

**From:** [REDACTED]

**Sent:** 23 January 2019 09:02

**To:** localplan <localplan@scotborders.gov.uk>

**Cc:** [REDACTED]

**Subject:** LDP MIR Consultation - Submission on behalf of [REDACTED]

**Importance:** High

Dear Sirs,

**LDP MIR Consultation - Submission on behalf of** [REDACTED]

Further to our on-line submission (Response ID: ANON-7TG7-FA6C-9), please find attached a copy of our Supporting Statement and accompanying location plan which has been submitted on behalf of [REDACTED] in respect of Sites MSELK002; MSELK003 and MSELK004.

We would be grateful if you would accept the enclosed documents as part of our submission as this expands on the points set out in the on-line consultation response.

We trust this submission will be of assistance and interest and look forward to your response.

Kind regards

[REDACTED]

John Handley Associates Ltd  
Chartered Town Planning Consultants  
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## Response ID ANON-7TG7-FA6C-9

Submitted to **LDP2 - Main Issues Report**  
Submitted on **2019-01-22 23:30:42**

### Data protection

#### About you

Are you responding as an: individual, organisation, or an agent acting on behalf of a client?

Agent

#### Agent

If you are responding as an agent on behalf of a client, please provide details below:

**Name:**

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**Postcode:**

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**Contact number:**

**Email address:**

### Vision aims and spatial strategy

Question 1

**Q1 Agree aims LDP2:**

no comments

**Growing our economy****Question 2****Q2:**

We welcome and support the MIR's recognition that there is need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered. This approach should be carried through to the Proposed Plan. Further details are set out in the attached supporting statement which sets out our full representation.

**Q2 upload:**

EWM - Selkirk - LDP MIR Supporting Statement - 22.01.19.pdf was uploaded

**Question 3****Settlement business allocated:**

no comment

**Upload Q3:**

No file was uploaded

**Question 4****Business Use Towns:**

no comment

**Upload Q4:**

No file was uploaded

**Question 5****Land delivery effectively:**

As set out in our accompanying supporting statement we would request that sites MSELK002; MSELK 003 and MSELK004 are reallocated as mixed use development opportunities. Full details are provided in our supporting statement.

**Question 6****Agree?:**

As set out in our accompanying supporting statement we would request that sites MSELK002; MSELK 003 and MSELK004 are reallocated as mixed use development opportunities. Full details are provided in our supporting statement.

**Upload Q6:**

EWM - Selkirk - Location Plan - 22.01.19.pdf was uploaded

**Planning for housing****Question 7****Housing agree?:**

As set out in our accompanying supporting statement we support the continued allocation of site MSELK002 as a mixed use site, including potential for 75 housing units. We would also request that site MSELK003 and MSELK004 are given similar mixed use allocations, including scope for housing development.

**Upload Q7:**

No file was uploaded

**Question 8****Housing countryside:**

no comment

**Upload Q8:**

No file was uploaded

**Question 9****Agree removed housing :**

no comment

## Supporting our town centres

### Question 10

**Core Activity Areas:**

no comment

### Question 11

**Berwickshire supermarket:**

no comment

**Upload Q11:**

No file was uploaded

### Question 12

**Develp contrib town:**

no comment

## Delivering sustainability and climate change agenda

### Question 13

**Support alternative option:**

no comment

### Question 14

**National park:**

no comment

**Upload Q14:**

No file was uploaded

## Regeneration

### Question 15

**Agree redevelopment:**

As set out in our accompanying supporting statement, we would request that sites MSELK002, MSELK003 and MSELK004 are allocated for mixed use redevelopment in the replacement LDP.

**Upload Q15:**

EWM - Selkirk - Location Plan - 22.01.19.pdf was uploaded

## Settlement Map

### Question 16

**Oxnam settlement:**

no comment

### Question 17

**Core frontage Newcastleton:**

no comment

## Planning policy issues

### Question 18

**Agree amendments appendix3:**

We support the MIR's recognition that there is need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered. This approach should be carried through to the Proposed Plan.

## Any other comments

### Question 19

**Other main issues:**

As set out in our accompanying Supporting Statement we welcome and support the MIR's confirmation that the allocation of the MSELK002 site for mixed use development including c.75 residential units will be carried forward to the replacement LDP.

However, and for the reasons set out in our Supporting Statement, we would also request that all three sites (MSELK002; MSELK003 and MSELK004) are removed from the current Policy ED1 allocation (as set out in the currently adopted LDP) and identified as a specific redevelopment opportunity with scope for redevelopment for a range of mixed uses, including residential development, in the replacement LDP.

We also welcome and support the MIR's recognition that there is need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered. This approach should also be carried through to the Proposed Plan.

**Landowner details****Have you submitted any site suggestions in this consultation?**

Yes

**If yes, please confirm the site and provide the landowner details (if known) for each site you have suggested.:**

All three sites (MSELK002; MSELK003 and MSELK004) are owned by [REDACTED] and this representation has been submitted on their behalf.

22 January 2019

By email to: [localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)

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Dear Sirs,

**Scottish Borders Local Development Plan 2 – Main Issues Report**

**Former Whinfield Mill & Heather Mill, Riverside Road/Whinfield Road, Selkirk  
Sites MSELK002; MSELK003 and MSELK004**

**Submission on behalf of [REDACTED]**

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**Introduction & Background**

We refer your invitation to submit comments on the Scottish Borders Local Development Plan 2 Main Issues Report by 31<sup>st</sup> January 2019.

On behalf of site owners, [REDACTED], and further to the submissions we made at the “Call for Sites” stage of the Local Development Plan, we now welcome the opportunity to make a further submission at this stage in the preparation of the replacement Local Development Plan (“LDP”).

The sites which are the subject of this representation comprise the former Whinfield and Heather Mills; part of the former Bridgehaugh Dyeworks and adjacent land. None of the mill buildings are in active use and have been vacant and derelict for a number of years. Two separate areas of extensive undeveloped land are situated to the east of the main Mill buildings.

The three parts [REDACTED] in the Main Issues Report (“MIR”) under site references: MSELK002; MSELK003 and MSELK004. The location and extent of each site is confirmed in the attached site location plan and aerial photograph.

The Heather Mill site (MSELK002) was allocated for mixed use development through the Council’s *Supplementary Guidance on Housing* and this allocation also included residential development of c.75 units (SG/ LDP Site Ref: MSELK002). The MIR confirms at paragraph 5.3 that: “*the housing Supplementary Guidance was agreed by the Scottish Government in November 2017. Consequently all of the sites within the Supplementary Guidance are now formally allocated within the LDP and form part of the Council’s established housing land supply.*” We therefore support the continued allocation of the MSELK002 site for mixed use development including c.75 residential units in the replacement LDP.

The other parts of the wider landholding (site refs: MSELK003 and MSELK004) are currently allocated in the adopted LDP for Business & Industrial uses and have the specific site references zEL11 (Riverside 2) and BSELK003 (Riverside 8) in Selkirk. The LDP has allocated these sites under Policy ED1 which contain a general presumption in favour of business and industrial uses, but also allow scope for mixed uses.

Contd./

As set out in our submissions on these sites at the Call for Sites stage, we consider that these sites (MSELK003 and MSELK004) also have the potential to be redeveloped for a range of mixed uses including: residential; nursing home; tourism; office; retail; leisure and commercial uses.

Accordingly, we would request that these sites are also allocated in the replacement LDP as mixed use development opportunities.

As requested, we have completed the on-line MIR Questionnaire, but to assist your further consideration of these sites, we have set out below a review of the sites; their planning history and opportunities for redevelopment.

### **Site Description & Location**

Full details on the location, extent and nature of our client's sites at Riverside Road were provided in our submissions at the Call for Sites stage, and the enclosed site location plan and aerial photograph confirm the extent of each site with their respective MIR site references.

The sites are well-defined development sites located within the Riverside/Dunsdale Road business area and extend in total to over 3.0 hectares. The sites comprise the former Whinfield and Heather Mills; part of the Bridgehaugh Dyeworks and adjacent land. They are bounded by and accessed directly from Riverside Road, Whinfield Road, South Bridge Street and Rodgers Road.

### **Heritage Value**

The sites contain a collection of former mill buildings, but none are in active use and are lying vacant and derelict. Two separate areas of extensive undeveloped land are situated to the east of the main Mill buildings. Whilst there is some heritage interest in the mill buildings, none of the buildings are listed and all are in poor condition. They have been derelict for a number of years. None of the buildings are considered to have any intrinsic heritage or architectural value, and as they are not listed, or within a conservation area, could be demolished or adapted for new uses.

### **Surrounding Land Uses**

The sites are located on the northern edge of the wider business area and are surrounded by a varied mix of existing uses. To the north is Riverside Road with the Ettrick Water and riverside walk beyond. This area has been subject to significant change over recent years as part of the implementation of the flood defence works. Over the River to the north, is the established and proposed housing areas at Cannon Street and Linglie Road. To the south is Whinfield Road and Rodgers Road with a variety of business, office, workshop and commercial uses beyond, including the Scottish Borders Housing Association and Visit Scotland Office buildings. Other adjacent uses include the Dunsdale Workshops and a Builders Merchants.

There are also a number of existing residential properties located between the Whinfield Mill and Heather Mill sites. To the east lies the Rodgers Road business units, with the Loch Carron workshop, visitor centre and coffee shop further beyond. To the south west is Victoria Park, with its play areas and campsite.

The sites are therefore surrounded by a wide range of differing land uses, including housing; offices; commercial; storage; retail; tourism and leisure uses.

### **Planning History**

Given the site's former mill-related uses, there are a number of planning permissions associated with this former use, but these are all minor extensions which relate to the former use of the buildings.

## Selkirk Flood Protection Scheme

The Main Issues Report confirms at paragraph 7.13 that *“The Selkirk Flood Protection Scheme was officially opened in 2016 and provides protection to approximately 600 properties. There remains a conflict of opinion with SEPA regarding potential new land allocations within the recently completed multi million pound flood scheme in Selkirk. As part of the Selkirk Flood Protection Scheme, a final ‘as built’ model will be run for the scheme to determine actual risk to these sites. This will confirm the actual standard of protection and hopefully allow the future release of more land for development. It is expected that this will be undertaken by the end of August 2018. This information will be discussed with SEPA to determine whether certain sites within the flood defence scheme could ultimately be allocated within LDP2.”*

The Selkirk Flood Protection Scheme includes substantial mitigation measures along the Riverside Area. Flood risk issues have therefore been addressed through the implementation of these works, and this has removed any future flood risk associated with the redevelopment of our client’s sites. We would welcome the opportunity to discuss with the Council the Selkirk Flood Scheme and the results of the final ‘as built’ model in order to determine the suitability of the sites in the Riverside Area for residential development should this be necessary.

### Accessibility

Being surrounded by roads on all four sides, the sites are highly accessible and further benefit from their links to the adjacent riverside path and connections north of the Ettrick Water. They are relatively well connected to the town centre and the A7, and existing bus stops are located along Dunsdale Road.

### Main Issues Report

The Main Issues Report Spatial Strategy confirms that Selkirk is an area with potential for future growth. Paragraphs 3.9 and 3.10 confirm that: *“The SESPlan requires strategic growth in the Scottish Borders to be directed to three Rural Growth Areas (RGA) in the Central Borders, the Western Borders and Berwickshire. The Central Borders RGA focuses around the main towns of Galashiels, Melrose, Earlston, Kelso, Jedburgh, Hawick and Selkirk. This area has the largest population within the Scottish Borders and is the primary area for future growth. It is at the centre of the roads transportation network and is also served by the Borders Railway and the Galashiels Transport Interchange.”*

As noted above, the Heather Mill site (MSELK002) is currently allocated in the Council’s Supplementary Guidance on Housing for mixed use development and this includes residential development of c.75 units. The MIR confirms at paragraph 5.3 that: *“... all of the sites within the Supplementary Guidance are now formally allocated within the LDP and form part of the Council’s established housing land supply.”* We welcome and support the continued allocation of the MSELK002 site for mixed use development including c.75 residential units in the replacement LDP2.

The other parts of our client’s landholding (site refs: MSELK003 and MSELK004) are identified in the MIR under Policy ED1 as sites zEL11 (Riverside 2) and BSELK003 (Riverside 8). However, the MIR has changed the categorisation of sites under Policy ED1 as it recognises that: *“Whilst it is important to safeguard sites for specific uses it remains desirable that a range of site options are available for interested parties. Although this can be a challenging part of the planning process given the wide range of requirements of individual parties, this requires a review of policy ED1 in order to consider more flexibility.”*

Two categories of land are now being proposed within Policy ED1, the first being ‘High Amenity Business’ supporting Class 4 uses and the second being a more generic category supporting Class 4, 5 and 6 uses (also with ancillary/ complimentary uses permissible). Both sites MSELK003 and MSELK004 fall within the second category.



We therefore welcome and support the MIR's recognition that there is need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered. This approach should be carried through to the Proposed Plan.

However, and as noted above, we also consider that sites MSELK003 and MSELK004 both provide an opportunity to assist the redevelopment of the Riverside Area and rather than being restricted to Classes 4, 5 and 6, should be allocated for a wider range of mixed uses. This would follow the approach adopted in respect of site MSELK002 and would ensure that a consistent approach is followed across the three sites.

#### **Main Issues Report Site Assessment of Sites MSELK003 and MSELK004**

In relation to site **MSELK003**, the "Main Issues Report Excluded Site Assessment Conclusions" report noted that: *"The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:*

*Although the site is currently allocated within the Local Development Plan 2016 as a business and industrial site, this is a local designation which gives a low level of protection for this particular use. It is accepted that this site may be acceptable for residential use in the future, there is currently however the potential for a conflict of uses due to the fact that the land to the immediate south can still be utilised for business/industrial purposes. This potential conflict has also been identified by the Roads Planning Team. SEPA has also raised concerns relating to residential development behind a flood scheme."*

The conclusions of the MIR Site Assessment for this site therefore accept that it may be suitable for residential uses in the future, but also suggests that it could potentially be constrained by land uses to the immediate south. However, any concerns regarding compatibility of uses could be addressed through the preparation of a planning brief and/or technical reports (noise, air quality etc) at the planning application stage. Similarly, the concerns raised by SEPA can be addressed through further discussion with the Council in relation to the outcome of the Selkirk Flood Scheme and the results of the final 'as built' model in order to determine the suitability of the sites in the Riverside Area for further residential development.

We would therefore ask that the particular merits of site MSELK003 are reconsidered and that this site is allocated in the Proposed Plan as a mixed use development opportunity similar to the approach adopted for site MSELK002.

In relation to site **MSELK004**, the "Main Issues Report Excluded Site Assessment Conclusions" report noted that: *"The site is designated as a district business and industrial site within the Local Development Plan 2016. Due to the existing character and nature of uses within the immediate vicinity of the site, it is not considered that a mixed use development would be acceptable at this location. The development of the site for mixed use purposes would lead to the loss of business/industrial land and raise a potential conflict in uses at this location."*

However, under the review of Policy ED1 (as discussed above) the MIR is recommending that a more flexible approach should be taken to this site to allow for a wider range of options to be considered. It should also be noted that this site is not in any active business or industrial use and the prospect of securing such a use on this site is very limited. This site is also located on the edge of the wider business area and is located adjacent to existing residential properties. It also benefits from separate access points and its outlook across the Ettrick Water. A high quality of residential amenity could therefore be provided, despite the range of uses found to the south and east of this site. As per the review of site MSELK003, any concerns regarding the compatibility of uses could also be addressed through the preparation of a planning brief or technical reports (noise, air quality etc) at the planning application stage.

We would therefore also request that the particular merits of site MSELK004 are reconsidered and that this site is allocated in the Proposed Plan as a mixed use development opportunity similar to the approach adopted for site MSELK002.

### **Summary of Redevelopment Opportunities**

As set out above, and within our previous submissions to the Council as part of the Supplementary Guidance preparation and the Call for Sites stage, all three of our client's sites have the potential for mixed use redevelopment, including residential use. This has already been accepted in respect of site MSELK002 which is allocated in the Supplementary Guidance as a mixed use site with scope for 75 residential units. There is also a requirement for the preparation of a Planning Brief to be produced for the MSELK002 site, as set out in the current LDP, and we would suggest that this requirement could be extended to all three sites to ensure that any concerns regarding compatibility of uses and flooding can be fully assessed. This would allow a coordinated and consistent approach to be taken across all three sites and could also assess the potential for any adjoining sites. Such an approach would also reflect the brownfield status of the sites; their relatively high profile location along the edge of the Ettrick Water; their accessibility; and the surrounding mix of land uses.

The redevelopment of these sites for a range of higher value land uses would also contribute to the objectives of sustainable economic growth and would allow the redevelopment of currently vacant and derelict land for a high quality, sustainable development in an accessible and sustainable location.

We would therefore welcome the opportunity to work with the Council on the preparation of a Planning Brief to set the context for the mixed use redevelopment of all three of our client's sites.

### **Recommendation**

As noted above, we welcome and support the MIR's confirmation that the allocation of the MSELK002 site for mixed use development including c.75 residential units will be carried forward to the replacement LDP.

However, and for the reasons set out above, we would also request that all three sites (MSELK002; MSELK003 and MSELK004) are removed from the current Policy ED1 allocation (as set out in the currently adopted LDP) and identified as a specific redevelopment opportunity with scope for redevelopment for a range of mixed uses, including residential development, in the replacement LDP.

We also welcome and support the MIR's recognition that there is need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered. This approach should also be carried through to the Proposed Plan.

We trust these comments will be afforded due consideration in your preparation of the replacement LDP and we would be grateful if you would acknowledge safe receipt of this email submission. We would also welcome the opportunity to meet with you to discuss this matter in further detail at the appropriate stage.

Yours faithfully



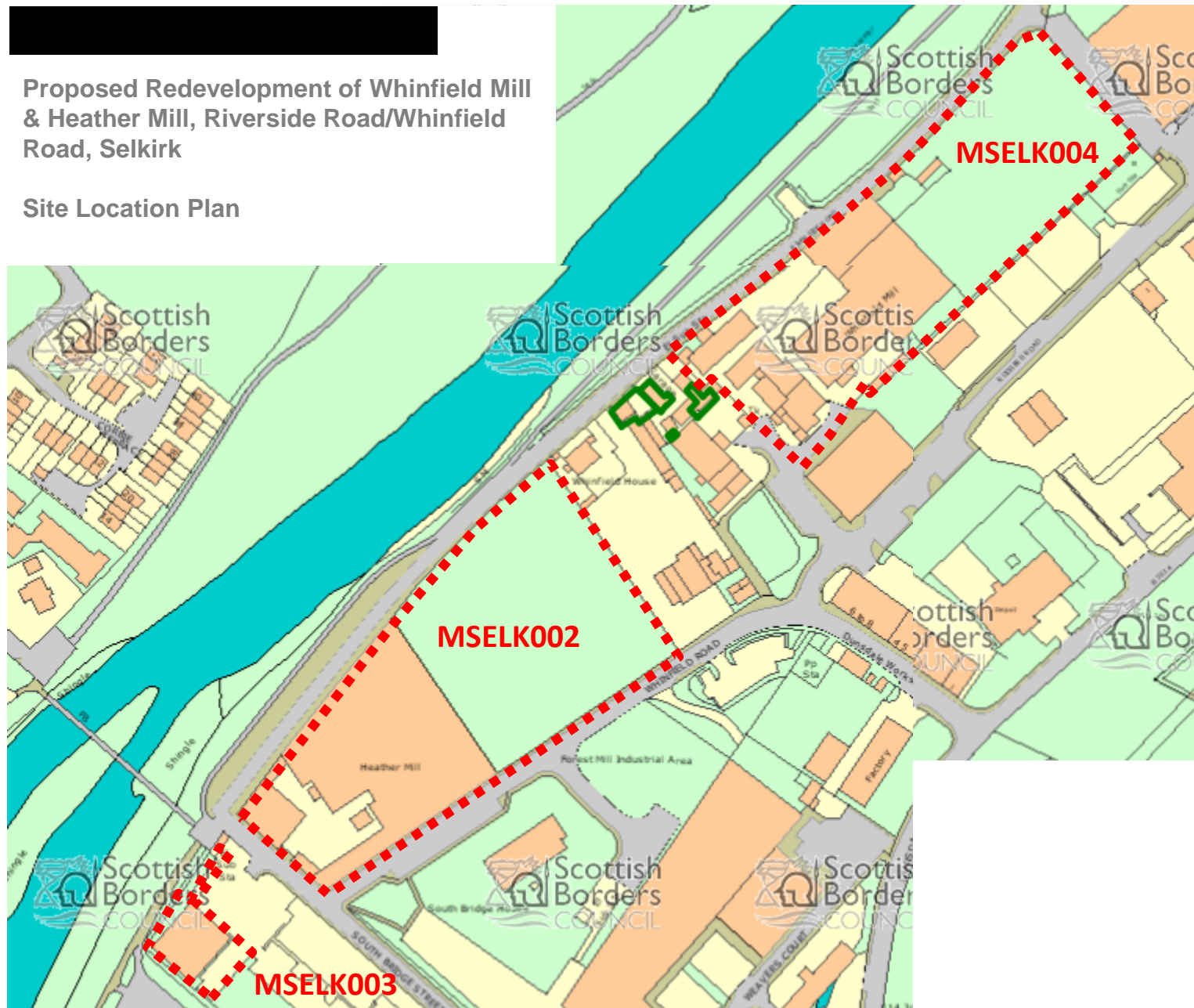
Director  
John Handley Associates Ltd

Enc: Site Location Plan

cc: [Redacted]

**Proposed Redevelopment of Whinfield Mill & Heather Mill, Riverside Road/Whinfield Road, Selkirk**

**Site Location Plan**





■ Proposed Redevelopment of Whinfield Mill & Heather Mill,  
Riverside Road/Whinfield Road, Selkirk

Aerial Photograph