

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 19th December 2017

Contact: Carlos Clarke ☎ 01835 826735

Ref: 17/01704/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 9th January 2018, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 9th January 2018, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr S Wilson

Agent: N/A

Nature of Proposal: Change of use from retail to dog grooming practice

Site: 38 Bank Street Galashiels Scottish Borders TD1 1EP

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

This application for a Change of use, we understand, does not meet Policy ED4 of the Local Plan 2016 as it introduces a non-retail, Class 2 / perhaps sui-generis, use into a location defined for Prime Retail Frontage.

Economic Development, however, does not object to the application because the main aim of Policy ED4 is to protect and enhance the vitality and viability of Town Centres and this business could contribute to achieving this aim for the following reasons:

- The new use offers employment opportunities.
- The premises would appear ideal for this planned new use, with little change to the appearance of the frontage.
- The use would ultimately increase footfall to these premises, and the town in general, by providing a specialist service.

There is a worrying trend of vacant retail premises in the Border towns. There is already a number of existing non Class 1 uses in Bank Street. We do not believe this small increase in Class 2 / Sui Generis use will have a detrimental effect on the retail floorspace, or retail demand in Galashiels.

Should the application be successful, the business maybe should consider selling dog leads, dog bowls, dog food and other ancillary dog accessories to support the dog grooming side of the business, as ancillary to this use.

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	17/01704/FUL
Uniform Ref	17/03614/PLANCO
Proposal	Change of use from retail to dog grooming practice
Address	38 Bank Street Galashiels Scottish Borders TD1 1EP
Date	3 rd January 2018
Amenity and Pollution Officer	David Brown
Contaminated Land Officer	Reviewed – no comments

Amenity and Pollution

Assessment of Application

Noise

Odour

Air Quality

Private Water Supplies

Food premises

Recommendation

No Comment

Consultation Reply



ENVIRONMENT AND INFRASTRUCTURE

To: HEAD OF PLANNING AND REGULATORY SERVICE

FAO: Carlos Clarke

Your Ref: 17/01704/FUL

From: HEAD OF ENGINEERING & INFRASTRUCTURE

Date: 4th January 2018

Contact: Lauren Addis

Ext: 6517

Our Ref: B48/2449

Nature of Proposal: Change of use from retail to dog grooming practice
Site: 38 Bank Street, Galashiels, Scottish Borders

In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River & Coastal Flood Map (Scotland) known as the "second generation flood mapping" prepared by SEPA indicates that the site is at risk from a flood event with a return period of 1 in 200 years. That is the 0.5% annual risk of a flood occurring in any year.

The Indicative River & Coastal Flood Map (Scotland) has primarily been developed to provide a strategic national overview of flood risk in Scotland. Whilst all reasonable effort has been made to ensure that the flood map is accurate for its intended purpose, no warranty is given.

Due to copyright restrictions I cannot copy the map to you however, if the applicant wishes to inspect the maps they can contact me to arrange a suitable time to come in and view them.

The Galashiels Flood Prevention Scheme 2010 report developed by JBA for Scottish Borders Council shows proposed site to be within the 1 in 200 year flood envelope from the Gala Water. Notwithstanding, this is a small scale development that will not have an effect on the storage capacity of the functional flood plain or affect local flooding problems and I would not oppose it on flooding grounds.

I would recommend that to receive flood warnings from SEPA, the applicant signs up to FLOODLINE at www.sepa.org.uk or by telephone on 0845 988 1188. It would also be advisable for the applicant to develop an evacuation plan for the building during times of flood warning.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

Lauren Addis
Technician
Flood Risk & Coastal Management

REGULATORY SERVICES



To: **Development Management Service**
FAO Mr. C. Clarke, Council H. Q.

Date: 10th Jan. 2018

From: **Roads Planning Service**
Contact: **A. Scott**

Ext: **6640**

Ref: **17/01704/FUL**

Subject: Change of use from retail to dog grooming
38 Bank Street, Galashiels – 17/01704/FUL

I have no objections to this proposal.

DJI

PLANNING CONSULTATION

To: Forward Planning Section

From: Development Management

Date: 12 January 2018

Contact: Carlos Clarke ☎ 01835 826735

Ref: 17/01704/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 9th January 2018, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 9th January 2018, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr S Wilson

Agent: N/A

Nature of Proposal: Change of use from retail to dog grooming practice

Site: 38 Bank Street Galashiels Scottish Borders TD1 1EP

OBSERVATIONS OF: Forward Planning Section

CONSULTATION REPLY

38 Bank Street is located within the Core Activity Area of Galashiels as defined by the Scottish Borders Local Development Plan 2016. This application must therefore be assessed against Policy ED4 – Core Activity Areas in Town Centres. In essence, this policy seeks to ensure Class 1 retail units are not lost within town centres as these generate higher footfall which enhances vitality and viability of the town centre. As a result of the economic downturn Policy ED4 also allows other complimentary uses within town centres, namely those within Use Class 3 (Food and Drink).

The proposal falls within Use Class 2 and is therefore contrary to the prime purpose of Policy ED4. The policy does allow consideration of a number of other factors to be considered and applied on a case by case basis which in extreme instances may allow consideration of allowing other uses.

The key factors that influence the vitality and viability of a town centre include pedestrian footfall, the diversity of uses and the number of vacant properties.

Policy ED4 states that proposals for uses other than Class 1 and 3 at ground level in core activity areas will normally be refused. Proposals for other uses including Class 2 will be assessed in terms of their contribution towards the core retail area function of the area and will only be acceptable where there is a significant positive contribution to the core retail function. Paragraph 1.2 of the fore text to Policy ED4 sets out criteria against which proposals for Class 2 uses within core retail activity areas will be considered, these are:

- How the proposed use would contribute to joint shopping trips;
- Footfall contribution;
- Current vacancy and footfall rates

- Longevity of vacancy
- Marketing history of premises; and
- Ability to retain shop frontage

The proposed Class 2 Use therefore requires to be tested against the aforesaid criteria.

The Council's Town Centre Footfall Survey at this location (point 7/8) indicates a recent significant increase up to 847 in 2017 from 685 in 2013. The Council's most recent retail survey (Summer 2017) indicates that the Galashiels' retail vacancy rate had decreased 1% to 18% from the figure of 19% in the Winter of 2016. It is appreciated the proposal will generate a degree of footfall, although by the nature of the business and the few people that will visit it in a typical day this would be substantially less than a typical retail unit. Consequently in respect of these matters it is not considered these are reasons in themselves for deviating from Council policy in this instance.

It is understood that these premises have only very recently become vacant, having operated as a sweet shop until late 2017. The Council's retail survey, which goes back to 2006, shows that these premises have not been vacant at any time of the survey. It has previously been occupied as a clothes shop, a craft shop and sweet shop. Bank Street is the most attractive and buoyant retail area of Galashiels, being opposite the well maintained and attractive garden. Vacancy rates on Bank Street have historically been low.

It is noted that the premises are small and some consideration may be given as to what retail interest there may be in a unit of this size. However, it does appear to be the case in Galashiels town centre that there is limited interest in larger retail units and it is not considered that there has been sufficient time for these premises to be marketed to gauge potential interest from retailers. It is considered there are already other small units of similar size on Bank Street operating in retail use.

The comments of Economic Development are noted but there is concern that approvals are granted with the fundamental test that 'any use is better than nothing'. This would be a short term response to a much wider issue and in the longer term precedents would be set for non-class 1 uses which in time would have a serious impact upon the vitality and viability of Galashiels. Town centre regeneration in Galashiels is a major objective for the Council and these principles are identified in the Blueprint. If the Council allows a number of uses which do not meet the principal thrust of Policy ED4 this would defeat the long term aims of generating healthy footfall. This would have major implications for the aspirations of ensuring a buoyant and healthy town centre.

It is not considered that this planning application meets the requirements of Policy ED4 and should therefore be refused.