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PLANNING



PLANNING STATEMENT

PROPOSED CHANGE OF USE FROM CLASS 1 RETAIL TO ALLOW CLASS 2 (PODIATRY CLINIC) AND CLASS 1 (ANCILLARY RETAIL)

40-41 MARKET SQUARE, KELSO, TD5 7HL

CLIENT: ROBERT MCCRIRICK

AUGUST 2017



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1. Introduction

- 1.1 This statement has been prepared by Ferguson Planning on behalf Robert McCririck who seeks to change the use of Units 40-41 at Market Square, Kelso to allow a mixture of Class 2 and ancillary Class 1 use to enabled the occupation of the site for a Podiatry Clinic in accordance with the 'The Town and Country Planning (Use Classes) (Scotland) Order 1997'.
- 1.2 The site has been redundant for in excess of a year with no sound interest from a Class 1 retailer despite it being widely advertised by local agents (Edwin Thompson). The proposal will reduce greatly the amount of time that the unit remains vacant and ensures it does not become a detriment to the vitality and viability of the town centre.

The Applicant

- 1.3 The applicant is a local who was born and raised in Kelso. He has spent most of his life within the community and is incredibly proud to call it home. He believes fervently in the power of Kelso's community spirit of which local business plays an integral part. His vision is to build a business in the heart of the town square that supports and grows that community and attracts visitors from much further afield, to not only benefit from the professional services being proposed but will offer the ability to discover the range of unique products and services that the rest of Kelso has to offer.
- 1.4 The ethos of Tweed Podiatry is one that offers a high-class, highly specialized and bespoke range of products and services, and as such will be reflected in the visual appearance of the practice which will maintained to an exceptional standard. It is the applicant's belief that this image will complement the appearance and 'feel' of Kelso's town square remarkably well.





2. The Site

- 2.1 The site subject to this application is located the 'The Square' within Kelso Town Centre albeit in a corner that is overly exposed visually and thought to be the reason for the lower level of interest for retail purposes. Kelso is a buoyant market town with a significant rural catchment. It is located some 18 miles east of Galashiels and 44 miles south of Edinburgh.
- 2.2 The unit itself extends over two levels (Ground and First Floor). The ground floor footprint extends to circa. 51.43 sqm with the first floor level extending to circa. 30.14 sqm (81.57 sqm total).
- 2.3 The accommodation currently comprises:
- **Ground:** There is a narrow frontage to the street which extends and widens towards the rear of the property. The frontage offers large windows and a single central access door, a secondary access is located close to the rear of the property opposite the stairs. There are two 'cubicles' situated to the rear of the property and it is understood one of these previously contained a sink.
 - **First Floor:** The first floor consists of three rooms. One of these being a bathroom with the other two being interconnected, large rectangular spaces.



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3. The Proposal

- 3.1 The proposal, in simple terms, seeks to change the use of this currently vacant property which is categorised as Class 1 (Retail) under the terms of the Town and Country Planning (Use Classes) Scotland Order 1997 (as amended) to be used as a Podiatry Clinic which is categorised as Class 2 (Financial and Professional Services) and still also allow for associated Class 1 (Retail).
- 3.2 The proposed business would create new employment in Kelso Town Centre, bring a vacant unit back into life and increase footfall and custom in a central and sustainable location. It is likely that further enhancements, such as painting of the building/unit, would occur in due course, and to the overall benefit of the town centre environment.
- 3.3 A number of internal alterations will be required for the operation of the Podiatry Clinic and these are described as follows. However, it should be noted that no external alterations are proposed and as such will not impact upon the Conservation Area:

Ground Floor

- 3.4 Partitioning will be incorporated in order to provide a private consultation room to carry out podiatry in a quiet and concealed environment. This is the only significant internal alteration with other changes being of a cosmetic nature and thus do not require any material adaptation. A sink will be reinstated within one of the small existing 'cubicles' to the rear of the unit, again this would not require any material alterations as the plumbing is already in place.

First Floor

- 3.5 There will be no material alterations to the first floor. The existing three room layout will remain and only cosmetic changes will be required.

Proposal Justification

- 3.6 The portion of the building visible from outside will consist of a waiting and reception area for clients as well as retail displays which will include a number of industry-leading brands of foot care products and technical footwear inserts that are not available anywhere else nearby. The space within the premises offers ample room to create an appealing front of house appearance to enhance footfall in addition to those visiting Tweed Podiatry for medical treatment which will take place to the rear of the premises.
- 3.7 By virtue of the applicant's role in working with people to improve their foot health and overall activity levels, many other local business stand to gain directly from the recommendations made to clients. A typical business day will involve advising numerous clients to, for example, visit local shoe retailers with recommendations on appropriate footwear choices or to visit nearby pharmacists to obtain specific products or get additional





expert advice. The overall goal is to help people to live more active lives; active individuals spend more time on their feet, are more engaged with their local community and are more likely to spend and enhance the local economy.

- 3.8 The business will include a technical retail suite of various technical footwear inserts from pre-fabricated devices, ready for use right out of the box, to a fully customized orthotic service for more specialist needs. Products will also include a range of pharmaceutical products recommended by the in-house podiatrist on an individual basis that he is licensed to supply and cannot be purchased at other nearby locations. Customers do not currently have access to these in Kelso or other local towns and this is expected to cater especially well to walking and running enthusiasts which includes many local residents as well as a large proportion of visitors to the town who would otherwise need to visit locations further afield such as Newcastle or Edinburgh for these services.
- 3.9 There are many other examples of businesses in the town centre other than pure retail including barbers, estate agents, cafés and other medical-based businesses such as opticians and pharmacists who have all demonstrated an ability to thrive in Kelso Square and be only of benefit to the community and their neighboring local businesses.
- 3.10 Tweed Podiatry is expected to be a great addition to those services and, when fully operational, can cater for approximately 120 - 150 clients per week. The projected catchment area for this practice is also vast with regards to those attending for medical treatment, commonly bringing in visitors from across the Scottish Borders and beyond.
- 3.11 By virtue of being a private practice, this tends to attract individuals with significant disposable income who, in the applicant's experiences of working in other locations, will consistently use their appointment as an opportunity to then visit local retail and hospitality businesses in the local area, thus greatly enhancing overall vitality of the town. Another factor for consideration is that many of these clients will attend the practice routinely throughout the year, thereby increase footfall and local spending consistently and irrespective of seasonality.
- 3.12 Public foot care services across the Scottish Borders have been drastically reshaped and many other nearby towns are no longer able to cater for the needs of local residents. In the eastern areas of the Borders, residents from as far as Duns, Eyemouth and beyond now must travel to Kelso for their nearest NHS Podiatry clinic. Tweed Podiatry can offer a convenient place to visit for all foot care needs; those taking the time to travel are more than likely to use the opportunity to spend a significant portion of their day then visiting other local establishments and putting money into the local economy.



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4. Planning Policy

- 4.1 The two key policies to be considered in the determination of the proposed change of use application are Local Development Plan Policies ED3 and ED4.
- 4.2 Policy ED3: Town Centre and Shopping Development seeks to develop and enhance the role of town centre, of which Kelso is identified as a District Town Centre. It is determined that the Council will support a wide range of uses appropriate to a town centre and proposals for shopping development and other town centre developments will generally be approved within the town centre provided that the following are maintained and enhanced:
- Character
 - Vitality
 - Viability
 - Mixed use nature of the town centre
- 4.3 Policy ED4: Core Activity Areas in Town Centres seeks to provide flexibility and maintain viability and vitality in the retail core of the town centre. In Core Activity Area a mix of uses appropriate to the town centre will be allowed and states that Classes 1 and 3 are seen as appropriate uses within these areas.
- 4.4 Proposals for other uses including Class 2 will be assessed in terms of their contribution towards the core retail function of the area and will only be acceptable where there is a significant positive contribution to the core retail function.
- 4.5 Responding to this position, viability is about the ability of a place to attract new investment and vitality is about ensuring strong footfall levels in these central areas and attracting inward expenditure.
- 4.6 The viability of the centre would not change as a result of this proposal, in fact, it will improve. Our evidence has shown that there have been no viable propositions or offers of investment by pure Class 1 uses. This has subsequently led to the application which seeks to look to similar uses to those that have gone before and where demand has been shown by formal notes of interest.
- 4.7 In terms of vitality the unit in question is currently vacant and it is therefore having a damaging effect on the vibrancy of Kelso town centre and core retail area. The proposal will enhance vitality in this area by attracting new customers/clients to the area (currently not happening with vacant unit). Viability is shown in that a podiatry clinic is wishing to invest in the town centre not compete with it. Should the Council consider certain Class 2 uses to be unacceptable (beyond that proposed) a suitable worded condition could be applied.





- 4.8 The proposal will not lead to an unacceptable impact on Kelso's core/town centre. The proposed use falls within the town centre and in theory will compliment neighbouring uses not compete with it.
- 4.9 The proposal will also seek to retain an element of retail which will be reflected in the units façade display thus maintaining the retail character of this prominent location. Beyond this, the establishment of a Podiatry Clinic will attract new investment to the town, create new jobs and increase footfall within the town centre. It therefore provides a positive rather than negative impact on the town centre and therefore in compliance with Policies ED3 and ED4.
- 4.10 Evidently, the policy still allows for Class 2 uses should it contribute positively to the core retail activity, provides footfall contribution, contribute to joint shopping trips, takes account of the longevity of vacancy and marketing history of the premises.
- 4.11 All these points have been addressed previously. The premises have been marketed for over a year with no real interest shown from Class 1 uses. The proposal will therefore fill a current void in a prime town centre location, will increase footfall levels, create new employment, attract new customers and encourage linked trips with existing uses in Kelso town centre.
- 4.12 The marketing of the premises for over a year as Class 1 provides the necessary evidence to demonstrate the lack of demand for continual Class 1 use only. It is considered that whether the vacancy level in Kelso town centre is below or above national vacancy rates is irrelevant in the determination of this proposal. The focus should be about demonstrating the lack of demand (which we have done) and taking every opportunity to reduce the number of vacant units within Scottish Borders town centres.
- 4.13 In terms of economic benefits, the proposal would create up to 5 new jobs within Kelso Town Centre. New employees and customers to the proposed Podiatry Clinic will drive new footfall to the core of Kelso Town Centre which will in turn create linked trips to shops and other services in the locale. Beyond this, businesses that would service the proposed Podiatry Clinic would also benefit, for example, recommendations to local shoe retailers.
- 4.14 Guidance by the Scottish Government on encouraging a greater mix of uses in our town centres is a strong material consideration. The recent publication of the 'SPP Consultation Draft' states that: *Planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres, including business, civic activity and community uses.*
- 4.15 Building on this sentiment the Scottish Government have also published the 'National Review of Town Centres External Advisory Group Report: Community and Enterprise in Scotland's Town Centres' and 'National Review of Town Centres Town Centre Action Plan – the Scottish Government response'.



- 4.16 Both these documents clearly guide the public and private sectors to do all they can to attract new investment to our town centres and beyond simple Class 1 uses. It states that: *The best way to support retail is to fortify this diversity, by weaving more footfall around it – more people living above and around the shops, and more business, leisure and cultural uses all round – to make the context for shopping in town busier, and the general town centre environment more attractive.*

Summary

- 4.17 Taking due consideration of the related planning policies we consider the proposal to be in compliance with the Local Development Plan and related material considerations for the following reasons:

- The site is allocated as “white land”, albeit it is identified as being within the Core Activity Area of the Town Centre. The proposed use relates well to other retail and commercial uses that surround it. The proposal's acceptability in design, transport and environmental terms has been previously permitted and will not be affected by the change of use.
- There are no neighbouring residential receptors and given the allowance for retail and commercial uses being proposed is considered not to give rise to any significant residential amenity concerns.
- The proposal will provide a local and daily service for the local population and in an area operating as a town centre. Furthermore, the proposals will attract visitors from further afield which will benefit the economy by virtue of ‘linked trips’ with people visiting other shops in the town following attendance at the clinic.
- The current operations have ceased trading. The premises are now vacant and are a detriment to the vitality and viability of this town centre. This proposal seeks a wider range of uses to ensure that the void will be filled within the shortest timeframe possible.
- The proposal will respect the character of the area, will compliment neighbouring commercial and retail uses, and not have a significant impact on residential amenity.
- The unit is in a highly accessible location and one where a great deal of customers are expected to arrive on foot or avail of nearby public transport.
- The proposal will operate within the confines of the opening and service hour restrictions of this type of use.
- Any related signage would be brought forward by way of a separate planning application.



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- The operation of the unit will create jobs in the local economy with further employment during the fit-out phase, therefore boosting the local economy.



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5. Conclusion

- 5.1 It is demonstrated that the subject site represents a sound location for a Podiatry Clinic. It will compliment neighbouring Class 1 and Class 2 uses, create new employment, drive greater footfall and vitality to Kelso town centre and create associated linked trips and thereby encourage and support the overall vitality and viability of the centre. It is therefore, in our opinion, in compliance with Planning Policies ED3 and ED4.
- 5.2 The business would create new employment in Kelso Town Centre, bring a prominent vacant unit back into life and increase footfall and custom in a central and sustainable location. It is likely that further enhancements, such as painting of the building/unit, would occur in due course, and to the overall benefit of the town centre environment. Given the unit falls within the town centre it is accessible by sustainable modes of transport.
- 5.3 It is therefore respectfully requested that this Change of Use Application be approved.

RE: Market Square, Kelso - 17/01139/FUL

Tim Ferguson

Mon 16/10/2017 14:00

To: Robert McCrick [REDACTED] Calvert, Euan <ECalvert@scotborders.gov.uk>;
Cc: Sarah Lapsley <Sarah@fergusonplanning.co.uk>;

Hi Euan

When you get a moment I would be grateful if you can call me as way of an update on this application.

The portal appears to be down but if not already if we can ensure that my and clients email responses below are uploaded to the system.

Related to this it is again important to bring to your attention the recently adopted Connected Borders document which outlines the vision of the Council and which clearly outlines its support for this type of proposal. In Part 3 of the document it specifically states:

"As a Council we will adapt the Local Development Plan to promote diversification in town centres that encourages new and existing businesses to flourish by making it easier for a greater variety of business types to set up, including specialist retailers, offices, tourist businesses, cafes and restaurants.".... "WE WILL: • Diversify our town centres through better use of our planning regulations.

I look forward to hearing from you in the near future.

Regards

Tim

Tim Ferguson
Director



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From: Robert McCririck [REDACTED]
Sent: 12 October 2017 19:06
To: Calvert, Euan <ECalvert@scotborders.gov.uk>
Cc: Sarah Lapsley <Sarah@fergusonplanning.co.uk>; Tim Ferguson <tim@fergusonplanning.co.uk>
Subject: RE: Market Square, Kelso - 17/01139/FUL

Dear Euan,

I felt compelled to write you personally, first of all to thank you in advance for your careful consideration of this planning application and all the associated time and effort taken to come to a decision. Secondly, I would remiss if I did not add further commentary to the current status of the application. I, along with Mr Ferguson, have been very please the incredibly positive comments from council members, member of the public and new comments recently added from neighbouring businesses who share my belief that my business would enhance the town centre and benefit other local establishments.

I must express my continued dismay however that despite the overwhelming positivity in seeing my plans become a reality, including from the majority of the council departments involved, there continues to be resistance to this application from the Forward Planning Department. What has been most disappointing to me has been that in their latest commentary, there has been no further recognition, let alone argument made against the counterpoints I and Mr Ferguson had last communicated. This, to my eyes, shows a lack of engagement in a dialogue around points I feel demonstrate amply that this application is in fact justified and, as has become evident from all the other comments, highly welcomed by many local people, business and council members.

For the sake of brevity I will not reiterate all of the points I have made as they are already available to you but I will state again my immense frustration in seeing these points glossed over, in my view to keep a fixed gaze on Policy ED4. This contrasts with the stance of other departments such as Economic Development who I am very grateful for clearly considering the points I had made and found grounds to in fact deviate from the policy in this instance.

On the point of deviation from the policy, I feel I must point out again that this is for mixed use – a retail element will remain and this is probably the point where a lack of recognition has been of greatest frustration and perhaps one of the most important in regards to the overall decision made.

As for the final paragraph in the forward planning department's latest comments, I seriously disapprove of any insinuation being made, as I interpret it, that the business would in any way represent a 'short term fix to occupy a vacant unit' or create 'dead frontage'. Yet again, there is no acknowledgement of the additional footfall the retail component may generate and a quick fix this is not – the building has been empty for two years and without this change I fear it may remain that way for far longer. That to me is surely justification to allow a business that will in fact represent a long-term solution and a vibrant frontage that will benefit many and is evidently wanted by many.

I want to be clear that I do in fact have a great deal of respect for the forward planning department's obvious desire to maintain the vibrancy and vitality of Kelso – so do I, so do we all. I was born and raised here, it is my home and I want to see the town centre flourish as much as any person. I want to return to the

humanity behind this because that's why I do the work I do – because of the people in my community who I take so much pride in helping. I have worked so hard to get here and I have no intention of stopping now. If this application is unsuccessful I will not be deterred, I will appeal my case if necessary and I will continue to fight for my business and the bright future I want it to bring for me, my family and the community who I truly wish to serve.

With the final date for a decision on this application due very soon I imagine this may be my final opportunity, in the immediate future, to be able to correspond with you. As such I would simply like to finish by offering my deepest appreciation to you, the councillors and officers, the team at Ferguson Planning, and the local businesses and members of the public for all of their wonderful support and for all the hard work I know has been involved.

Yours sincerely

Robert McCririck

Sent from [Mail](#) for Windows 10

From: [Tim Ferguson](#)
Sent: 28 September 2017 10:37
To: [Calvert, Euan](#)
Cc: [Robert McCririck](#); [Sarah Lapsley](#)
Subject: Market Square, Kelso - 17/01139/FUL

Dear Euan

I write in relation to the above application. It is extremely positive to note that there are no objections from bodies such as the local community council and the Kelso and Amenity Society and that there are also a number letters of support from local people who all see nothing but the benefit of regenerating this longstanding empty unit in Kelso Town Centre.

It is again positive to note that the Economic Development team have no objection particularly when one of the key policies, Policy ED 4, relates specifically to Economic Development. We concur with their conclusions that:

- The premises, although facing on to the Square are tucked into a corner; low profile, location, appear to have been vacant and unused for over 1 year, and we believe, if this application was approved, would bring vitality where there has been none, so increasing overall economic activity.
- The new use offers employment opportunities.
- The premises still offers some retail use and 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.

This response then providing a significant material planning position as to why that proposed should be deemed an appropriate use for the unit in question. This is then furthered by successful appeal decisions which outline a similar position from a wider Council perspective.

Despite the above it was somewhat disappointing to read the Forward Planning consultation on the matter which appears not to have changed despite past appeal decisions and indeed the position of

the Economic Development Department. We would respond to this consultation by outlining the following key points:

- Whilst Kelso does boast a lower than average percentage of vacant units this does not detract from the obvious fact that a long-vacant unit in prominent town centre location is surely to be highly detrimental to the very vibrancy that the town ought to in any way possible maintain and grow.
- Whilst policy ED4 may view class 1 and class 3 as the preferred use for town centre units, the length of time this unit has remained vacant is now greater than two years, demonstrating more than ample time for retail interests to be established had there been any. Moreover, every one of the criteria looked at when considering the addition of a class 2 use under the policy are met by this application with the addition of maintaining an integral class 1 component.
- With the evidence put forward, to continue to prevent genuine interest from local professional business from developing further at this stage for the sake of rigid compliance to the policy is counterproductive when vacancy of the unit represents the least desirable status of all. Being a statistically favourable area in terms of unit vacancy is of no consolation or practical significance for the owners who bare the financial burden of an unrented unit, for the young professional seeking to create a business of true value in the community and indeed for all those other local businesses who are unable to benefit from the always welcomed increased footfall this could bring through their doors.
- In regards to footfall, the numbers quoted by the responder are inaccurate and (without explanation by the responder) have been based on the assumption of a 6 rather than 5 day week which artificially lowers and thus greatly underestimates the likely number of visitors to the unit, the figures for those visiting the practice for medical treatment are also very conservative estimates and could expand significantly should additional practitioners become involved with the practice in future. This aside, the responder draws comparison between the number of visitors from this aspect of the business to those visiting other retail locations whilst not failing to acknowledge the potential footfall generation from the retail component of the business in its own right. In addition to presenting a frontage with an obvious retail component which is in keeping with the spirit of the town centre more retail-orientated, there are no reasonable grounds whatsoever to make the assumption that this aspect of the business could not generate a level of footfall comparable to many of the pure retail units in the town. A note of caution should also be applied in relation to the Council surveys as they are simple a snapshot in time and cannot be overly relied upon as a consistent or precise indication of footfall throughout the year.
- The responder comments that were this application sought in connection to other areas of the town then objection may not be made. This is of little relevance when there are no such suitable units in the described areas that would be appropriate for the purposes of this business.
- It is also important to reiterate the compounding effect that the business has with its compliance from the perspective of joint shopping trips – valued business of our town centre, especially shoe shops, pharmacies and other healthcare providers are all guaranteed to see a steady stream of customers visiting precisely because of healthcare-related recommendations made when visiting this practice. This uniquely beneficial relationship is not one that can be necessarily boasted by other business regardless of use classification.
- The responder states that the application cannot be supported as they believe there are no circumstances identified in which deviation from the policy could be justified. However, in only the paragraph prior to this, the responder themselves demonstrate that precedent for such deviation does in fact exist in a successful application made for a change of use from Class 1 (Travel Agent) to Class 2 (Estate Agent) within the Core Activity Area in The Square, Kelso. This application demonstrates as much justification for approval as the aforementioned example and more. It goes a step further by paying recognition to the understandable desire to maintain a core retail component in the town square and shows that this will for all intents and purposes be maintained or rather reintroduced to this empty building.

With all the points made here and elsewhere in this application it is important that all measures are taken to continue to increase the vitality and viability of our town centres and we kindly seek that this application be supported.

Should you wish to discuss the above or any other related matter please do not hesitate to contact me.

Regards

Tim

Tim Ferguson
Director



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From:Sarah Lapsley
Sent:16 Oct 2017 10:05:19 +0100
To:Calvert, Euan
Cc:Tim Ferguson
Subject:RE: Market Square, Kelso - 17/01139/FUL

Euan,

Further to the below from my colleague and the updated response from Forward Planning, we would like to continue to strongly contest the assertions that the proposal should not be supported.

It would appear from the comments made by the Further Planning team that they misunderstand the fundamental concept of the proposed development. The applicant does not simply seek the change of use of a long standing vacant retail unit for Class 2 use which in their words would present a "dead frontage", indeed the application will present an active retail frontage on to the Core Activity Area. As shown on the submitted Proposed Ground Floor Plan the unit's frontage to the street will be retained as Class 1 retail. This would directly contradict the argument made by Forward Planning that the proposal would conflict with the aims of vitality and viability of the Core Activity Area. This unique proposal would encourage linked trips within Kelso and allow the establishment of supportive links with other businesses in the town centre.

Whilst the department may be in the process of preparing a Main Issues Report this is not a material consideration in the determination of the current application and we are unsure of the relevance of this reference.

We would again like to press the point that the unit has been vacant for in excess of two years and clearly has not been making a valid contribution to the vitality and viability of the town centre. The proposed use would enable the introduction of a tenant who has very strong links with Kelso and seeks to establish a business that will enable him to remain within the settlement. This is not a "short term fix" for a vacant unit, it is very much a long term investment in the Core Business Area which should be encouraged.

Without reiterating all of the points previously raised and the detailed arguments put forward within the supporting Planning Statement, we would like to highlight that there are no other objections to the scheme and would make specific reference to the Economic Development response as well as the not

insignificant support from local residents. I would therefore strongly contest the response of Forward Planning and urge you to take into consideration the considerable economic benefits that the proposal would provide.

Kind regards,

Sarah Lapsley (BA Hons) Dip TP MRTPI

Associate Director



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From: Tim Ferguson
Sent: 28 September 2017 10:37
To: Calvert, Euan <ECalvert@scotborders.gov.uk>
Cc: Robert McCririck [REDACTED] Sarah Lapsley <Sarah@fergusonplanning.co.uk>
Subject: Market Square, Kelso - 17/01139/FUL

Dear Euan

I write in relation to the above application. It is extremely positive to note that there are no objections from bodies such as the local community council and the Kelso and Amenity Society and that there are also a number letters of support from local people who all see nothing but the benefit of regenerating this longstanding empty unit in Kelso Town Centre.

It is again positive to note that the Economic Development team have no objection particularly when one of the key policies, Policy ED 4, relates specifically to Economic Development. We concur with their conclusions that:

- The premises, although facing on to the Square are tucked into a corner; low profile, location, appear to have been vacant and unused for over 1 year, and we believe, if this application was approved, would bring vitality where there has been none, so increasing overall economic activity.
- The new use offers employment opportunities.
- The premises still offers some retail use and 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.

This response then providing a significant material planning position as to why that proposed should be deemed an appropriate use for the unit in question. This is then furthered by successful appeal decisions which outline a similar position from a wider Council perspective.

Despite the above it was somewhat disappointing to read the Forward Planning consultation on the matter which appears not to have changed despite past appeal decisions and indeed the position of the Economic Development Department. We would respond to this consultation by outlining the following key points:

- Whilst Kelso does boast a lower than average percentage of vacant units this does not detract from the obvious fact that a long-vacant unit in prominent town centre location is surely to be highly detrimental to the very vibrancy that the town ought to in any way possible maintain and grow.
- Whilst policy ED4 may view class 1 and class 3 as the preferred use for town centre units, the length of time this unit has remained vacant is now greater than two years, demonstrating more than ample time for retail interests to be established had there been any. Moreover, every one of the criteria looked at when considering the addition of a class 2 use under the policy are met by this application with the addition of maintaining an integral class 1 component.
- With the evidence put forward, to continue to prevent genuine interest from local professional business from developing further at this stage for the sake of rigid compliance to the policy is counterproductive when vacancy of the unit represents the least desirable status of all. Being a statistically favourable area in terms of unit vacancy is of no consolation or practical significance for the owners who bare the financial burden of an unrented unit, for the young professional seeking to create a business of true value in the community and indeed for all those other local businesses who are unable to benefit from the always welcomed increased footfall this could bring through their doors.
- In regards to footfall, the numbers quoted by the responder are inaccurate and (without explanation by the responder) have been based on the assumption of a 6 rather than 5 day week which artificially lowers and thus greatly underestimates the likely number of visitors to the unit, the figures for those visiting the practice for medical treatment are also very conservative estimates and could expand significantly should additional practitioners become involved with the practice in future. This aside, the responder draws comparison between the number of visitors from this aspect of the business to those visiting other retail locations whilst not failing to acknowledge the potential footfall generation from the retail component of the business in its own right. In addition to presenting a frontage with an obvious retail component which is in keeping with the spirit of the town centre more retail-orientated, there are no reasonable grounds whatsoever to make the assumption that this aspect of the business could not generate a level of footfall comparable to many of the pure retail units in the town. A note of caution should also be applied in relation to the Council surveys as they are simple a snapshot in time and cannot be overly relied upon as a consistent or precise indication of footfall throughout the year.

- The responder comments that were this application sought in connection to other areas of the town then objection may not be made. This is of little relevance when there are no such suitable units in the described areas that would be appropriate for the purposes of this business.
- It is also important to reiterate the compounding effect that the business has with its compliance from the perspective of joint shopping trips □ valued business of our town centre, especially shoe shops, pharmacies and other healthcare providers are all guaranteed to see a steady stream of customers visiting precisely because of healthcare-related recommendations made when visiting this practice. This uniquely beneficial relationship is not one that can be necessarily boasted by other business regardless of use classification.
- The responder states that the application cannot be supported as they believe there are no circumstances identified in which deviation from the policy could be justified. However, in only the paragraph prior to this, the responder themselves demonstrate that precedent for such deviation does in fact exist in a successful application made for a change of use from Class 1 (Travel Agent) to Class 2 (Estate Agent) within the Core Activity Area in The Square, Kelso. This application demonstrates as much justification for approval as the aforementioned example and more. It goes a step further by paying recognition to the understandable desire to maintain a core retail component in the town square and shows that this will for all intents and purposes be maintained or rather reintroduced to this empty building.

With all the points made here and elsewhere in this application it is important that all measures are taken to continue to increase the vitality and viability of our town centres and we kindly seek that this application be supported.

Should you wish to discuss the above or any other related matter please do not hesitate to contact me.

Regards

Tim

Tim Ferguson

Director



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From: Bell, Laura (Planning HQ)
Sent: 12 Oct 2017 11:51:42 +0100
To: Calvert, Euan
Subject: RE: Market Square, Kelso - 17/01139/FUL

Euan,

We have noted Mr Ferguson's comments in relation to planning application 17/01139/FUL but do not feel a case has been made to deviate from policy in this instance.

Whilst there is an initial presumption against class 2 uses within Core Activity Areas these uses would be supported by the department within the adjoining wider town centre boundaries as identified within the Local Development Plan. Consequently the Council is not against uses such as the application proposal within other parts of the overall town centre. It remains the case that stricter controls must be applied within Core Activity Areas to ensure maximum vitality and viability of the central part of these town centres.

Policy ED4 does allow some flexibility although this can vary on a case to case basis depending on the specific town and how it is performing in terms of buoyancy. The department is currently in the process of preparing a Main Issues Report and has consequently attended a number of public events and workshops to discuss a range of planning issues. Across the Scottish Borders there is wide scale opinion and agreement that Kelso continues to be a very active and vibrant town centre by a range of visitors and residents. Consequently whilst for example class 2 uses have been supported in some town centres which have been performing poorly it is not considered there is any justified reasons to support this use.

It is acknowledged that some parties are keen to promote class 2 uses within Core Activity Areas. However, at a time where many town centres are under performing it is vital that the Council does not set precedents for class 2 uses, some of which are deemed 'dead frontages' in terms of the footfall they generate, as short term fixes to occupy vacant units. If this happens, in the longer term Core Activity Areas would have a large component part of uses which would generate limited footfall which in practice would have major implications on town centre vitality and viability.

Regards

Laura

Laura Bell

Planning Officer

Forward Planning

Regulatory Services

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From: Calvert, Euan

Sent: 28 September 2017 10:45

To: Bell, Laura (Planning HQ)

Subject: FW: Market Square, Kelso - 17/01139/FUL

Euan Calvert

Assistant Planning Officer (Development Management)

Regulatory Services,

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Application for Planning Permission

Reference : 17/01139/FUL

**To : Mr Robert McCririck per Ferguson Planning Per Sarah Lapsley 69 Buchanan Street Glasgow
United Kingdom G1 3HL**

With reference to your application validated on **17th August 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Change of use from Class 1 (retail) to allow mixed use Class 2 (podiatry clinic) and Class 1 (ancillary retail)

At : 40-41 The Square Kelso Scottish Borders TD5 7HL

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s)** stated on the attached schedule.

**Dated 20th October 2017
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



Depute Chief Planning Officer

APPLICATION REFERENCE : 17/01139/FUL**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
1:5000 @A4	Location Plan	Refused
EXISTING GF	Existing Layout	Refused
PROPOSED	Floor Plans	Refused
EXISTING FF	Existing Elevations	Refused
PROPOSED	Floor Plans	Refused
1:500 @ A4	Site Plan	Refused

REASON FOR REFUSAL

- 1 The proposed change of use from Class 1 (Shop) to Class 2 (Financial, Professional and Other Services) would be contrary to Policy ED4 of the Local Development Plan 2016 in that the use of the premises as a podiatry clinic would result in the loss of prime retail floorspace in a prominent location and introduce a non-retail/food and drink use within the Core Activity Area in Kelso, which forms part of the principal shopping area in the town centre. It has not been adequately demonstrated that the proposed change of use to Class 2 would maintain the vitality and viability of Kelso town centre. Material considerations, including the vacancy of the unit, have been accounted for but do not outweigh the conflict with Policy ED4.

FOR THE INFORMATION OF THE APPLICANT

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 17/01139/FUL

APPLICANT : Mr Robert McCririck

AGENT : Ferguson Planning

DEVELOPMENT : Change of use from Class 1 (retail) to allow mixed use Class 2 (podiatry clinic) and Class 1 (ancillary retail)

LOCATION: 40-41 The Square
Kelso
Scottish Borders
TD5 7HL

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1:5000 @A4	Location Plan	Refused
EXISTING GF	Existing Layout	Refused
PROPOSED	Floor Plans	Refused
EXISTING FF	Existing Elevations	Refused
PROPOSED	Floor Plans	Refused
1:500 @ A4	Site Plan	Refused

NUMBER OF REPRESENTATIONS: 5

SUMMARY OF REPRESENTATIONS:

17 neighbour notification letters were sent by the Council. Five letters of support were submitted citing:

- Value of property,
- Empty for over a year,
- Employment opportunities,
- Choice and complement existing offer,
- Vibrancy to town centre
- Applicant's pride in community and dedication.
- Empty and unsightly building.
- Increased footfall.
- Foot and ankle services does not currently meet the demand of the local community.

Consultations as follows:

Roads Planning: No objections.

Economic Development: No objection.

1. The premises, although facing onto the Square, are tucked into a corner; with a low profile, location.
2. Vacant and unused for over 1 year and would bring vitality where there has been none, so increasing overall economic activity.
3. Offers employment opportunities.
4. Still offers some retail use.
5. Would appear ideal for this planned new use, with little change to the appearance of the frontage.
6. Increase footfall to these premises, and the town in general, by providing a specialist service.

Kelso and District Amenity Society: Welcome the use. Empty for some time and has sat empty previously for lengthy periods. This type of business would not be detrimental to our historic Square.

Kelso Community Council: Happy to support the plans.

Forward Planning: Ancillary retail operations are noted but the main use is proposed Class 2. Vacancy rate in the town centre of winter 2016 is 5%. Borders average is 11% and the national average is 12%. Kelso remains extremely buoyant compared to other settlements within the Borders and is not at a level which can justify a deviation from policy.

1. Vacancy in excess of a year is noted but that in itself is not an overriding justification.
2. The projection is a proposal to cater for 120-150 clients per week, which on the assumption it will be operated for six days per week. (by approximately 20 people per day) Consequently it will generate relatively low footfall as opposed to any typical class 1 retail use.
3. Barbers, cafe and pharmacies fall within Class 1 or 3.
4. Core Activity Area only relates to safeguarding of retail units along Bridge Street and within the Square (and its immediate vicinity). Parts of nearby Horsemarket, Wood Street and Roxburgh Street would be supported for this use.
5. Class 1 (Travel Agent) to Class 2 (Estate Agent) in the Square (14/00049/FUL) was, similarly, not supported.
6. This is a prominent location within the Core Activity Area.

No circumstances are identified which justify deviation from this well established policy.

Applicant's Supporting Information:

Planning Statement

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD2: Quality Standards
 ED4: Core Activity Areas in Town Centres
 HD3: Protection of Residential Amenity
 EP7: Listed Buildings
 EP9: Conservation Areas
 IS7: Parking Provision and Standards

Supplementary Planning Guidance: Shop fronts and Shop Signs, March 2011.

Recommendation by - Euan Calvert (Assistant Planning Officer) on 17th October 2017

Full planning permission is sought for change of use from Class 1 retail to Class 2 (Professional and Other services). The site is within Kelso Conservation Area and within the Town Centre Boundary, as identified within the Local Development Plan 2016. The property is a Category B Listed Building.

Location and Site

The site, 40–41 The Square, is sited two doors along from the Cross Keys Hotel in a corner site where the adjacent building (42-43) steps forward. The building is a two "house" block appearing with 4-bays. Ground floor shops appear at either side of a central door (with fanlight above). There is a modern fascia to this shopfront (right of centre) which completely disguises this architectural symmetry; the two shop fronts appear to have been were designed independently. The shop features a fully glazed door to centre, hung in an alloy frame flanked by modern (near) full height toughed glass screens. Originally this building featured Tuscan pilasters at ground floor, which would have complemented the street scene, but there is no evidence of this feature now. The unit left of centre is Rutherford's Micro-pub. which features a traditional awning.

History

There is no planning history for this building, despite this significant and poorly characterised modern shopfront on this B Listed Building.

The adjacent unit, Rutherford's Micro Pub, gained approval in 2015 (15/00065/FUL and 15/00074/LBCNN). Cullen Kilshaw Estate Agents at no 43, gained approval on appeal in 2014, (14/00049/FUL), which is the building forward and right of this unit. The return wall immediately to the right of this shop frontage is a door to no 42, which is first floor office suite advertising home care/ home help (Nightingales Home Help Service).

Planning Policy

Class 2 of the Town and Country Planning (Use Classes) (Scotland) Order 1992 allows; "use for the provision of (a) financial services; (b) professional services; or (c) any other services (including use as a betting office); which it is appropriate to provide in a shopping area and where the services are provided principally to visiting members of the public."

There is no permitted development (change) from Class 1 to class 2 and the principle of change of use to Class 2 is resisted by Local Development Plan Policy ED4. Policy ED4 identifies that Core Activity Areas should be protected for Classes 1 (shops) and 3 (food and drink) and other proposed uses will normally be refused. The reason given is to provide flexibility and to maintain vitality and viability in the town retail cores.

The policy does however recognise in some instances there can be an exemption to this presumption. The policy states that with regard to other uses including Class 2, these will be "assessed in terms of their contribution towards the core retail function of the area and will only be acceptable where there is a significant positive contribution to the core retail function".

Proposal

The application offers proposed internal layouts but no Listed Building Consent application has been submitted. No external proposals have been submitted, including details of signage, for this B Listed building.

The ground floor is proposed to be given over as a lounge/waiting/reception, behind the double frontage shop windows. The rear area would be a desk area (no use is indicated) and, in the corner, a private consultation room would be formed by partitions. The stairs would lead to first floor treatment space where a three room layout would remain for consultations/office space and a toilet.

I have visited the site and confirm vacancy of the unit. The fascia panel has been removed leaving an unsightly modern frontage. The sale particulars prepared by Edwin Thompson display 81.57sq m of floorspace over 2 floors as "Double fronted retail unit....two first floor rooms with potential for office use" and this document was prepared on 24/09/2015.

Assessment

The material consideration in this decision is whether this is the appropriate location for this use. Policy ED4 has a presumption of refusal for Class 2 uses unless the merits of submission present otherwise. The following are of material consideration:

1. How the proposed use would contribute to joint shopping trips;

2. Footfall contribution;
3. Current vacancy and footfall rates;
4. Longevity of vacancy;
5. Marketing history;
4. Ability to retain a frontage.

JOINT SHOPPING TRIPS, FOOTFALL CONTRIBUTION AND FOOTFALL RATES

This is the principle reason concern in respect of this proposal. It is accepted that potential clients could make joint shopping trips, however there is clear overriding evidence that this use would function equally successfully in an alternative site outwith the Core Activity Area. You have to look no further than 110m away, at 24 Horsemarket, where change of use was supported for Podiatry in 2014 (14/01163/FUL). It is contended that this particular use does not require a Core Activity Area location.

I find no compelling reason in the Applicant's Supporting Statement to justify this change of use. Granting approval of this Class 2 use would unnecessarily result in the loss of a retail or food and drink use in a Core Activity Area.

The case against this chosen site is clearly stated by the Forward Planning Section; the projected footfall (when fully operational) is 120-150 clients a week. While sounding a high level of footfall in principle, it is actually only 20 clients per day based on a 6 day week. No operating times are given therefore there is no indication that this operation will be during office hours. I cover the subject of appointments below.

Hours of operation are a significant matter in retail core areas and a significant concern when considering joint shopping trips and contribution to footfall. The target market is stated to be walking and running enthusiasts. This suggests that potentially the majority of business would be outwith normal business and shop opening hours. It therefore seems unlikely that clients would take joint shopping trips. I find no valid argument that this proposal will improve vitality and viability of the town's retail core.

In support of current footfall rates, the Council's Footfall Survey 2016 states 'the footfall in Peebles, Kelso and Melrose has generally been steady or increasing in recent years and these towns have low levels of retail unit vacancy. Overall, footfall is up 6% since 2007 and Kelso is considered to be performing well'.

This proposal could set a precedent for similar uses that would over time damage this documented improvement in footfall rates.

Sequential Test

There is no evidence provided which would demonstrate that the Applicant has considered other locations outwith the Core Activity Area. There are vacant premises outwith the Core Activity Area that may be appropriate. Sites close by in Horsemarket, Woodmarket and Roxburgh Street would offer appropriate accommodation for Class 2 uses. I find no requirement for a podiatrist to have a lounge behind a fully glazed shop frontage in a Core Activity Area.

First Floor Use

The plans demonstrate a three room layout at first floor level. Like the adjacent Nightingales Home Help Service, Class 2 use at first floor would not displace essential ground floor retailing space. There is no compelling evidence provided to demonstrate that this ground floor layout has any retail function therefore contributions to the vitality and viability of the town are again considered negligible.

Appointments

I find this to be the most significant issue with this application. It is unlikely that this business would have any means of accepting impromptu clients off the street. The main aim of Core Activity Areas is to encourage public activity within such areas to safeguard areas where retailers are able to display and trade at the convenience of the public.

I conclude that this use is incompatible with the Core Activity Area.

CURRENT VACANCY, MARKETING HISTORY, LONGEVITY OF VACANCY

Letters of supports from the public and from the Council's Economic Development Section highlight the fact that this is a vacant unit and a blight on character and appearance of The Square, which is damaging to the vitality of the town.

I find no weight in this argument. It is a small frontage and Economic Development highlight that it is sited in a corner low profile location.

Vacancy is unfortunately a consequence of the free market economics. Market equilibrium will be reached and a willing trader found. You have to look no further than Fat Face at 12 The Square, Kelso. This is a national brand willing to trade in a small market town. There is increasing market evidence that large companies will choose smaller outlets, like this, over large retail spaces. Large retail spaces are increasingly becoming uncompetitive (due to large overheads) in a market dominated by on-line sales.

I confirm that this unit has been advertised since 24/09/2015. Sale particulars demonstrate it was operating as an interior design shop. Prior to this it operated as a hardware store. I do not find this period of vacancy in itself enough evidence to justify departure from Policy ED4. Forward Planning specifically cite the Scottish Borders vacancy survey of Winter 2016 as being justification to the contrary. The survey identifies vacancy levels at 5% compared to an average of 11% in the Borders and a national average of 12%.

Kelso is "extremely buoyant compared to other settlements within the Borders" and this evidence is unequivocal. The retail vacancy rate in Kelso is not considered to be high enough to justify an exceptional approval contrary to adopted planning policy on Core Activity Areas. I agree with Forward Planning that there is no overriding justification being presented for the loss of Class 1 or Class 3 floorspace within the Core Activity Area.

Ability to Retain a Frontage

The proposed floorplan appears to make no use of the shop frontage as a retail display area, despite "Class 1 ancillary use" being in the application description. Discussion in the Supporting Statement surrounds sale of foot products but there are no figures given as to the volume or proportion of business these sales would comprise. Certainly there is no evidence in the proposed layout of floor area given over to retailing. Economic Development argue that this absence of intervention in the frontage to be a positive point. In the proposed plans, it appears that the applicant would use the window display as a lounge area, with a three seater settee, two armchairs and coffee tables and a reception desk.

I do not agree that such a use of this shop frontage "complements neighbouring commercial and retail uses". I place significant weight on this fact. This layout plan successfully demonstrates that this shopfront would be used as a waiting room. This is historically inaccurate for the B Listed Building and is in direct conflict with Core Activity Areas, which seeks to retain these buildings for retailing and food and drink uses to maintain vitality and viability of Kelso Town Centre.

While this may be an empty and (to some) unsightly building at present, I have reiterate that there are peripheral sites which would better suit this use. This frontage would better suit a retailer with a shop window display offering goods for sale to passing shoppers, thereby providing choice, contributing to footfall and complementing existing offerings in The Square.

I find no overriding material consideration to recommend approval of this application contrary to Policy ED4 in this instance.

Kelso Community Council and Kelso and District Amenity Society support the proposals. KDAS go further to state; "this type of business would not be detrimental to our historic Square". For reasons I highlight above, I find significant issue with this unit becoming Class 2 use.

In response to the representations received, no evidence has been provided by the applicant of this being an employment generating business. I have no evidence of Tweed Podiatrist trading as a business, whether it is a going concern or new start-up. Whether the applicant is local, has pride in Kelso and whether he is dedicated to his work are peripheral matters and not a subject of material consideration for this planning decision.

The Roads Planning Officer has no objection.

REASON FOR DECISION :

The proposed use would be contrary to the primary objective of Policy ED4, which is designed to allow a mix of uses within the Core Activity Area of the town centre that is limited to those within Classes 1 and 3. This proposal for a Class 2 use would not contribute directly to the core retail function of the town centre. It would not contribute as positively (to The Square) as a unit with sole retailing use on ground floor.

Recommendation: Refused

- 1 The proposed change of use from Class 1 (Shop) to Class 2 (Financial, Professional and Other Services) would be contrary to Policy ED4 of the Local Development Plan 2016 in that the use of the premises as a podiatry clinic would result in the loss of prime retail floorspace in a prominent location and introduce a non-retail/food and drink use within the Core Activity Area in Kelso, which forms part of the principal shopping area in the town centre. It has not been adequately demonstrated that the proposed change of use to Class 2 would maintain the vitality and viability of Kelso town centre. Material considerations, including the vacancy of the unit, have been accounted for but do not outweigh the conflict with Policy ED4.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.

CONNECTED BORDERS

2017-2022

The vision of Scottish Borders Council's Administration

“ Our vision
for delivering better
communities ”



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CONNECTED BORDERS 2017-2022

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SCOTTISH BORDERS CONNECTED BORDERS 2017-2022

CONNECTED BORDERS

“ Our vision for delivering better communities ”

This document presents the Administration of Scottish Borders Council's vision for the next 5 years (2017 – 2022). As well as stating the key principles that will guide our work it articulates the type of communities we want to create and the progress that needs to be made in order to achieve a more Connected Borders.

INTRODUCTION

The Scottish Borders is an area of outstanding beauty. As a community we are surrounded by beautiful countryside, historic towns, a manufacturing heritage and close community ties. Challenges include developing and growing as an area while holding these things at the heart of that development, and building on our strengths while ensuring that the vulnerable and marginalised are included and considered in every action that we take. Together we need to ensure that no-one and no community is left behind but that we grow and develop together.

As Administration Councillors we are excited about what the next five years hold for the Borders; there are significant amounts of investment on the horizon to develop our economic base, to build new industry and provide new opportunities. Our communities have the skills, ambition and sense of purpose to lead the Scottish Borders into the future, a future that delivers economic growth and sustainable development, a future that builds our communities into strong, energetic towns and villages.

Our commitments are based on four key principles;

- **Consensus** – all of the councillors in Scottish Borders Council were invited to be involved in developing this vision.
- **Equality** – everyone in the Scottish Borders has the right to be treated equally, with respect and with fairness.
- **Innovation** – we must innovate to meet the needs of our changing economic and social environment.
- **Community** – we are nothing if we are not a community, and our community is our greatest strength.

IN SUMMARY, OVER THE NEXT FIVE YEARS WE WILL BUILD COMMUNITIES THAT ARE:





01. CONNECTED COMMUNITIES

WHY IS THIS IMPORTANT?

Earnings for those working in the Scottish Borders are the lowest of any local authority in Scotland.¹ In order to achieve sustainable growth, communications throughout the Borders must improve. Scottish Borders Council (SBC) needs to invest in our roads and will lobby the Scottish Government to ensure that funds are available to upgrade our infrastructure.

SBC recently received Strategic Timber Transport Funding towards addressing the damage done by the haulage of timber. We want to see this principle extended to other industries which adversely impact our roads and will do this by building stronger partnerships with industry ensuring that these issues are tackled at the start of projects.

The Borders Railway has been a very successful project for the Scottish Borders with over 1.3 million passenger journeys in the first 12 months of operation. When comparing the first six months of 2016 (after the railway opened in September 2015) to the first six months of 2015 (when there was no railway) there was a:²



But we remain ambitious. We want to see the railway extended to Hawick and beyond, with proposals developed for extending the line to Carlisle. The benefits that the railway has brought to Galashiels and Tweedbank can, and should, be extended to other communities in the Borders.

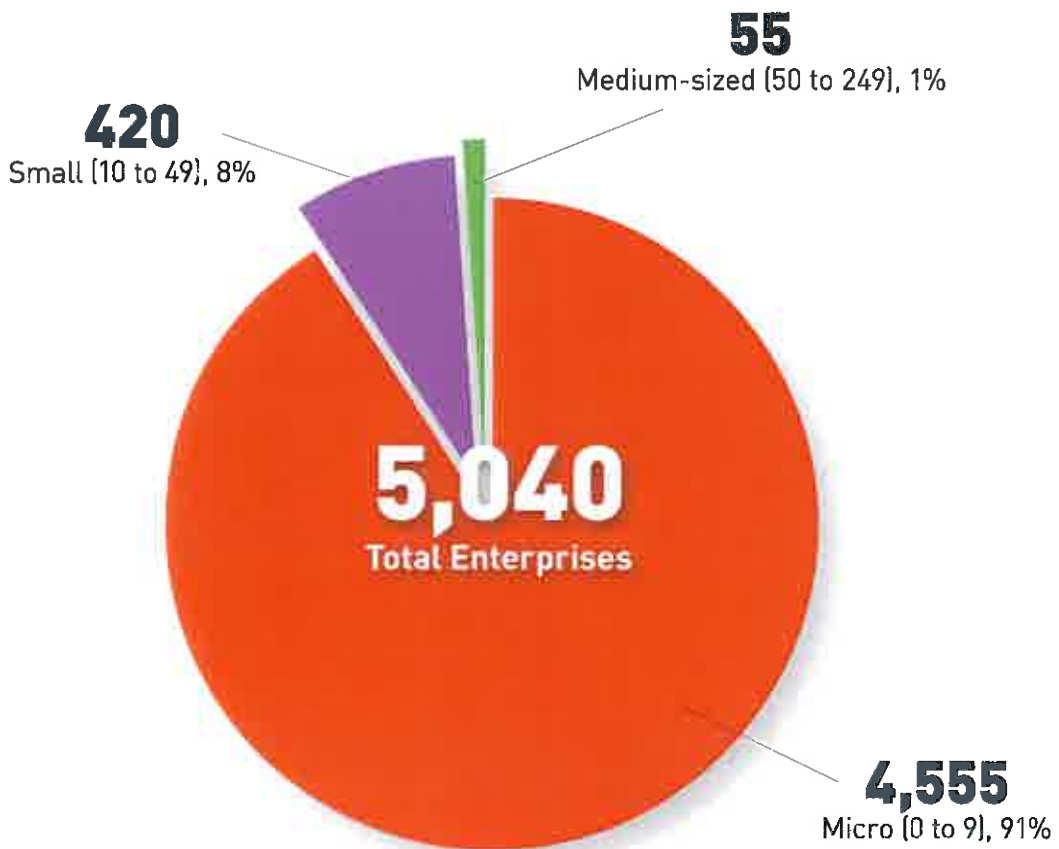
Despite significant investment, many of our residents and businesses often still suffer from exceptionally poor digital connections including poor broadband and patchy/low quality mobile coverage. To build our business base and make the Borders a place people choose to live, work and invest in, our businesses require the best possible access to good connectivity. In 2016 there were 5,040 businesses of which 91% (4,555) were Micro Businesses (0 to 9 employees), 8% were Small Businesses (10 to 49 employees), the remaining 1% of businesses had 50 employees or more.³

¹ Based on median gross weekly earnings, from 2016 Annual Survey of Hours and Earnings (ONS/NOMIS 2017)

² STEAM (Scottish Tourism Economic Activity Monitor)

³ NOMIS - ONS

BUSINESS COUNTS (ENTERPRISE) IN THE SCOTTISH BORDERS IN 2016



We have seen big gains in access to fibre broadband in recent years but some communities – particularly in rural areas - are still missing out. Over the next five years the Council will put pressure on the telecommunications firms and the Scottish Government to ensure that the Borders becomes one of the best connected places to live or do business and a leader in broadband provision in Scotland.

WE WILL:

- Fully support:
 - the case for the feasibility study into the extension of the railway to Hawick and Carlisle, taking into account the Scottish Government's current Borders Transport Corridors Study;
 - the delivery of a local rail service between Edinburgh and Berwick-upon-Tweed including a new station facility at Reston in Eastern Berwickshire.
- Building on SBC's Digital Connectivity Programme, work with the telecommunications industry to improve connectivity and Broadband,
- Protect our roads budget and deliver significant road improvements over the next five years using the Council's Capital programme
- Defend the provision of local public bus services in the Borders



02. COMMUNITIES OF ENTERPRISE

WHY IS THIS IMPORTANT?

There are three main initiatives that will come to fruition over the next five years, impacting on the economic development of the Scottish Borders as a whole:

- The South of Scotland Enterprise Agency, set up on a similar basis to the Highlands and Islands Enterprise will bring a significant investment and support to business;
- The Borderlands Initiative will bring together Northumberland, Carlisle, Cumbria, Dumfries and Galloway and the Scottish Borders to work collaboratively on cross border initiatives such as tourism;
- The South East Scotland City Deal, announced in July this will bring investment to the Borders for business.

These all represent significant investment into the Borders to improve, expand and develop our skills, infrastructure and economic base. Not only will SBC be supporting our existing businesses to grow and develop but we will be encouraging new business and industry to develop in the Borders. We will be working with partners such as the Chamber of Commerce, Social Enterprise Chamber and Federation of Small Business, as well as Business Gateway, to maximise the benefits that will accrue from this investment.

According to the 2011 Census 16% of people aged 16 to 74 in employment work mainly at or from home. Additionally, 22% of the working population who live in the Scottish Borders work out with the Scottish Borders (e.g. Edinburgh or Berwick-Upon-Tweed). We need to ensure that connectivity is as good as it can be for these groups, whether that is digital or physical.

When new sites are identified for development, it is essential that adequate consideration is given for enterprise and economic development as well as residential development. Joined-up thinking is required when it comes to town and community planning, making sure that appropriate services and opportunities are provided for our communities and residents. There is a clear need for smaller communities to have their own designated employment land and the new Local Development Plan will address this.

Social enterprises make a significant contribution to the Scottish economy³, with an estimated Gross Value Added (GVA) of £1.68bn. In 2015 there were 195 social enterprises in the Scottish Borders, about 4% of the total for Scotland (5,000). If the Scottish Borders proportion of the GVA was equal to the proportion of social enterprise, then social enterprises in the Scottish Borders contribute £67.2m to the Scottish Borders economy. There are more social enterprises per 1,000

³ Social Enterprise in Scotland Census 2015 - <http://www.socialenterprisescotland.org.uk/policy/180>

people in the Scottish Borders (1.7) compared to Scotland (1.0). This is a relatively new innovation when it comes to business models and one that as a Council we should explore and build on. Social enterprise companies work for the benefit of all of our communities and we will do all that we can to support them.

WE WILL:

- Work with partners to maximise significant investment in our area through the Borderlands initiative and the Edinburgh and South East Scotland City Region Deal
- Ensure that the developing South of Scotland Enterprise Agency supports new and existing business and attracts investment to our area
- Produce a new Local Development Plan with a focus on delivering land for enterprise and promote this to business to attract new industries to the Scottish Borders
- Encourage new and existing businesses and public sector partners to pay the living wage

³ Social Enterprise in Scotland Census 2015 - <http://www.socialenterprisescotland.org.uk/policy/180>



03. COMMUNITIES OF BEAUTY

WHY IS THIS IMPORTANT?

Our **town centres** are great local assets where we connect with local services and facilities but many face challenges as patterns of retail change and shoppers use online services or large out of town supermarkets. Low 'footfall' in many towns results in some premises being left empty altogether. As a Council we will adapt the Local Development Plan to promote diversification in town centres that encourages new and existing businesses to flourish by making it easier for a greater variety of business types to set up, including specialist retailers, offices, tourist businesses, cafes and restaurants.

The **Borders' built and natural environment** is not just valuable in itself – it is a key economic asset that is vital to attract new jobs and investment in the modern economy. It follows that our economy depends on maintaining and enhancing the quality of our environment, and all new development should have that aim in mind. SBC will aim for the highest standards of design quality in terms of architecture, spacing and context to encourage new building that enhances our surroundings, either reflecting the architectural traditions of the Borders or introducing exciting new designs. SBC will encourage diversity and innovation in design to promote a full range of housing and a continued focus on providing affordable housing. But there should be particular emphasis on those areas that have a low supply but high demand for this type of accommodation.

In recent times, much new housing in the Borders has been built within or adjacent to existing settlements. The new Local Development Plan will aim to encourage smaller developers and new building across the Borders taking account of existing pressures on the infrastructure of existing towns and villages. The emphasis for all development - commercial or residential - will be on its quality of design and the context of its surroundings. The new Local Development Plan will also encourage opportunities to deliver new developments to the highest standards of design. Making the best use of new and existing infrastructure and provide sites for affordable housing.

SBC's Planning Service will continue to work to provide the best possible service to developers and planning applicants, ensuring swift resolution of applications, a clear process, and low costs, particularly for small developers and businesses.

A great part of ensuring our communities retain their beauty and character is to look after our natural environment. The Household Recycling rate for the Borders has increased slightly from 36.3% in Q1 of 2015 to 39.0% in Q4 of 2016. However, the Scottish Borders recycling rate is below the Scottish average of 44% although compares favourably to other similar rural councils.⁴ Future actions include improving access to community recycling centres.

Our Neighbourhood Teams do an outstanding job in keeping our Borders towns looking their best and working with local community groups to deliver festivals and other events. A great deal of time is spent on cutting grass, verges and annual planting. We hope to pilot an initiative whereby the Council works closely with communities to develop a way of managing communal land to increase bio-diversity and improve the whole environment.

The history, culture and activities that we offer are great assets. Tourism is critical for many businesses working and operating in the Borders and as a Council we will do all that we can to enhance and build on this. From considering the signage that is used in our towns, to how this area is marketed both within the UK and abroad we can promote the Scottish Borders as an exciting destination.

WE WILL:

- Diversify our town centres through better use of our planning regulations
- Take an innovative approach to new housing development, encouraging smaller, better placed developments
- Continue to deliver affordable homes in areas that need them the most, guided by the Local Housing Strategy (developed in partnership with Registered Social Landlords)
- Implement a new Waste Management Strategy to improve recycling rates
- Building on SBC's localities work, pilot a biodiversity project to manage communal land, opening it up for more innovative approaches to enhancing our communities

⁴ LGBF - <http://www.improvementservice.org.uk/benchmarking/tool.html>



04. COMMUNITIES OF WELLBEING

WHY IS THIS IMPORTANT?

Education should not only be about schools; we need to consider how our communities develop whether you are 2 or 102. Our Community Learning and Development (CLD) Teams throughout the Borders are doing a fantastic job in listening to our communities and delivering educational opportunities, for example, through developing the Early Years Programme or working with partners to deliver “Men’s Sheds”, and many other projects. This valuable work will continue and grow over the next five years.

As part of this we need to consider our buildings that provide our educational services. Over the next five years we will continue to maintain and deliver an improved schools estate throughout the Borders, ensuring that it is fit for purpose for the next generation. Our flagship project in Jedburgh will be delivered, in partnership with the community, to improve and enhance the educational establishment in that town. However other major Borders towns have high schools that require attention and we will deliver on the Schools Review that is under way. This programme will continue in line with the Council’s commitment to provide centres of excellence for our young people.

Partnership working is the driving force behind ensuring that the Borders remains a **safe place to live, work and visit**. We are committed to resolving the problems that adversely impact the safety and security of our communities working with others to tackle key areas such as the:



We will target substance abuse and its detrimental impact on the health and wellbeing of the vulnerable in our community.

The Borders is acknowledged as one of the safest communities in the country, an enviable position and one that we must fight to retain.

Live Borders was established in April 2016 and has been delivering **sporting and cultural services** since that date. During a period of significant financial pressure, the services that have been delivered on the ground have been maintained to a high standard. Over the next five years we will be working with Live Borders to enhance the cultural focus of our Border towns. The history and depth of our culture and traditions should be cherished and built on. The regeneration of the towns of the Borders has to include cultural regeneration as well as economic regeneration and local plans have to reflect that.

There is a growing network of multi-use paths being developed across the region and we will continue to work with national partners to deliver and increase them to encourage **active travel**. As cycling becomes more and more popular we will work to ensure that significant events such as the Tour of Britain and Tweedlove continue to thrive, bringing major investment, increased tourism and new interest in our region. Key partnerships with local cycling clubs, the Forestry Commission and The Mountain Bike Centre of Scotland are essential to ensuring that the Borders continues to be seen as the UK's premier biking destination.

Over the next five years, this Council will make significant progress in developing services to improve teenage mental health. We will look at models of prevention and treatment and work with partners to deliver improved services in the most relevant context, whether that is in schools or health facilities. We will work to ensure that every young person who requires counselling has access to it, that primary schools are identifying "at risk" young people at an early age, and that our partners are equipped to deliver services that address these issues.

WE WILL:

- Take a "whole community" approach to education (whether you are 2 or 102) to raise attainment, "close the gap" and provide opportunity for everyone
- work with police and local organisations to deliver an extensive project on substance abuse and its impact on mental health
- ensure that our town centre regeneration programme includes an increase in cultural centres as well as an economic focus
- continue to work with Sustrans to deliver multi-use paths across the region
- with partners, deliver improved mental health support to our most vulnerable young people across the Borders

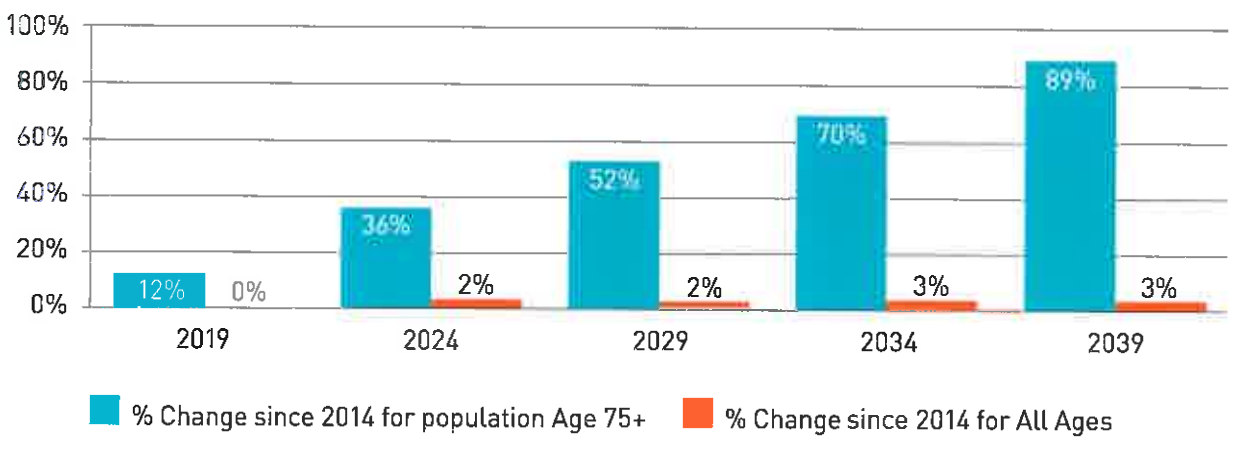


05. COMMUNITIES OF CARING

WHY IS THIS IMPORTANT?

Appropriate care for the elderly is critical as projections suggest that the number of people aged 75+ in the Scottish Borders will increase by 10,353 (89%) between 2014 and 2039, compared to a 3,080 (3%) increase for the total population.

PROJECTED % CHANGE IN POPULATION FOR AGED 75+ COMPARED TO ALL AGES FOR THE SCOTTISH BORDERS, NRS



As a community, we must act now to address this, or we will leave a much bigger issue for future generations to resolve. This is not just an issue for the Council but also for the Third Sector, housing associations, NHS Borders and other partners.

Of particular concern are those elderly people – and their carers - who will be living with dementia. There needs to be a clear patient pathway for those who have been diagnosed with dementia through diagnosis and treatment to a tiered layer of support available when they reach each stage. As a Council we will work with partners to deliver services that will be focused on each person's needs, ensuring that people do not have to struggle to access the care they require and that they can be confident it will be in place when they need it.

Working with partners in the Third Sector, we want to develop plans for prevention and early intervention. There are many fantastic projects that deliver family support, mentoring, education and maternal support. These need to be encouraged, developed and supported to ensure that the needs of our families are being met at an early stage.

WE WILL:

- Ensure that patient pathways are developed for elderly people so the journey of care from first diagnosis to palliative care is clear
- Embed the focus of our family support services to early intervention and mentoring, with a strong focus on early years support and parenting



06. COMMUNITIES THAT ARE EMPOWERED

WHY IS THIS IMPORTANT?

Over the next five years, this Council is committed to being transparent and open. We want communities to engage as much as possible with their local councillors, community councils, community trusts and the many other organisations that exist within our communities, collaborating to build a better Borders.

The Community Empowerment (Scotland) Act 2015 means that communities can have a much greater voice in how councils are run, how services are delivered and how council facilities meet the needs of the local communities in which they are located. This is a welcome and exciting development.

One of the key innovations introduced by the Act is “Participatory Budgeting”, whereby communities will help to decide how funds are spent. This process will be administered by new Area Partnerships (which are replacing Area Forums) and will deliver local decision making and offer a real voice to local community groups. They will have identifiable powers and be able to make a real impact on their local areas.

WE WILL:

- Introduce Area Partnerships to replace Area Forums to bring decision making closer to local communities
- Implement Participatory Budgeting for community projects (through the Area Partnerships) so that communities have a say on what is spent in their local area

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