

Peebles Community Council Chairman – Ballantyne place

PCC Chair, Peter Maudsley has asked that this statement be read out.

When the residents of Ballantyne Place bought their properties from the developer, they were provided with deeds. Deeds are legal documents, a form of contract, that proves ownership and details any legal rights and covenants. The Ballantyne Place deeds in layman's terms promise that the homeowners will have a play park, so children do not have to play on the road. This is the land that is now being debated.

Setting Michael Marshall's strong legal argument aside, similar applications for the site have been refused in the past.

The refusal of a previous application in 2020 went to appeal and SBC's Planning Committee decision was fully endorsed by the Scottish Government reporter who noted amongst other things

- The site provides the only break in the otherwise dominating presence of built development.
- the opportunities afforded for passive recreation are of great importance.
- There is conflict with the second criterion of Policy PMD5.
- The loss of the only area of open space within this development conflicts with Policy PMD2.
- It is contrary to policy HD3 due to the adverse impact it would have upon the amenity of the existing development.
- It qualifies for protection under Policy EP11
- The proposal is contrary to that policy because there is no demonstrable social, economic or community justification for its loss, or evidence that the need for an additional two homes outweighs the need to retain the only area of open space

Despite, the failure of the developer to honour the promises within the deeds, the homeowners at their own cost and labour produced a community garden which drew favourable comment from the government reporter. However, having lost his appeal, the developer cynically took a bulldozer and destroyed the residents garden leaving a bomb site which remained because the residents were frightened and had seemingly wasted their efforts.

Subsequently, John Hayward, SBC's Planning and Development Standards Manager, summarised in an email to an elected councillor dated 03 March 2022 "our view is that there is adequate protection of the space arising from the existing policy".

If you approve this application, you tacitly agree that

- Property deeds are worthless, and a ruthless developer can effectively do what he likes
- That the SBC Planning Committee in 2020 were wrong not to approve the application
- That the Government Reporter was wrong not to overturn SBC's decision

Peebles Community Council Chairman – Ballantyne place

- That SBC's word written by John Hayward to an elected councillor was worthless
- And that the destruction of a community garden with a bulldozer was justified.

If you believe all that, then yes go ahead and approve the application.