and commit to an early review of the fund to assess how grant assistance could help employment and investment in local communities; require wind energy proposals to consider impacts on the water environment and carbon rich soils; set out a policy position on non-wind renewable energy; encourage links between waste, and

waste management facilities and climate change (particularly the contribution that waste can make towards meeting renewable energy targets); set buffer zones for single and small scale wind turbine developments; describe the area of significant protection as an area of significant protection “from”, rather than “for”, wind farms; and refer to the impact of wind turbines on the Strathaven Balloon Festival.

12. The 2014 SPP has resulted in further adjustments being sought to the proposed plan. In essence, these would ensure that the spatial framework followed the approach set out in table 1. In particular, that areas designated for their international and national natural heritage interest would be significant areas of protection where wind farms may be allowed in some circumstances, that various other designations and mapped interests, including sites in the Inventory of Gardens and Designated Landscapes and the Inventory of Historic Battlefields, and carbon rich soils, along with community separation distances would be similarly identified, and that the restrictions on development in the Southern Upland Foothills and the Pentlands Hills area of significant protection, the green belt, and the areas where cumulative impact limits further development would be removed.

13. The 2014 SPP clearly sets out a new approach for preparing a spatial framework from that set out in the 2010 SPP and the draft 2013 SPP. A spatial framework prepared under the 2014 SPP does not have to include the range of matters required in a framework prepared under the earlier national guidance. A spatial framework is now to be focussed on international and national designations, other nationally important mapped environmental interests and community separation. The process of preparing a spatial framework now appears less complex. Several of the matters that had previously to be included are now to be dealt with as considerations at the development management stage rather than through a spatial framework. Most notably, these include cumulative impact, the green belt, aviation and defence interests, scheduled monuments, and tourism and recreational interests. In a spatial framework for South Lanarkshire, there would be no group (1) areas ie areas where wind farms would not be acceptable. There would be group (2) areas, ie areas where significant protection would be required and, beyond groups (1) and (2), the remaining area would all be group (3), ie an area with potential for wind farm development. Group (2) areas in South Lanarkshire would include the New Lanark World Heritage Site, the Clyde Valley Woodlands and Braehead Moss National Nature Reserves, the Muirkirk and North Lowther Special Protection Area, and 7 special areas of conservation. The planning authority acknowledges that the 2014 SPP means that significant changes are required to the spatial framework in the proposed plan and to policy 19. Significant changes would also be required to the text associated with the policy and the supplementary guidance.

14. The spatial framework in the proposed plan identifies only small areas of search for wind farms over 20MW. The 2013 update suggests that the extensions and new area of search sought in the representations all contain landscape character types which could accommodate some wind farm/turbine development (eg plateau farmland, plateau moorland, and rolling moorland). These areas appear not to have been included in the areas of search because both the 2010 study and the 2013 update suggested that cumulative impact was an emerging issue in parts of the South Lanarkshire area. Under the 2010 and draft 2013 SPPs, it was appropriate for the spatial framework to identify the areas most affected by cumulative impact. This resulted in broad search areas significantly reduced in size from those shown in the strategic development plan, but that plan did not take account of landscape capacity and cumulative impact. While I had concerns about the extensive size of the areas identified as being affected by cumulative impact because of the challenging national renewable energy targets in place, development would not have

been precluded in them because cumulative impact was to be treated as a potential constraint. Under the 2010 and draft 2013 SPPs, potential constraints could be overcome, for example, through siting, design or mitigation, and policy 19 in the proposed plan would therefore have been acceptable, provided that it made clear that the areas affected by cumulative impact were to be treated as a potential constraint.

15. However, as table 1 of the 2014 SPP no longer includes cumulative impacts in a spatial framework, the areas defined as being affected by them now require to be deleted from the proposed plan. Cumulative impacts will be assessed at the development management stage, where it should be recognised that in some areas cumulative impact may limit the capacity for further development. Development management is now expected to be a more detailed and exacting process. The change in approach to cumulative impact is highly likely to result in larger areas with potential for wind farms under group (3) of the new approach to a spatial framework, than the areas of search currently identified in the proposed plan. The extent to which the area with potential for wind farms can include those areas sought in representations depends on the size and location of the areas requiring significant protection under group (2) of the new spatial framework.

16. The Southern Upland Foothills and Pentland Hills area of significant protection identified in the spatial framework is based on 2 regional landscape character areas, is large, and functions as a strategic gap between clusters of wind farms. It would be inappropriate to include it in a spatial framework prepared under the 2014 SPP for the reasons given in paragraph 13, and it should be removed from the proposed plan. Instead, any need to protect this area as a strategic gap now requires to be dealt with as a consideration in the processing of an application. Even if it was possible to retain this area in the spatial framework, there would be no sound basis for extending it over Culter Fell or removing a part of it at Biggar to create a new area of search. Culter Fell lies outwith the landscape character areas on which the significant area of protection is based, and the area around Biggar forms a logical part of it. While the green belt is no longer a part of the spatial framework, the designation needs to remain in the proposed plan because it serves other planning purposes.

17. In addition to a new spatial framework being required for onshore wind farms, changes are necessary to the wording of Policy 19. The policy in the proposed plan includes 5 considerations for judging applications, and the planning authority proposed to increase this to 6 as set out above in its summary of responses. The considerations are based on a spatial framework prepared under the 2010 and draft 2013 SPPs, and are not consistent with the 2014 SPP and should be removed. Revisions to the policy should include requirements to prepare a new spatial framework and apply the provisions of the 2014 SPP. A short explanation of the change in circumstances should replace much of the existing associated text. Linked to this Figure 7.1, which shows the areas of search for the strategic development plan and the proposed plan, should be deleted.

18. The 2014 SPP indicates that proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps, and lists a number of considerations (paragraph 169) to be taken into account. These considerations are the most up to date available at this time, and they form an appropriate and reasonable basis for assessing proposals and should be referred to in the policy. As these considerations apply to energy infrastructure developments in general, it is reasonable that the policy be adjusted to apply to all renewable energy developments rather than be restricted to wind energy. It would also be helpful and would make the proposed plan clearer if the text associated with the revised policy indicated support for the development

of a range of renewable energy infrastructure developments at appropriate locations. This appropriately addresses representations seeking a policy position on non-wind renewable energy proposals, and it reflects the support provided for renewable energy technologies in other parts of the proposed plan. The spatial framework for onshore wind farms can reasonably form a part of supplementary guidance because, under Section 24 of the 1997 Town and Country Planning (Scotland) Act (as amended), the development plan, in which the 2014 SPP requires the framework to be set out, includes such guidance. The supplementary guidance can also reasonably contain the full details of the considerations to be used in the assessment of proposals, based on the list of considerations set out at paragraph 169.

19. If the 5 considerations set out in Policy 19 in the proposed plan had remained in place, changes would have been required to them as a result of the representations. In particular, it would have been necessary to make clear that the policy supported wind farms by deleting the word “generally” from its introduction. It would also have been necessary: to make clear that applications in broad areas of search and in areas of significant protection (consideration [iii]) would be treated on their merits; to set out the appropriate test for assessing the effect of proposals on the Muirkirk and North Lowther Special Protection Area (consideration [ii]); to remove from consideration (iii) the confusing reference to Policy 15; and to clarify the terms of consideration (iv) by deleting the word “considered” and making clear that wind farm proposals would have to demonstrate that they did not unacceptably affect the landscape or relevant landscape objectives in areas where cumulative impact was a potential constraint. With the removal of the 5 considerations from the policy and the restructuring of it to take account of the 2014 SPP, these adjustments are in the main no longer required. However, in order to properly align the revised policy with the 2014 SPP, an adjustment is required, to make clearer that it supports wind farms and a diverse range of renewable energy technologies.

20. Other changes requested to Policy 19 in the proposed plan would have been inappropriate. In particular, it would have been inappropriate to refer to: the assessment checklist in consideration (i) as guidance rather than policy as this would have understated its importance; biodiversity in consideration (iv), as it deals only with landscape capacity and associated cumulative impacts; and the Scottish Government’s woodland removal policy, the water environment in general, and the Strathaven Balloon Festival and other annual events in policy 19, as it is strategic in nature and is not meant to include every possible issue. It would also have been inappropriate: to include mineral proposals in a spatial framework concerning only wind farms; to set buffer zones for single and small scale wind turbine developments in the absence of a sound justification; and to describe the area of significant protection as an area of significant protection “from”, rather than “for.” None of these representations raise matters requiring changes to be made to the revised policy. There is no explicit reference to carbon rich soils in the proposed plan or the assessment checklist in the supplementary guidance (but there is reference to peat and prime agricultural land in the checklist). Under the 2014 SPP, carbon rich soils are a nationally important mapped environmental interest which are to be included in a spatial framework. While the planning authority will therefore require to consider them when preparing its new spatial framework and in determining applications, there appears to be no agreement yet on a definition or mapping. It is unnecessary to refer to this resource in the revised policy or its supporting text.

21. Both Policy 19 of the proposed plan and the revised Policy 19 seek to encourage developers to contribute to the planning authority’s renewable energy fund. The planning authority explains that the policy only encourages contributions, and that the details

outlined in the proposed plan (paragraph 7.19) reflect the scheme it operates. The 2010 SPP indicated that the range of benefits offered by renewable energy developments can include community trust funds, and that these should not be treated as a material consideration unless they meet the tests set out in Circular 1/2010 (now replaced by Circular 3/2012). The draft 2013 SPP stated that benefits may only be material considerations where they meet the 2 tests outlined in Circular 4/2009, Annex A (ie they must serve or relate to a planning purpose, and they should fairly and reasonably relate to the particular application). The 2014 SPP states that where a proposal is acceptable in land use terms, and consent is being granted, authorities may wish to engage in negotiations to secure community benefit in line with the Scottish Government Good Practice Principles for Community Benefits from Onshore Renewable Energy Developments. The proposed plan indicates that contributions to the council's renewable energy fund are not treated as material considerations, and this accords with the guidance on good practice principles. It is reasonable to refer in the plan to the renewable energy fund and contributions, in order to provide adequate guidance to applicants and others. However, Policy 19 of the proposed plan and the revised policy cover a range of matters, which are material considerations. While both Policy 19 and the revised policy only refer to contributions being encouraged, including a reference to the renewable energy fund (or another similar mechanism) in the policy has the potential to give the wrong impression of the weight to be given to contributions in determining applications, and this may cause some confusion. The reference to contributing should therefore be removed from the policy and placed in the supporting text, as set out below.

22. The planning authority has indicated in the proposed plan that it will review the renewable energy fund during the life of the plan, with a view to considering how grant assistance could facilitate employment and investment in local communities. The fund is subject to ongoing monitoring and review, and it is unnecessary for the planning authority to make a firm commitment in the plan that there should be an early review. No change to the proposed plan on this matter is therefore required.

23. Neither Policy 19 in the proposed plan nor the revised Policy 19 makes specific reference to opportunities for energy from waste, and renewable heat and power. However, under Policy 18 on waste (Issue 19), the planning authority proposes to state that it will support reduced reliance on the use of landfill sites for waste, and that applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users. The 2014 SPP indicates that local development plans should use heat mapping to identify the potential for co-locating developments with high heat demand with sources of supply, and that they should support the development of heat networks in as many locations as possible. The planning authority's proposed change to Policy 18 to refer to applications for energy from waste facilities and connections to heat/power grids and users is consistent with the thrust of the 2014 SPP. To fully address the representations, it would also be appropriate and would make the proposed plan clearer if the text associated with the renewable energy policy supported the delivery of renewable heat, and if the text associated with the waste policy supported the use of residual waste to recover energy. The planning authority proposes to deal in more detail with energy from waste, and heat and power, in supplementary guidance, and this is a reasonable approach. The proposal to refer to landfill sites in Policy 18 is dealt with in Issue 19. The changes required to Policy 18 and its associated text (paragraph 7.8) are set out in Issue 19.

24. Overall, significant adjustments are required to Policy 19 in the proposed plan and its supporting text, all as set out below.

**Reporter's recommendations:**

Modify the local development plan, as follows (*changes in italics*):

(1) delete Policy 19, including the reference to the planning authority's renewable energy fund, and insert a new Policy 19 to read:

*"Policy 19 Renewable Energy*

*Applications for renewable energy infrastructure developments will be supported subject to an assessment against the principles set out in the 2014 SPP, in particular, the considerations set out at paragraph 169 and additionally, for onshore wind developments, the terms of Table 1: Spatial Frameworks.*

*The council will produce statutory supplementary guidance which accords with the 2014 SPP, and which contains the spatial framework for onshore wind energy, and sets policy considerations against which all proposals for renewable energy infrastructure developments will be assessed.*

*Development proposals must also accord with other relevant policies and proposals in the development plan and with supplementary guidance";*

(2) adjust paragraph 7.12, so that it reads:

*"7.12 Scottish Government policy seeks to generate the equivalent of 100% of Scotland's gross annual electricity consumption, and meet 30% of overall energy demand and 11% of heat demand, from renewable sources by 2020. The 2014 SPP requires planning authorities to support the development of a diverse range of renewable energy technologies at appropriate locations, and requires that an area's full potential for electricity and heat from renewable sources is achieved in line with national climate change targets, giving due regard to relevant environmental, community, and cumulative impact considerations";*

(3) retain paragraph 7.13, but delete paragraph 7.14, and insert a new paragraph to read:

*"7.14 The council's latest supplementary guidance on wind energy was published and consulted on in May 2013. It is based on a spatial framework and landscape study prepared by the council in 2010, and updated in 2013. The supplementary guidance followed the structure of the spatial framework for onshore wind farms set out in the now superseded 2010 SPP. The 2014 SPP sets out a different approach to a spatial framework based on 3 groups – (1) areas where wind farms will not be acceptable, (2) areas of significant protection where wind farms may be appropriate in some circumstances, and (3) areas beyond groups (1) and (2) where wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria. The areas where cumulative impact limits further development, the area of significant protection, and the green belt are no longer to be included in the spatial framework, but the the Muirkirk and North Lowther Special Protection Area, the New Lanark World Heritage Site, and community separation distances are to be included as group (2) areas, along with other national and international designations, and nationally important mapped environmental interests. The 2014 SPP indicates that the spatial framework is to be complemented by a more detailed and exacting development management process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative*

*impacts. Taking into account the approach of the 2014 SPP, the supplementary guidance will cover not just onshore wind developments, but all renewable energy infrastructure developments”;*

(4) delete paragraphs 7.15, 7.16, and 7.17;

(5) delete paragraph 7.18, and insert a new paragraph to read:

*“7.15 Policy 19 Renewable Energy sets out the overall approach to the assessment of proposed renewable energy infrastructure developments. It also deals with the preparation of updated supplementary guidance”;*

(6) adjust paragraph 7.19, so that it reads:

*“7.16 The council has a well established and approved mechanism for the collection and distribution of community benefit related to renewable energy development. The Council’s Renewable Energy Fund (REF) currently administers community benefit schemes for a number of wind farms within South Lanarkshire. The council will encourage operators of wind turbines/wind farms and other renewable energy infrastructure developments within South Lanarkshire to contribute to the Council’s REF or another similar mechanism as appropriate. Contributions are based upon a minimum £2500 per megawatt based on installed capacity, as approved by the Council on 1<sup>st</sup> December 2010. The REF will be reviewed as appropriate during the life of the LDP, with a view to considering how grant assistance could facilitate employment and investment in local communities. In accordance with Scottish Government guidance, such contributions are not treated as material considerations in the assessment and determination of planning applications. Further guidance on contributions for renewable energy development is set out in supplementary guidance”;*

(7) delete Figure 7.1 – SDP broad areas of search and LDP broad areas of search; and

(8) delete from the proposals map (strategy) the designations for broad area of search for wind farms, areas where cumulative impact limits further development of wind farms, and Southern Upland Foothills and Pentland Hills area of significant protection for wind farms.

<b>Issue ST21</b>	<b>Appendix 1</b>	
<b>Development plan reference:</b>	Appendix 1 Relationship between Policies, Supplementary and Additional Guidance Page 42	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>555 – Scottish Natural Heritage (SNH) 630 – Strathclyde Passenger Transport (SPT)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Appendix 1 is a table which shows the way the local development plan works linking the various policies to supplementary and additional guidance.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>555 - Add references to SNH guidance 630 - Add a reference and link to the Regional Transport Strategy</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>555 – Add references to SNH guidance</p> <p>Climate Change - <a href="http://www.snh.gov.uk/climate-change/">http://www.snh.gov.uk/climate-change/</a>  Development management - <a href="http://www.snh.gov.uk/planning-and-development/approach/snh-devt-management/">http://www.snh.gov.uk/planning-and-development/approach/snh-devt-management/</a>  Housing land - <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/advice-by-development-type/housing/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/advice-by-development-type/housing/</a>  Green network and Greenspace - <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/greenspace-and-outdoor-access">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/greenspace-and-outdoor-access</a>  Water environment and flooding - <a href="http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/rivers-lochs-and-flooding/">http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/rivers-lochs-and-flooding/</a>  Renewable energy - <a href="http://www.snh.gov.uk/planning-and-development/renewable-energy/">http://www.snh.gov.uk/planning-and-development/renewable-energy/</a></p> <p>630 - Add a reference and link to Regional Transport Strategy  <a href="http://www.spt.co.uk/corporate/about/strategy/regional-transport-strategy/">http://www.spt.co.uk/corporate/about/strategy/regional-transport-strategy/</a></p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
<p>555 – The Council is content to include the guidance references listed by SNH as a technical alteration to Appendix 1.</p> <p>630 - The Council is content to include the guidance references listed by SPT as a technical alteration to Appendix 1.</p>		
<b>Reporter’s conclusions:</b>		
<p>1. Appendix 1 sets out the relationship between policies, supplementary and additional guidance. Adjustments are sought to the proposed plan which would add references to</p>		



relevant, detailed items of guidance produced by Scottish Natural Heritage, and to the regional transport strategy prepared by the Strathclyde Partnership for Transport. The planning authority proposes to adjust the proposed plan to include references and links to the guidance and the regional transport strategy. The adjustments satisfactorily meet the terms of the representations on this issue.

#### Reporter's recommendations:

Modify the local development plan as follows (*changes in italics*):

(1) add to the third column of the table, under climate change, development management, housing land, green network/greenspace, water environment and flooding, and renewable energy, references and links to the following items of guidance produced by Scottish Natural Heritage:

- “- *Climate Change* - <http://www.snh.gov.uk/climate-change/>
- *Development management* - <http://www.snh.gov.uk/planning-and-development/approach/snh-devt-management/>
- *Housing land* - <http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/advice-by-development-type/housing/>
- *Green network and Greenspace* - <http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/greenspace-and-outdoor-access>
- *Water environment and flooding* - <http://www.snh.gov.uk/planning-and-development/advice-for-planners-and-developers/rivers-lochs-and-flooding/>
- *Renewable energy* - <http://www.snh.gov.uk/planning-and-development/renewable-energy/>”; and

(2) add to the third column of the table, under travel and transport, a reference and link to the regional transport strategy prepared by the Strathclyde Partnership for Transport:

- “- *Regional Transport Strategy* - <http://www.spt.co.uk/corporate/about/strategy/regional-transport-strategy/>”

<b>Issue ST22</b>	<b>Appendix 2</b>	
<b>Development plan reference:</b>	Appendix 2 Glossary of Terms Page 45	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
556 - Scottish Natural Heritage (SNH)		
<b>Provision of the development plan to which the issue relates:</b>	Appendix 2 contains the glossary of terms used in the local development plan.	
<b>Planning authority's summary of the representation(s):</b>		
<p>556 - SNH suggest the following amendments to the Glossary of Terms:</p> <p>2. Ancient Semi-Natural Woodlands:</p> <p>“Categories 1a and 2a on the ‘Inventory of ancient, semi-natural and long-established woodlands’. Interpreted as semi-natural woodland from maps of 1750 (1a) or 1860 (2a) and continuously wooded to the present day. If planted with non-native species during the 20<sup>th</sup> century, they are referred to as Plantations on Ancient Woodland Sites (PAWS). Datasets can be downloaded from <a href="https://gateway.snh.gov/natural-species/index.jsp">https://gateway.snh.gov/natural-species/index.jsp</a> “</p> <p>6. Core Path Network</p> <p>“Core Paths are the basic framework of key routes that provide for the main needs of users. They can comprise many different kinds of path, cater for all types of user and provide links to the wider path network and countryside. Core paths are a new innovation under the Scottish Access legislation. Each access authority (local authority and national park authority) has a duty to draw up a plan of core paths in their area, after consulting with local communities, land managers and path users”.</p> <p>28. Landscape Character Assessment</p> <p>“Landscape Character Assessment provides classification and description of the landscape. The process identifies distinct areas of consistent and recognisable landscape character. The South Lanarkshire Landscape Character Assessment includes guidelines for assessing the sensitivity of different landscape character types to development”.</p> <p>38. “National Nature Reserves are areas of land set aside for nature, where the main purpose of management is the conservation of habitats of and species of national and international significance. They are declared by Scottish Natural Heritage”.</p> <p>41. Other Long- Established Woodlands or Woodlands of High Conservation Value</p> <p>“Categories 1b, 2b, and 3 in the ‘Inventory of ancient, semi-natural and long-established woodlands’. Long-established woodland is interpreted as plantation from maps of 1750 (1b) or 1860 (2b) and continuously wooded since. Category 3 sites are shown as unwooded on</p>		

the 1<sup>st</sup> edition maps but as woodland on the Roy maps of 1750. Such sites have, at most, had only a short break in continuity of woodland cover and may still retain features of Ancient Woodland. Datasets can be downloaded from <https://gateway.snh.gov.uk/natural-spaces/index.jsp> “

42. Peatland

“Land that consists of raised bogs and/or blanket bogs”.

55. Sites of Special Scientific Interest

“SSSIs represent the best of Scotland’s natural heritage. They are ‘special’ for their plants, animals or habitats, their rocks of landforms, or a combination of these. SSSIs are designated by Scottish Natural Heritage under the provisions of the Nature Conservation Act (Scotland) Act 2004”.

Other non notifiable technical amendments A number of technical inaccuracies/omissions have been identified in the Local Development Plan text.

In relation to New Lanark World Heritage site, definitions of the terms ‘Buffer Zone’ and ‘Setting’ require to be added to glossary of terms.

**Modifications sought by those submitting representations:**

556 - Modification sought to the wording found in Appendix 2- Glossary of Terms. Specifically, items 2, 6, 28, 38, 41, 42 and 55.

**Summary of responses (including reasons) by planning authority:**

556 - The Council is content to include the guidance references listed by SNH as a technical alteration to Appendix 2.

Other non notifiable technical amendments

Definitions of the terms ‘World Heritage Site Buffer Zone’ and ‘Setting’ require to be added to glossary of terms.

If minded to do so the Council invites the Reporter to include the following definitions to the glossary of terms:

Setting: The way in which the surroundings of a historic asset or place contribute to how it is experienced, understood and appreciated. Setting often extends beyond the immediate property boundary into the broader landscape.

World Heritage Site Buffer Zone: An area surrounding the nominate property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property. This should include the immediate setting of the nominated property, important views and other areas or attributes that are functionally important as a support to the property and its protection.(UNESCO 2012)

**Reporter's conclusions:**

1. Appendix 2 sets out the glossary of terms for the proposed plan. Adjustments are sought to the glossary which would alter the definitions given for ancient semi-natural woodlands, core path network, landscape character assessment, national nature reserves, other long established woodlands or woodlands of high conservation value, peatland, and sites of special scientific interest. The planning authority proposes to adjust the proposed plan to include these alterations to the definitions. The adjustments satisfactorily meet the terms of the representation on this issue. They would also be an improvement on the present definitions in the glossary and, as such, would give greater assistance to users of the proposed plan.
2. Furthermore, the planning authority proposes to make 2 "non notifiable technical amendments" which would involve adding to the glossary definitions for the buffer zone of the New Lanark World Heritage Site and the setting of an historic asset or place. Although such amendments are not before the examination, in this case they help to address matters raised in a representation under Issue ST16, and they are dealt with in that issue.

**Reporter's recommendations:**

Modify the local development plan by adjusting the terms of the following definitions in the glossary (*changes in italics*):

*"2. Ancient Semi-Natural Woodlands: Categories 1a and 2a on the 'Inventory of ancient, semi-natural and long-established woodlands'. Interpreted as semi-natural woodland from maps of 1750 (1a) or 1860 (2a) and continuously wooded to the present day. If planted with non-native species during the 20<sup>th</sup> century, they are referred to as Plantations on Ancient Woodland Sites (PAWS). Datasets can be downloaded from <https://gateway.snh.gov/natural-species/index.jsp>*

*6. Core Path Network: Core Paths are the basic framework of key routes that provide for the main needs of users. They can comprise many different kinds of path, cater for all types of user and provide links to the wider path network and countryside. Core paths are a new innovation under the Scottish Access legislation. Each access authority (local authority and national park authority) has a duty to draw up a plan of core paths in their area, after consulting with local communities, land managers and path users.*

*28. Landscape Character Assessment: Landscape Character Assessment provides a classification and description of the landscape. The process identifies distinct areas of consistent and recognisable landscape character. The South Lanarkshire Landscape Character Assessment includes guidelines for assessing the sensitivity of different landscape character types to development.*

*38. National Nature Reserves: National Nature Reserves are areas of land set aside for nature, where the main purpose of management is the conservation of habitats and species of national and international significance. They are declared by Scottish Natural Heritage.*

*41. Other Long- Established Woodlands or Woodlands of High Conservation Value: Categories 1b, 2b, and 3 in the 'Inventory of ancient, semi-natural and long-established woodlands'. Long-established woodland is interpreted as plantation from maps of 1750 (1b) or 1860 (2b) and continuously wooded since. Category 3 sites are shown as unwooded on*

*the 1<sup>st</sup> edition maps but as woodland on the Roy maps of 1750. Such sites have, at most, had only a short break in continuity of woodland cover and may still retain features of Ancient Woodland. Datasets can be downloaded from <https://gateway.snh.gov.uk/natural-spaces/index.jsp>*

42. Peatland: *Land that consists of raised bogs and/or blanket bogs.*

56. Sites of Special Scientific Interest (SSSIs): *SSSIs represent the best of Scotland's natural heritage. They are 'special' for their plants, animals or habitats, their rocks or landforms, or a combination of these. SSSIs are designated by Scottish Natural Heritage under the provisions of the Nature Conservation Act (Scotland) Act 2004."*

<b>Issue ST23</b>	<b>Appendix 3</b>	
<b>Development plan reference:</b>	Appendix 3 - Development Priorities Page 50	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Technical Alteration:</p> <p>403 – Scottish Water 557 – Scottish Natural Heritage (SNH) 573 – Scottish Government</p> <p>Habitats Regulations Appraisal – Scottish Natural Heritage</p> <p>Other non notifiable technical amendments – South Lanarkshire Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	Appendix 3 lists all of the development priorities of the local development plan. This includes for example, Community Growth Areas and Development Framework Sites.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>403 – Within Appendix 3, include a comment against the Larkhall Community Growth Area to advise that Scottish Water will have to invest in the waste water treatment works to meet the growth demand, should the full residential allocation be built. Scottish Water will work with the developer, SEPA and the local authority to identify solutions to enable development to proceed while additional capacity is being delivered.</p> <p>557 – Specific reference is not made to the green network in relation to all of the Residential Master Plan Sites, or the Craighead, Blantyre Development Framework Site. In the interests of consistency, the green network should be included in the requirements for all sites.</p> <p>573 – An additional bullet point should be introduced to each of the Community Growth Areas which states:</p> <p><i>“Upgrade or contributions towards Trunk Road improvements as required”</i></p> <p>It is noted that the other Community Growth Areas indicate where contributions towards local road network improvements are required, but no mention of Trunk Road.</p> <p>Habitats Regulations Appraisal – A minor change to the wording of Appendix 3 is needed in order to meet the requirements of the Habitats Regulations Appraisal. In their response to the local development plan consultation SNH made the following comment:</p> <p>We agree that the mitigation identified for the Carluke Community Growth Area and the Bellfield, Coalburn Development Framework site would be sufficient to avoid any likely significant effect on the Clyde Valley Woods and Coalburn Moss SACs respectively. However, we consider that this mitigation needs to be more fully incorporated into the plan.</p>		

We advise that there needs to be some reference to the requirement for buffer zones in relation to these sites either in the policy or (if there are clear links to this) the supporting text. This will ensure that it will be clear to anyone reading the plan what the requirements for these sites are.

Other non notifiable technical amendments – South Lanarkshire Council

Page 57 Residential Masterplan Sites – In section for Birkwood Hospital add three further bullet points to reflect approved masterplan for site as follows:

- Restoration and maintenance of the wooded policies and enhancement of access opportunities
- Restoration and re-use of the category B listed Birkwood House. Development to be phased to ensure works to Birkwood House are linked to all new residential development within the site
- Restoration of other listed buildings and structures within the site.

Page 58 Residential Masterplan Sites – Add new site below Manse Road Forth. ‘Angus Terrace Douglas’ with the following bullet points:

- Residential development
- Provision of house types to accord with LDP policies including affordable housing
- Site should provide a robust settlement edge through a clearly defined buffer zone including structural planting and footpath networks
- A comprehensive and co-ordinated approach to the servicing and development of the site including access

**Modifications sought by those submitting representations:**

403 – Include a comment against the Larkhall Community Growth Area that Scottish Water will have to investigate in the waste water treatment works to meet the growth demand, should the full Community Growth Area allocation be built. Scottish Water will work with the developer, SEPA and the Local Authority to identify solutions to enable development to proceed while additional capacity is being delivered.

557 – Make a reference to the green network in relation to all of the Residential Master Plan Sites, and Development Framework Sites.

573 – Add a bullet point to each of the Community Growth Areas :

*“Upgrade or contributions towards Trunk Road improvements as required”*

Habitats Regulations Appraisal – include wording to make it clear that buffer zones are required for Larkhall Community Growth Area and Bellfield, Coalburn Development Framework Site in order to protect nearby Natura 2000 sites.

**Summary of responses (including reasons) by planning authority:**

403 – The Council is content to include the amendment proposed by Scottish Water as a technical alteration to Appendix 3.

557 – The Council is content to include the amendment proposed by Scottish Natural Heritage as a technical alteration to Appendix 3.

573 – The Council is content to include the amendment proposed by the Scottish Government as a technical alteration to Appendix 3.

Habitats Regulations Appraisal – The Council has discussed this with Scottish Natural Heritage and agreed that the current wording in Appendix 3 for Bellfield Coalburn is satisfactory. However similar wording needs to be added for Carluke Community Growth Area. If minded to do so the Council invites the Reporter to insert the words ‘, provide a buffer for Clyde Valley Woodlands Special Area of Conservation’ between the words ‘edges’ and ‘and establish’ in the first bullet point of the Carluke CGA section of Appendix 3.

Other non notifiable technical amendments – South Lanarkshire Council

If minded to do so the Council invites the Reporter to make the following amendments to Appendix 3 Development Priorities

In section for Birkwood Hospital Residential Masterplan Site on page 57 add three further bullet points to reflect approved masterplan for site as follows:

- Restoration and maintenance of the wooded policies and enhancement of access opportunities
- Restoration and re-use of the category B listed Birkwood House. Development to be phased to ensure works to Birkwood House are linked to all new residential development within the site
- Restoration of other listed buildings and structures within the site.

Page 58 Residential Masterplan Sites – Add new site below Manse Road Forth. ‘Angus Terrace Douglas’ with the following bullet points:

- Residential development
- Provision of house types to accord with LDP policies including affordable housing
- Site should provide a robust settlement edge through a clearly defined buffer zone including structural planting and footpath networks
- A comprehensive and co-ordinated approach to the servicing and development of the site including access

**Reporter’s conclusions:**

1. Appendix 3 sets out the proposed plan’s development priorities. Adjustments are sought to the requirements of a number of development proposals, with requests made to include references to: trunk road improvements in all community growth area; investment in the waste water treatment works in the Larkhall Community Growth Area; provision for buffer zones in the Carluke Community Growth Area and Bellfield Coalburn Development Framework site to mitigate the effects on Clyde Valley Woods and Coalburn Moss Special Conservation Areas; and provision for the green network in all residential masterplan and development framework sites. The planning authority proposes to adjust the plan to include these alterations in Appendix 3, with the exception of Bellfield Coalburn Development Framework site, where it has been agreed with Scottish Natural Heritage that



no alteration requires to be made to the existing wording. The adjustments satisfactorily address the representations on this issue.

2. Furthermore, the planning authority proposes to make 2 “non notifiable technical amendments” which would involve adding 3 requirements to the residential masterplan site at Birkwood Hospital, Lesmahagow, and including the proposal at Angus Terrace, Douglas (Issue CL11), as a residential masterplan site. Such amendments are not before the examination, and are not required to help address matters raised in representations.

**Reporter’s recommendations:**

Modify the local development plan as follows (*changes in italics*):

(1) add to the third column of the table, under Larkhall Community Growth Area, the following requirement:

*“...- Scottish Water will require to invest in the waste water treatment works to meet the growth demand, should the full community growth allocation be built...”*;

(2) add to the third column of the table, under all development framework sites and residential masterplan sites, the following requirement (except where it is already included):

*“... - Ensure green network provision...”*;

(3) add to the third column of the table, under all community growth areas, the following requirement:

*“...- Upgrade or contributions towards Trunk Road improvements as required...”*; and

(4) adjust the first bullet point of the third column of the table, under Carluke Community Growth Area, so that it reads:

*“Definition of new landscape measures to consolidate new green belt edges, provide a buffer for the Clyde Valley Woodlands Special Area of Conservation, and establish green networks within the development...”*

<b>Issue ST24</b>	<b>Appendix 7</b>	
<b>Development plan reference:</b>	Appendix 7 – List of Key Strategies and Plans Page 67	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Technical: 576 – Scottish Government		
<b>Provision of the development plan to which the issue relates:</b>	Appendix 7 is a table which lists the key strategies and plans used in production of this local development plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Technical: 576 – The Scottish Government requests that the following documents are added to the list of key strategies and plans.</p> <p>Forestry Act 1967</p> <p>The Scottish Forestry Strategy 2006</p> <p>The Scottish Governments Policy on the Control of Woodland Removal 2009.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p>Technical: 576 – The Scottish Government requests that the following documents are added to the list of key strategies and plans.</p> <p>Forestry Act 1967</p> <p>The Scottish Forestry Strategy 2006</p> <p>The Scottish Governments Policy on the Control of Woodland Removal 2009</p>		
<b>Summary of responses (including reasons) by planning authority:</b>		
Technical: 576 - The Council is content to include the references listed by the Scottish Government as a technical amendment.		
<b>Reporter’s conclusions:</b>		
<p>1. Appendix 7 contains a list of key strategies and plans. An adjustment is sought to add references to the 1967 Forestry Act, the 2006 Scottish Forestry Strategy, and the 2009 Scottish Government’s Policy on the Control of Woodland Removal. The planning authority proposes to adjust the plan to include these references. The adjustments satisfactorily address the representation on this issue.</p>		

**Reporter's recommendations:**

Modify the local development plan as follows (*changes in italics*):

(1) add to the list of legislation the following Act:

“... - *Forestry Act 1967...*”; and

(2) add to the list of National Policy and Guidance the following strategy and policy:

“... - *The Scottish Forestry Strategy 2006*

- *The Scottish Government's Policy on the Control of Woodland Removal 2009...*”

<b>Issue ST25</b>	<b>Mapping</b>	
<b>Development plan reference:</b>	Mapping- Paragraph 2.21 Page 6	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Technical:</p> <p>329 – New Lanark Trust                      558 – Scottish Natural Heritage (SNH)                      597 – Biggar and District Civic Society</p> <p>Other Non-notifiable technical amendments</p>		
<b>Provision of the development plan to which the issue relates:</b>	Paragraph 2.21 relates to the maps which accompany the plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Technical:</p> <p>329 - The settlement map for New Lanark does not indicate that in addition to the large number of Listed Buildings, there are two sites within the village which are designated as Scheduled Ancient Monuments. These are the "Museum Stair" at Double Row, and the site of Mill No. Four.</p> <p>558 – Environmental Designations/Settlements Maps</p> <p>All relevant statutory designations (SSSI, SAC, SPA and NNR) appear to be included on the Map. In some cases however, we feel that these do not show up particularly clearly (e.g. Craigengar SAC, Clyde Valley Woods SAC). This is likely to be due to unavoidable mapping issues given the location of many of the sites, the scale of the map and the amount of information included on it.</p> <p>In view of this, and as the focus of the plan is on supporting existing communities by directing development towards them, we suggest that there may therefore be some merit in including designated sites on the individual settlement maps where appropriate.</p> <p>597 - Environmental Designations Plan:</p> <p>We are surprised to note that though buffer zones for ethylene and high pressure gas lines are indicated, the M9 Motorway is not shown on this plan. Surely the Motorway has significant effects re noise and air pollution and therefore should appear on the plan?</p> <p>At a more local level there is an area outlined in red whose designation is unclear: south-east of the road passing Cornhill House Hotel from Wolfclyde Bridge A72 to A702.</p>		

Additional non-notifiable technical changes

A number of technical inaccuracies have been identified on the Local Development Plan maps:

Strategy Map – delete recycling centre symbol which is located on the M74 south of Lesmahagow. There is no facility at this location.

Environmental Designations Map – In the key, delete reference to ‘Shell Ethylene Pipeline Buffer Zone’ and replace with ‘Ethylene Pipeline Buffer Zone’. The pipeline is no longer operated by Shell.

Environmental Designations Map – New Lanark Inset – Add the National Nature Reserve boundary and Scheduled Ancient Monuments as this has been omitted.

Settlement Maps by Area Booklet – amend Newtown of Covington settlement boundary as per attached plan to reflect consent CL/12/0559. This was accidentally omitted when the settlement boundary was drawn.

Settlement Maps by Area Booklet - On Kerswell settlement map amend the boundary of 2012 housing land supply site at Bertram House as the wrong boundary has been shown.

Settlement Maps by Area Booklet - On the Ravenstruther settlement map amend the boundary to exclude lane behind Huntleybank cottages from the settlement boundary.

Lesmahagow Settlement Map – On the Lesmahagow settlement map extend the area of greenspace/green network at Glebe Park to include area of ground adjacent to Glebe Park pavilion.

Settlement Maps by Area Booklet - – amend Stonehouse Neighbourhood Centre boundary as per attached plan. The Council has reconsidered the position regarding the deletion of site 15b from Stonehouse Neighbourhood Centre as there are existing retail businesses in this area.

All Map Keys – Change New Lanark World Heritage Site Setting to New Lanark World Heritage Site Buffer Zone.

**Modifications sought by those submitting representations:**

Technical:

329 – Adjust the settlement map for New Lanark to include two sites within the village which are designated as Scheduled Ancient Monuments. These are the "Museum Stair" at Double Row, and the site of Mill No. Four.

558 - Include designated sites on the individual settlement maps where appropriate.

597 - The M9 motorway should be shown on the environmental designations map.

**Summary of responses (including reasons) by planning authority:**

Technical:

329 - The Council is content to include the map references listed by New Lanark Trust as a technical alteration to the settlement map for New Lanark.

558 – An interactive version of the local development plan is being developed which will allow in depth viewing of the maps. In addition, if there is a specific problem relating to the maps, the Council can provide an extract at an appropriate scale to aid viewing. No change proposed to the local development plan.

597 - As the M9 is not within the South Lanarkshire boundary, it is assumed that the reference was regarding the M74. This however is shown on the strategy map. The area outlined in red south-east of the road passing Cornhill House Hotel from Wolfclyde Bridge A72 to A702 is a scheduled ancient monument. No change proposed to the local development plan.

Other non notifiable Technical Amendments to Maps.

A number of technical inaccuracies have been identified on the Local Development Plan maps.

Strategy Map – delete recycling centre symbol which is located on the M74 south of Lesmahagow. There is no facility at this location.

Environmental Designations Map – In the key, delete reference to ‘Shell Ethylene Pipeline Buffer Zone’ and replace with ‘Ethylene Pipeline Buffer Zone’. The pipeline is no longer operated by Shell.

Environmental Designations Map – New Lanark Inset – Add the National Nature Reserve boundary and Scheduled Ancient Monuments as this has been omitted.

Settlement Maps by Area Booklet – amend Newtown of Covington settlement boundary as per attached plan to reflect consent CL/12/0559. This was accidentally omitted when the settlement boundary was drawn.

Settlement Maps by Area Booklet - On Kerswell settlement map amend the boundary of 2012 housing land supply site at Bertram House as per attached plan as the wrong boundary has been shown.

Settlement Maps by Area Booklet - On the Ravenstruther settlement map amend the boundary to exclude lane behind Huntleybank cottages from the settlement boundary as per attached plan. This is to correct a drafting error.

Lesmahagow Settlement Map – On the Lesmahagow settlement map extend the area of greenspace/green network at Glebe Park to include area of ground adjacent to Glebe Park pavilion as per attached plan. This area is being developed for allotments.

Settlement Maps by Area Booklet - – amend Stonehouse Neighbourhood Centre boundary as per attached plan. The Council has reconsidered the position regarding the deletion of site 15b from Stonehouse Neighbourhood Centre as there are existing retail businesses in

this area

All Map Keys – Change New Lanark World Heritage Site Setting to New Lanark World Heritage Site Buffer Zone

If minded to do so the Council invites the Reporter to include the above corrections.

**Reporter’s conclusions:**

1. Issue ST25 is concerned with the proposals maps. Adjustments are sought to the proposals maps which would: show the 2 scheduled ancient monuments at New Lanark; show environmental designations on the individual settlement maps; show the M74 motorway; and clarify the designation to the south east of the road passing the Cornhill House Hotel (by Biggar). The planning authority proposes to add the 2 scheduled ancient monuments at New Lanark to the proposals map, and this satisfactorily addresses the representation on this matter. It is unnecessary to show the environmental designations on the individual settlement maps. The designations are already shown on the environmental designations map. While in some instances the designations are not that clear, the planning authority has explained that it is preparing an interactive version of the proposed plan which would allow in-depth viewing of the maps, and that it is prepared to provide extracts at an appropriate scale. I consider that this is a reasonable approach. The M74 is shown on the proposals map (the strategy map), and the planning authority has explained that the designation to the south east of the road passing Cornhill House Hotel is a scheduled ancient monument.

2. Furthermore, the planning authority proposes to make 9 “non notifiable technical amendments.” Of these, 4 are to the strategy map, the environmental designations map (including the New Lanark inset) and the keys for all maps, and 5 are to settlement maps (Newtown of Covington, Kerswell, Ravenstruther, Lesmahagow, and Stonehouse). The planning authority has withdrawn the amendment proposed to the Stonehouse Neighbourhood Centre boundary. The issue of this boundary is now dealt with at Issues ST10 and HM21. Although the remaining amendments are not before the examination, the one relating to the change required in all map keys for the New Lanark World Heritage Site helps to address matters raised in a representation under Issue ST16, and it is dealt with in that issue.

3. An adjustment is required to the proposed plan.

**Reporter’s recommendations:**

Modify the local development plan by adding to the settlement map for New Lanark 2 scheduled ancient monuments - Museum Stair at Double Row, and the site of Mill No. Four.

<b>Issue ST26</b>	<b>Technical Wording Amendments</b>	
<b>Development plan reference:</b>	Technical Wording Amendments	<b>Reporter:</b> Dilwyn Thomas
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Technical:</p> <p>239 – CRAG (Clyde River Action Group)            360 – Sainsbury’s Supermarkets Ltd            481 – Muse Developments (Cherryhill)            550 – Scottish Natural Heritage (SNH)</p> <p>Support: 621 – The Coal Authority</p> <p>Other non notifiable technical amendments – South Lanarkshire Council</p>		
<b>Provision of the development plan to which the issue relates:</b>	This issue aims to address suggested wording amendments throughout the Local Development Plan.	
<b>Planning authority’s summary of the representation(s):</b>		
<p>Technical: 239 - Paragraph 2.18 states that:</p> <p><i>"Issues relating solely to minerals development are not contained within the proposed SLLDP. These are contained in a separate Minerals Local Development Plan (MLDP) adopted in June 2012."</i></p> <p>Savills/CRAG believe that this statement is misleading as it could be interpreted as meaning that minerals development should only be assessed against the policies in the Minerals Local Development Plan. As proposals for new development are required to satisfy all policies contained in the adopted development plan we suggest this paragraph is re-worded to provide clarity. They suggest the following wording:</p> <p><i>"The Minerals Local Development Plan (MLDP), adopted in June 2012, contains specific policies relating solely to minerals development. When preparing an application for minerals development the policies of the MLDP should be considered alongside those contained in the SLLDP and other supplementary guidance."</i></p> <p>360, 481 - Proposed South Lanarkshire Local Development Plan, Section 4, Paragraph 4.16 and Table 4.5 Out of Centre Retail/Commercial Locations. The Proposed Local Development Plan sets out the roles of Strategic and Town Centres and Neighbourhood Centres. It identifies a number of Out of Centre Retail/Commercial Locations however, the role and position of these locations within the network centres and the retail hierarchy is not clear.</p> <p>The network of centres should follow the approach set out in the Scottish Planning Policy which suggests that development plans should identify a network of centres which will</p>		



include town centres, commercial centres and other local centres, depending on the circumstances. Within the network the individual role of each centre should support and be supported by the role of other centres. (Paragraph 53, SPP).

The term 'Out of Centre Retail/Commercial Locations' is confusing and should be revised and replaced with the term 'Commercial Centres' to reflect the terminology used in SPP. This will help to confirm the status of these locations with regard to application of the sequential approach as required in Proposed Local Development Plan Policy 10 - New Retail/Commercial Proposals.

550 - Technical Studies, Paragraph 2.19, page 5

Subject to comments by SNH elsewhere in this response, it is advised that that the final sentence of the section on the Habitats Regulation Appraisal is likely to need to be reworded to read:

"The HRA concludes that there will be *no adverse effect on the integrity* of any Natura 2000 site as a result of the SLLDP". They suggest this as, at present, the HRA identifies that some proposals associated with the plan will have a likely significant effect on Natura sites, but that there will be no adverse effect on their integrity.

Support:

621 - Paragraph - 2.18

Support - The Coal Authority supports the inclusion of this paragraph within the LDP as an appropriate signpost to minerals policies for the South Lanarkshire area contained in the adopted Minerals Local Development Plan (MLDP).

Reason - To ensure that plan users of the LDP are made aware of the linkage to the MLDP.

Other non notifiable technical wording amendments. A number of technical inaccuracies/omissions have been identified in the Local Development Plan text:

Page 11 Table 3.1: Spatial Strategy Development Priorities. In Residential Masterplan Sites section of the table add 'Angus Terrace, Douglas' after 'Manse Road, Forth. This site is listed in Appendix 5 Proposals and shown on the settlement map but was accidentally omitted from Table 3.1.

Page 18 Paragraph 4.6 – in final sentence change 'four world heritage sites' to 'five world heritage sites'.

**Modifications sought by those submitting representations:**

Technical: 239 - suggest the following wording of paragraph 2.18:

"The Minerals Local Development Plan (MLDP), adopted in June 2012, contains specific policies relating solely to minerals development. When preparing an application for minerals development the policies of the MLDP should be considered alongside those contained in the SLLDP and other supplementary guidance."

360, 481 - Paragraph 4.16 and Table 4.5 Out of Centre Retail/Commercial Locations - the

term 'Out of Centre Retail/Commercial Locations' is confusing and should be replaced with the term 'Commercial Centres' to reflect the terminology used in SPP.

550 – Reword final sentence of HRA bullet point on page 5 to read "The HRA concludes that there will be no adverse effect on the integrity of any Natura 2000 site as a result of the SLLDP".

Support: 621 - The Coal Authority supports the inclusion of paragraph 2.18 within the LDP as an appropriate signpost to minerals policies for the South Lanarkshire area contained in the adopted Minerals Local Development Plan (MLDP).

**Summary of responses (including reasons) by planning authority:**

Technical:

239 – The purpose of paragraph 2.18 is to inform users that the Council has a separate Minerals Local Development Plan (MLDP) (Document G40). The MLDP forms part of the Development Plan, as noted in paragraph 2.20. This makes it clear that depending on the location and nature of a particular proposal it should be considered against the South Lanarkshire Local Plan (SLLP), the Minerals Local Development Plan and the proposed South Lanarkshire Local Development Plan (SLLDP) and that the adopted SLLP will remain in place until the SLLDP is formally adopted by the Council. The MLDP makes it clear in paragraph 1.11 that consideration should be given to both the SLLP and the MLDP. No change proposed to the local development plan.

360, 481 - Table 4.5 merges together two categories from Scottish Planning Policy. The Council is content that the title of the table is correct and that the commercial centres have been clearly marked on the table. However in the interests of clarity the Council proposes to add a further column to the table to indicate whether the centre is for retail or commercial use. If minded to do the Council invites the Report to add a further column to Table 4.5 indicating whether a centre is for retail or commercial.

550 - If minded to do so, the Council invites the Reporter to consider an amendment to final sentence of the section on the Habitats Regulation Appraisal to read "The HRA concludes that there will be *no adverse effect on the integrity* of any Natura 2000 site as a result of the SLLDP".

Support: 621 - The Council welcomes the support for Paragraph 2.18.

Other non notifiable Technical Wording Amendments. A number of technical inaccuracies/omissions have been identified in the Local Development Plan text:

Page 11 Table 3.1: Spatial Strategy Development Priorities. In Residential Masterplan Sites section of the table add 'Angus Terrace, Douglas' after 'Manse Road, Forth. This site is listed in Appendix 5 Proposals and shown on the settlement map but was accidentally omitted from Table 3.1.

Page 18 Paragraph 4.6 – in final sentence change 'four world heritage sites' to 'five world heritage sites'.

If minded to do so the Council invites the Reporter to include the above corrections.

**Reporter's conclusions:**

1. Issue ST26 is concerned with technical wording amendments. Adjustments are sought to the proposed plan which would: replace paragraph 2.18 with a new paragraph making clear that a minerals application has to be considered against the policies of both the minerals local development plan and the proposed plan; replace the term out of centre retail and commercial locations in section 4 with commercial centres; and revise the last sentence of paragraph 2.19 (Habitats Regulations Appraisal) so that it refers to no adverse effect on the integrity of any Natura 2000 site. The planning authority proposes to adjust the last sentence of paragraph 2.19 (Habitats Regulations Appraisal) along the lines proposed. This satisfies the terms of the representation on this matter.
2. Given the terms of paragraph 2.20 of the proposed plan and paragraph 1.12 of the adopted minerals local development plan, it is clear that both plans would apply to the assessment of a minerals proposal. Furthermore, support has been received for paragraph 2.18 of the proposed plan because it is seen as an appropriate signpost to the policies in the minerals local development plan. Taking these factors into account, I consider that the proposed plan makes it reasonably clear that the policies of both plans apply to the assessment of a minerals application, and no change is required to paragraph 2.18.
3. The proposed plan sets out an appropriate network of centres, identifying out of centre retail and commercial locations as a separate category from strategic and town centres, and neighbourhood centres. It is therefore unnecessary to change the terminology used in the proposed plan. However, the planning authority's proposal to add a further column to Table 4.5 to indicate whether the locations shown are for retail or commercial use should help clarify the function of each centre, and I consider that it is a reasonable response to the representation on this matter.
4. Furthermore, the planning authority proposes to make 2 "non notifiable technical wording amendments" which would involve adding the residential masterplan site at Angus Terrace, Douglas to Table 3.1 (Spatial Strategy Development Priorities), and by adjusting the reference at paragraph 4.6 to the number of world heritage sites in Scotland from 4 to 5. Such amendments are not before the examination. However, the one relating to the number of world heritage sites has been raised as an issue in a representation under Issue ST8, and is dealt with in that issue. The one relating to Angus Terrace, Douglas (Issue CL11) is not required to help address matters raised in representations.
5. Adjustments are required to the proposed plan.

**Reporter's recommendations:**

Modify the local development plan as follows (*changes in italics*):

(1) adjust the last sentence of that part of paragraph 2.19 dealing with the Habitats Regulations Appraisal so that it reads:

"...Habitats Regulations Appraisal:...The HRA concludes that there *will be no adverse effect on the integrity of any Natura 2000 site as a result of the SLLDP...*"; and

(2) adjust table 4.5 (out of centre retail/commercial locations) by adding a further column headed "Use" and state whether each of the centres identified is in retail or commercial use.