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1 Consultation process

Consultation process

1.1 This supplementary guidance was approved for consultation by South Lanarkshire Council at its meeting on 2nd December 2014. Comments are now being sought on this document.

1.2 This supplementary guidance will be placed on public consultation for six weeks from 11th December 2014 until 23rd January 2015. It will supplement the policies and proposals of the proposed South Lanarkshire Local Development Plan.

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 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 and As.

What happens next?

1.5 Following the six weeks of public consultation, consideration will be given to all comments received and a report will be produced summarising all comments received, the Council’s response to each representation, and any suggested revisions. The report and any suggested revisions will be considered by the Council’s Planning Committee and will be made available on the Council’s website. The supplementary guidance will be a material consideration in the determination of planning applications and will form part of the development plan for South Lanarkshire.

Further information

1.6 If you have any questions regarding the supplementary guidance or the consultation process, please contact South Lanarkshire Council on 01698 455934 or 455936
Introduction and policy context

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).

2.2 The choices made today on planning, designing and building places and communities will have significant repercussions for the future. Planning is about implementing a positive vision of a sustainable future. Climate change is an important issue and planners must be at the cutting edge of best practice, acquiring knowledge and skills. This knowledge and skill set needs to be transferred into effective policies and proposals within development plans that can be used to guide developers and highlight issues that need to be addressed.

2.3 The purpose of this SG is to support Policy 2 Climate Change within the SLLDP by providing more detailed policy and guidance for developers on the requirements for all new development proposed to minimise, mitigate and adapt against the effects of climate change. It will be a material consideration in the determination of planning applications, and forms part of the Development Plan for South Lanarkshire.

National, strategic and local policy

National

2.4 The Climate Change (Scotland) Act 2009 sets the context for the Scottish Government’s approach to minimising, mitigating and adapting to climate change. Planning policies are set out within the National Planning Framework (NPF), Scottish Planning Policy (SPP) and various Planning Advice Notes (PANs).

In terms of the environment and climate change the planning system should help to address climate change through:

2.5 Mitigation: minimising carbon and other greenhouse gas emissions by:

- promoting a mix of land uses within settlements that will help to facilitate active travel or travel by public transport;
- encouraging reuse of existing building stock;
- taking advantage of passive sources of energy through careful attention to the location, siting and orientation of new buildings, for example, by maximising solar gain and sheltering buildings from the prevailing wind; and
- supporting the expansion of renewable energy generating capacity and heat networks.

2.6 Adaptation: strengthening resilience in relation to greater climate variability by:

- ensuring new development is adapted to withstand more extreme weather, including prolonged wet or dry periods;
- working with natural environmental processes, for example, through the development and promotion of strategic and local green infrastructure to support local biodiversity (such as green corridors);
- using sustainable urban drainage systems to reduce flood risk; and
- promoting landscaping and natural shading that cool spaces in built areas during hotter periods.

Strategic

2.7 The Glasgow and the Clyde Valley Strategic Development Plan was approved in May 2012. The key aim of the SDP is to set out a long-term Spatial Vision and a related Spatial Development Strategy for the Glasgow City region to the year 2035. The SDP is set against long term drivers for change which includes, a global economy, fuel prices and climate change. Key development issues are to minimise the development and carbon footprints of the city-region, meet climate change emissions targets and support a drive towards a sustainable low carbon economy.
2 Introduction and policy context

Local

2.8 The Council’s broad policies in relating to Climate Change are set out in the Sustainable Development Strategy and the Carbon Management Plan.

2.9 The South Lanarkshire Local Development Plan builds on these strategies and sets out the land use planning framework for South Lanarkshire over the next five 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 2 of the SLLDP sets out the Council’s overall policy for addressing the land use issues arising from the impact of climate change.

2.10 A range of supplementary guidance has been prepared to support the LDP. These SG contain other detailed policies which may be relevant to the development proposed. These are:

- Development Management, Placemaking and Design.
- Green Belt and Rural Area.
- Industrial and Commercial Development.
- Town Centres and Retail Development.
- Green Network and Greenspace.
- Natural and Historic Environment.
- Community Infrastructure Assessment.
- Affordable Housing and Housing Choice.
- Renewable 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 Environmental Assessment (Scotland) Act, 2005, the Council prepared and submitted a strategic environmental assessment (SEA) screening report to the statutory consultation authorities, summarising its view that this SG is unlikely to have significant environmental effects. The consultation authorities agreed with the Council’s view and the Council made a formal determination that a SEA is not required for this SG. The Council reached this view because the SG sits under the hierarchy of the Glasgow and the Clyde Valley Strategic Development Plan and the South Lanarkshire Local Development Plan, both of which have undergone SEA. The SG does not seek to change or amend policies in these plans, including Policy 2 Climate Change or identify new ones.

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 SSLDP. The HRA screening appraisal concludes that there are no likely significant effects from this SG on Natura sites in the area, and no appropriate assessment requires to be undertaken.

Equalities impact assessment

2.14 An equalities impact assessment of the South Lanarkshire LDP Policy 2 Climate Change and associated supplementary guidance has been carried out. This concluded that there are no adverse impacts on any of the community groups covered by the 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 provision or recreational areas and/or facilities. Policy 5 of the SLLDP covers this matter and additional guidance can be found in the Community Infrastructure Assessment SG.
How to use this document

2.17 The Sustainable Development and Climate Change SG sets out policy and other advice to assist in the consideration and assessment of all development proposed 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 2 Climate change and any other relevant policies or supplementary guidance associated with the LDP.

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:

‘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 This SG seeks to provide detailed advice in order to achieve this vision and to meet the aims and objectives of Scottish Government policy. This will ensure that a clear framework is established to support development whilst responding and adapting to meet the challenges of climate change.

Policy 2 Climate change

Proposals for new development must, where possible, seek to minimise and mitigate against the effects of climate change by;

i. being sustainably located;
3 Addressing the climate change agenda

Addressing the climate change agenda

3.1 The climate in Scotland is already changing. Over the last century the climate has become increasingly warmer with corresponding changes to weather patterns. The winters are wetter with less snow and ice events. The summers are warmer but with more heavy rain events. These changes impact on many aspects of society, including health, housing, transportation, agriculture, water resources and energy demands.

3.2 There is more to the climate change agenda than just reducing the amount of greenhouse gases produced. Local authorities have been challenged by the Scottish Government to find ways to reduce reliance on fossil fuels and greenhouse gas emissions, ensure that all new developments are sustainable and facilitate adaptation to climate change. Local authorities have a statutory duty to contribute to national targets to reduce greenhouse gas emissions (climate change mitigation) and help prepare for expected future changes in the climate (climate change adaptation). In addition, SPP 2014 (Page 7, Paragraph 19) sets out how this should be delivered on the ground.

“By seizing opportunities to encourage mitigation and adaptation measures, planning can support the transformational change required to meet emission reduction targets and influence climate change. Planning can also influence people’s choices to reduce the environmental impacts of consumption and production, particularly through energy efficiency and the reduction of waste”.

3.3 The aim of this SG is to consider the policy direction and criteria that will be used by South Lanarkshire Council to address the climate change issues raised through Scottish Government Guidance, the Glasgow and the Clyde Valley Strategic Development Plan, the Council’s corporate and partnership strategies and plans, including the LDP and the Sustainable Development Strategy.

3.4 This Sustainable Development and Climate Change SG considers the following:

- water supply, foul drainage and sewerage
- air quality and biomass
- environmental noise
- sustainable transport
- waste

3.5 The Council recognises the importance of green infrastructure and biodiversity to addressing part of the climate change agenda. Specific guidance is included within the Green Network and Greenspace Supplementary Guidance and the Natural and Historic Environment Supplementary Guidance.

3.6 A revised supplementary guidance document is being produced on renewable energy which updates the draft Wind Energy SG (approved in March 2013) to take account of the new SPP. The revised Renewable Energy SG will include guidance on other renewable electricity generating technologies.
Vacant, derelict and contaminated land

4.1 One of the main environmental issues in the Local Development Plan area is the blighting effect of vacant, derelict and contaminated land.

Vacant and derelict land

4.2 In 2014 the total area of vacant and derelict land in South Lanarkshire was approximately 490 ha. Historically, the majority of such sites were located in the Cambuslang/Rutherglen area but there has been significant progress through the Clyde Gateway project to remediate land in this area and prepare it for development. There are also significant concentrations of vacant and derelict sites in the Hamilton/Larkhall area and in the Douglas Valley. Most of this is a legacy of former industrial activity.

4.3 The remediation and redevelopment of vacant and derelict land is a priority for the Council. Such action is critical to the process of area renewal and regeneration, providing opportunities for economic development, new housing, recreation provision and enhancement of the environment. The Council has benefited from funding from the Scottish Government's Vacant and Derelict Land Fund. These resources supplement the Council's existing contaminated and derelict land budgets. Action is currently focused on the priority area of Clyde Gateway, where remediation of chromium contamination in the Shawfield area is well underway.

4.4 When the current Derelict Land Fund programme comes to an end, a case will be presented to the Scottish Government for continuation of this funding through the development of a new delivery plan.

4.5 In order to promote a sustainable pattern of development, Scottish Planning Policy requires development plans to consider the reuse or redevelopment of brownfield land before new development takes place on greenfield sites. Maximising the reuse of vacant and derelict land, as proposed in SLLDP policy 2 Climate change will contribute to this objective.

Contaminated land


4.7 Part IIA contaminated land does not, however, include all land where contamination is present. Contaminated land, for planning purposes, may be regarded as any site where the presence or suspected presence of contaminants is an obstacle to development.

4.8 When assessing development proposals the Council may require the applicant to provide a contaminated land survey to establish whether contamination is present and how it is to be treated. Such surveys should be undertaken by a suitably qualified professional. Further guidance for developers, planning agents and consultants is contained in the document 'An introduction to land contamination and development management' which can be viewed on the Council’s website. Land Contamination and Development Management

SDCC 1 Vacant, derelict and contaminated land

The Council will work in partnership with the Scottish Government, Clyde Gateway Urban Regeneration Company, other agencies and private sector interests in implementing its delivery plan for remediation and redevelopment of vacant, derelict and contaminated land and will seek to secure continued funding for this activity.
5 Sustainable buildings, heat mapping and networks

Sustainable buildings

5.1 The Climate Change (Scotland) Act 2009 set a target to reduce Scotland’s emissions of greenhouse gases (including carbon dioxide) by 80% of their 1990 level, by the year 2050. The Scottish Government has also set a target to generate electricity from renewable sources equivalent to 100% of Scotland’s demand for electricity. More than 40% of Scotland’s carbon dioxide emissions, a major contributor to climate change, come from the energy used to heat, light and operate buildings. Requiring new buildings to meet more stringent energy standards lessens their environmental impact and makes them more affordable to operate. Encouraging the use of low and zero-carbon generating technologies in new buildings should help to lessen Scotland’s reliance on imported sources of energy and also support the domestic market in such technologies.

5.2 Good design, relating to the built development and in a sustainable location can be a key factor in reducing carbon emissions by:
- cutting down on energy required to heat the building.
- placing the building in such a way to maximise solar gain.
- incorporating water recycling into the design of the development.
- using SuDS and green roofs.
- ensuring sustainable transport systems are in place including good access to local services and amenities.

5.3 Buildings performance can also be challenged by a changing climate. Buildings will need to be able to cope with overheating, intense rainfall events and possible changes in wind and storm patterns. This will require appropriate planning and design of all new buildings and consideration including the use, where appropriate, of durable materials for building and landscaping, the use of low carbon technologies to manage heat and waste and the use of SuDS to reduce the risk of flooding.

5.4 Overall developers should be able to demonstrate how their buildings are ‘fit for the environment’, and feature good design principles such as maximising natural light and the use of energy efficient heating systems. Further guidance can be found in Appendix 1 of the Development Management, Placemaking and Design Supplementary Guidance, Section 6.

5.5 Sustainable design and construction will be integral to new development in South Lanarkshire. The Council may require applications for development to include a sustainability statement to demonstrate how the development will uphold sustainable construction principles and contribute to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions. The specified average levels of sustainability for a dwelling or non-domestic property is included in Section 7 of the Technical Standards within the Building Regulations.

5.6 The guidance may not apply to:
- conversions of buildings.
- non-domestic buildings and buildings that are ancillary to a dwelling that are standalone having an area less than 50m².
- buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection.
- limited life buildings which have an intended life of less than two years.
- alterations and extensions to buildings, other than:
  - alterations and extensions to stand-alone buildings having an area less than 50m² that would increase the area to 50m² or more.
  - extensions to non-domestic buildings where the extension will have an area which is both greater than 100m² and greater than 25% of the area of the existing building.
  - alterations to buildings involving the fit-out of the building shell which is the subject of a continuing requirement.

5.7 All new buildings should be designed to ensure that they use low and zero-carbon energy equipment, where feasible, to avoid a specified and rising proportion of projected greenhouse gas emissions from their use. In addition all new development should provide satisfactory arrangements for the storage and collection of refuse and recyclable materials as an integral part of its design. Major developments should include communal facilities for waste collection and recycling. Consideration should also be given to including electric vehicle charging points within new developments.
Heat mapping and networks

5.8 The Scottish Government through its Renewable Heat Action Plan for Scotland has set a national target of 11% of Scotland's heat demand to be met from renewable sources by 2020. The SPP section on A Low Carbon Place is clear that development plans should seek to ensure an area's full potential for electricity and heat from renewable sources is achieved, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations. Local development plans should use heat mapping to identify the potential for co-locating developments with a high heat demand with sources of heat supply. They should also support the development of heat networks in as many locations as possible, even where they are initially reliant on carbon-based fuels if there is potential to convert them to run on renewable or low carbon sources of heat in the future.

5.9 The utilisation of heat mapping is at a very early stage in South Lanarkshire and has not, therefore, been incorporated into the spatial strategy of the current SDP and LDP. There will be more emphasis on the identification of areas with potential for creating district heating network through the preparation of SDP3, which will inform the next LDP. Until this time, the Council will encourage proposals for the development of local heat networks based on low carbon and renewable sources, or which facilitate the use of waste heat from existing developments or other sources, where such proposals accord with other relevant policies in the LDP and associated SG.
6.1 Across Scotland there is an increasing likelihood that climate change will result in more frequent and severe storm events. This is based on the evidence presented by the Met Office in UKCP09 Climate Change.

6.2 These changes will lead to an increase in flooding from pluvial (surface water), fluvial (watercourses such as rivers or burns) and coastal (the Clyde Estuary) sources. This will put added pressure on infrastructure, particularly the sewerage and drainage network. Planning has a key role in the management of areas at flood risk and ensuring that any new development is not at risk of flooding or would be likely to increase flood risk elsewhere.

EU Water Framework Directive

6.3 In 2000 the Water Framework Directive was introduced to coordinate water environment policy and regulation throughout Europe. In Scotland the Water Environment and Water Services (Scotland) Act 2003 ensured that the water environment would be protected and enhanced.


6.4 This indicates that Scotland’s waters make a substantial contribution to quality of life by providing good quality drinking water, supporting nature, wildlife and recreation. The River Basin Management Plan (RBMP) highlights that around 35% of the waters in the river basin district are under significant pressure from human activity and are not in good condition.

The Flood Risk Management (Scotland) Act 2009

6.5 The Flood Risk Management (Scotland) Act 2009 places a duty on Scottish Ministers, the Scottish Environment Protection Agency (SEPA), local authorities, Scottish Water and other responsible authorities to manage and reduce flood risk and promote sustainable flood risk management. SEPA’s National Flood Risk Assessment has identified ’Potentially Vulnerable Areas’, where the potential impact of flooding justifies further assessment and appraisal of actions to address flooding. This is being progressed through the Flood Risk Management planning process. The forthcoming Clyde and Loch Lomond Flood Risk Management Plan (FRMP) and the Tweed Flood Risk Management Plan will set out a range of actions to reduce flood risk in South Lanarkshire over the period 2016-2021.

The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR)

6.6 CAR contains General Binding Rules (GBRs), relating to the discharge from surface water drainage systems to the water environment from construction sites, buildings, roads, yards and any other built-up areas. For new developments, sites must be drained by a Sustainable Drainage System (SuDS), the only exceptions being run-off from a single dwelling and its curtilage, or if the discharge is to coastal water.

For SEPA general policy requirements covering all of the above, including flood risk, please refer to LUPS – GU11/Guidance on SEPA engagement with the development plan process. This is available from the SEPA website.

SPP states that a precautionary approach needs to be taken to the location of new development sites, with the aim of preventing further development on land which is at risk of flooding from all sources including watercourses, the coastal Clyde Estuary, surface water and sewers.

New development should not affect the ability of the functional flood plain (fluvial or coastal) to store and/or convey floodwater. The removal of flood plain by land raising or the construction of flood defences will displace floodwater and have an impact unless it is linked to the provision of compensatory storage. Where flood risk is an issue this will be addressed through a masterplanning process so that flood risk and appropriate mitigation measures can be considered from the outset of the process.
SDCC 2 Flood risk

In accordance with the precautionary principle and the risk framework as set out in Scottish Planning Policy South Lanarkshire Council will seek to prevent any increase in the level of flood risk by refusing permission for new development where it would be at risk from flooding or increase the risk of flooding elsewhere. The redevelopment of existing buildings in areas of flood risk will only be acceptable if it has a neutral or beneficial impact on the level of flood risk.

The storage and conveyance capacity of the functional flood plain will also be safeguarded. Avoidance of development in the functional flood-plain is the most sustainable option for the long term management of flood risk. New development will only be permitted within the functional flood-plain when one of the following conditions are met: where it falls under the category of 'Essential Infrastructure' and a specific location is essential for operational reasons; or, it falls under the category of 'Water Compatible Use'.

In addition, a minimum freeboard allowance of 500 mm to 600 mm is recommended by SEPA to account for (a) the uncertainties involved in flood design, and (b) physical imponderables such as post-construction settlement or wave action.

Should development be permitted within areas liable to flooding then consideration should be given to using water resistant and resilient building materials.

In line with the SPP (paragraph 266) development proposals deemed to be at potential risk of flooding will require to be accompanied by a flood risk assessment or other appropriate information which demonstrates that the proposal is consistent with the requirements of SPP.

For further information please refer to Planning Advice Note 69 Flooding.

6.10 The different categories of infrastructure and water compatible uses are set out in SEPA’s Land Use Vulnerability Guidance. This document is available from the SEPA website.

Sustainable drainage systems (SuDS)

6.11 SEPA define SuDS as: “A sequence of water management practices and facilities designed to drain surface water in a manner that will provide a more sustainable approach than what has been the conventional practice of routing run-off through a pipe to a watercourse” SEPA SuDS

6.12 The use of these systems can minimise the risk of flooding at both the site itself and at existing properties downstream and can also help to deliver environmental improvements.

6.13 The use of appropriate SuDS is legally required for most new developments to limit and control the rate of surface water run-off and reduce the adverse effects that it can have on water quality. SuDS can help to alleviate flooding by controlling the flow of surface water run-off into watercourses which could otherwise lead to water overflow on-site or elsewhere in the catchment.

6.14 In order to ensure the continual successful performance of SuDS within developments, long term maintenance of the system is essential and will involve partnership working to deliver the aims of the developer and the adopting authority. SEPA govern the requisite water quality treatment levels.

6.15 The Council will encourage new developments to have SuDS integrated into their design, such as green roofs, rainwater harvesting, infiltration trenches and porous paving. Such infrastructure could be applied in parking areas and other paved facilities to decrease surface runoff.

6.16 SuDS features such as ponds and basins should be overlooked to allow passive monitoring. They should also be accessible for maintenance purposes. In addition, they should be fully integrated into the development’s open space and movement strategy requirements.
6 The water environment, flooding and SuDS

6.17 All new planning applications should specify their SuDS credentials, or how they can retrofit these features into their development in the future with minimal disruption. Further guidance regarding this matter can be found in SEPA’s Regulatory Method Sustainable Drainage Systems and also in the South Lanarkshire Council ‘Sustainable Drainage Systems (SuDS) Design Guidance Note’

**SDCC 3 Sustainable drainage systems**

Any new development should be drained by an appropriately designed sustainable drainage system.

Where the SuDS scheme is to be adopted by Scottish Water, the developer must also accord with the Sewers for Scotland Manual Second Edition. Where the scheme is not to be adopted by Scottish Water, the developer must indicate how the scheme will be maintained in the long term.

Where more than one development drains into the same catchment a co-ordinated approach to SuDS provision should be taken where practicable. This will involve considering what is happening at the catchment level rather than what is happening within a development site boundary.

6.18 In all matters relating to flooding and SuDS South Lanarkshire Council, Planning and Building Standards, will liaise with internal flood risk colleagues, SEPA, and where appropriate Scottish Water. These consultation arrangements will ensure an integrated and co-ordinated approach to the management of flood risk within South Lanarkshire. SEPA advise that where there is likely to be shared use of drainage systems from more than one site then a masterplan would be required. In this masterplan the different parcels of land would be assessed in terms of their size and given specific drainage criteria to work to. The developer would be allowed to discharge a specific volume of water for the site but must also provide a level of SuDS treatment to allow a connection of surface water runoff into the strategic drainage system.
Water supply, foul drainage and sewerage

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

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

SDCC 4 Water supply
Development will only be permitted where there is an adequate supply of water to serve the site including a supply of water for human consumption, adequate in quantity and quality as prescribed under EC Directive 80/778; the Water Supply (Water Quality) (Scotland) Regulations 1990 and the Private Water Supplies (Scotland) Regulations 1992.

SDCC 5 Foul drainage and sewerage
All development within or adjacent to publicly sewered areas will require to connect to the public network unless:

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

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

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

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

Air quality

8.1 Good quality, clean, clear, unpolluted air is essential to maintaining the balance of life for humans, wildlife, vegetation, water and soil. Poor air quality is a result of a number of factors, including emissions from various sources, both natural and man-made causes. Poor air quality occurs when pollutants reach high enough concentrations to endanger human health and/or the environment. Everyday actions such as driving cars, industrial practices or burning fossil fuels, can have a significant impact on air quality.

8.2 The key issues that planning need to address are:

- Proposed new buildings can impact the local air flow of an area, subsequently affecting air quality.
- Proposed road construction may affect traffic flow or cause congestion in the development area, or nearby, that impacts on air quality.
- Demolition and construction activities will have short term air quality impacts for the duration of the activities.

8.3 Under the local air quality management (LAQM) regime, local authorities have a legal duty to review and assess air quality within their areas against a set of health based objectives, and where required, take measures to work towards improving air quality.

8.4 The Scottish Government recommends that local authorities consider drawing up a local air quality strategy which outlines their commitment to air quality management and improvement. An air quality strategy for South Lanarkshire is currently being developed.

8.5 Air quality across South Lanarkshire is generally good, and pollutant concentrations are within the health based air quality objectives at most locations. There are some locations that have been identified where pollutant concentrations are in excess of the objectives and where there may be a risk to human health. These are mainly where high volumes of road traffic and associated congestion occur close to residential properties and places of work.

8.6 To date, one air quality management area (AQMA) has been declared in South Lanarkshire at Whirlies Roundabout in East Kilbride. A number of detailed modelling assessments have been commissioned to investigate road traffic emissions in various other localities across the area. All of these locations are affected mainly by local road traffic emissions but also by other local background sources.

SDCC 6 Air quality

Development proposals which have the potential to have a detrimental impact on air quality will not be acceptable unless measures to mitigate the impact of air pollutants are proposed and can be agreed with the planning authority. The Council will, in assessing an application for such developments, require the submission of an assessment of the likely impact of the development on air quality and any mitigation measures that are proposed. This assessment should include:

- Existing air quality in the study area (base year).
- Prediction of the future air quality without the proposed development in place (future base year).
- Future air quality with the development in place.
- Measures required to mitigate the potential impact on air quality.

The focus will be to assess developmental impacts and propose mitigation such as encouraging access to sustainable modes of transport.

In addition, developers must take cognisance of other relevant planning guidance.

8.7 There is a wide range of assessment methods available for air quality assessment. The Local Air Quality Management Technical Guidance (TG09) and The Environmental Protection UK Development Control: Planning and Air Quality (2010 Update) should be considered when determining the assessment.
methodology. The proposed assessment methodology and datasets should be agreed with the Council’s Environmental Services prior to the commencement of the assessment.

Biomass

8.8 Biomass is the general term for natural or organic fuel source. Biomass is produced from organic materials derived from recently living plant organisms or from metabolic by-products such as organic or food waste products.

8.9 With regard to biomass, the role of the planning system is to consider the power plant and associated impacts and not the production of the fuel source. The location of biomass plants is likely to be determined but a number of factors related to the economic costs of transporting supply materials from source, the availability of feedstock through the year, the location of the end user and the scale of the plant. Biomass plants are industrial in nature but require to be located close to sources of feedstock and be accessible to the end users of the product and/or a national grid connection. These factors will be taken into account when considering applications. Consideration should also be given to how to dispose of the waste from the burnt fuel.

SDCC 7 Biomass

Any proposals for commercial biomass plants, not ancillary to wider development proposals, will generally be directed to existing industrial areas unless an alternative location can be justified.

Proposals for small scale biomass or district heating schemes outwith existing industrial areas will only be acceptable where their primary function is the production of heat or combined heat and power for local residential or business consumption.

Development may be acceptable where:

- the Council is satisfied that there will be no significant negative effects in terms of their scale, design, location, emissions, landscape setting, storage facilities, cumulative impact, odour and noise,
- There will be no significant adverse effects on habitats and species including Natura 2000 sites, biodiversity and protected species, and
- levels of pollutants have been minimised through the use of best available technology, including abatement technology.

Any applications for biomass boilers/facilities must conform to national and local guidance.

8.10 Domestic biomass boilers will not normally require planning permission. However, a flue is not permitted on the principal elevation of a property within a conservation area, a listed building or within an air quality management area. Outwith these areas planning permission is not needed for an external flue providing that it is no more than 1 metre above the ridge line (excluding the chimney).
9 Environmental noise

Environmental noise

9.1 Environmental noise is the general sound that can be detected across a wide locality. It can come from a variety of sources but the biggest sources are from transport and industry. The Environmental Noise Directive is UK legislation on noise control. Following on from this the Environmental Noise (Scotland) Regulations 2006 were introduced.

9.2 This required the production of noise maps covering large agglomerations (of over 250,000 inhabitants) and major transport infrastructure. Noise maps are used to identify areas where the noise climate is deemed to be poor and in need of improvement (Noise management areas) and areas where it is good and warrants protection (Quiet areas).

9.3 South Lanarkshire currently has two noise management areas; a section of the M74 in Larkhall and section of the A725 in High Blantyre. Both areas are associated with roads managed by Transport Scotland who are currently considering options to reduce the adverse impact of traffic noise at these locations.

9.4 Any development proposals must also take account of Policy 5 Development Management, Placemaking and Design which requires that there are no significant adverse impact on amenity as a result of noise. Specific guidance for wind energy developments can be found in the Renewable Energy Supplementary Guidance.

- promoting new technologies and improved practices to reduce noise at source.
- improving walking routes and cycle paths in noise management areas thus decreasing the level of vehicular noise by encouraging the use of these alternative methods of transport.

Quiet areas

9.5 Quiet area status is given to areas where local noise climate is considered to be good. In April 2013, two quiet areas were approved in South Lanarkshire at Bothwell Castle Grounds and Cambuslang Public Park. These areas must be protected.

SDCC 9 Quiet areas

The Council will seek to ensure that the noise climate of the quiet areas identified in South Lanarkshire are not adversely affected by new development proposals. Developments in or adjacent to these areas will be subject to strict noise management.

SDCC 8 Noise management areas

Within or adjacent to noise management areas development proposals should seek to reduce noise by:

- minimising the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals
- separating new noise sensitive development from major noise sources wherever practicable through the use of distance, screening, or internal layout in preference to sole reliance on sound insulation.
Transport

10.1 When considering transportation, all modes require to be assessed as they all have a role in how the local population and economy functions. The local development plan considers how land uses and the transportation network interact and makes locational choices and policy that seeks to minimise travel demands. This will bring benefits to local communities and to the wider environment and in doing so will contribute to the regeneration of the area’s towns and villages. The LDP has been prepared in conjunction with the South Lanarkshire Local Transport Strategy (LTS) to ensure that these two policy documents complement each other. The current LTS covers the period from 2013 to 2023. In addition, the core paths plan adopted in 2012 sets out a framework of key routes to be safeguarded. This SG reflects the overall vision and strategy of the Core Paths Plan.

10.2 Developers are encouraged to plan well connected, mixed-use communities which reduce the need for long commutes; with defined and direct routes through the development, allowing for both active travel and sustainable public transport. Routes should be integrated for easy access and egress (in accordance with the SPP). Further guidance is included in the Development Management, Placemaking and Design Supplementary Guidance.

Sustainable transport

10.3 The Scottish Government promotes sustainable travel and SPP directs development to sustainable locations to minimise travel needs and maximise opportunities to use alternative transport to the private car. The most sustainable transport options are to walk or to cycle.

SDCC 10 Sustainable transport

New major trip-generating developments will be directed to locations accessible by walking, cycling and public transport, and developers will be required to, where appropriate, submit a transport assessment and a travel plan. Such developments will be required to recognise the needs of cyclists and pedestrians as well as access to public transport routes and hubs and, where appropriate, have regard to the core paths plan.

Where development occurs which makes it necessary to close core paths and other safeguarded routes, provision of an alternative route will be required.

Developers should also ensure that any proposed new residential areas should include identified safe routes to school and be able to be accessed by an appropriate footpath. In addition, all new development proposals should be accessible by foot or bicycle.

Walking and cycling

10.4 The Council will work towards providing safe and convenient opportunities for walking and cycling for both active travel and recreation. In addition, developers must be aware that any new housing development should also include safe routes to school to allow children to walk or cycle. It is vital that footpaths are constructed to connect developments to amenities and facilities to avoid unnecessary use of private vehicles or school buses where the school is within walking distance from the houses.

10.5 The Natural and Historic Environment Supplementary Guidance contains a section on core paths and rights of way. This includes a specific policy on walking, cycling and riding routes. Developers should consult this SG for further guidance.

Electric vehicles

10.6 The Climate Change (Scotland) Act 2009 commits Scotland to reducing greenhouse gas emissions by 80% by the year 2050. The Act also sets an interim target of a 42% reduction in emissions by 2020. South Lanarkshire Council supports and encourages the use of electric and plug-in hybrid vehicles. A number of locations in which charging points are located have been identified
10 Sustainable transport

on the LDP settlements maps. To date, 70 parking bays with access to charging points have been installed. This network will be further expanded as more electric vehicles are introduced.

Electric Vehicle Charging

10.7 The Council will continue to develop and expand the development of electric vehicle charging stations throughout South Lanarkshire. In addition, any new development will be expected to provide electric charging stations as part of the infrastructure required.

10.8 The Council will mainly provide trickle charging facilities, (where non-standard charging plugs are impractical, trickle charging points may be used depending upon the land use). Allowances will be made to expand the charging network by including fast and rapid charging units. Table 10.1 indicates the proportion of electric charging points that would be appropriate for each type of new development.

Table 10.1 Requirements for electric charging points

<table>
<thead>
<tr>
<th>Type of development</th>
<th>Size of development</th>
<th>Charging points required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial/Industrial development</td>
<td>Individual developments requiring a travel plan</td>
<td>5% of available spaces fitted with trickle charging point</td>
</tr>
<tr>
<td>Large commercial/industrial/mixed use development requiring a travel plan</td>
<td>3% of available spaces fitted with trickle charging point, plus 2% of available spaces fitted with fast charging point</td>
<td></td>
</tr>
<tr>
<td>Major commercial mixed use development</td>
<td>On individual merit</td>
<td></td>
</tr>
<tr>
<td>Residential</td>
<td>Single dwellings</td>
<td>One trickle charging point per dwelling</td>
</tr>
<tr>
<td>Residential</td>
<td>Flats/apartments</td>
<td>20% of available spaces fitted with trickle charging point</td>
</tr>
<tr>
<td>Other</td>
<td>Individual developments requiring a travel plan</td>
<td>3% of available spaces fitted with trickle charging point, plus 2% of available spaces fitted with fast charging point</td>
</tr>
</tbody>
</table>

10.9 Electric vehicle charging is a developing technology and the Council will continue to ensure that connection points are installed in line with emerging technical requirements.

10.10 The Council will also seek the inclusion of public vehicle charging points within suitable major development schemes. Due to charging times, the most suitable locations are likely to be within developments in town centres, employment areas, tourist and leisure locations and any others that attract visitors for a substantial period of time.
In considering whether a publicly accessible charging point is appropriate the Council will have regard to:

a) The accessibility of the location.
b) The suitability of the site as a long stay destination during charging.
c) The number of existing and proposed publicly accessible charging points in the surrounding area.
d) The potential impact of providing electric vehicle charging points on development viability and parking facilities.

Electric charging points and parking for mobility scooters should be provided in new developments in a convenient location at ground floor level where possible. This particularly applies to flatted developments and elderly persons housing where it may be difficult for occupants to charge scooters within the property itself.
11 Waste

Waste

11.1 NPF3 and SPP recognise that waste is a resource and an opportunity, rather than a burden. Planning plays a vital role in supporting the provision of facilities and infrastructure for future business development, investment and employment.

11.2 The European Waste Framework Directive sets out a waste hierarchy for the management of waste, which is intended to drive waste prevention and reuse, significantly increase recycling rates and reduce the amount of waste being sent to landfill. Article 4 of the Directive states that the waste hierarchy must apply as a priority order in both waste prevention and management legislation and policy and thus the Council must have regard to the hierarchy when considering its options for managing waste. The hierarchy is as follows:

- Prevention.
- Preparing for re-use.
- Recycling.
- Other recovery, for example energy recovery.
- Disposal.

Figure 1 - European waste hierarchy

11.3 The Directive also introduced the first EU wide recycling targets and forms the cornerstone of the Scottish Government’s waste management strategy and policy.

11.4 For new developments, including industrial, commercial, and residential, plans should promote resource efficiency and the minimisation of waste during construction and operation.

Waste management

11.5 Waste management in Scotland has traditionally been designed almost entirely around landfill disposal, which makes the assumption that waste has no value or would be too expensive or difficult to recycle.

11.6 The Waste (Scotland) Regulations 2012 set statutory measures to support delivery of the zero waste plan (ZWP). The regulations essentially address two waste categories:

1. Sorted materials for recycling.
2. Unsorted waste requiring further treatment, recovery and disposal.

11.7 The regulations adopt a dual approach to maximise recycling and to maximise resource recovery through treatment of unsorted waste. The key elements of the Regulations in relation to how the Council delivers its waste management functions are as follows:

- A duty to take reasonable steps to promote high quality recycling.
- A duty to ensure the separate transportation of separately collected dry recyclable material or food waste.
- A duty to provide separate collection services for key recyclables (paper, card, metals, glass and plastics) to households.
- A duty to provide a separate food waste collection service to households by 1 January 2016.
- A ban on separately collected recyclable materials either being incinerated, co-incinerated or landfilled.
- A ban on biodegradable waste going to landfill from 1 January 2021, requirement for new incinerators or co-incinerators (or existing facilities
which require a variation to their Pollution Prevention and Control Permit) to ensure the removal of non-ferrous metals and hard plastics from residual waste prior to incineration or co-incineration.

11.8 The Scottish Government published the ZWP in June 2010. The plan sets out the strategic direction for waste policy in Scotland until 2020 and contains a range of targets designed to assist the Scottish Government achieve its vision of a zero waste society where "...waste is seen as a valuable resource, valuable materials are not disposed of in landfills, and most waste is sorted for reprocessing, leaving limited amounts to be treated". Some of the targets contained within the plan are lifted directly from EU legislation whilst others exceed the requirements of the Directives they originate from. The targets contained within the ZWP are summarised in Table 11.1.

11.9 The ZWP also lays out the Scottish Government’s proposals to introduce a regulatory framework to help drive the changes required to meet these targets.

### Table 11.1 Zero Waste Plan Targets

<table>
<thead>
<tr>
<th>Target/Cap</th>
<th>Year</th>
<th>Derivation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The preparing for re-use and the recycling of 50% by weight of waste materials such as paper, metal, plastic and glass from household waste and similar</td>
<td>2020</td>
<td>EU Waste Framework Directive</td>
</tr>
<tr>
<td>60% recycling/composting and preparing for re-use of waste from households</td>
<td>2020</td>
<td>Scottish Government target</td>
</tr>
<tr>
<td>No more than 1.26 million tonnes of biodegradable municipal waste to be sent to landfill</td>
<td>2020</td>
<td>EU Landfill Directive</td>
</tr>
<tr>
<td>70% recycling and preparing for re-use of construction and demolition waste</td>
<td>2020</td>
<td>EU Waste Framework Directive</td>
</tr>
<tr>
<td>No more than 5% of all waste to go to landfill</td>
<td>2025</td>
<td>Scottish Government target</td>
</tr>
</tbody>
</table>

11.10 Initial infrastructure for recycling developed with assistance from the Scottish Government’s Strategic Waste Fund is being progressed through a number of different strategies such as the National Sustainability and Waste Strategies. The aim of this SG is to highlight the role of the planning service in identifying appropriate development opportunities for waste disposal and recycling and ensuring that existing facilities are fit for purpose and regulated as required.

11.11 The Zero Waste Plan indicates that the Scottish Government intends to put landfill bans and associated measures in place to deliver on the commitment to achieve a zero waste society. In this regard, South Cathkin Landfill, which until recently accepted a large proportion of waste generated within Glasgow City Council’s administrative area, now only accepts inert waste which is being used to restore the site.

11.12 Rigmuir is a fully operational landfill site run by Virador, located to the south of East Kilbride. It is the only non-hazardous landfill site within South Lanarkshire with a lifespan of 5 years (until December 2020). Once completed, in accordance with the Scottish Government’s ban on landfilling of biodegradable municipal waste which comes into effect on 1st January 2012, it is the Council’s intention that there will be no further landfill sites in South Lanarkshire. In addition, Cathkin landfill, to the north of East Kilbride, and Carscallan inert landfill to the west of Hamilton both accept inert waste such as soils, subsoils and demolition waste. Cathkin landfill is now closed to domestic waste and the site is anticipated to be restored by late 2015.

**SDCC 11 Waste management facilities**

In considering applications for waste management facilities or the disposal of waste, the Council will have regard to the National Waste Management Plan and SPP.
Any sites identified specifically for energy from waste facilities should enable links to be made to potential users of renewable heat and energy. Such schemes are particularly suitable in locations where there are premises nearby with a long-term demand for heat.

Existing and new waste management facilities for the treatment and disposal of municipal and commercial waste, including waste transfer stations and recycling centres, shall be safeguarded for waste management use, and any development on or adjacent to these sites which would adversely affect the operation of the facility will, in general, not be considered favourably.

All proposals for waste management operations and facilities will be assessed against the criteria in Policy 18 of SLLDP and other relevant LDP policies and SG.

11.13 The Council must also protect those properties which may be located adjacent to different types of waste management facilities. It is proposed that the buffer zone policy is introduced between dwellings and/or sensitive receptors to give a degree of protection to these from different waste management facilities. Table 11.2 lists the current waste management facilities operating in South Lanarkshire.

### Table 11.2 Waste management facilities

<table>
<thead>
<tr>
<th>Waste management facilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Household waste and recycling centres</td>
</tr>
<tr>
<td>Eastfield, Cambuslang</td>
</tr>
<tr>
<td>Castlehill, Carluke</td>
</tr>
<tr>
<td>Hamilton/Blantyre</td>
</tr>
<tr>
<td>Strathaven</td>
</tr>
<tr>
<td>Larkhall</td>
</tr>
<tr>
<td>Newhousemill Road Recycling Centre, Hamilton</td>
</tr>
<tr>
<td>East Kilbride</td>
</tr>
<tr>
<td>Waste recycling facility</td>
</tr>
<tr>
<td>Newhousemill Road Green Waste Recycling Centre, Hamilton</td>
</tr>
<tr>
<td>Landfill</td>
</tr>
<tr>
<td>Carscallan Inert Landfill, Quarter</td>
</tr>
<tr>
<td>Rigmuir landfill site, East Kilbride</td>
</tr>
</tbody>
</table>

**SDCC 12 Waste management facilities buffer zones**

The Council will consider the need for buffer zones between dwellings or other sensitive receptors and some waste management facilities as follows:

- 100m between sensitive receptors and recycling facilities, small-scale thermal treatment or leachate treatment plant;
Domestic waste

11.14 Developers should be aware that most domestic properties are now provided with at least three different 'wheelie' bins for the recycling of domestic waste. This can be a particular issue for terraced or flatted developments if no storage facilities, or inappropriate facilities, are provided for these bins. This can lead to unsightly clutter in the front gardens of terraced properties or groups of bins in car parking areas of flatted developments. Developers should ensure that where new housing developments are proposed that adequate and accessible storage facilities are provided to accommodate segregated waste collection. Further details are included in the Residential Design Guide.

Background documents

Circular 6/2013 Development Planning
Waste (Scotland) Regulations 2012: a statutory framework to maximise the quantity and quality of materials available for recycling and minimise the need for residual waste infrastructure
Zero Waste Plan and accompanying regulations and supporting documents
Safeguarding Scotland’s Resources: A blueprint for a more resource efficient and circular economy
SEPA waste data sources: including Waste Data Digests and Waste Infrastructure Maps
SEPA Thermal Treatment of Waste Guidelines 2013
Waste capacity tables 77 (formerly Zero Waste Plan Annex B capacity tables)
12 Glossary of terms

Glossary of Terms

Climate change adaptation - The adjustment in economic, social or natural systems in response to actual or expected climatic change, to limit harmful consequences and exploit beneficial opportunities.

Climate change mitigation - Reducing the amount of greenhouse gases in the atmosphere and reducing activities which emit greenhouse gases to help slow down or make less severe the impacts of future climate change.

Essential Infrastructure Uses - Comprises essential transport infrastructure and essential utility infrastructure which may have to be located in a flood risk area for operational reasons. This includes electricity generating stations, power stations and grid and primary sub-stations, water treatment works and sewage treatment works and wind turbines.

Freeboard allowance - A height added to the predicted level of a flood to take account of the height of waves or turbulence and uncertainty in estimating the probability of the flooding. This is often defined as the difference between the flood defence level and the design flood level. It can also be the difference between the design flood level and the finished floor levels of any development. CIRIA Report C624 also recommends a freeboard allowance of 600 mm.

Functional flood plain - The areas of land where water flows in times of flood which should be safeguarded from further development because of their function as flood water storage areas. For planning purposes the functional floodplain will generally have a greater than 0.5% (1:200) probability of flooding in any year.


Pluvial flooding - Flooding as a result of rainfall runoff flowing or ponding over the ground before it enters a natural (watercourse) or artificial (sewer) drainage system or when it cannot enter a drainage system because the system is already full to capacity or the drainage inlets have a limited capacity.

Strategic flood risk assessment - Includes the trunk road and rail networks. Its primary purpose is to provide the safe and efficient movement of strategic long-distance traffic between major centres, although in rural areas it also performs important local functions.

Sustainable development - Development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Water compatible uses - Comprise infrastructure such as flood control infrastructure, water transmission infrastructure and pumping stations, sewage transmission infrastructure and pumping stations; activities such as sand and gravel workings; docks, marinas and wharves; navigation facilities; MOD defence installations; ship building, repairing and dismantling, dockside fish processing and refrigeration and compatible activities requiring a waterside location; water based recreation (excluding sleeping accommodation); lifeguard and coastguard stations; amenity open space, nature conservation and biodiversity; outdoor sports and recreation (including essential facilities such as changing rooms); essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific operational warning and evacuation plan.
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