

Planning and Building Standards Services



Proposed South Lanarkshire
Local Development Plan

Development Management,
Place Making and Design
Supplementary Guidance

May 2013



Community and Enterprise Resources

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1 Consultation Process

1.1 This Supplementary Guidance was approved for consultation by South Lanarkshire Council at its meeting on 16th April 2013. Comments are now being sought on this document.

1.2 This will be placed on public consultation for six weeks from 16th May 2013 until 28th June 2013. It will supplement the policies and proposals of the proposed South Lanarkshire Local Development Plan. This plan is also currently the subject of consultation.

1.3 Comments on this Supplementary Guidance can be made by completing the online response form available at: www.southlanarkshire.gov.uk following the links to the Local Development Plan from the planning pages (this is the preferred method) or by completing a Representation Form available from:

Planning and Building Standards Services Headquarters
Community and Enterprise Resources
South Lanarkshire Council
154 Montrose Crescent
Hamilton ML3 6LB
Tel: 01698 454672
Fax: 01698 455948
localplan@southlanarkshire.gov.uk

1.4 Copies of the Supplementary Guidance are available to view at South Lanarkshire Council offices, the Council's website and at all local libraries and Q&As.

What Happens Next?

1.5 Following the six weeks of public consultation, consideration will be given to all comments received. A report will then be produced summarising all comments received, the Council's response to each

representation, and any suggested revisions. The updated report will be considered by the Council's Planning Committee and once approved will be made available on the Council's website. The Supplementary Guidance will be a material consideration in the determination of planning applications until such time as the Local Development Plan is adopted when it will form part of the adopted South Lanarkshire Local Development Plan.

Further Information

1.6 If you have any questions regarding the Supplementary Guidance or the consultation process, please contact South Lanarkshire Council on 01698 454672 or 455934

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Background

2.1 This Supplementary Guidance (SG) has been prepared under the provisions of Section 22 of the Planning etc. (Scotland) Act 2006 and Regulation 27 of the Town and Country Planning (Development Planning) (Scotland) Regulations 2006. It forms part of the Development Plan for South Lanarkshire which consists of the Glasgow and the Clyde Valley Strategic Development Plan 2012 (SDP), the Minerals Local Development Plan 2012 (MLDP) and the proposed South Lanarkshire Local Development Plan 2013 (SLLDP). Until the SLLDP is formally adopted the South Lanarkshire Local Plan 2009 remains in force.

2.2 This SG supports all the policies within the SLLDP and in particular Policy 4 by providing more detailed policy and guidance for developers on the requirements for all development within South Lanarkshire. It will be a material consideration in the determination of planning applications until such time as the Local Development Plan is adopted when it will form part of the adopted Local Development Plan.

2.3 All development requires planning permission. However, certain forms of development may be carried out as 'permitted development'. Provided the development meets criteria set out in legislation, it does not require a specific grant of planning permission. Generally this is because the scale and nature of the development is considered to be less significant and will have little impact on the surrounding area. The types of development that can be considered as 'permitted development', and the qualifying criteria, are set out in the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 and the Town and Country Planning (General Permitted Development)(Scotland) Amendment Order 2011
www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/PermittedDevelopment/.

2.4 Additional guidance on small alterations and extensions to dwellinghouses that can be carried out without the need to submit an application for planning permission as permitted development is detailed in Circular 1/2012 – Guidance on Householder Permitted Development Rights. This can be found at
www.scotland.gov.uk/Publications/2012/02/9140/downloads.

2.5 The Local Area Planning Office can advise if a development is 'permitted development' or if a planning application is required.

National, Strategic and Local Policy**National**

2.6 Scottish Government planning policy on development management is set out in the Scottish Planning Policy (SPP), published in February 2010. The SPP states that development management is a key part of the planning system and that with certainty and prompt decision making good quality sustainable places can be created. A review of the SPP is being undertaken during 2013.

2.7 In addition to the SPP, Designing Places and Designing Streets are the two design policy statements for Scotland. These documents have the same status as the SPP and provide design guidance on how to create successful places:
<http://www.scotland.gov.uk/Topics/Built-Environment/AandP/AandPdgn>

Specific subject based guidance is contained in the Scottish Government's online planning advice which is regularly updated to reflect good practice:
<http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/themes/>

2 Introduction and Context

Strategic

2.8 The Glasgow and Clyde Valley Strategic Development Plan (SDP) was approved in May 2012. The SDP identifies a sustainable location assessment for development management but advises that it will be for local development plans to make an appropriate assessment of the development proposed.

Local

2.9 The SLLDP sets out the land use planning framework for South Lanarkshire over the next 5 years. The plan contains 19 policies which identify opportunities for new development and set out requirements to protect the environment and safeguard local communities. Policy 4 of the SLLDP sets out the Council's overall policy for development management and place making.

2.10 A range of Supplementary Guidance is being prepared to support the LDP. These SG will contain other detailed policies which may be relevant to the development proposed. Additional SG will be produced to cover:

- Green Belt and Rural Area
- Environment (including Climate Change)
- Industrial, Commercial and Retail Development
- Green Network and Greenspace
- Natural and Historic Environment
- Community Infrastructure Assessment
- Affordable Housing and Housing Choice, and
- Wind Energy

Technical Studies and Assessments

2.11 A series of technical studies and assessments informed the preparation of the SG. The technical studies are noted below.

Strategic Environmental Assessment

2.12 In accordance with the requirements of the European Community (EC) SEA Directive (2001/42/EC) and the Environmental Assessment (Scotland) Act 2005, this SG has been subject to SEA. The SEA is included within the assessment of policies within the Environment Report Annex to the South Lanarkshire LDP.

Habitats Regulations Appraisal

2.13 A Habitats Regulations Appraisal (HRA) screening exercise, undertaken in compliance with the EC Habitats Directive (Council Directive 92/43/EEC), and the Conservation (Natural Habitats, &c.) Regulations 1994 as amended has been carried out for this SG. This is included in the HRA Record for the South Lanarkshire LDP. The HRA Screening Appraisal concludes that there are no likely significant effects from this SG on Natura sites in the area, and therefore no Appropriate Assessment requires to be undertaken.

Equalities Impact Assessment

2.14 An Equalities Impact Assessment of the South Lanarkshire LDP Development Management and Place Making Policy and associated supplementary guidance has been carried out. This concluded that there are no adverse impacts on any of the community covered by equalities legislation or on community relations.

2.15 The above technical studies can be viewed on the Council's website and are available on request from the Council.

Community Infrastructure Assessment

2.16 The Council has developed an approach for assessing the level of community benefits to address the impact a development may have on a specific area, for example, on the road network, educational

Introduction and Context 2

provision or recreational areas and/or facilities. Policy 5 of the SLLDP covers this matter and additional guidance can be found in the SG for Community Infrastructure Assessment.

How to use this document

2.17 The Development Management, Place Making and Design Supplementary Guidance (DMPDSG) sets out policies and other advice to assist in the consideration and assessment of all development within South Lanarkshire. It expands and supplements the advice contained within South Lanarkshire's Local Development Plan and should be read in association with Policy 4.

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 six qualities of place making (as detailed in Appendix 1 of the DMPDSG).

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;
- iii. the proposed development is accessible for all, provides suitable access and parking, encourages active travel and has no adverse implications for public safety;
- iv. the proposal includes appropriate integrated and accessible infrastructure, open space, green infrastructure and landscape provision;
- v. sustainability issues are addressed through energy efficient design, layout, site orientation and building practices;
- 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. that there are no significant adverse effects on air, water or soil quality and as appropriate, mitigation to minimise any adverse effects is provided.

Development proposals must also accord with other relevant policies and proposals in the development plan and with appropriate supplementary guidance.

Local Development Plan Vision

2.18 The SLLDP has to ensure that future development takes place in a sustainable way. At the same time it must recognise the need for economic growth and regeneration. This must create well designed and located places and respect the distinctive and valued qualities of the area's natural and built environment.

2.19 The Plan's overall strategic vision is therefore:-

2 Introduction and Context

'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.'

2.20 The DMPDSG seeks to provide detailed advice which seeks to achieve this vision and to meet the aims and objectives of Scottish Government policy. This will ensure that a clear framework is established that allows development which provides good quality, successful and sustainable places to be brought forward without any unnecessary delay.

Development Management, Place Making and Design Framework 3

Overarching Framework

3.1 Good design is essential to the creation of successful places. To deliver good design and ensure that developments of high quality are created there must be a co-ordinated and integrated policy approach. General design criteria to be applied within development are provided in DMPD 1 and in Appendix 1 - Design and Access.

3.2 Appendix 1 identifies the key attributes that are considered to be fundamental to the delivery of successful streets, spaces, villages, towns and cities. It is important that planning applications are tailored to reflect this design advice.

Policy DM1 Design

The Council will expect the design and layout of new development on sites allocated within the local development plan to conform to the approved development framework and/or masterplan (whichever is appropriate) for the site. The design and layout of all new development will be assessed in relation to the following criteria:

- Policies 2 and 4 of the SLLDP
- Appendix 1 - Design and Access

and where appropriate,

- Appendix 2 - Council's Residential Design Guide
- Appendix 3 - Council's Shop Front Guide
- Appendix 4 - Windows and Doors for Listed Buildings and Conservation Areas
- Policy DM2 – House extensions and alterations
- Policy DM3 – Sub-division of garden ground
- Policy DM4 – Conversion of domestic outbuildings

- Policy DM5 – Extended family accommodation
- Policy DM6 – Sub-division of property for residential use
- Policy DM7 – Demolition and redevelopment for residential use
- Policy DM8 – Hot food shops
- Policy DM9 – Advertisement displays
- Policy DM10 – Electronic communications development
- Policy DM11 – Working from home
- Policy DM12 – Mobile snack vans
- Policy DM13 – Developments within general urban area/settlement
- Policy DM14 – Tourist facilities and accommodation, including chalets/caravans
- Policy DM15 – Gypsy/Travellers and Occupational Travellers sites
- Douglas Conservation Area Character Appraisal
- Leadhills Conservation Area Character Appraisal
- Rutherglen Conservation Area Character Appraisal
- New Lanark and Falls of Clyde Conservation Area Character Appraisal
- Other design guidance provided in any Supplementary Guidance produced and where appropriate, when adopted,
- New Lanark World Heritage Site Management Plan
- Other Conservation Area Character Appraisals

Specific Framework

3.3 The DMPDSG also sets out detailed criteria that can be used to consider and assess proposals covering a range of common development types (Table 1). It includes guidance on extensions, alterations and other development affecting dwellings and their garden ground, hot food shops,

3 Development Management, Place Making and Design Framework

advertisement hoardings, electronic communications, working from home and mobile snack vans. Detailed guidance has also been provided for proposals involving development within the general urban area/settlement, tourist facilities and accommodation, including chalets/caravans and gypsies/travellers and occupational travellers sites.

3.4 Detailed policies for assessing developments in industrial/business, commercial and retail locations are contained in separate SG on this topic. All development will be expected to comply with Policies 2 and 4 and to comply with the additional detailed criteria listed for proposals of the development types in Table 1.

3.5 In addition further design advice is provided in the Appendices on residential design (Appendix 2), and shop front design (Appendix 3) and Windows and Doors for Listed Buildings and Conservation Areas (Appendix 4). This advice must also be complied with, where appropriate.

Table 3.1 Specific Framework

Development type	Policy Number
House extensions and alterations	DM2
Sub-division of garden ground	DM3
Conversion of domestic outbuildings	DM4
Extended family accommodation	DM5
Sub-division of residential property	DM6
Demolition and redevelopment for residential use	DM7
Hot food shops	DM8
Advertisement displays	DM9
Electronic communications development	DM10

Working from home	DM11
Mobile snack vans	DM12
Developments within general urban area/settlement	DM13
Tourist facilities and accommodation, including chalets/caravans	DM14
Gypsy/travellers and occupational travellers sites	DM15

Enforcement and Monitoring Framework

Within the DMPDSG there is guidance on enforcement of planning control and monitoring of development. (DM16 and 17)

Table 3.2 Enforcement and Monitoring Framework

All Development	Policy Number
Enforcement	DM16
Monitoring	DM17

House Extensions and Alterations 4

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

Policy DM2 House Extensions and Alterations

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

- the siting, form, scale, design and materials respect the character of the existing dwelling and the wider area. Within this context, high quality, innovative design will be encouraged where it complements the character of the building and its surroundings;
- it does not dominate or overwhelm the existing dwelling, neighbouring properties or streetscene in terms of size, scale or height;
- it does not significantly adversely affect adjacent properties in terms of overlooking or loss of privacy, daylight or sunlight;
- it retains adequate car parking, useable garden ground and bin storage within the site;

- it does not have an adverse impact on traffic or public safety; and
- it takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

Guidance Note – House Extensions and Alterations

4.2 Design proposals for house alterations and extensions should comply with DM2 - House Extensions and Alterations. They should also comply with the following guidance which sets out the criteria against which specific proposals will be assessed. This guidance will be an important material consideration when considering applications for house extensions and alterations.

House Extensions and Alterations, including Formation of Timber Decking

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

- The extension should not over dominate and its width, height and massing should be kept in proportion to the existing house. Its design should not detract from the appearance of either the house or the surrounding area. It should be finished in materials which match or are compatible with those of the existing house; or which can be assessed in a wider context as beneficial to the area.
- The extension or formation of timber decking should not result in a significant loss of privacy to adjoining/neighbouring houses or garden ground, particularly where the extension or decking occupies an elevated position which overlooks adjacent properties.

4 House Extensions and Alterations

- The minimum distance between windows of directly facing habitable rooms (for example, living rooms, dining rooms and bedrooms) should be no less than 20 m. This distance may be relaxed where windows are at an angle.
- The extension should not result in a significant loss of daylight/sunlight to neighbouring houses, or their garden ground, nor cause overshadowing, detrimental to the amenity of these adjacent properties.
- The extension should not, by virtue of its sheer physical/visual presence, dominate adjacent properties such that amenity is adversely affected.
- The extension should not be of a form or design which would result directly, or if repeated on adjoining properties, in the modification of detached or semi-detached properties to create either physically or visually, a terraced or continuous form of development when viewed from the street. Extensions should ideally be set back from property boundaries by a minimum of 1.0 metre.
- The extension (whether single-storey or two-storey and whether located to the side, rear or front of the house) should only extend to the side boundary where it can be shown that there will be no significant adverse affect on the amenity/setting of the adjacent property.
- Side windows will not usually be permitted at upper levels unless the areas involved are bathrooms, w.c's, halls, landings or stairways; or unless there is no overlooking or loss of privacy to adjacent houses.
- Windows and other details of the extension should be aligned with those of the existing house.
- If the extension is at the rear, a usable amount of garden ground should be left for drying, bin storage and general amenity.
- The extension should not prevent the provision of adequate garaging or off-street parking to serve the existing house, nor should it result

in the creation of a sub-standard access or interfere with visibility splays.

- It is desirable that the extension/alteration should be capable of being constructed and maintained from within the garden of the applicant's property and should not require access for these purposes to be taken from neighbouring property. It is therefore desirable that a gap of at least 1.0m is left from the boundary of any adjoining property.
- Upper floor balconies will only be permitted where they do not cause a significant adverse impact on the privacy of neighbouring properties.

Dormer Extensions

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

- The dormer should be of a size and scale such that it does not over dominate the original roof or dwellinghouse; nor significantly detract from the appearance or character of the street i.e. the dormer should not give the impression of being bulky and out of proportion to the existing house.
- The dormer should be constructed below the ridgeline of the original roof and be drawn back as far as practicable from the eaves i.e. the dormer should have a substantial proportion of roof all around it and should not be full width or full height.
- The dormer should not extend to the gable end nor extend the full width of the roof. Two small dormers on the same elevation can offer a suitable alternative to one large dormer, which may be out of scale with the existing house.
- Where located on a prominent or visible frontage, the dormer should reflect or be influenced by the design of any traditional dormers in the locality.

House Extensions and Alterations 4

- Rear dormers will be assessed in relation to how visible they are from public view and how they impact on the privacy of adjacent houses and gardens.
- In Conservation Areas and on Listed Buildings, where the principle of dormer extensions has been accepted, dormers should be designed in a traditional manner and be of a scale in keeping with the original property.
- Dormers should relate to windows and doors below in terms of character, proportion and alignment.
- Dormers should be finished in external materials which match or are compatible with the existing roof finish.
- The use of roof-lights should be considered as an alternative to dormer extensions.

Single-Storey Extensions

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

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

Two-Storey Extensions

4.7 Two-storey extensions should:

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

- Carry through the line of the eaves of the existing house (except where differences in floor level do not permit).
- Be designed and positioned such that no significant loss of amenity occurs to neighbouring properties through overlooking, loss of light, overshadowing or sheer physical impact.
- Not, if repeated on detached/semi-detached properties, result in the formation of a continuous terrace.
- Set the ridge line below the existing ridge.
- Be set back 1.0m from the front elevation and from side property boundaries by a minimum of 1.0m.

Garages and Car Ports

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

- Where located on a main frontage or visually prominent site, the garage/car port should be designed to respect the shape and form of the house. Roofs should be pitched or of the same style as the house and finished in slates/roof tiles or materials to match the roof of the house. The external walls should be finished in facing brick, roughcast or materials compatible with the existing house.
- The garage/car port should preferably be set back from the front elevation of the house and should not obscure it, be overdominant or be positioned forward of the building line such that it looks out of place or forms an intrusive feature in the street.
- A single garage should have minimum dimensions of 6 metres in length and 3 metres in width.
- There should be a minimum distance of 6 metres from the heel of the kerb to the front of the garage/car port to ensure that a car can be parked in the driveway without overhanging the pavement.

4 House Extensions and Alterations

Porches and Front Extensions

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

- It is preferable that a front porch or extension should not project more than 2 metres beyond the front elevation of the house unless it can be shown that a greater degree of projection would not look out of place or form an intrusive feature in the street.
- The porch should be in proportion to the size of the house and its height should relate to the front door height.
- The roof of the porch or extension should be pitched or sympathetic to the style of the existing house.
- The porch or extension should be finished in materials that match or are compatible with the existing house.
- It may be appropriate to design the porch to match one already adjacent; if possible, where properties have adjoining front doors it would be beneficial to match porches.

Garden Sheds and Greenhouses

4.10 Garden sheds and greenhouses should:

- Be positioned, where possible, within the rear garden and not forward of any principal elevation.
- Be in proportion to the size of the garden - a usable amount of garden ground should remain undeveloped to allow for drying, bin storage and general amenity.
- Not adversely affect neighbours by overshadowing or overlooking their property.
- Always be of ancillary use to the dwellinghouse and not for business/commercial purposes.
- Be constructed of materials which match or are compatible with the existing dwelling.

Housing Open Plan Areas

4.11 Within areas of open plan housing:

- In view of the contribution that the open plan concept can make to environmental quality, there will be a general presumption against permitting front walls/fences within private residential areas where a condition on the original planning permission for the estate prohibits the erection of walls and fences in front gardens and where the open plan character has largely been maintained, with few breaches having occurred. Any new breaches of the open plan condition in these areas may result, in line with DMPD 16 - Enforcement, in the serving of a Breach of Condition and/or Enforcement Notice in order to secure the removal of the unauthorised wall/fence.
- In private residential areas where an open plan condition exists, but where a significant number of breaches have taken place which have resulted in the erosion or destruction of the open plan character to such an extent that it is no longer worth preserving, there will be a general presumption in favour of permitting front walls/fences subject to compliance with the following criteria:
 - a. No fence or wall shall exceed 1 metre in height and shall be constructed in facing brick or finished in render to match the house. Alternative proposals of suitable design and colour may be permitted where considered appropriate.
 - b. The introduction of a front wall/fence shall not adversely affect the visual amenity of an area by way of;
 - its relationship with adjacent properties within the layout,
 - its effect on streetscape,
 - its prominent/inappropriate location (with particular regard to corner plots, plots adjacent to footpaths and areas of public open space),

House Extensions and Alterations 4

- the basic concept or character of the layout itself,
- by affecting sightlines/visibility as required to access the property itself, adjacent properties or at road junctions or, its design and material

5 Sub-Division of Garden Ground

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

Policy DM3 Sub-Division of Garden Ground

The development of a new house (or houses) within the curtilage of an existing house will be considered favourably where it can be demonstrated that the proposal complies with the following criteria;

- The proposed house(s) is of a scale, massing, design and material sympathetic to the character and pattern of development in the area and does not result in a development that appears cramped, visually obtrusive or be of an appearance which is so out of keeping with the established character that it is harmful to the amenity of the area;
- The proposed house plot(s) and that remaining to the existing house are comparable with those nearby in terms of size, shape, and amenity (i.e. the proposal accords with the established pattern of development in the surrounding area);
- The proposed house(s) should have a proper road frontage of comparable size and form to surrounding curtilages unless the proposal reflects the development pattern of the area;
- The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or adversely affect the amenity of adjacent properties by virtue of noise or loss of privacy;

- The garden space allocated to the proposed house(s) and remaining for the existing house should be sufficient for the recreational, amenity and drying needs of the occupants;
- The proposed development will not cause an unacceptable reduction in privacy to existing houses and will, itself, enjoy a degree of privacy comparable with surrounding dwellings;
- The proposed development will not overshadow adjacent properties to a degree which results in a significant loss of amenity or itself be significantly adversely affected by overshadowing;
- All existing features such as trees, hedges, walls, fences and buildings that contribute to the character of the area should be retained and should not be adversely affected by the development;
- Adequate parking for both the proposed and existing house must be provided within the site and must not be harmful to the established character and amenity of the area;
- The proposal must not jeopardise or be prejudicial to any further desirable development in the vicinity;
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

Conversion of Domestic Outbuildings 6

6.1 Many substantial dwellings set in large curtilages have accompanying outbuildings which may originally have been used for storage purposes. Permission is sometimes sought to convert such outbuildings to bedrooms, living rooms, flats or ancillary residential accommodation. When this results in the creation of accommodation that could be used as a self contained dwelling planning permission is always required. However in some circumstances alterations to the building may not require planning permission. Advice on this matter can be provided by the relevant Area Planning Office.

6.2 The conversion of these buildings can sometimes lead to over intensive development of the site, resulting in loss of amenity and damage to the environment. The suitability of an outbuilding for conversion will depend on the size and character of the building and its position within the site. Proposals for conversion will be examined carefully to ensure that there is a proper means of access, no loss of amenity to existing buildings or damage to their setting. This advice is only applicable to domestic outbuildings and does not relate to the conversion of redundant or vacant rural buildings/outbuildings. This will be covered in supplementary guidance on Green Belt and the Rural Area.

Policy DM4 Conversion of Domestic Outbuildings

The conversion of outbuildings within residential curtilages to form a separate self contained unit of accommodation will be considered favourably where it can be demonstrated that the proposal complies with the following criteria;

- The self contained unit will have its own separate garden and amenity space comparable with that remaining attached to the existing house and to that of other dwellings in the vicinity;
- The proposed vehicular access is of an adequate standard and will not have adverse implications for traffic safety or adversely

affect the amenity of adjacent properties by virtue of noise or loss of privacy;

- Adequate parking for both the converted building and the existing house must be provided within the site and must not be harmful to the established character and amenity of the area;
- The converted building must not cause an unacceptable reduction in privacy or significant degree of overlooking of the existing or adjacent houses and gardens and must, itself, enjoy a level of privacy comparable with surrounding dwellings;
- All existing features such as trees, hedges, walls and fences that contribute to the character of the area should be retained and not adversely affected by the development and any new boundary treatment must reflect existing features;
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

7 Extended Family Accommodation

7.1 In circumstances where a householder seeks to provide accommodation in the form of a self contained unit for a family member through an extension to the house or conversion of an outbuilding, the Council will consider the effect of the proposal on the appearance of the existing dwelling, on the streetscene in general and on neighbouring properties. In cases where the extension and/or outbuilding is considered to be overly large, inconsiderately located or badly designed, then planning permission will not be granted simply because the accommodation is for a family member. The Council will also consider whether the additional accommodation exceeds what is reasonably necessary for an additional person.

as accommodation ancillary to the main dwellinghouse. This is to ensure that the family annex is not occupied, let or sold as a separate dwelling unit where otherwise the formation of an additional dwelling would be unacceptable due to a lack of garden ground, insufficient parking, unsuitable access.

Policy DM5 Extended Family Accommodation

The formation of separate family accommodation through either the extension of existing dwellings or the conversion of outbuildings shall be acceptable where all of the following criteria can be met:

- The applicant can demonstrate a social need and is prepared to enter into a Section 75 Obligation to ensure that the extended family accommodation is not used or sold/rented or otherwise as a separate dwelling unit;
- Adequate access, parking and turning facilities continue to be provided within the site;
- No harm to the amenity of neighbouring properties through loss of privacy or overlooking will occur;
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

Where proposals for the formation of a family annex are acceptable, any planning consent will be the subject of both a Section 75 Obligation and the imposition of a "tying" condition. These will stipulate that the extension or converted building shall be used solely

Sub-Division of Property for Residential Use 8

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

Policy DM6 Sub-Division of Property for Residential Use

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

- Sub-division of villa properties should generally be based on a standard of one self-contained dwelling unit per floor;
- Parking should be provided within the curtilage of the property in accordance with the Council's residential parking standards.
- Vehicular access and off-street parking must not present a traffic hazard or create amenity problems for neighbours.
- Parking provision in front or rear gardens should not adversely affect the appearance or character of the street and the major part of the surface area of the front or rear gardens should remain in use as garden ground.
- Provision of off-street parking spaces should not result in the loss of features such as trees, hedges, walls, fences and

buildings that contribute to the character and amenity of the area.

- Generally, each residential unit created as a result of sub-division should have a satisfactory aspect to the front of the property. Single aspect flats to the rear of buildings will usually be unacceptable unless it can be adequately demonstrated that the rear aspect has an outlook and setting which provides a satisfactory level of residential amenity;
- Each sub-divided unit should have natural lighting for ordinary domestic purposes;
- Generally, the intensification of the residential use of the property should not adversely affect the amenity of the area through traffic generation, noise, disturbance or loss of privacy;
- Adequate refuse collection and drying areas should be provided.
- Any requirement for the provision of external fire escapes/stairs must be capable of being carried out such that the external appearance of the building and the amenity of adjacent properties are not adversely affected;
- Where a proposal involves the sub-division of a residential property, which is a Listed Building or is located within a Conservation Area (refer to Policy 15 of SLLDP) the external appearance of the building, must not be adversely altered and internal works must be acceptable in relation to any special architectural features. Proposals for off-street parking should not adversely affect the character of the street through loss of garden ground or existing trees/planting.
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

9 Demolition and Redevelopment for Residential Use

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

Policy DM7 Demolition and Redevelopment for Residential Use

Residential redevelopment proposals involving demolition of existing properties will require to comply with the following specific criteria:

- There will be a general presumption against the demolition and redevelopment of sites within Conservation Areas or in the setting of a listed building where the building(s) to be demolished makes a valuable contribution to the quality and appearance of the local environment and streetscene, unless the proposed development can be shown to preserve or enhance the special character of the area;
- The scale and design of development should be sympathetic to the scale/mass/height/materials of adjacent buildings and to development in the immediate area. It should not significantly breach any existing layout convention such as an established building line or height of adjacent buildings;
- Redevelopment proposals should not be cramped, out-of-keeping with or occupy a significantly greater footprint than the demolished building or of those flanking the site, where this is to the detriment of the visual character of the area or results in other criteria of this policy being unable to be met.

- Redevelopment shall not result in increased overlooking of adjoining property or garden ground, either through the formation of habitable side windows or by virtue of the new development extending deep into a site beyond the footprint of the demolished building;
- Redevelopment shall not result in overshadowing of adjacent properties or garden ground. Assessment of the impact of the new development shall have regard to orientation, height, proximity to boundaries and adjacent buildings;
- Vehicular access and off-street parking must be satisfactorily achieved and must not present a traffic hazard or create amenity problems for neighbours. Parking provision in front or rear gardens should not adversely affect the appearance or character of the street and the major part of the surface area of the front or rear gardens should remain in use as garden ground;
- It takes account of any supplementary guidance prepared by the Council, where relevant to the proposal.

Hot Food Shops 10

10.1 There is pressure for hot food takeaways in neighbourhood centres within residential areas where the amenity of the residential area is of prime concern. The Council, nevertheless, wishes to ensure the ongoing viability of all commercial areas is maintained and that these continue to provide appropriate facilities reflecting their role and function.

Policy DM8 Hot Food Shops

1. Retail/Commercial Areas

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

- An adequate level of shopping provision is maintained and the viability of the centre and its retail function is not adversely affected.
- A satisfactory balance is retained between retailing and non-retailing uses;
- The proposal does not have a significant impact in terms of environmental, traffic, public safety and amenity considerations (e.g. noise, disturbance or smell), particularly in relation to residential properties above, adjacent or near to the site.

2. Single Shops/Small Groupings of Shops

Where there are single shops or groupings of small numbers of shops located in a predominantly residential area or very small settlements, which meet the daily shopping needs of people within a locality, there will be a general presumption in favour of granting permission for hot-food takeaways subject to compliance with all of the following criteria;

- An adequate level of shopping provision covering a range of daily shopping needs will still exist at the location or;
- Alternative shopping facilities are located near the site.
- There is shown to be no local need for the existing use or it has been unsuccessfully marketed for a year for an appropriate use to the Council's satisfaction.
- There is no significant impact in terms of environmental, traffic and amenity considerations (e.g. noise, disturbance or smell), particularly in relation to residential properties above, adjacent or near to the site.

3. Residential/Industrial Areas

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

4. General

In all cases the applicant shall demonstrate that they have control to implement any ventilation system that may be required. If an external flue is required details must be included in the planning application. If the hot food shop is proposed on the ground floor of flats there will be a presumption against the proposal unless ventilation arrangements including a rear flue terminating 1 metre above the eaves can be provided. Since the rear of the building is often in common ownership, evidence of agreement from all owners should be provided to demonstrate that permission is given for erection of the flue along the elevation of the property and on the roof.

If the Council is disposed to grant permission, this will be subject to the installation of a ventilation system to the satisfaction of the Council, to restrictions on noise levels and on hours of opening

10 Hot Food Shops

commensurate with the recognised nature and level of activity in the locality. These will vary depending on the precise location of the site.

Advertisement Hoardings 11

11.1 The legislation dealing with the control of advertisements is the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984. This legislation states that only two matters can be taken into account in considering applications, namely, amenity and public safety. In terms of amenity, the Council is obliged to take account of the general characteristics of the area and in particular, any feature of architectural, historic, cultural or civic interest. In terms of public safety, regard must be given to the potential effect of the proposed advertisement on road safety where it may cause a distraction to road users.

11.2 The Council's policy seeks to ensure that care is taken with the display of outdoor advertisements so that they do not prejudice amenity or public safety, having regard to the specific circumstances of each proposal. The Council will encourage the provision of well designed advertisements which respect the building or location where they are displayed and which do not adversely affect amenity. Advertisements can, in particular circumstances, add colour and interest to the streetscene. However, in the rural area it is important to ensure that the unique qualities and amenity are protected. This will also apply to important townscape features such as listed buildings and conservation areas.

11.3 Design guidance for signs and advertisements on shopfronts is provided by following the link in Appendix 3 to the Council's Shopfront Design Guide.

Policy DM9 Advertisement Displays

Applications for hoardings/poster display panels or displays with advertisements unrelated to the site on which they are located will be acceptable where they comply with the following criteria:

- The advertisement has no adverse impact on the general character of the area, including any features of historic, archaeological, architectural, landscape or cultural interest;
- If located on a building, the advertisement is of a size, scale, position, design and materials appropriate to the scale of that building and the appearance and characteristics of the surrounding area;
- If freestanding, the advertisement is of a size, scale, position, design and materials appropriate to the appearance and characteristics of the surrounding area;
- The advertisement does not result in clutter or have an adverse impact on amenity by creating a proliferation of advertisements on a building or in the surrounding area;
- The advertisement has no adverse impact on the amenity of nearby residents by virtue of light or noise pollution; and
- The advertisement has no adverse impact on public safety by virtue of causing distraction, confusion or creating a hazard to pedestrians, cyclists or drivers.

It is particularly important to maintain the visual amenity and character of the following sensitive locations and as such, advertising proposals in these areas will be strictly assessed against the criteria specified above;

1. Within or adjoining Conservation Areas.
2. Attached to, or in the vicinity of 'Listed Buildings'.
3. In rural areas or in the open countryside
4. In villages and small settlements.
5. In predominantly residential areas or non-residential areas where the site is overlooked by a number of residential properties.

11 Advertisement Hoardings

6. In prominent/sensitive locations and in particular, those areas which are the subject of comprehensive environmental improvements by the Council.
7. Along principal traffic corridors.
8. Within strategic industrial locations.

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

- i. 'Temporary' vacant sites where future development is expected.
- ii. Gap sites/untidy ground or unsightly gables where screening and environmental improvements may be achieved.
- iii. Locations where the general environment is such that advertisement hoardings and accompanying environmental improvements would not detract from the existing amenity of the area and may assist in improving the locality.

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

Electronic Communications Development 12

12.1 South Lanarkshire Council recognises the importance of the electronic communications network, including telecommunications, broadband and digital infrastructure and the important economic and social role it plays in our lives. While the Council seeks to support the expansion of the industry, it must continue to ensure that the environmental impact of its equipment is kept to a minimum. In general, siting and design are the key planning issues to be considered in the assessment of any planning application made. It should be noted that concerns raised in respect of impact on health are not considered a material planning consideration.

12.2 Operators and their agents should note that while this is the Council's planning policy in relation to electronic communications development, the Council has a separate policy relating to proposals on land or buildings within Council ownership. Any electronic communications development proposed on Council land/buildings should be discussed with the Council's Estates Service prior to submitting a planning application in order to establish the likelihood of the Council granting permission as landowner.

Policy DM10 Electronic Communications Development

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

General

1. The siting and design of the proposed apparatus and associated structures shall minimise any adverse impact on the visual amenity, character or appearance of the surrounding area;
2. On a building or structure, or within a street scene, the proposed apparatus and associated structures shall be sited and designed to minimise its impact on the appearance of the building or street scene and shall:
 - be sympathetic to architectural form, location and settings;
 - be coloured to match the background;
 - be in proportion to the size of the building, structure or existing street furniture;
 - have minimal impact on roof lines;
 - respect important views or skylines
3. The development shall be designed to minimise environmental and visual impact through exploration of a range of options including:
 - the use of small scale antennas and equipment;
 - the use of innovative design or positive design features;
 - concealment, disguise or the use of screening features including buildings, trees or landscaping;
 - placing installations on existing buildings or infrastructure;
 - mast sharing;
 - site sharing.

Reasons shall be given for the selection of the chosen site and design. Where a mast is proposed, the applicant will demonstrate that the possibility of erecting apparatus on existing buildings, masts or other structures has been explored. Such evidence should accompany the planning application.

12 Electronic Communications Development

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

The assessment of cumulative impact will have regard to:

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

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

Sensitive Sites

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

The locations are:

- Public open space/recreational areas
- Conservation Areas, Listed Buildings and their settings

- Sites and settings of Scheduled Monuments and other significant archaeological sites and landscapes, including the Inventory of Historic Gardens and Designed Landscapes
- Sites of Special Scientific Interest, Natura 2000 sites
- Special Landscape Areas, Nature Reserves
- World Heritage Sites
- Historic Battlefields
- Scenic viewpoints and prominent locations visible from visitor attractions (urban and rural)
- Hill-top or skyline locations in rural area

Siting Opportunities

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

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

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

Electronic Communications Development 12

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

13 Working from Home

13.1 Small businesses make an important contribution to the economy of South Lanarkshire. Permission is not normally required where the use of part of a dwellinghouse for business purposes does not change the overall character of its use as a single dwelling, for example, the use of a room as an office. However once the business activity increases and the non-residential use of the property ceases to be ancillary to its use as a single dwelling, a material change of use is likely to have taken place and planning permission is required.

Policy DM11 Working from Home

The need for planning permission for the change of use of part of a dwelling to commercial use shall be assessed against the following criteria:

- The extent to which the main use of the property remains as a dwelling;
- The proportion of rooms/space in the dwellinghouse or flat to be used for business or professional purposes;
- The extent to which non-residents of the household are employed on the premises;
- The extent to which activities associated with the business are detrimental to the amenity of the area by virtue of noise, vibration, smell, fumes, smoke, ash, dust or grit.
- The number/frequency of commercial vehicles used in conjunction with the business;
- The manner and extent of retailing that takes place from the property.
- The number/frequency of delivery or dispatch vehicles generated by the business;
- The extent to which external storage of materials or goods takes place at the dwelling.

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

- There will be no adverse impact on the residential amenity of neighbouring properties in terms of noise, disturbance, smell and dirt generated by the business or by members of the public visiting the premises;
- There will be no adverse impact on traffic or public safety resulting from traffic generated by the use;
- There is provision for satisfactory car-parking and servicing facilities;
- There will be no adverse impact on neighbours caused by activities taking place outside normal working hours and at weekends
- Any required storage of materials/vehicles is satisfactorily accommodated on the site without any adverse impact on neighbouring properties.

Notwithstanding the above, the need for planning permission will be assessed on a site-by-site basis in light of the site's context and on the individual merits of the case

Mobile Snack Vans 14

14.1 The siting of snack vans can raise the following important planning issues:

- Impact on existing shopping centres – if located near to established centres or local shops these can be in direct competition with existing premises and can have an adverse impact on local traders.
- Visual impact – by virtue of their temporary nature these can cause amenity problems due to their poor appearance, gaudy colours and associated temporary signage.
- Traffic implications – when located on busy main roads or in lay-bys adjacent to roads these can cause congestion and create additional turning movements caused by customer's vehicles visiting the snack van.

Policy DM12 Mobile Snack Vans

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

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

Mobile snack vans will be unacceptable in the following locations:

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

15 Development within General Urban Area/Settlement

15.1 Protection and enhancement of the residential amenity and character of an area is a key consideration in determining planning applications in the general urban area. The aim is to prevent the loss of amenity as result of;

- inappropriate design,
- the loss of valued open space and local landscapes,
- the carrying out of development that would adversely affect the character of the area through over-development of a site.

15.2 The design of new buildings and the layout of sites, together with extensions to existing buildings play a key role in delivering high quality environments. The Council will ensure that good quality design is given a high priority in development proposals in the urban areas and settlements. To achieve this, all new buildings or alterations to existing buildings will require to be designed to high standards in terms of location, its relationship with the surrounding environment, materials, style of development and scale. Whilst not wishing to stifle architectural expression, the Council wishes to safeguard basic amenity and promote sensitive design which respects and contributes positively to its surroundings. The guidance on access and design contained in the Residential Design Guide (Appendix 1) will be particularly important in assessing proposals.

the existing local characteristics are considered to be of poor quality or detrimental to the overall character of the area. In such cases, the new development should be of good quality design and enhance the environment in which it is located.

- The character and amenity of the area must not be impaired by reason of traffic generation, parking, visual intrusion, noise or emission of gases or particulates.
- There must be no resultant loss of, or damage to, open or play spaces, trees, bushes or hedgerows which make a significant contribution to the character or amenity of the area.
- The development must be adequately serviced in terms of cycle, pedestrian and vehicular access, parking and accessibility to public transport.
- There must be no adverse effect on public safety.
- Take account of the other supplementary guidance prepared by the Council where relevant to the proposal

Policy DM13 Development Within General Urban Area/Settlement

Any development proposed within the general urban area/settlement must satisfy the following criteria:

- The proposed development must relate satisfactorily to adjacent and surrounding development in terms of scale, massing, materials and intensity of use, except in circumstances where

Tourist Facilities and Accommodation including Chalets/Caravans 16

16.1 South Lanarkshire offers a wide variety of tourist and visitor attractions including accommodation that make an important contribution to the local economy by providing employment and attracting spending on goods and services. South Lanarkshire's position on the edge of the central belt and on major north-south and east-west road links gives it a large potential market, especially for short break holidays and day visitors. However tourist facilities and accommodation need to be in appropriate locations, be well designed and ensure that the quality of the natural and built heritage of the area is conserved.

Policy DM14 Tourist facilities and accommodation

Proposals for new or improved tourist facilities and accommodation in the countryside will generally be supported where they respect the existing development pattern within the locality and avoid dispersed patterns of development. In particular, proposals should comply with supplementary guidance on the location and siting of new development in the Green Belt and Rural Area.

In all other cases the developer shall demonstrate a locational requirement based on the need to be near to a specific tourist interest attraction and that the accommodation/facility will not damage those interests. A supporting business case to demonstrate the economic viability and need for the proposal shall be submitted. If approved in these circumstances, the continuous occupation of the tourist accommodation by one party will be controlled by planning condition to ensure that it is not occupied on a permanent residential basis.

Proposals to convert tourist accommodation with an existing occupancy condition to other uses must be supported by evidence showing that it has been actively marketed for sale as a going

concern at a reasonable market price and for a minimum of a year with no formal interest having been shown in the property and that the current business is no longer viable.

All proposals will be required to comply with the following criteria;

1. The development is of a form, design and scale consistent with the Green Belt and Rural Area Supplementary Guidance.
2. Respects the landscape character and rural amenity of the surrounding area and do not affect the setting of a Special Landscape Area;
3. They are reasonably accessible by public transport where available, cycling and on foot, or would deliver improvements to public transport services;

17 Gypsy/Travellers and Occupational Travellers Sites

17.1 The Housing Need and Demand Assessment (HNDA) has not identified any need at this time to provide any sites within the South Lanarkshire area for Gypsy/Travellers and Occupational Travellers. However the next HNDA (HNDA2) is to be completed by 2015 which may identify the need to provide sites. This guidance will be used to assess proposals emerging from this work as well as circumstances where a need is identified for any of these groups. The guidance will also be used to determine applications for private sites for Gypsies/Travellers.

Policy DM15 Gypsy/Travellers and Occupational Travellers Sites

If a need is identified within HNDA2 or a newly arising need can be proven for a site to accommodate Gypsy/Travellers and Occupational Travellers, including private sites, applications submitted must comply with the following criteria;

- the site will not significantly detract from the character or appearance of the area;
- the site will not significantly detract from the amenity currently enjoyed by residents in the area;
- the site can be sympathetically located and provided with essential services (in the case of halting sites: water connection, refuse facilities and portable toilet);
- the location allows reasonable access to education, community facilities and the main road network;
- the site does not raise any issues in terms of road safety or parking;
- It takes account of any supplementary guidance prepared by the Council where relevant to the proposal.

Enforcement 18

18.1 The carrying out of unauthorised development can be an issue for communities. Not only does this prevent those directly affected from commenting on proposals in the absence of a planning application, but the breach can also result in inappropriate buildings and uses being introduced. In addition, developers may fail to comply with approved plans and drawings or discharge conditions attached to a planning permission. This can result in the loss of public confidence in the planning system.

18.2 It is essential that planning procedures and decisions are respected and adhered to. The Planning etc. (Scotland) Act 2006 contains a range of powers on enforcement available to the Council and SPP states that planning authorities should use the powers available to them to ensure that enforcement action is appropriate, speedy and effective. In deciding whether to take enforcement action, the Council has to decide whether it is in the public interest. In addition, the decision to take action should be proportionate to the breach of planning control.

18.3 Further guidance on the procedure for investigating claims of unauthorised development can be found in the Council's Planning Enforcement Charter.

- impact on road safety;
- magnitude of the breach;
- sensitivity of the location; and,
- severity of harm to the environment.

Policy DM16 Enforcement

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

- SLLDP policies;
- impact on residential amenity;

19 Monitoring

19.1 Effective controls are necessary to ensure development is carried out strictly in accordance with planning legislation and planning consents. Problems may arise if development is not carried out in accordance with the planning permission which has been granted. For example; incorrect siting of buildings; inadequate protection to existing trees and hedgerows; inappropriate use of materials, or the use of inadequate hard and soft landscaping/boundary treatment. Conditions may also have been imposed on a planning permission to address potential problems arising from a development. Effective monitoring is required to ensure that development takes place in accordance with approved plans and conditions.

Policy DM17 Monitoring

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

Appendix 1 Design and Access

What attributes do successful places have?

Successful streets, spaces, villages, towns and cities tend to have characteristics in common. These factors have been analysed to produce principles or objectives of good design and are identified in the Scottish Government's policy statement: "Designing Places". They help to remind us what should be sought to create a successful place. The following qualities are considered fundamental to the delivery of successful places and are therefore objectives that all development within South Lanarkshire will be expected to deliver:

Objectives of Urban Design

Identity: A place with its own character and sense of place

To promote and respond to local distinctive features in built and landscape form and patterns including: distinctive landscapes, natural features, locally distinctive buildings, streets and street patterns, special spaces, skylines and roofscapes, building materials, local culture and traditions.

Safe and Pleasant: A place that feels safe and attractive

To promote urban space, including streets and the public realm, that respects the established urban fabric, feels safe and attractive for use by all members of the community and contributes to the urban fabric as a whole.

Ease of movement: A place that is easy to get to and move through

To promote accessibility and local permeability by developing places that connect with each other and are easy to move through, prioritising pedestrians before traffic, and integrating land uses and transport.

A sense of welcome: A place with a clear identity and that is user-friendly, legible and inclusive.

To promote legibility through development that provides recognisable routes and landmarks to assist people to find their way around, with public spaces and routes that are pleasant as well as usable for all including those with prams, disabled, visually impaired and elderly people.

Adaptable: A place that supports variety and enables change easily over time

To promote adaptability and variety within buildings, streets and neighbourhoods so they can respond to changing economic, social, environmental and technical conditions and ensure a balanced community.

Resource efficient: A place that is sustainable in the short and long term

To promote existing and new development form, pattern and land uses, that are sustainable in location, design, layout, construction, maintenance and servicing and that improve green spaces and protect natural heritage.

Applying Design Objectives to Development Form

In themselves, urban design objectives are abstract. They have an impact on people's lives only when translated into development. The form of buildings, streets and spaces is the physical expression of urban design. They influence the user's activity and movement in a place as well as the experience of those who live, work and visit there.

The most important elements of the physical form of development are listed here. These define the overall layout of a place (in terms of the framework of a place and the extent and nature of development parcels); its scale (in terms of building density, mix, height and massing); its appearance (as expressed in details and use of materials as well as its

Appendix 1 Design and Access

facade and interface with the street) and its public realm (portrayed in the design of the routes, landscapes, their microclimate, ecology and biodiversity).

Aspects of Development Form

Urban Structure - The basic diagram of a place demonstrating:

- The relationship of new development, nature, existing buildings and landform to each other
- The framework of routes and spaces that connect locally and more widely, and the way developments, routes, open spaces and squares relate to one another

Urban Grain - The nature and degree of the subdivisions of a site into development parcels illustrating:

- The pattern and scale in which street blocks, plots and their buildings are arranged in a settlement (small and frequent - fine grain or large and infrequent - coarse grain).
- The rhythm of building frontages along the street as a reflection of the plot subdivision.

Density and Mix - The amount of development on a plot and the mix of uses can affect:

- The vitality and viability of a place relative to the proximity and range of uses
- The intensity of activity within a place relative to its accessibility
- The plot ratio (particularly for commercial developments), number of dwellings, or the number of habitable rooms (for residential developments)
- The viability of a development

Height - The scale of a building in the context of:

- Other buildings and spaces, or the size of parts of a building or its details in relation to the size of a person
- Views, vistas, landmarks, background buildings and skylines and the impact on them.
- Height being expressed either in terms of the number of floors; height of parapet or ridge; overall height or a combination of these; a ratio of building height to street or space width; height relative to particular landmarks, background buildings or wider views.

5. Mass - The three-dimensional expression of the quantity of development on a plot such as:

- The combined effect of the arrangement, volume and shape of a building or building group in relation to other buildings and spaces

Facade and Interface - The relationship of the building to the street:

- The rhythm, pattern and harmony of a building's openings in the context of its enclosure
- The nature of a development's setback and boundary treatment, and its frontage condition at street level
- The architectural expression of building entrances, corners, roofscapes and projections

Detail - The appearance of a building or structure in relation to:

- Art, craftsmanship, building techniques and decoration, true to local context
- Openings and bays; entrances and colonnades; balconies and roofscapes; and the rhythm of the facade.
- The lighting, signage and the treatment of shop fronts, entrances and building security

Appendix 1 Design and Access

Materials - The finish of buildings and structures contribute to the aesthetic attractiveness of them and the character of an area and includes:

- The choice and application of texture, colour and pattern.
- The durability, treatment and sourcing of materials with preference to local and/or sustainable sourcing.

Landscaping and Streetscape - The design, of routes and spaces, their microclimate, ecology and biodiversity in combination and in part including:

- Paving, boundaries, planting and street furniture.
- The integration and contribution of public art, servicing infrastructure, lighting, signing and waymarkers.
- The quality of parks, play areas, natural features and recreation areas.
- Consideration to long term management and maintenance

Design Objectives and Development Form in Practice

Effective site and development planning, design and assessment should ask: **"How, within this particular context, can the development form achieve the above design objectives"?**

The purpose of this guide is to show you how to think about design, not to show you how to design. In this respect, the objectives and elements of form have been developed to encourage designers and decision makers to ask a series of questions, to analyse instead of generalise. In questioning a given situation, the design objectives and development form aspects should be drawn together. For example, a typical question might be: "what form of layout would help accomplish a specific objective in this context? What height?" etc. This should encourage deeper thinking and move beyond simplistic exhortations such as: new development should be "in character".

Essentially, the development form which emerges as a consequence is more likely to result in better designed places. Practitioners are encouraged to think in terms of objectives and form together and decide how to establish them within their own locality and project.

Prompts to consider

To assist you in thinking about urban design and tailor the design objectives to a specific locality, a series of prompts are set out below. The prompts unfold under the individual design objectives. They overlap and are mutually re-enforcing. Importantly they are simple prompts and not rules.

In true life situations, some of the prompts will conflict and benefit some people more than others. For example the height of a building might need to respond to various characteristics, opportunities or issues. This could include responding to: the existing scale of the 3 storey buildings within the locality, the need to make the most of public transport and create vitality, the need to create value, in terms of making a landmark to enhance views, the need to create enclosure, the need to avoid overshadowing and/or the opportunity to strengthen natural surveillance.

A different building height may result if each of the objectives were considered separately; however, successful design is the consideration of a wide range of matters and the creative resolution of potential conflicts. The planning and design process should lead to a solution that takes all concerns into account. This will depend on the professional judgment of practitioners in prioritising how important each issue is in a particular circumstance as well as design skills in imaginatively solving demands of a challenging project.

The prompts are supported by pointers and examples of good design. Notwithstanding this, evolving practice and distinct local characteristics will always give rise to new ways of achieving better urban design.

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1. Identity

A place with its own character and sense of place

The special character of a place is made up of its positive elements and its people. They create its “sense of place”. They include locally distinctive patterns and form of development, materials, patterns of local life, landscape, building traditions and other factors that distinguish it from another.

When such distinctiveness is ignored, new development can simply be clones of development elsewhere, reflect the market policies or corporate identities of national companies or the standard products, practices and trends among building and design professionals. In contrast, developments that are designed sensitively to the site and its setting, create a place that is aesthetically pleasing and of long term value.

The character and context of a site should influence design positively and where there are no significant local development forms, the challenge to create a distinctive place will be of much more importance. If the context to a development has been compromised by an earlier development, it should not be a justification to perpetuate it.

Opportunities should be taken to deliver high quality sustainable development that reconciles local traditions, on the one hand, with the latest technologies, building types and needs on the other. In addition, if new development meets the above design objectives it should be able to sit alongside an old building without needing to replicate it.

Points to consider

- Integrate new development into its wider landscape setting to reduce its impact on the area’s natural assets and reinforce local identity.

- Take cognisance of the local development form and pattern (including streets and spaces) in the detailed design and layout of the new development to help reinforce a sense of place and identity.
- In the layout of new development consider the site’s land form and character.
- Where possible use local materials, building methods and details to help integrate the development with the surrounding context and enhance local distinctiveness.
- The scale, massing and height of the proposed development should be considered relative to neighbouring buildings; the topography; the general pattern of heights in the area; and views, vistas and landmarks.

2. Safe and Pleasant

A place that feels safe and attractive

Urban space includes the spaces within town and villages that can be used by everyone without charge. This can include streets, parks and squares etc.

Urban space is defined and enclosed by buildings, structures and landscapes which together contribute to the success of a place.

Successful urban design recognises that every building is part of a greater whole. Urban design is a matter of recognising this and taking a design approach that respects and contributes to making the urban fabric coherent. The relationship between buildings and between buildings and the street is key to this. Indeed even developments that have merits in isolation, can blight a place if it ignores local development structure/form and creates leftover space that contributes nothing to a village or town.

Elements that dictate the success of an urban space also include the arrangement of lighting, planting, paving, shelter, signage, orientation, how it is overlooked, the uses within and adjacent to it and the routes

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that pass through it. Buildings and spaces that restrict or discourage members of the community and are cumbersome to manage/maintain impoverish it.

Points to consider

- Respect should be given to the established building line to integrate new development into the street scene, continue the existing urban fabric and avoid places of concealment. It also creates a distinction between private and public space.
- Small projections and setbacks such as bays and entrances can add interest to a street frontage without undermining the urban fabric. Space created by set backs from the common building line should be utilised as attractive space for pedestrians.
- Entrances to buildings from the street are the best means of primary access. They are clearly identifiable and contribute to the understanding of a place. They also strengthen street activity and the live connection between buildings and the street where access into buildings by way of internal courtyards or side entrances reduces this connection.
- The front and back of buildings are used in different ways and their design can reflect this to the benefit of the street. For instance, designing the less private rooms to face the street, particularly at ground level, means that the front of a building can have a direct relationship with the street. Private rooms such as bedrooms contribute little in terms of surveillance over the street and generally deaden the street frontage.
- Clearly enclosing and defining private space at the back of buildings can help provide better security and privacy for occupiers. This is particularly important for high density developments where there are internal courtyards or shared greens, to protect ground floor windows.
- Appropriately scaled development can help define streets and open spaces. The height of buildings should relate to the width and importance of the space including the street which they enclose. The scale and massing of buildings should also take cognisance of the degree they may overlook and overshadow other buildings.
- At the corner of a street block, buildings can turn and close the corner visually. Shallower building depths can be used at the corners of street blocks to allow sunlight and daylight to penetrate without interrupting the continuous building line round the block's perimeter.
- Consider streets and street junctions as public spaces rather than just traffic routes; if designed in this manner they are likely to be more convenient for all users.
- Design public spaces with a purpose in mind and relate them to the buildings around them. Space left over after development without a function tends to be abused and detract from a place's sense of identity.
- Consider the perception of safety for future users in designing streets and spaces. Streets and spaces overlooked by upper floor windows etc allow natural surveillance. Lighting and planting can also help or hinder surveillance. These aspects can make a place feel safer and reduce instances of crime.
- When incorporating open and green spaces into development consider and respond to the needs of local economic, social and cultural life. Consider accessibility of such spaces for all users. Where possible make use of natural assets such as water, riversides, slopes and planting to help create attractive spaces and encourage biodiversity.
- Public spaces should function as part of a network of pedestrian routes and provide for the needs of all users including those with prams, the disabled, visually impaired and the elderly.
- Where possible footpaths and cycle tracks should be as direct as possible and overlooked. This will increase the feeling of safety and encourage active means of travel.
- The micro climate will influence and be influenced by the orientation and design of development as well as the extent of enclosure.

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Consideration should therefore be given to local climatic conditions including daylight, sunlight, wind, frost pockets and temperature in the layout and massing of developments. Ideally, public spaces should be designed to protect people from down draughts from tall buildings and lateral winds etc.

- Works of art and street furniture give identity, enhance the sense of place and can prove invaluable to the visitors and the public. These include litter bins, paving, seating, bollards, kiosks, cycle racks and bus shelters etc. They should be integrated into the design process so as to prevent street clutter and be effectively sited with end users.
- Street furniture including bus stops and safety bollards should be sited carefully with particular care taken to accommodate the visually impaired and disabled who may find them particularly difficult to navigate.

3. Ease of movement

A place that is easy to get to and move through.

Streets or the spaces between buildings effectively make up the urban structure of a place. How successful a place will be is determined in part by the extent to how comfortable, safe and convenient a place is for people to go to and pass through. Streets are not solely for the convenience of vehicles and should offer a safe and attractive experience for all. They influence the choice of travel from A-B and can encourage active means of travel, reduction in car use, enhance the life and vitality of streets and spaces and thereby also strengthen community spirit and cohesion.

Points to consider

A well designed urban structure has a network of connected spaces and routes for pedestrians, cyclists and vehicles.

- Where possible new routes should join up with existing routes and movement patterns including footpaths, shortcuts and minor roads. How well a place is connected can determine how successful it is.
- The street layout should be designed so as public transport is an integral part of it.
- Reducing the walking distances to public transport stops and between major land uses encourages the use of public transport and active means of travel.
- Consider urban design qualities and not solely traffic considerations in designing traffic routes. Streets should be designed as public spaces not just as places to pass through by vehicles.
- An effective way of accommodating local shopping and economic activity is to reflect the traditional form of high street which allows for stopping, parking and slow traffic.
- A fine-grain pattern of development allows for a network of direct and connected routes within and beyond the site. Where possible this should be adopted rather than creating a large block development pattern. The finest grain of streets is usually around busy shopping streets.
- The arrangement of buildings and spaces are the best means of managing traffic speeds. Purpose built traffic-calming measures should be secondary measures although considered as an integral part of the design.
- A higher density of development and well designed layout can help increase accessibility to public transport.
- Integrated transport networks encourage the use of public transport and provide for seamless movement between all modes of travel.
- Developments likely to attract large numbers of people should be located in close walking distance to public transport facilities. This will enable accessibility to and from them for those without a car, help sustain local shops and services and, encourage sustainable and active means of travel.

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4. A sense of welcome

A place with a clear identity and that is user-friendly, legible and inclusive.

Places that are unthreatening, legible, inclusive and easy to understand are “welcoming” and likely to function well, be more vibrant, valued and maintained by all those who work, live and visit it. The long term maintenance and management of urban space also influences the extent to which a place is “welcoming”. Some elements that contribute to the success of urban spaces include the choice and arrangement of its planting, lighting, orientation, shelter, paving, street furniture and signage. In addition perception of safety and the degree a place is overlooked should also be considered. The fact that not all people read, interpret and enjoy a place in the same manner is also integral to this and this should form part of the design process.

Points to consider

- Local landmarks and focal points can help people find their way. Vistas also create visual links between places. Clearly identifiable routes and destinations and a choice of such routes will contribute to making a place feel safe. Development form, layout and signage that create a place that is easy to understand contribute to the function and pleasure of a place to visit and live in.
- The fact that people don’t read, interpret and enjoy a place in the same manner should be taken account of. Different age groups and cultures etc will experience places differently but should feel comfortable with its different aspects.
- New development or structures should be positioned to enhance existing views and vistas or create new ones. New development should also take the opportunity to create new waymarkers.
- The design, siting and uses of buildings strengthen the character and identity of the routes and spaces around them.

- Creative attention to corners should be given to enhance legibility by creating visual interest and contributing to a distinctive identity.
- Close attention should be paid to the detailing and choice of materials in new development to aid the legibility of an area. The use of streetscape materials is particularly important for the ease and mobility of visually impaired persons, the elderly and disabled etc.
- Quality public art, signage and lighting schemes can aid legibility and identity and where possible should be effectively incorporated into development schemes.

5. Adaptable

A place that supports variety and enables change easily over time.

Opportunities should be maximised to ensure that any new development and public space can be used in a number of compatible ways, for various uses. Design should also be sufficiently flexible to allow an area to adapt to future demands. Respect should be given to the needs of all members of the community and ensure buildings, neighbourhoods, streets and square etc are socially inclusive.

Points to consider

- When incorporating adaptability and flexibility into a development scheme consideration should include: the scale of the building (one use above the other), the street (one use beside the other) or the neighbourhood (groups of buildings next to others).
- A successful mix should result in uses being compatible with one another.
- A place that incorporates a successful variety includes where the uses help to create a balanced community with a range of services without increasing reliance on the car.

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- Adaptability and variety also includes where different tenures, cultures and needs are accommodated and where social housing is not distinguished from private housing.
- Developments that endure have flexible internal layouts. Floor-to-ceiling heights and building depths are important in this regard to allow for later conversion to other uses.
- Consideration should also be given to future uses, expansion and changing access needs. For example the position of the building on its plot can dictate its scope for expansion.
- Buildings should be accessible internally and externally for the disabled, visually impaired and the elderly.
- In designing green and open space, consideration should be given for multiply uses of them including events, festivals and markets so they can accommodate different purposes and needs.
- Buildings with various access points and elements such as balconies and forecourts encourage a mix of uses within them and facilitate different activities and access arrangements at different times.
- A fine grain development pattern should be adopted over a large block development pattern as such a pattern is more flexible for changing needs.

6. Resources efficient

A place that is sustainable in the short and long term.

Development should work with the natural features of the site. Buildings should be orientated and designed to maximize levels of solar gain, daylight and natural ventilation. Their design should be energy efficient, use building materials that are available from local or sustainable sources and opportunities taken to improve habitats and support wildlife.

Points to consider

- Developments should be carbon friendly.
- Ensure that features with established ecological or landscape value are protected throughout the site clearance and construction process.
- Consider the re-use of existing buildings on the site where feasible and recycle existing materials gained from demolition and site clearance.
- Consider 'Passive design' as an effective way to deliver energy efficiency. This involves considering the orientation of buildings to create the correct balance of shade and solar gain, optimal levels of insulation, compact building forms, use of natural ventilation and window size etc. to achieve appropriate thermal mass and air tightness.
- Ideally use materials that are durable, sustainably produced and have low embodied energy both in terms of their production and transportation to site. This would favour the use of locally sourced materials. However it may equally mean using extremely 'low energy' materials made elsewhere or provided to the site as pre-fabricated elements so as to avoid waste. Reused/recycled materials and components are also preferred where possible.
- Design in sustainable urban drainage systems (SUDS) from the outset of the project and not as an afterthought. Soak-aways, balancing ponds, reed beds and other sustainable urban drainage elements should always be integrated as a positive part of the layout where possible.
- On large sites or development areas consider low-carbon heating systems and renewable energy installations such as solar water heating and use of biofuels. Also on large sites consider the use of combined heat power (CHP) as a possible source of heating and power. These need to be designed-in as part of the infrastructure right from the outset of projects.
- Design buildings and external spaces to provide space for effective recycling and composting facilities; conserve and protect existing

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- site topsoil where possible and reuse in landscape schemes to minimise the need to import additional topsoil or soil ameliorants.
- Design landscape to thrive in local microclimatic and soil conditions. This normally requires some use of native locally occurring species or species well adapted to local conditions.

Appendix 2 Residential Design Guide

The Residential Design Guide was approved in 2011 and can be found by following the link to http://www.southlanarkshire.gov.uk/downloads/file/5448/residential_design_guide_2011

Please note that there is one additional criteria to be added to the guide that requires the gable to gable distance of dwellings to be a minimum of 4 metres.

Appendix 3 Shop Front Design

The Shopfront Design Guide was approved in June 2001. This is still relevant guidance and can be found on the CD that accompanies the proposed local development plan or by following the links to http://www.southlanarkshire.gov.uk/info/178/local_and_statutory_development_plans/39/development_plans/5

Appendix 4 Windows and Doors for Listed Buildings and Conservation Areas

The Windows and Doors for Listed Buildings and Conservation Areas Guidance was approved in 1998. This is still relevant guidance and can be found on the CD that accompanies the proposed local development plan or by following the links to http://www.southlanarkshire.gov.uk/info/178/local_and_statutory_development_plans/39/development_plans/5

**South Lanarkshire
Local Development Plan**

South Lanarkshire Council
Community and Enterprise Resources
Planning and Building Standards Services
Montrose House, Montrose Crescent
Hamilton ML3 6LB
www.southlanarkshire.gov.uk

For further information or to enquire about
having this information supplied in an
alternative format or language,
please phone 01698 455934 or email:
localplan@southlanarkshire.gov.uk