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From: [REDACTED]

Sent: Wed, 13 Jan 2021 11:39:00

To:

Cc: [REDACTED]

Subject: Equorium Property Company Ltd - Sites MSELK002, MSELK003 and MSELK004

Sensitivity: High

Attachments:
[REDACTED]

CAUTION: External Email

Dear Sirs,

Scottish Borders Local Development Plan 2 – Proposed Plan

Former Whinfield Mill & Heather Mill, Riverside Road/Whinfield Road, Selkirk

MIR Site References: MSELK002; MSELK003 and MSELK004

Submission on behalf of Equorium Property Company Ltd

We refer your invitation to submit comments on the Scottish Borders Local Development Plan 2 Proposed Plan by 25 January 2021.

On behalf of site owners, [REDACTED] and further to the submissions we made at the MIR and Call for Sites stages, we enclose a letter setting out our client's comments on the Proposed Plan.

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. The three parts of our client's landholding were identified and assessed in the Main Issues Report under site references: MSELK002; MSELK003 and MSELK004.

As set out in the attached letter, we would request that all three sites are allocated as mixed use development sites in the replacement LDP. Full details are set out in the attached letter and we would request that this letter is treated as our formal representation on the Proposed Plan.

We trust these comments will be afforded due consideration and we would be grateful if you would acknowledge safe receipt of this email submission and keep us updated on the progress of the replacement LDP process.

Yours faithfully

John Handley

Director

John Handley Associates Ltd

Chartered Town Planning Consultants

E: [REDACTED]

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www.avast.com

13 January 2020

By email to: localplan@scotborders.gov.uk

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Dear Sirs,

Scottish Borders Local Development Plan 2 – Proposed Plan

**Former Whinfield Mill & Heather Mill, Riverside Road/Whinfield Road, Selkirk
MIR Site References: MSELK002; MSELK003 and MSELK004**

Submission on behalf of Equorium Property Company Ltd

Introduction & Background

We refer your invitation to submit comments on the Scottish Borders Local Development Plan 2 Proposed Plan by 25 January 2021.

On behalf of site owners, [REDACTED] and further to the submissions we made at the MIR and Call for Sites stages, 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 of our client’s landholding were identified and assessed in the Main Issues Report (“MIR”) under site references: MSELK002; MSELK003 and MSELK004. The location and extent of each site is confirmed in the location plan and aerial photograph provided below. We have also provided an extract from the Proposed LDP’s Proposals Map showing how each part of the landholding has been allocated. The background to each site is also discussed further below.

Former Heather Mill Site (MSELK002)

The former Heather Mill site (MIR Site Ref: MSELK002) was first 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 confirmed 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 supported the MIR’s recommendation that the allocation of the MSELK002 site for mixed use development including c.75 residential units is continued in the replacement LDP.

We are therefore pleased that the Proposed Plan has retained the mixed use allocation for this site and fully support this approach as shown on page 499 of the Proposed Plan.

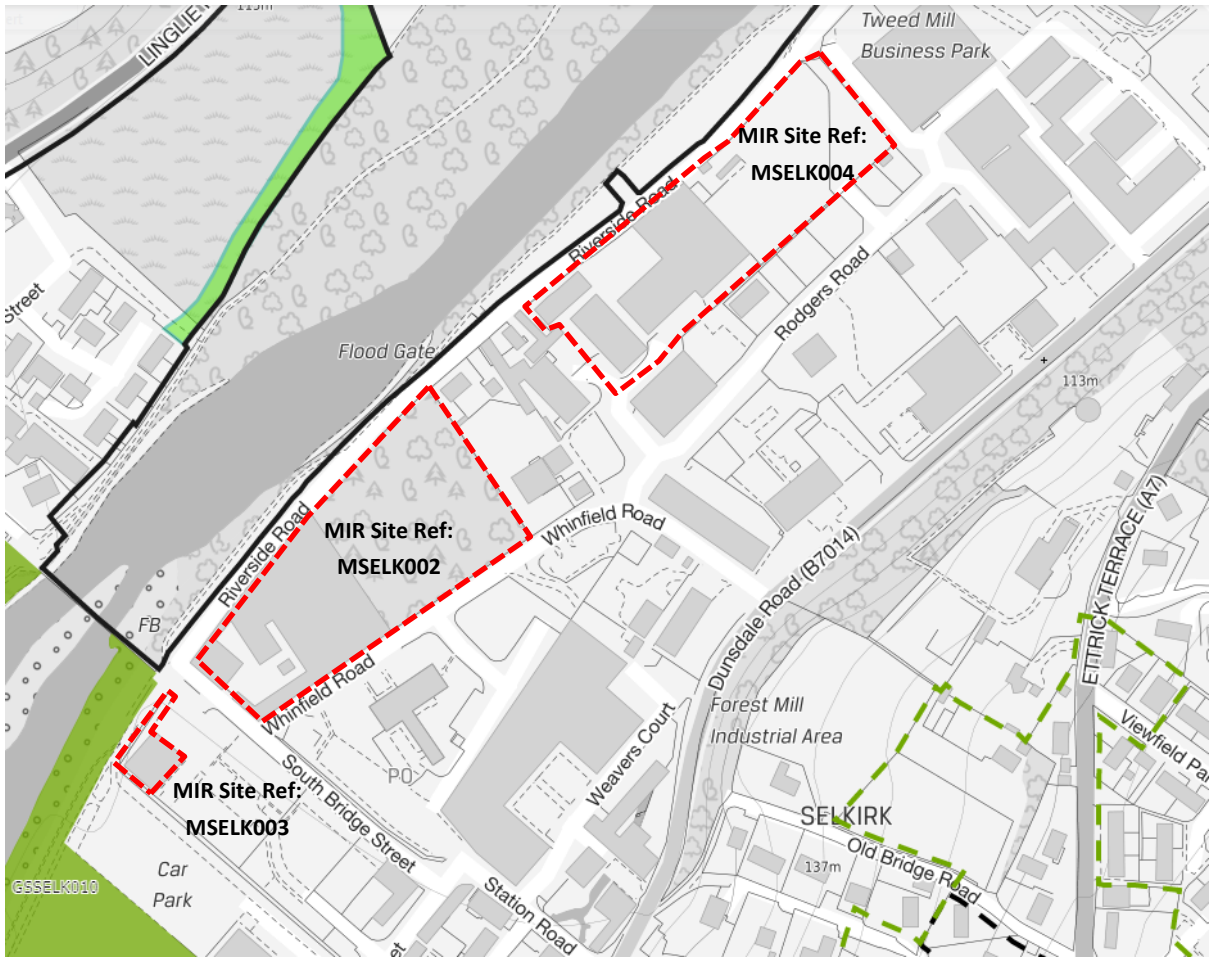


Fig 1: Location of sites owned by Equorium Property Company Ltd with MIR Site References

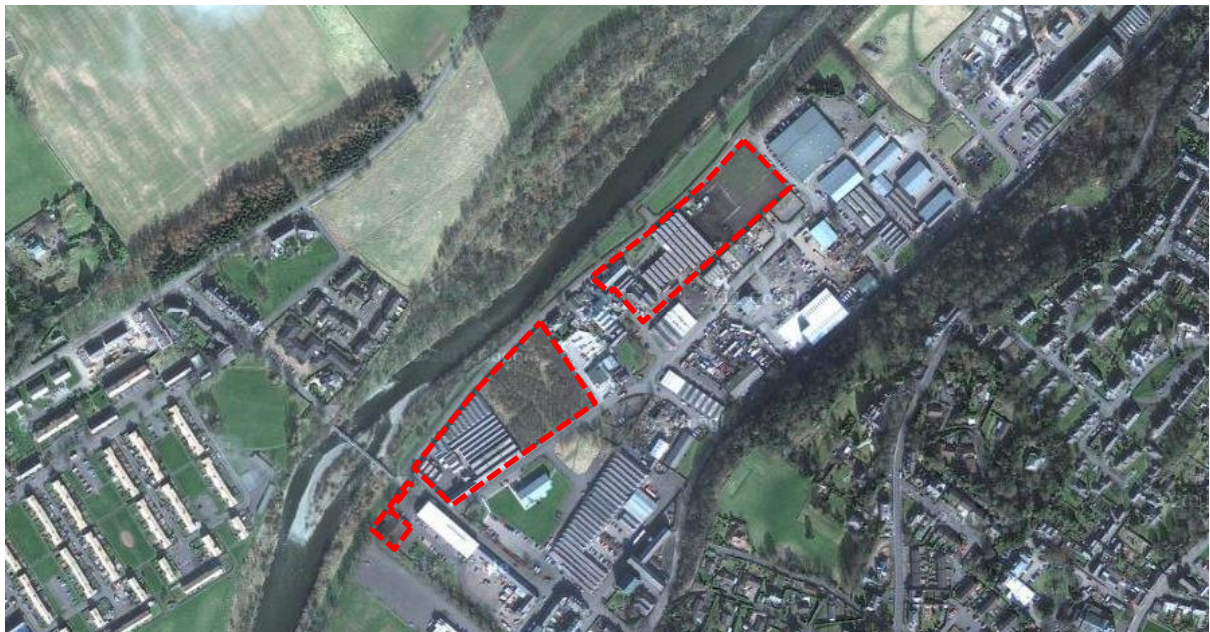


Fig 2: Aerial Photograph of sites owned by Equorium Property Company Ltd

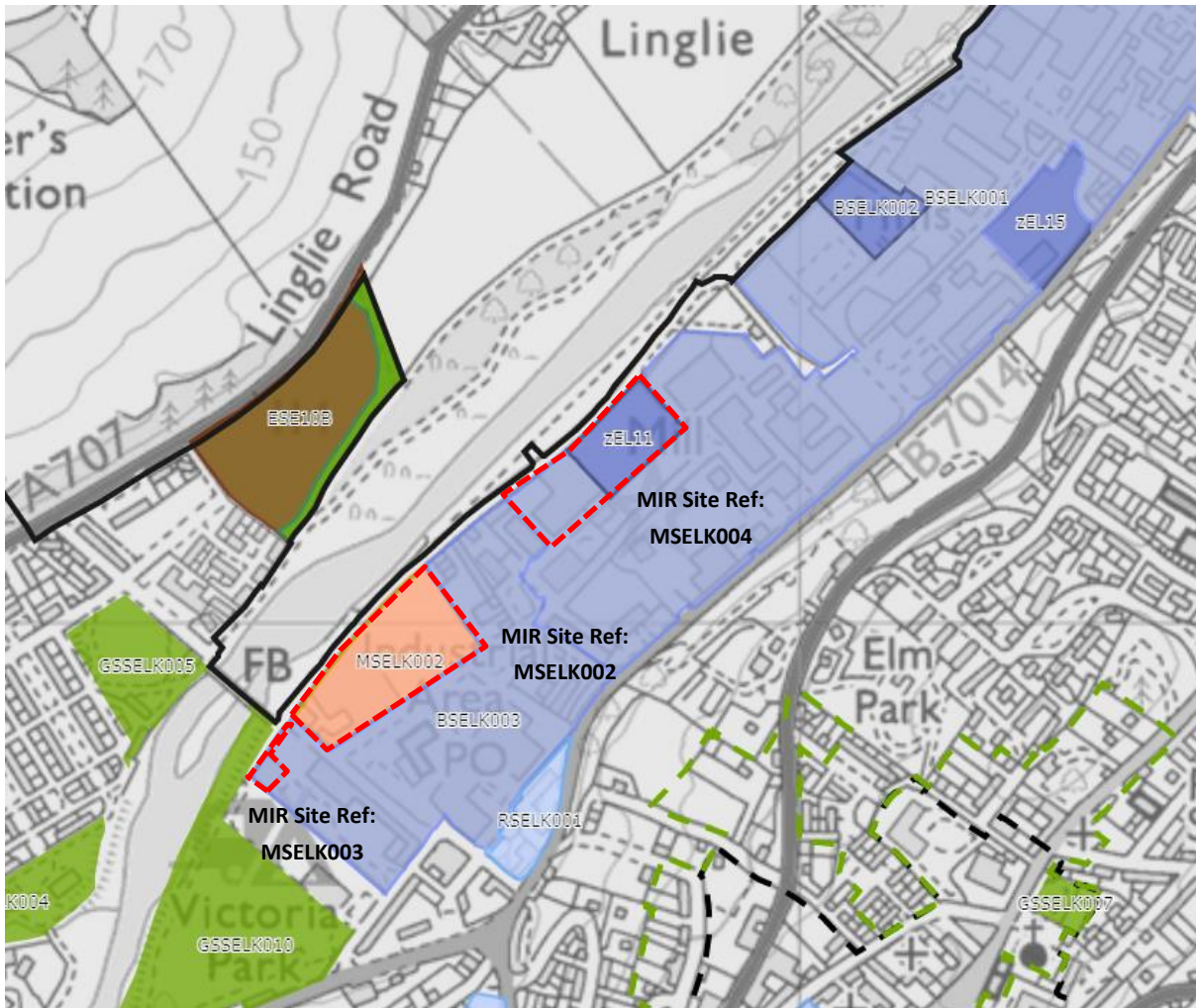


Fig 3: Extract from Proposed Plan Proposals Map showing allocation of sites owned by Equorium Property Company Ltd

Former Whinfield Mill Site (MSELK004)

The former Whinfield Mill site (MIR Site Ref: MSELK004) is currently allocated in the adopted LDP under two designations. The southern part of this site (which contains the former mill buildings) is allocated as part of the wider BSELK001 Business and Industrial Land Safeguarding designation, and the northern part of this site (which is undeveloped) has the specific site reference zEL11 (Riverside 2). The currently adopted LDP has therefore 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.

As set out in our submissions on this site at the earlier MIR and Call for Sites stages, we consider that this site (MIR Site Ref: MSELK004) also has the potential to be redeveloped for a wider range of mixed uses including: residential; nursing home; tourism; office; retail; leisure and commercial uses.

Accordingly, we would request that this site is allocated in the replacement LDP as mixed use development opportunity.

Former Bridgehaugh Dyeworks Site (MSELK003)

The former Bridgehaugh Dyeworks site (MIR Site Ref: MSELK003) is allocated in the currently adopted LDP as part of the wider BSELK003 Business and Industrial Land designation, as Riverside 8. This part of our client’s landholding is therefore allocated under Policy ED1 in the adopted LDP which supports business and industrial uses, but also allow scope for mixed uses.

This small site which is located adjacent to the former Heather Mill site also has the potential to be redeveloped for a wider range of mixed uses including: residential; nursing home; tourism; office; retail; leisure and commercial uses.

Accordingly, we would request that this site is allocated in the replacement LDP as mixed use development opportunity.

To assist your consideration of this submission, we have provided further information on each of our client's sites below, including a summary of the site assessments undertaken as part of the MIR process.

Overview of Equorium Property Company's Landholding at Selkirk

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 location plan and aerial photograph provided above confirm the extent of each site with their respective MIR site references.

Location

The three 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.

Although allocated as part of a business area, the sites are actually 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.

Accessibility

Being located within the existing urban area and 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.

Selkirk Flood Protection Scheme

The Selkirk Flood Protection Scheme delivered 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 flood risk associated with the redevelopment of our client's sites.

Assessment of Sites as part of Main Issues Report

The MIR Spatial Strategy confirmed that Selkirk is an area with potential for future growth. Paragraphs 3.9 and 3.10 confirmed 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."*

MIR Assessment of Site MSELK002

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 confirmed 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."*

In our response to the MIR, we welcomed and supported the continued allocation of the MSELK002 site for mixed use development including c.75 residential units in Proposed Plan. We are therefore pleased that this position has been maintained in the published version of the Proposed Plan and fully support the approach taken by the Council in respect of this particular site.

MIR Assessment of Sites MSELK003 and MSELK004

The other parts of our client's landholding (site refs: MSELK003 and MSELK004) were identified in the MIR under Policy ED1 as sites zEL11 (Riverside 2) and BSELK003 (Riverside 8). However, the MIR proposed a change to the categorisation of sites under Policy ED1 as it recognised 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."*

To provide more flexibility, the MIR therefore proposed two categories of land 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 or complimentary uses permissible. Both sites MSELK003 and MSELK004 fell within the second category.

In our response to the MIR we therefore welcomed the Council's recognition that there is a need for more flexibility within Policy ED1 sites to allow scope for a wider range of site options to be considered, and requested that this approach should be carried through to the Proposed Plan.

However, we also noted 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 uses, should be allocated for a wider range of mixed uses in the Proposed Plan. We highlighted that this would follow the approach adopted in respect of site MSELK002 and would ensure that a consistent and flexible approach is followed across the three sites.

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 accepted that it may be suitable for residential uses in the future, but also suggested 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 (traffic, 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 to determine the suitability of the sites in the Riverside Area for further residential development.

We would therefore request that the particular benefits and merits of site MSELK003 are reconsidered and that this site is allocated in the replacement LDP 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 recommended that a more flexible approach should be taken 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 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 Etrick Water. A high quality of residential amenity could therefore be provided on this site, 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 request that the particular merits of site MSELK004 are reconsidered and that this site is also allocated in the replacement LDP 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 MIR and Call for Sites stages, 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 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, and we would suggest that this requirement could be extended to all three sites to ensure that any concerns regarding amenity, 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 all three 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. It would provide a range of options and introduce greater flexibility to the future use of these sites.

Recommended Modifications to Proposed Plan

We would therefore request the following modifications to the Proposed Plan in respect of our client's landholdings:

MIR Site Ref: MSELK002

As noted above, we welcome and support the Proposed Plan's confirmation that the allocation of the MSELK002 site for mixed use development including c.75 residential units will be carried forward as part of the replacement LDP. We would request that this allocation is maintained.

MIR Site Refs: MSELK003 & MSELK004

However, and for the reasons set out above, we would also request that all three of our client's sites, i.e. sites MSELK002; MSELK003 and MSELK004 are removed from the current Policy ED1 allocation and identified in the replacement LDP as mixed use redevelopment opportunities with scope for a range of mixed uses, including residential development.

All three sites should therefore be allocated for mixed use development in the replacement LDP and we have provided a suggested approach for the Proposals Map in the modified extract provided below. New mixed use site entries would also be required on pages 499/500 of the Proposed Plan and should follow the approach adopted for the MSELK002 site entry.

We trust these comments will be afforded due consideration and we would be grateful if you would acknowledge safe receipt of this email submission and keep us updated on the progress of the replacement LDP process.

Yours faithfully

[Redacted signature block]

[Redacted contact information]

cc: [Redacted]

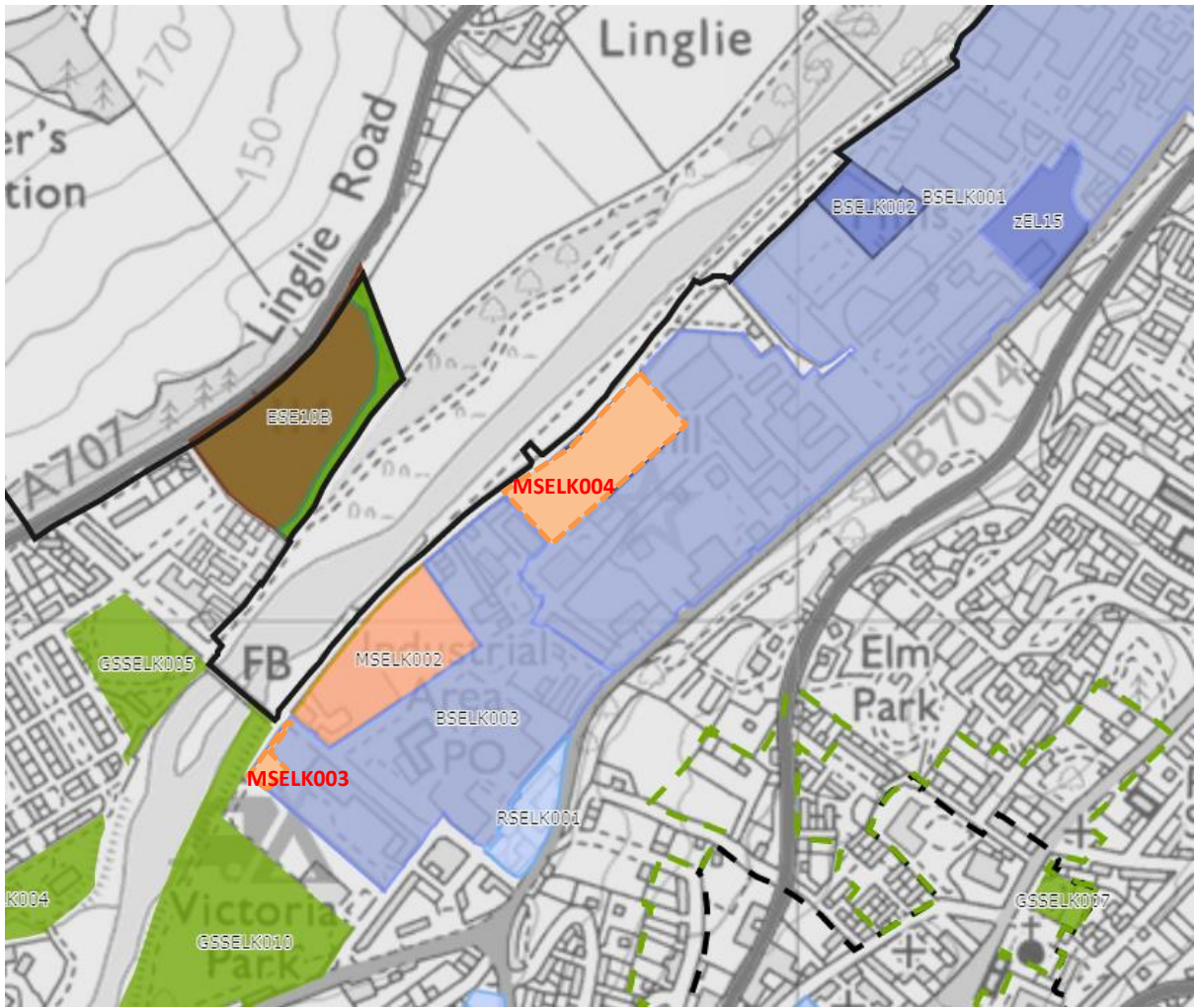


Fig 4: Suggested Modifications to Proposed Plan Proposals Map showing mixed use allocation of sites owned by Equorium Property Company Ltd