

Report

Agenda Item

8

Report to: Planning Committee

Date of Meeting: 28 April 2009

Report by: Executive Director (Enterprise Resources)

Application No CL/06/0397

Planning Proposal: Residential Development (Outline)

1 Summary Application Information

Application Type : Outline Planning Application
 Applicant : Haven Homes (Scotland) Ltd

Location : Lanark Road

Forth

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

(1) Grant Outline Planning Permission – (Subject to Conditions – Based on the Conditions Attached)

2.2 Other Actions/Notes

(1) The Planning Committee has delegated powers to determine this application.

3 Other Information

♦ Applicant's Agent: D Stewart Toy

♦ Council Area/Ward: 02 Clydesdale North

♦ Policy Reference(s): South Lanarkshire Local Plan (Adopted 2009)

Policy STRAT1: Regeneration Priorities
 Policy STRAT5: Rural Investment Area
 Policy RES2: Proposed Housing Sites

- Policy RES3: Residential Masterplan Sites

Representation(s):

6 Objection Letters0 Support Letters1 Comments Letters

♦ Consultation(s):

Leisure Services (Amenity Services)

Environmental Services

Scottish Water

Roads and Transportation Services (South Division)

S.E.P.A. (West Region)

TRANSCO (Plant Location)

Education Resources

Glasgow and Clyde Valley Structure Plan Joint Committee

Planning Application Report

1 Application Site

- 1.1 The application site (approx 6.27 ha) is located on the south western edge of Forth and comprises of a series of agricultural fields. Topographically the site slopes relatively steeply in a north/south direction down from the urban edge of the town, which sits at a higher level, down to the southern boundary which adjoins commercial forestry and the remaining area of a large agricultural field. Originally the application encompassed the full extent of the aforesaid agricultural field however following the submission of amended plans now excludes it. The amended southern boundary in the western section of the site is defined by a tree shelter belt which has recently been established by the applicants. This shelter belt runs across the centre of the field in a westerly direction until meeting the A706.
- 1.2 The site is bounded to the north by residential properties, a bowling green, an area of vacant land, and a health clinic. These properties front onto Manse Road. To the south is a woodland and agricultural fields whilst bounding to the east are more agricultural fields which separate the site from residential dwellings along East Forth Road. To the west the site adjoins the A706 and beyond by an established residential area.

2 Proposal(s)

2.1 The applicant seeks outline consent for a residential development at the site. Initially a plan encompassing a larger area was submitted detailing an indicative residential layout with 128 houses. However that plan has now been superseded by an amended plan which has resulted in a reduction in the land proposed to be developed and which purely details the area under consideration without an indicative layout. Vehicular access would be taken from the A706 at a point where it meets Cloglands to the north through the construction of a roundabout.

3 Background

3.1 Relevant Government Advice

3.1.1 Policy SPP3: Planning for Homes advises that the majority of new development should be directed towards sites within existing settlements to make effective use of existing infrastructure and service capacity, and reduce energy consumption while ensuring the creation of a quality residential environment.

3.2 Local Plan Status

- 3.2.1 In the South Lanarkshire Local Plan (Adopted 2009), Forth is identified as being within the Rural Investment Area. Policy STRAT5: Rural Investment Area states the local plan strategy will be to support sustainable communities within the area through measures that tackle exclusion and isolation and redress imbalances of economy and housing type provision, particularly where this involves renewal proposals. The local plan strategy will be to encourage developments within established settlement boundaries.
- 3.2.2 The site, together with a smaller area to the east that adjoins housing in East Forth Road has been identified as a new housing site in the adopted plan. Policy RES2: Proposed Housing Sites states that the Council will support development for housing on sites included in the Housing Land Audit and identified on the proposals map. It is also identified as a Residential Masterplan Site where Policy RES3 specifically supports residential development at this site subject to a Masterplan to consider

residential development, vehicular access, pedestrian links to the village centre, landscaping structure, establishment of a strong, defensible and attractive settlement edge and possible land assembly issues.

3.3 **Planning History**

- 3.3.1 There are no other current or historic planning applications affecting the site.
- 3.3.2 Representations were made during the preparation of the South Lanarkshire Local Plan seeking the allocation of the site as suitable for new housing. The site was allocated for residential development at the time modifications were made to the finalised plan in 2007. Following an objection from Scottish Natural Heritage, the matter was considered at the Local Plan Inquiry. The Reporter who considered this site recommended that this allocation remain.
- 4 Consultation(s)
- 4.1 <u>Scotland Gas Networks</u> has no gas mains in the area. <u>Response</u>: Noted.
- 4.2 Roads and Transportation Services (South Division) no objections but advise that an approved construction consent and valid roads bond will be required for this proposal. Roads within the site and junction with the A706 to be constructed as per the Guidelines for Development Roads and the Design Manual for Roads and Bridges. Driveways and car parking provision should adhere with current standards. Response: Noted.
- 4.3 <u>Education Resources</u> no objections. Response: Noted.
- 4.4 Environmental and Strategic Services Construction and working hours should adhere with current standards. In view of indiscriminate dumping in the area, development shall not begin until a fully intrusive survey has been carried out and its findings submitted to and, approved in writing by the planning authority.

 Response: issues concerning noise and working hours are not relevant at an outline stage where the principle of development is sought. Notwithstanding early investigations should commence to identify the potential presence of contaminants
- 4.5 <u>SEPA</u> no objections on the understanding the foul drainage is connected to the public sewer. In addition, they recommend the installation of a Sustainable Urban Drainage System to serve the development.

and in that respect I intend applying an appropriate condition if consent is granted.

- **Response**: Noted. A suitable condition can be incorporated if consent is granted to ensure SUDS are provided while Scottish Water have confirmed that foul drainage can be connected to the public system.
- 4.6 <u>Scottish Water</u> no objection however they have advised that there is at present insufficient capacity at the Coulter Water Treatment Works and the Forth Waste Water Treatment Works. Upgrading works are planned for the Coulter Works and once completed new connections will be granted. A totally separate drainage system will be required with the surface water discharging to a suitable outlet. This development may involve building over or in such a way obstruct access to an existing public sewer/and or water main.

Response: A condition can be applied to ensure that no dwellings are occupied until the developer submits a letter from Scottish Water confirming connections to the

water and sewerage networks. A further condition will require any necessary deviation of infrastructure to be carried out at the applicant's expense.

4.7 <u>Community Resources</u> – welcome the structural planting that has been carried out. If consent is granted more information on the planting design, species and maintenance of any additional landscaping will be required. Similarly, more information and detail is required on the provision of play space, installation and choice of equipment and intended maintenance.

<u>Response</u>: These matters will be considered at a detailed stage if outline consent is granted.

4.8 The Glasgow and The Clyde Valley Structure Plan Joint Committee – given the location and scale of the proposed development, the proposal is of strategic significance which requires to be assessed against the relevant policies of the 2006 Glasgow and the Clyde Valley Joint Structure Plan, in this case Strategic Policies 9 and 10. The proposal should be assessed against the Structure Plan requirements for 500 houses in the rural villages within the Clydesdale Housing Market area to 2018. They conclude that the development is not justified.

Response: Since these comments were received in September 2006 there have been alterations to the local plan which has now identified the application site as a suitable housing site. The settlement boundary has also been altered to incorporate the site. These changes were considered at the local plan inquiry and have been endorsed by the Reporter and incorporated into the newly adopted local plan. In view of these changed circumstances the proposal no longer contravenes the Structure Plan.

5 Representation(s)

- 5.1 In response to the advertisement of the application as Development Potentially Contrary to the Development Plan and the non-notification of neighbours (the applicants were unable to determine the identity of an adjoining landowner) in the local press and the carrying out of neighbour notification, six letters of objection and one comment letter has been received. Three of the letters were from the same household, one of which contained a petition with 18 signatures. The issues raised are summarised as follows:
 - (a) Additional traffic will create adverse traffic conditions especially at the access onto a busy road. A roundabout will create a stress point as a very busy trunk road. There will be extra strain on the road network.
 Response: Roads and Transportation Services have not objected to this proposal. The access arrangement will be considered in greater detail at the detailed planning application stage. Notwithstanding a roundabout will help slow traffic at the approach to Forth thereby improving road safety.
 - (b) Extra strain on infrastructure, (water, power, drains and sewerage).

 Response: It is the responsibility of the power companies to ensure that the electrical supply is not adversely affected. If consent is granted then a condition will be attached requiring confirmation from Scottish Water that connections to the sewage and water networks will be approved prior to any dwellings being occupied. Another condition will require the installation of a Sustainable Urban Drainage System to control surface water run off from the site.
 - (c) Additional strain on local services schools, medical services policing etc.

Response: Education Resources have not objected to the application. The principle of the release site has already been accepted by the newly adopted local plan. During the preparation period for the local plan there was extensive consultation with stakeholders and at no time were capacity issues raised by service providers.

- (d) How are the level differences between the road and site to be addressed?

 Response: If outline consent is granted then these matters will be considered at the detailed stage.
- (e) The proposal will result in the development of a Greenfield site and as such greenbelt policies should apply. Housing should be directed to brownfield sites.

<u>Response</u>: The Council has sought through the preparation of the South Lanarkshire Local Plan to direct most of its housing land supply to brownfield sites. However, there is insufficient brownfield land to meet anticipated demand and to provide an adequate supply, choice and range of housing needs/type within Forth and the wider area in order to achieve the Council's aims for the Rural Investment Area.

- (f) Forth is not an area which is highlighted in the local Housing Strategy and therefore a development of this size should not be viewed as a priority. Response: The purpose of the local Housing Strategy is to rectify any imbalances in supplying affordable housing in areas where there are lengthy waiting lists. Due to the predominance of local authority housing in Forth the supply of affordable/special needs housing is not an issue. However there is a requirement, to extend the supply of private housing in order to redress imbalances in housing type provision in the Rural Investment Area and as such this particular proposal is justified.
- (g) The current path network in the West Forth Woodland does not have the capacity for the increase in use that a housing development of this scale would be likely to create. Given that the woodland would be on the doorstep of the new houses, this is the site that would experience the most pressure from the additional residents. An access plan should be prepared by the developers as part of their planning application to look at opportunities for enhancing the path network and contributing to the management and maintenance of paths in the West Forth Woodland.

 Response: I do not anticipate that the development will result in an adverse impact upon the path network. This matter can be considered at a detailed stage once the number of dwellings proposed are known.
- (h) Plots close to Abbotsford, 20 Main Street are on ground affected by subsidence. If the boundary wall is damaged during the building all said damage will have to rectified as a condition of planning consent.
 Response: The indicative plan showing house plots has been superseded by a plan which purely outlines the boundary of the application site. Therefore at this stage the proximity of plots to the affected property is unknown. Damage to property is a legal issue outwith the planning remit. However, the detailed application would require the submission of details including proposed levels and sections and measures to address changes in topography.
- (i) The development will cause overlooking.

 Response: If outline consent is granted the layout at the detailed stage will be expected to comply with privacy standards set down in the Council's Residential Development Guide.

(j) It is the loss of semi-natural grass land like this that is the greatest threat to the common blue butterfly. One of the key objectives of the Biodiversity Action Plan is to increase the population of the common blue butterfly through new species rich grassland and wildlife corridors.

Response: The site is composed predominately of agricultural grass land other than areas of reeds where marshy conditions prevail. During the preparation of the local plan when the identification of the site for housing was being considered. SNH did not raise any issues about potential impact upon flora or fauna. If outline consent is granted consideration can be given at the detailed stage to allocating areas for nature conservation and the formation of wildlife corridors.

(k) Noise Disturbance.

Response: In their consultation response Environmental Health did not raise noise disturbance as an issue other than to point out the requirement to comply with current standards relative to working hours and construction noise. These are matters which can be controlled by Environmental Health legislation.

(I) The development will contravene Policy RES7: New Housing Development Policy in the Draft Local Plan.

Response: The Draft Local Plan has now been superseded by the Adopted South Lanarkshire Local Plan which identifies the application site as being suitable for housing.

(m) Loss of residential amenity due to significant development surrounding existing properties.

Response: I am satisfied that the development can be satisfactorily integrated with its surroundings without adversely affecting residential amenity.

(n) The applicant claims the land in question is not maintained as per section 22 of this application. These fields are currently worked and maintained by William Hunter of East Forth Farm.

Response: In section 22 the applicant's confirmed that they did not own all of the land and none of the land relates to or forms part of an agricultural holding. If the land is only leased informally on a short term basis to East Forth Farm then the applicants are correct in their assertion. It is noted that the owners of East Forth Farm have been notified as an adjoining neighbour and no representations have been received from that property.

(o) No details of ownership or responsibility of maintenance to waste land/common lands bounding between the existing residence and the proposed development.

Response: The application plan indicates that the boundary goes up to the boundary of all properties adjoining the site therefore I am unsure of the land the objector refers to.

(p) Insufficient details of house types, landscaping and access arrangements have been supplied.

Response: These matters will be covered at the detailed planning application stage if outline consent is granted.

(q) No access to existing footpaths within the West Forth Forest have been drafted in this scheme.

Response: Although the indicative layout did not show access links this has been superseded by a location plan merely outlining the site boundary. If outline consent is granted further consideration can be given to access matters at the detailed stage.

(r) Policy 73 of the adopted local plan resists this development.

Response: This proposal would contravene Policy 73 of the Upper Clydesdale Local Plan however it has now been replaced by the newly adopted South Lanarkshire Local Plan which supports the principle of housing on the site.

(s) Conflicting sources of information with regard to the total number of properties to be built upon this scheme.

Response: This is an outline application to establish the acceptability of housing. The number which can be accommodated will be determined at a detailed planning application stage if outline consent is granted.

(t) Detrimental impact upon the built environment.

Response: Disagree. A sensitive residential layout can be accommodated on site without impacting upon the setting, character and amenity of Forth.

These letters have been copied and are available for inspection in the usual manner.

6 Assessment and Conclusions

- 6.1 The proposal seeks outline consent for residential development on land at the south western edge of Forth. This settlement is identified in the newly adopted South Lanarkshire Local Plan as being within the Rural Investment Area. Policy STRAT1: Regeneration Priorities aspires to encourage development contributing to the regeneration of the Rural Investment Area where Forth is the key centre. If these aims are to be achieved development should be promoted which redresses imbalances in housing type provision. In the context of Forth public rented housing predominates, and ageing housing stock and lack of private investment are factors inhibiting regeneration. The local plan seeks to encourage a range of new housing which improves housing choice. In view of this the proposal is supportive of aims outlined in Policy STRAT1.
- 6.2 Policy STRAT5: Rural Investment Area reiterates the aims of STRAT1 and encourages developments within the established settlement boundary. The strategy for the Rural Investment Area especially seeks to redness imbalances in housing types and therefore requires the identification of opportunities for private housing that will widen housing choice. Development is preferred within settlement boundaries, however brownfield sites within the built up area of Forth to meet the aims of the strategy are limited. As a result a Greenfield release had to be identified.
- Ouring the preparation of the South Lanarkshire Local Plan the principle of identifying the application site for housing and inclusion within the settlement boundary was promoted by the Council. This allocation was subject to an objection by Scottish Natural heritage, however following consideration at the Local Plan Inquiry, this allocation was confirmed by the Reporters and the site is now affected by Policy RES2: Proposed Housing Sites. Therefore the principle of housing on the site has been established. In concluding that the application site be included in the settlement boundary and identified for residential development, the Reporter recommended that the area to be developed be extended to include the undeveloped land between the site and the existing housing on East Forth Road and

a small gap site adjacent to the bowling green on Manse Road. This combined site should then be subject to a masterplan.

- 6.4 As a result, the site is also affected by Policy RES3: Residential Masterplan Sites which advises that; in relation to this site, a masterplan should be prepared considering residential layout, vehicular access, pedestrian links, landscaping structure and land assembly. The applicant has submitted a letter confirming that any detailed planning consent would not prejudice the formation of a footpath link from the application site to the land to the north between the bowling green and the Manse on Manse Road and the future development of the site to the east of the application site. Conditions requiring this to be reflected in any future detailed proposals would be attached if consent is granted. In addition conditions requiring the submission of a Design and Development Brief to cover layout, house designs, materials, landscaping, amenity space and footpath links and a landscaping scheme requiring structure planting with a minimum width of 15m on boundaries adjoining existing forestry and open countryside would also be attached. In my opinion, this addresses the requirements of the masterplan set out in Policy RES3.
- 6.5 The proposal will contribute to the regeneration of Forth and the wider Rural Investment Area whilst providing opportunities to widen housing choice. The development of the site will facilitate a natural rounding off of the town edge. In respect of distant views the site is located below the town and will not intrude upon the skyline. This factor along with existing forestry and shelter belts to the west and south will allow visual containment and effective integration with the existing urban areas. After careful consideration, I recommend that outline planning permission be granted.

7 Reasons for Decision

7.1 The proposal complies with Policies STRAT1, STRAT5, RES2 and RES3 of the South Lanarkshire Local Plan (Adopted April 2009). The proposal will meet an identifiable housing need, contribute to regeneration and integrate with the town edge whilst avoiding adverse environmental and visual impacts.

lain Urquhart
Executive Director (Enterprise Resources)

21 April 2009

Previous References

♦ None

List of Background Papers

- Application Form
- Application Plans
- Consultations
 Education Resources

27/06/2006

TRANSCO (Plant Location)

20/06/2006

Glasgow and Clyde Valley Structure Plan Joint Committee	11/09/2006
Community Resources	01/08/2006
Scottish Water	18/07/2006
Environmental Services	30/06/2006
SEPA	14/07/2006
Roads and Transportation Services (South Division)	16/06/2006

Representations

Representation from: Mrs Lillian Paton, 44 Manse Road, Forth, ML11 8AJ,

DATED 22/06/2006

Representation from: Mr & Mrs A McGilvary, 46 Manse Road, Forth, ML11 8AJ,

DATED 22/06/2006

Representation from: Graham McNay, 25 Tinto View, Forth, ML11 8BN, DATED

19/06/2006

Representation from: Chris & Julia O'Connor, Abbotsford, 20 Main Street, Forth,

DATED 28/06/2006

Representation from: Forestry Commission Scotland, Scottish Lowlands, Forest

District, Bankhead Steadings, Braxfield Road, Lanark,

DATED 28/06/2006

Representation from: Paul Banfield, 22A Main Street, The Wee Kirk, Forth,

DATED 28/06/2006

Representation from: Chris and Julia O'Connor, Abbotsford, 20 Main Street, Forth,

DATED 27/06/2006 together with petition with 18 signatures

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Ian Hamilton, Planning Officer, Council Offices, South Vennel, Lanark ML11 7JT

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E-mail: Enterprise.lanark@southlanarkshire.gov.uk

PAPER APART – APPLICATION NUMBER: CL/06/0397

CONDITIONS

- 1 That the development hereby permitted shall be started either within five years of the date of this permission or within two years of the date on which the last of the reserved matters are approved, whichever is the later;
- That before the expiration of three years from the date of this outline permission and before any development starts, a written application and plans in respect of the following Reserved Matters shall be submitted to the Council as Planning Authority:
 - (a) a site layout plan at a scale of 1: 1000 showing the position of all buildings, roads, footpaths, parking areas (distinguishing where appropriate between private and public spaces), walls, fences, landscaping, open space and recreational provision:
 - (b) plans and elevations of each house and garage type showing their dimensions and type and colour of materials;
 - (c) a landscaping plan at a scale of 1: 1000 showing the location, species and ground spread of existing and proposed trees, shrubs and hedges;
 - (d) details of the phasing of development (covering all relevant aspects of development detailed in (a) above);
 - (e) detailed cross-sections of existing and finished ground levels and finished floor levels, in relation to a fixed datum, preferably ordnance datum.
- The landscaping plan required under the terms of condition 2 above shall include a 15 metre wide tree shelter belt along the southern boundary.
- That the further application required under the terms of Condition 2 above, shall make reference to and incorporate the criteria specified within the approved South Lanarkshire Council Residential Development Guide, the Guidelines for Roads and the Design Manual for Roads and Bridges.
- That the further application required under the terms of Condition 2 above, shall be accompanied by a Planning and Design Brief which shall set out the design principles, justify the design solution and show how the proposal responds to the wider context of the area as well as the characteristics of the site and detail access linkages to Forth and the wider countryside.
- That the further application required under condition 2 above shall include:

 (a) a comprehensive site investigation carried out to the appropriate Phase level, shall be submitted to and approved in writing by the Council as Planning Authority. The investigation shall be completed in accordance with the advice given in the following:
 - (i) Planning Advice Note 33 (2000) and Part IIA of the Environmental Protection Act 1990 (as inserted by section 57 of the Environment Act 1995);
 - (ii) Contaminated Land Report 11 'Model Procedures for the Management of Land Contamination (CLR 11) issued by DEFRA and the Environment Agency;
 - (iii) BS 10175:2001 British Standards institution 'The Investigation of Potentially Contaminated Sites Code of Practice'.

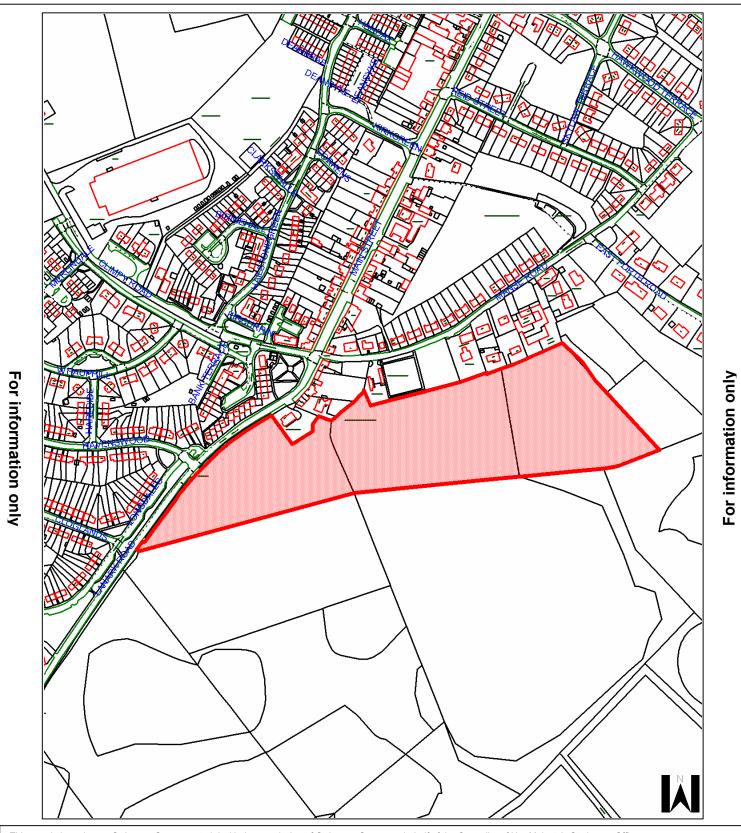
- (b) If the Phase 1 investigation indicates any potential pollution linkages, a Conceptual Site Model must be formulated and these linkages must be subjected to risk assessment. If a Phase 2 investigation is required, then a risk assessment of all relevant pollution linkages using site specific assessment criteria will require to be submitted.
- (c) If the risk assessment identifies any unacceptable risks as defined under Part IIA of the Environmental Protection Act, a detailed remediation strategy will be submitted to and approved in writing by the Council as Planning Authority. No works other than investigative works shall be carried out on site prior to receipt of the Council's written approval of the remediation plan.
- That the further application required under the terms of Condition 2 above, shall include a detailed scheme for surface water drainage. Surface water from the site shall be treated in accordance with the principles of the Sustainable Urban Drainage Systems Design Manual for Scotland and Northern Ireland and with the Council's Sustainable Drainage Design Criteria and requirements and shall be agreed in writing with the Council as Planning Authority in consultation with SEPA.
- That no dwellinghouses shall be occupied until the developer provides a written agreement from Scottish Water that the site can be served by a sewerage and water scheme constructed to the specification and satisfaction of Scottish Water as the Water and Sewerage Authority.
- 9 That the developer shall arrange for any alteration, deviation or reinstatement of statutory undertakers apparatus necessitated by this proposal all at his or her own expense.
- That the further application required under the terms of condition 2 above shall include, an energy statement which demonstrates that on-site zero and low carbon energy technologies contribute at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations carbon dioxide emissions standard, shall be submitted to and approved in writing by the Council as Planning Authority. The statement shall include:
 - a) the total predicted energy requirements and CO2 emissions of the development, clearly illustrating the additional 15% reduction beyond the 2007 building regulations CO2 standard;
 - b) a schedule of proposed on-site zero and low carbon energy technologies to be included in the development and their respective energy contributions and carbon savings;
 - c) an indication of the location and design of the on-site energy technologies; and
 - d) a maintenance programme for the on-site zero and low carbon energy technologies to be incorporated.
- 11 That the further application required under condition 2 above shall incorporate the following:
 - a) The provision of a vehicular access up to the boundary marked A-B on the approved plans;
 - b) the provision of a pedestrian access up to the boundary marked C-D on the approved plans and;

- c) The connection of footpath links into the West Forth Woodland to the south of the application site.
- That notwithstanding condition 5 above and prior to the submission of the application required under condition 2 above, a development brief for the site shall be submitted for the consideration and approval of the Council as Planning Authority. The brief shall address matters including density, height of buildings, provision of open space and play areas and layout. The brief shall also consider the mix of house types within the development, with reference in particular to policy RES 5 of the South Lanarkshire Local Plan. The further application require under condition 2 shall not be submitted until the brief has been approved by the Council.
- 13 That the further application required under the terms of condition 2 above shall include an ecological survey covering flora and fauna within the application site.

REASONS

- 1 To accord with the provisions of the Town and Country Planning (Scotland) Act 1997.
- 2 Consent is granted in outline only.
- 3 To allow the visual integration of the development with the wider countryside.
- In the interests of amenity and to ensure that the Council's key residential development standards are met.
- To provide an explanation of the design concept and to enable a greater understanding of the proposal.
- To avoid unacceptable risks to human health and the environment, to ensure that the land is remediated and made suitable for its proposed use.
- To ensure that the disposal of surface water from the site is dealt with in a safe and sustainable manner, to return it to the natural water cycle with minimal adverse impact on people and the environment and to alleviate the potential for on-site and off-site flooding.
- 8 To ensure that the development is served by an appropriate effluent disposal system and water supply.
- 9 In order to retain effective planning control.
- 10 To secure a reduction in carbon dioxide emissions.
- 11 In the interests of pedestrian and vehicular access.
- To provide an explanation of the design concept and to enable a greater understanding of the proposal.
- 13 In the interests of nature conservation.

Scale: 1: 5000



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