

Peebles & District Community Council

Planning Report

Thu 8 January 2026

Planning Reports represent the views of the Community Council (whereas Draft Planning Reports represent the views of the writer).

Key: **Red – important**; **Blue – new**; Black – unchanged since last report.
For those who wish to study more detail, [hyperlinks](#) have been provided.

1.0 General

- 1.1 **Caledonian Court (previously Tweedbridge)** – In progress
- 1.2 **Baptist Church Building** – Being taken forward by [Tweed Valley Community Collective](#)
- 1.3 **Victoria Park Centre** – No change
- 1.4 **Old Science Block, Peebles High School** – SBC noted the proposal (item 11, [21 Aug 2025 agenda](#)) from the Capital Investment Program Board “to demolish the surplus Science Block at Peebles High School.” Condition 2 of permission [22/00271/FUL](#) requires re-use of the Science Block. **PCC expected a new planning application for demolition, but SBC advises that demolition of the science block is an appropriate form of re-use and their statement to that effect gives permission for demolition. That rationale appears not to accord with the principle under planning law that conditions cannot be used to change the nature of permitted development (see [report](#)). Recommend no action because of the need for the school.**
- 1.5 **Is SBC abiding by the Habitats Regulations?** (See section 5 [Nov 2025](#).)
SBC’s own guidance says: “**Before** considering whether or not to approve a planning application, Planning Authorities must establish whether European Protected Species (EPS), such as [bats/otters](#), are present on development sites and what the implications of this might be.”
The legal standard requires rejection of proposals unless it has been proved, on the basis of objective information and beyond reasonable scientific doubt, that there will be no adverse effect on site integrity.
 - 1.5.1 PCC is concerned that, given the lack of Habitats Regulations Appraisal (HRA), the recent South Parks storage permission appeared to not follow SBC guidance and may have breached Habitats Regulations (see section 5.1 [Nov 2025](#).)
Awaiting promised review outcome.
 - 1.5.2 The **Environmental Rights Centre for Scotland (ERCS)** wrote to SBC explaining the legal requirement for HRA for Kingsmeadows & that in their view approval would give grounds for judicial review. SBC confirmed no HRA has been performed for Kingsmeadows. 17 Nov 2011 [PCC complained to SBC](#) re: environmental protection legal compliance. SBC appears to be listening (see 2.1.9 below).
- 1.6 **Is SBC abiding by the Planning Act?**
Concerns planners had misinterpreted the law led SBC to defer section 42 application 24/00030/FUL from 3 June 2024 planning committee meeting on advice of the chief legal officer (refusing that application in Dec 2024). ERCS advise that misunderstanding of section 42 also plays a role in poor decision making in respect of HRA for Kingsmeadows and have referred SBC to legal advice provided by Harper Macleod dated 26 Mar 2024. Harper Macleod’s advice (e.g. that the Kingsmeadows S.42 applications are invalid and cannot be considered) was not mentioned in the officers’ reports or answered by SBC Legal Services.

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- 1.6.1 PCC notes its concern that Harper Macleod advice not included in officers' reports in view of its obvious importance.
Cllrs Pirone and Tattler raising this with SBC.
- 1.6.2 The play area at Ballantyne Place is protected by a condition of the original 2002 permission for 28 homes. PCC argued that planners appear not to have the power to change that condition now those 28 homes are built. PCC asked SBC to clarify the law and reject the application to build on the play park on that basis (or restart the consultation). Despite promising a full response to the issues raised with the benefit of legal advice from Council's Legal Services team, no explanation was provided. SBC approved the application 3 Nov 2025. The only way to challenge the approval is via judicial review. For details and references, See section 2.2 [Nov 2025](#).
PCC awaits the response from SBC Legal Services promised 14 Aug 2025 and requests a meeting.
- 1.6.3 The issues raised and precedent set by the Ballantyne Place decision may be relevant to protection of green space and play areas across the Borders. An [FOI request](#) identified 10 planning permissions granted within the last 2 years modifying conditions on completed developments. [PCC wrote to SBC Legal 10 Sep 2025](#) asking whether this is within SBC's power.
PCC awaits response from SBC Legal Services. Meeting requests unanswered.

2.0 Planning Applications – Current Interest

- 2.1 **Variation of conditions of expired Planning Permission in Principle (PPP) – Kingsmeadows House (Granton Homes).** 3 requests for renewed PPP with changes to conditions. [24/00030/FUL](#) ([condition 2](#)) **Refused.** [24/00031/FUL](#) ([condition 7](#)) **Planners decide to refuse, appealed before decision issued.** [24/00247/FUL](#) ([conditions 2&7](#)) **Awaiting decision.**
 - 2.1.1 Circa 250 objections, including from this Community Council.
 - 2.1.2 26 Mar 2024 [Harper Macleod legal advice](#) section 42 cannot be used to renew expired Planning Permission in Principle [19/00182/PPP](#).
 - 2.1.3 9 Dec 2024 [planning committee refuse](#) [24/00030/FUL](#).
 - 2.1.4 20 Dec 2024 [PCC submission](#) calls for rejection of [24/00031/FUL](#) & [24/00247/FUL](#) for consistency with [24/00030/FUL](#).
 - 2.1.5 9 Jul 2025 [ERCS writes to SBC](#) over Habitats Regs concerns and whether these applications will be approved without proper prior consideration of the potential effects on the River Tweed SAC.
 - 2.1.6 14 Jul 2025 [SBC refuse to publish ERCS letter](#) but promise a reply.
 - 2.1.7 21 July 2025 [PCC objects](#) based on NatureScot & Ecologist replies
 - 2.1.8 29 July 2025 [Peebles Civic Society objects](#) on same grounds.
 - 2.1.9 22 Sep 2025 [SBC tell Granton](#) "a recommendation would be made under delegated powers to refuse permission" (published 25 Nov).
 - 2.1.10 17 Oct 2025 [SBC confirm to ERCS](#) that HRA not carried out.
 - 2.1.11 3 Nov 2025 [ERCS write to SBC](#) warning of potential breach of the Habitats Regulations asking if "Council will reconsider its position."
 - 2.1.12 24 Nov 2025 Granton appeal non-determination of [24/00031/FUL](#) to DPEA, case [PPA-140-2109](#) (SBC ref [25/00040/NONDET](#)).

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- 2.1.13 11 Dec 2025 DPEA advise they have no jurisdiction to hear appeal.
- 2.1.14 31 Dec 2025 [PCC object to 24/00247/FUL](#) (per appeal, see 2.2)
- 2.2 [25/00041/RNNDT](#) – appeal of 24/00031/FUL (section 42 request to vary condition 7 of expired planning permission 19/00182/PPP) – grounds of Kingsmeadows House (Granton Homes). SBC Local Review Board (LRB).
- 2.2.1 10 Dec 2025 Granton appeal non-determination of [24/00031/FUL](#) (which is now deemed to have been refused) to SBC LRB.
- 2.2.2 28 Dec 2025 [PCC submit consolidated objection](#) covering all issues
- Tweed SAC/SSSI, European and Nationally Protected Species.
 - Ancient Tree Inventory – 37 notable and 3 veteran trees at risk.
 - Development is in the flood plain, against SEPA policy.
 - Luxury flats don't help SBC's affordable housing emergency.
 - No valid ecology, tree or flood reports to support application.
 - [Community's expert arboriculturist reports](#) serious flaws¹ in all developer assessments. Unacceptable tree loss requires refusal
 - [Community's expert ecologist reports](#) serious ecology flaws², urging refusal to protect entire woodland and conservation area.
 - Those flaws indicate the proposal for flats has never had proper tree or ecology assessments – until now. E.g. original approval granted without assessment by SBC ecologist or tree officer.
 - These issues breach 22 separate policies in LDP2 and NPF4, explaining each breach (for inclusion as refusal reasons).
 - ERCS solicitor warns approval breaches Habitats Regulations.
 - Harper Macleod solicitors warn section 42 requires refusal.
- 2.2.3 6 Jan 2025 LRB clerk confirms representations received in time – though not yet published (required by [Regulation 11](#)).
- 2.2.4 Granton have a minimum of 2 weeks to comment.
- 2.2.5 23 Feb 2025, 10am, SBC HQ, [LRB decision meeting](#)

3.0 New Planning Applications

Coordinate with Peebles Civic Society (PCS) and submit consultation responses to maximize benefit for Peebles:

- 3.1 [25/01666/FUL](#) & [25/01667/LBC](#) – **Repairs to Porte-Cochere, replace glazed cupola and frame, and repairs to decayed timbers/structure – Peebles Hotel Hydro Innerleithen Road.** Entrance canopy to hotel. Informal pre-application conversations on telephone and on-site with Planning Officer and Heritage and Design Officer. Advice given was a clear preference to retain and repair the existing porte-cochere structure as far as possible (May 2025). Support PCS' view that existing structures should be restored rather than replaced.
- 3.2 [25/01879/FUL](#) – **Erection of 3 no holiday accommodation pods – Land East of Park Hotel Innerleithen Road.** 3 new holiday accommodation pods. The concept is that three units located in part of the garden area, hedges are added to the existing good landscape structure to provide pockets for the units and some privacy. The feel is potting shed,

¹ Missing AIA (i.e. tree loss not shown), missing AMS (i.e. road construction appears impossible), wrong site, etc.

² Otters significantly under recorded, bat impact demonstrably not assessed, no HRA, questionable bird survey, etc

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greenhouse. South facing decks face away from the public road and existing Hotel car park. Solar PV and heatpumps would provide heating, very highly insulated units with minimal running costs [design statement].

No action is recommended on the following, subject to PCC agreement:

- 3.3 **25/01894/FUL & 25/01893/LBC – Alterations to improve access with new entrance and reception space and refurbishment of facilities throughout building – Chambers Institute Museum High Street.**
Proposed alterations to the Chambers Institution building to improve access, including a new entrance and reception area, a lift serving all floors, and upgraded facilities throughout the building, including additional WCs. Category A listed building LB39180. There is an extensive Conservation Management Plan and Design and Access Statement available via the portal (these are highly recommended).
- 3.4 **25/01793/FUL – Extension to dwellinghouse – The Cairn Haystoun Avenue.** Single and two storey side and rear extension to create open plan kitchen/dining and utility at ground floor and additional bedroom with en-suite at first floor with lift access. Substantial addition, solar panels. Neighbour supports with request to minimise ASHP noise.
- 3.5 **25/01805/FUL – Alterations and extension to dwellinghouse – Pathend 29 - 1 Eastgate.** Demolition of existing conservatory and extension and proposed single storey rear extension to create open plan kitchen /dining/living space and utility room.
- 3.6 **25/01838/FUL – Alterations to from vehicle repair workshop and associated works – Boiler House and Engine House Ballantyne Place March Street.** Proposed vehicle repair workshop and associated works. Contaminated land officer proposes condition to require assessment and remediation of contamination (if any, from past use as mill).
- 3.7 **25/01853/FUL – Alterations and extension to dwellinghouse – Herdsbrae 49 Edderston Road.** Alter and extend house to provide rear facing dormers and balcony. Replace glazed porch. Install rear deck and factory fabricated stainless steel chimney.
- 3.8 **25/01927/FUL – Siting of sauna building – Forest Holidays Land North of Linnburn Farmhouse.** Mobile sauna unit with decking area to compliment self-catering accommodation at this location. The sauna will sit in a small clearing, away from the cabins and set back from the access track, in an area predominantly covered by mature Stika Spruce.
- 3.9 **26/00011/TCA – Work to trees – Priors Reach Kingsmeadows Road.** 8 trees to be felled: health; risk to home; storm damage; instability; disease (ash die back); overhanging main road.

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4.0 Planning Applications – Wind Farms³

Wind Farm applications are long-running and decided by the Energy Consents Unit (ECU) under [section 36 of the Electricity Act](#), with SBC acting as a consultee.

4.1 [Leithenwater](#) – [24/00512/S36](#) / [ECU00004619](#) – SBC S36 deadline 2 Jul 2025. Awaiting decision.

4.1.1 5 Jul 2024 [RSPB requests](#) 3 turbines deleted or moved, disagreeing with EIA report findings on impact to golden eagle⁴ and citing impact to (red-listed) Black Grouse and breeding Curlew.

4.1.2 1 Aug 2024 landowner [Raeshaw Farms object](#), citing multiple NPF4 policy failures e.g. “policy [3 biodiversity] requirement for betterment”

4.1.3 23 Oct 2024 [Belltown Power reject RSPB’s request](#) “NatureScot did not raise any concerns” (see [NatureScot’s advice](#) 15 Jul 2024).

4.1.4 14 Nov 2024 [PCC supports Leithenwater](#), subject to the advice of SSGEP & RSPB being followed.

4.1.5 18 Dec 2024 Scottish Rights of Way and Access Society ([ScotWays](#)) [object](#), asking turbines to be placed blade tip height [here 180-200m] from any road or public right of way – not 20m as proposed.

4.1.6 31 Jan 2025 SBC Ecology Officer raises concerns re: golden eagles. Requests turbines 11-13 reduced in number or moved.

4.1.7 6 May 2025 SBC Landscape Architect objects. Impacts on National Scenic Area (NSA) and surrounding Special Landscape Areas (SLAs) are unacceptable. Suggests reduction in turbine height, removal of turbines 11-13 and relocation of turbine 1.

4.1.8 18 Dec 2025 Supplementary Environmental Information (SEI) from [LUC](#) on behalf of Belltown Power finds “No significant effects on golden eagle are predicted ... and the findings of Chapter 8 of the EIA Report remain unchanged”, disagreeing with RSPB, SBC’s ecologist and RUN (who previously advised of a substantive change to the golden eagle baseline). Awaiting expert comments on SEI.

4.2 [Scawd Law](#) – [23/00013/S36](#) / [ECU00002111](#) – SBC S36 decision deadline 2 Feb 2026.

[South of Scotland Golden Eagle Project](#) (SSGEP) [has objected](#) to the entire Scawd Law project on the grounds it is incompatible with the reintroduction of Eagles in the South of Scotland.

NB: It is an offence⁵ to interfere with Golden Eagle nests or prevent any wild bird from using its nest in Scotland.

Neighbouring Community Councils of [Clovenfords](#), [Heriot](#), [Stow](#) and [Walkerburn](#) object (issues include: need; harm to Eagles; damage to peat; visual impact; landscape). [Innerleithen](#) Community Council supports.

4.2.1 20 Feb 2023 [Walkerburn and District Community Council paper](#).

4.2.2 19 Sep 2023 [Rt Hon David Mundell MP objects](#).

4.2.3 2 Feb 2024 [NatureScot strongly advise turbines 7 & 8 removed](#) from ridge to protect golden eagles⁴/meet NPF4 biodiversity policy.

³ Information on Community Benefits and Community Ownership available in the [Scottish Government Good Practice Principles](#) and the [Local Energy Scotland](#) website

⁴ Restoring Upland Nature (RUN) South of Scotland Golden Eagle Project [golden eagle strikes wind farm Galloway](#)

⁵ Section 1(1)(ba) of the [Wildlife and Countryside Act 1981](#) as it applies in Scotland, i.e. as amended by the [Nature Conservation \(Scotland\) Act 2004](#).

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- 4.2.4 25 Feb 2025 Further environmental information (FEI) submitted re: impact to eagles and the potential removal of turbines 7 & 8.
- 4.2.5 8 May 2025 [PCC objects](#) on same grounds as SSGEP & other CCs
- 4.2.6 29 Oct 2025 SBC decision deadline extended until 14 Jan 2026.
- 4.3 **[Cloich Forest](#) – [21/01134/S36](#) / [ECU00003288](#)** – Awaiting decision.
 - 4.3.1 25 Apr 2023 SBC do not object provided Turbine 12 is relocated to a lower position within the site
 - 4.3.2 2 Sep 2024 [Howgate Community Council](#) submissions
 - 4.3.3 6 Sep 2024 [Midlothian Council objects](#) on biodiversity, landscape and transport (route pinch points) grounds especially at Howgate.

5.0 Apparently stalled Planning Applications

These planning applications appear to have stalled (they will be returned to section 2.0 if there is activity):

- 5.1 **Edderston Farm change of use to Events Venue** – [21/01327/FUL](#) – Awaiting decision. No change since 21 July 2023
- 5.2 **Twenty dwellinghouses, Land West of Horsbrugh Ford** – [19/00332/FUL](#). Development appears stalled.
 - 5.2.1 Jul 2025 Eildon aware but site does not fit development profile. SBHA report risk and asking price prohibit involvement.
 - 5.2.2 Jun 2025 The development plot is said to be back on the market as the previous developer has run out of funding.
 - 5.2.3 The developer wrote (see [Jan report](#)) to confirm that work on site will resume shortly, with completion currently expected end 2025.

6.0 Previous Planning Applications removed from report

No ongoing interest to PCC:

- 6.1 [25/01814/PPP](#) – Demolition of workshop and erection of dwellinghouse – Workshop 10 Eshiels Holdings. Planning Permission in Principle without details of layout, scale, design and appearance (will need detailed approval in future). Utilising current access. Submitted Tree Survey / Arboricultural Impact Assessment is in fact a quote. Three Category A English oak trees line the southern boundary. This is the old bowling hut at Thrie Oaks – but has not been used as such since 2012. Community interest to buy ceased a decade ago.
- 6.2 [25/01668/FUL](#) – Formation of access ramp – 9 Cleland Avenue. Proposed disabled access ramp.
- 6.3 [25/01747/FUL](#) – Extension to dwellinghouse to form garage – 1 Eshiels Holdings. Proposed Garage Extension.
- 6.4 [25/01762/FUL](#) & [25/01763/LBC](#) – Erection of timber frame pergola – Bridge Inn Port Brae. Formation of Beer Garden Pergola.
- 6.5 [25/01770/FUL](#) – Alterations to dwellinghouse – 7 Walkershaugh. New single-ply roof membrane and insulation to existing roof deck.
- 6.6 [25/01777/FUL](#) & [25/01787/LBC](#) – Change of use of bookmakers to restaurant and installation of extraction flue – 62 - 64 High Street. Access will continue via existing front doors on the High Street, opening into main restaurant area, on the left-hand side of which will be a bar/servery where

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patrons can enjoy a drink while waiting to be seated. Extraction vent will penetrate through the rear pitch of the roof, fixed with vibration proof fastenings. Anticipated operating hours will be Sunday to Thursday 10am-11pm and Friday and Saturday 10am-12midnight.

- 6.7 [25/01815/FUL](#) – Alterations to form roof canopy – 13 Drovers Way. Works to dwellinghouse comprising removal of existing double garage door, insertion of new windows and entrance door, internal reconfiguration and construction of a single-storey entrance canopy. No change of use.

These certificates of lawful proposed use had already been decided. NB: refusal means the proposal is not permitted development, so an application for planning permission will be required (refusal is not a comment on the acceptability of the proposal):

- 6.8 [25/01674/CLPU](#) – Alterations to garage to form additional accommodation to dwellinghouse – 32 Whitehaugh Park. Conversion of internal garage to incorporate into dwelling. Infill of existing garage door opening with masonry and window. Approved.
- 6.9 [25/01760/CLPU](#) – Alterations to garage and installation of canopy – 13 Drovers Way. Internal renovation, double garage doors on the principal elevation will change to a new front door and bathroom window. These will be covered by a new overhanging canopy. Refused.

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