# Peebles & District Community Council
# Planning Report
# Draft Thu 12 November 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** – Existing structure being dismantled by SBC. Future project proposed by Tweed Valley Community Collective

1.3 **Victoria Park Centre** – No change

1.4 **Is SBC abiding by the Habitats Regulations?** Habitats Regulations protect the Tweed SAC, requiring SBC to ensure – beyond doubt, based on scientific evidence – that proposals will not harm European Protected Species (EPS) **before** granting planning permission (section 5, Nov 2025).

1.4.1 26 Feb 2025 PCC concerns re Habitats Regulations Appraisal (HRA) in consideration of South Parks storage 24/01016/FUL.

1.4.2 4 Mar 2025 SBC CEO promised a review but didn't otherwise reply.

1.4.3 17 Nov 2025 PCC complaint re Kingsmeadows HRA (see 2.1).

1.4.4 23 Apr 2026 SBC reply, apologising for two failures to reply and otherwise upholding no part of PCC's complaint.

1.4.5 Recommend PCC await decisions where HRA is relevant, i.e. for Kingsmeadows (2.1) and MOT centre (2.2). Consider raising with Environmental Standards Scotland if approved without HRA.

1.5 **Is SBC appropriately publishing comments raising legal concerns?**

1.5.1 The applicant for Kingsmeadows (see 2.1) has chosen to use section 42 of the Act and focus on legal arguments for renewal. Clearly the legal issues are important and applications complicated (as the final application remains undecided after 2 ½ years).

1.5.2 SBC has withheld key submissions from the planning portal. Unpublished submissions weren't included in the objection pack SBC prepared for the Local Review Board, leading to concern unpublished submissions might not be available for future appeals. SBC told Peeblesshire News, "the correspondence was concerned not with the merits of the proposal but with the processes by which the application was being considered." In PCC's view, the merits of a proposal cannot be separated from relevant acts and regulations. PCC notes its concern that Harper Macleod advice not included in Kingsmeadows officers' reports in view of its obvious importance.

1.5.3 The following are not available on the SBC portal for 24/00247/FUL

1.5.4 9 July 2025 Environmental Rights Centre for Scotland (ERCS) letter to planners asking whether Habitats Regulations Appraisal (HRA) has been complied with for Kingsmeadows.

1.5.5 3 Nov 2025 ERCS explain the legal requirement for Kingsmeadows HRA and their view approval would give grounds for judicial review.

1.5.6 2 Apr 2026 Balfour Manson say refusing the remaining application is only rational option, in line with previous 2 committee refusals.

1.5.7 13 Apr 2026 Planners ask "Proposed wording … is identical to that which has been refused in the previously determined applications. For that reason I assume you intend to withdraw your application."

1.5.8 14 Apr 2026 Solicitors for the applicant say that "both previous decisions fell into legal error and were readily challengeable in the Court of Session" [though the applicant did not do so]. "In the event that the determination of application 24/00247/FUL falls into the same legal error our firm recommendation to our client would be to proceed straight to appeal in the Court of Session."

1.6 **Do planners follow democratic decisions made by SBC councillors?**

1.6.1 With the refusal of Kingsmeadows applications 24/00030/FUL and 24/00031/FUL, all the issues for 24/00247/FUL have been decided by Scottish Borders Council's elected planning committee, and all the appeal processes to DPEA and LRB have run their course.

1.6.2 In PCC's opinion, the only rational, democratic recommendation to Committee in respect of 24/00247/FUL is to recommend refusal. However, that recommendation has not been made.

1.6.3 In PCC's view, greater transparency in publishing correspondence is required for public trust.

2.0 Planning Applications – Current Interest

2.1 **3 requests to renew expired Planning Permission in Principle** (PPP) with changes to conditions – Kingsmeadows House (Granton Homes). Circa 250 objections including from this Community Council see campaign
24/00030/FUL (condition 2) **Refused 9 Dec 2024**.
24/00031/FUL (condition 7) **Refused 23 Feb 2026**.
24/00247/FUL (conditions 2&7) **Awaiting decision**.

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|---|---|
| 26 Mar 2024 | Harper Macleod legal advice section 42 cannot be used to renew expired Permission in Principle 19/00182/PPP. |
| 9 Dec 2024 | Planning committee refuse 24/00030/FUL. |
| 20 Dec 2024 | PCC submission calls for rejection of 24/00031/FUL & 24/00247/FUL for consistency with 24/00030/FUL. |
| 24 Mar 2025 | DPEA refuse appeal PPA-140-2107 of 24/00030/FUL. |
| 9 Jul 2025 | SBC start to withhold some comments from portal (see 1.5). |
| 22 Sep 2025 | SBC tell Granton "a recommendation would be made under delegated powers to refuse permission" (published 25 Nov). |
| 11 Dec 2025 | DPEA refuse appeal PPA-140-2109 of 24/00031/FUL. |
| 31 Dec 2025 | PCC submit comprehensive objection to 24/00031/FUL and consolidated comprehensive objection to 24/00247/FUL. |
| 23 Feb 2026 | LRB refuse 24/00031/FUL on appeal (25/00041/RNONDT). |
| 12 Mar 2026 | PCC objection calls on planners to abide by the democratic decisions of elected councillors and refuse 24/00247/FUL. |
| 17 Aug 2026 | PCC submit NatureScot confirmation of Ancient Woodland. |
| 20 Aug 2026 | FOI reveals correspondence of 13 & 14 Apr 2026 (see 1.5). |
| 31 Aug 2026 | SBC formally consult NatureScot on Ancient Woodland. |
| 14 Sep 2026 | NatureScot reconfirm Ancient Woodland. |
| 16 Sep 2026 | Woodland Trust Scotland "strongly object to … attempts to revive permissions granted under obsolete policy regimes." "Decisions taken today must reflect the reality of the climate and nature emergency." "We will be watching closely." |
| 6 Oct 2026 | NatureScot confirm Likely Significant Effect on Tweed SAC, making approval without HRA unlawful – see explanation |
| 21 Oct 2026 | PCC object based on NatureScot 6 Oct advice (included). |

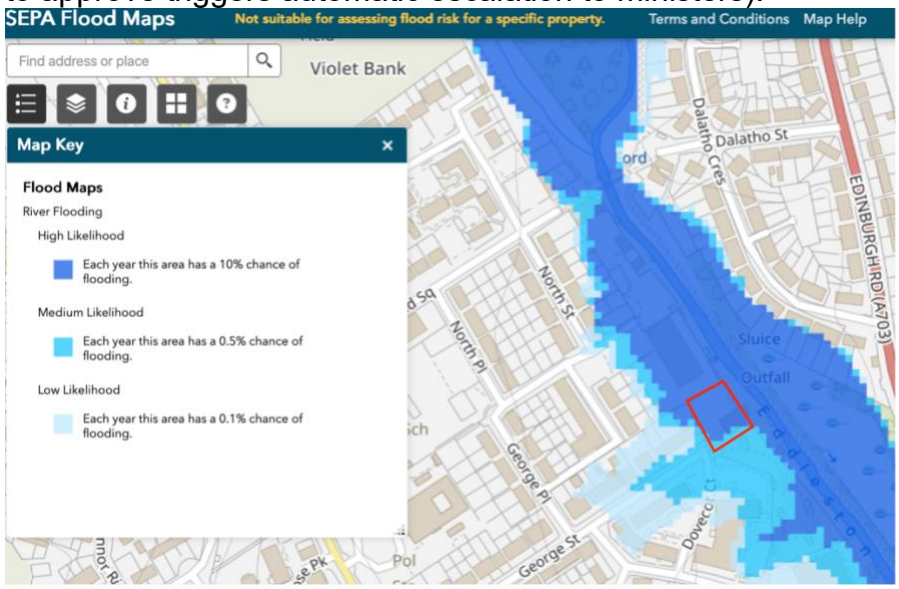
2.2 **26/00647/FUL – Erection of MOT service building – Peebles Autocentre George Street.** Car garage and sales centre.

2.2.1 The proposal is on ground currently used by the applicant, an established business, to carry on automotive operations.

2.2.2 Very little information is provided with the application.

2.2.3 Two objections refer to previous flooding, Eddleston Water and call for Flood Risk Assessment. They also cite traffic, parking and noise.

2.2.4 SEPA Flood maps and SBC confirm the site at ≥ 10% annual risk of flooding, thus an FRA appears to be required (and recommendation to approve triggers automatic escalation to ministers).




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2.2.5 Applicant's 3-paragraph "Flooding Statement" (on the Plans and Elevations) appears not to have been prepared by a qualified expert (and appears to misunderstand flood risk).

2.2.6 Given the proximity to Eddleston Water, i.e. the River Tweed SAC, SBC confirm that an Environmental Statement and Habitat Survey are required from the applicant (but have not been provided) – to inform SBC evaluations (such as Habitats Regulations Appraisal).

2.2.7 Given the site's usage, history and flood risk, SBC may well require further assessments such as drainage/SUDS proposals and contaminated land assessments before determination.

2.2.8 20 May 2026 SBC confirm HRA required (via email to PCC).

2.2.9 21 May 2026 PCC lodge holding objection (until HRA complete).

2.2.10 3 Jul 2026 Flood risk officer cites 0.5% flood risk (later says ≥ 10%)

2.2.11 7 Jul 2026 PCC share map above, call for Flood Risk Assessment.

2.3 **26/00518/TCA – Work to trees – Priorsford House Tweed Avenue.** No recommendation (no information available on portal).

2.4 **19/01471/FUL – 22 new units – Caledonian Court.** In PCC's view higher fence and plantings/screening needed re enforcement 26/00093/COND.

16 Sep 2026 Eildon confirm they will apply for permission for higher fence, and ask for support from PCC, SBC & Community Councillors and neighbours.

3.0 New Planning Applications

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

3.1 **26/01548/FUL – Erection of garden pod – Hillside 9 Bonnington Road.** Garden room, 6.5m x 3.6m on 7.4m x 5.3m deck from Urban Pods.

3.2 **26/01578/LBC – Installation of defibrillator and bleed kit – 7 Eastgate Peebles.** Appears to repeat 26/01001/LBC (see Jul report). Nationwide Building Society are committed to supporting the communities they serve, they aim to install life savings equipment to some of their branches to ensure people have rapid, 24/7 access to vital emergency equipment whenever it is needed. The Defibrillator and Bleed Kit will be housed in a secure cabinet installed to the external wall of the Nationwide Building Society branch. The cabinet needs to be in a prominent location where it can easily be seen and, at a height where it can be reached in case the equipment is needed in an emergency. We have proposed that the cabinet is fixed in a location that, whilst prominent, has limited impact on the appearance of the conservation area.

3.3 **26/01627/TCA – Work to tree – 4 Damcroft.** Photos show damage the roots have begun to cause the path outside the property. Applicant's fence and shed are likely to be effected in the future. Tree is heavily weighted on the backside towards car park next to the Cuddy for Damcroft residents.

3.4 **26/01625/FUL – Alterations and extension to dwellinghouse – 34 Edderston Road.** Replace existing conservatory with bedroom extension on same footprint.

3.5 **26/01680/FUL – Alterations and extension to dwellinghouse – 35 Edderston Ridge.** Replace conservatory with rear extension and form utility room extension to side of property facing South Parks.

A Subject to PCC agreement, no action is recommended for any of these minor applications (replacement windows, interior alterations or external redecoration):

3.6 **26/01521/PNWIN – Replacement windows – Terregles 25 Crossland Crescent.** Replacement of windows on principal elevation (or facing road) with identical windows.

4.0 Planning Applications – Wind Farms[1]

4.1 **Leithenwater** – 24/00512/S36 / ECU00004619 – SBC objected. Awaiting ECU decision of next steps – applicant chooses between withdrawal, modification to satisfy SBC or appeal to DPEA. DPEA decide further procedure, possibly including public local inquiry or hearings.

4.1.1 5 Jul 2024 RSPB requests 3 turbines deleted or moved, disagreeing with EIA report findings on impact to golden eagle[2] 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"

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

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

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 Community Benefit agreement and 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).

4.1.9 8 Jan 2026 Belltown power provide rebuttal of landscape officer's assessment and choose to make no changes to turbine design.

4.1.10 23 Jan & 10 Jul 2026 the Ministry of Defence (MOD) maintains its objection due to unacceptable impact on the operation and capability of the seismological recording station at Eskdalemuir, part of the UK contribution to the Comprehensive Nuclear Test Ban Treaty.

4.1.11 5 Feb 2026 NatureScot advises that golden eagle are unlikely to be significantly affected by this proposed development (unchanged by the information presented in the SEI Report).

4.1.12 16 April 2026 Following Raeshaw Farms' successful Wull Muir appeal, ECU wrote to Belltown Power UK Limited requesting further environmental information. An initial response was provided, with formal Additional Information (AI) expected in 8 weeks.

4.1.13 25 Jun 2026 Additional information provided covering environmental impact of grid connection. Connection would be the responsibility of Scottish Power, so this info is a "best guess." Route is not known, so a map showing the likely corridor for grid connection is provided. Connection likely to be a mix of underground and overhead cables. Public comments due 27 Jul 2026.

4.1.14 5 Oct 2026 SBC object, following planner's recommendation: 1. Detrimental to Upper Tweeddale National Scenic Area (NSA). 2. Detrimental to Tweed Valley Special Landscape Area. 3. Contrary to Ironside Farrar report/impacts on scenic quality and grandeur of Moorfoot Hills which it would dissect. 4. Insufficient information provided to show golden eagles not adversely affected. 5. Insufficient information to assess environmental impacts of grid connection.

4.1.15 Belltown Power's 2 Oct 2026 letter to SBC planning committee mentioned PCC support of Leithenwater but did not say it was contingent upon community benefits and expert advice from RSPB leading to agreed resolutions. Benefits are not agreed; golden eagle cumulative impact figures appear understated; and Belltown say "No

juvenile Golden Eagles have fledged from nests within the vicinity" though we understand that one of the Leithenwater pairs produced a juvenile this year, however the satellite tag has failed so while we know the juvenile is alive, we don't have any useful data for it. PCC letter to ECU clarifying our position attached for approval.

4.2 **Scawd Law** – 23/00013/S36 / ECU00002111 – SBC objected. Awaiting ECU confirmation of next steps – applicant chooses between withdrawal, modification to satisfy SBC or appeal to DPEA. DPEA decide further procedure, possibly including public local inquiry or hearings.
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 offence[3] 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 eagles[2]/meet NPF4 biodiversity policy.
- 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 2 Feb 2026 SBC decision deadline extended until 3 Mar 2026.
- 4.2.7 16 Feb 2026 RUN object, estimating "1 eagle collision every 2.8 years or 14 over the 40 year operational life of project. To put this in context, this collision risk is greater than the total estimated collision risk from all the other 41 wind farms in the whole of the rest [of] the South of Scotland put together."
- 4.2.8 2 Mar 2026 SBC objects on Local Landscape Designations and Renewable Energy Supplementary Planning Guidance, Landscape Capacity and Cumulative Impact, and impact on Goldean Eagles.
- 4.2.9 16 April 2026 Following Raeshaw Farms' successful Wull Muir appeal, ECU wrote requesting further environmental information. An initial response has been provided to ECU.

4.3 **Cloich Forest – 21/01134/S36 / ECU00003288 – Awaiting ECU 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.
- 4.3.4 16 April 2026 Following Raeshaw Farms' successful Wull Muir appeal, ECU wrote to Cloich Windfarm Partnership requesting further environmental information. An initial response was provided, with formal Additional Information (AI) expected in 8 week

[3] 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.

4.3.5 12 Jun 2026 MOD remove their objection provided specified conditions are added to limit seismic impacts and aviation safety.

4.4 Bowbeat repower – 26/01604/PAN.

4.4.1 Belltown Power has entered a partnership with landowners to redevelop and repower the existing Bowbeat Wind Farm when it reaches the end of its operational life, currently expected for 2030.

4.4.2 Public exhibitions are scheduled
10am–7pm Thu 12 Nov Peebles Hydro Hotel, EH45 8LX
3pm–7pm Wed 11 Nov Eddleston Village Hall EH45 8QP

## 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 7 Feb 2024

## 6.0 Previous Planning Applications removed from report

No ongoing interest to PCC:

6.1 26/01311/TCA – Work to trees – Roman Catholic Church Rosetta Rd. Prune, crown raise/reduction to 4x cherry, 2 x ash, silver birch and apple.

6.2 26/01277/FUL & 26/01278/LBC – Internal alterations and installation of solar photo voltaic array – Annex South of Tontine Hotel. Canopy to rear entrance on upper floor level and PV panels to south-facing roof. Lack of detail on flood defences has prompted a request for more information from the Architectural Heritage Society of Scotland (AHSS).

6.3 26/01325/FUL – Erection of dwellinghouse – Land south-west of Nether Kidston. Initial approval 09/00004/OUT, renewed 13/00379/PPP, detailed permission granted 16/01473/AMC. Main changes are substitution of a bungalow in place of the two-storey house originally approved and a minor alteration to its position on site in order to avoid the expense of moving the 11kV overhead power line that bisects the plot.

6.4 26/01383/FUL – Alterations and extension to dwellinghouse – Ashwood Cottage 34 March Street. Side extension with garage and utility/shower room on the ground floor, a new bedroom in the roof space, and extended kitchen/dining area to the rear ground floor. The extension will mirror the adjoining neighbour's flat roof garage, with the first-floor roof extension set back. The extension to the rear of the property will be single storey. There will be no windows or openings on the gable facing the neighbour at no. 36. The new ridge height is lower than the existing house.

6.5 26/01410/TPO – Work to trees – 7 The Loanings. Crown reduce and prune 1x lime in back garden near home.

6.6 26/01413/TPO – Work to trees – Craigerne Woods Edderston Road. Fell 4 trees (2x ash, oak and balsam popler), remove dead wood from 18 trees. Tree survey from Thomson Trees.

6.7 26/01494/FUL & 26/01496/LBC – Alterations and two storey extension to dwellinghouse – 1 St Andrew's Place. There are two flat roofed extensions to the rear and a flat roofed dormer window above the internal staircase.

The property fabric is in good order and many of the original period external features remain intact and in good decorative order. The design of the new extension seeks to harmonize the rear of the property with its original historic character. There have been 5 objections, including from Peebles Civic Society and the Architectural Heritage Society of Scotland, on grounds including: doubling size of building; unsympathetic to conservation area; and disrespectful to cemetery.

6.8 26/01517/TCA – Work to trees – Ravenscraig Frankscroft. Reduce mature beech 3m, 1x Oak and 6x cherry 2.5m. All overhanging pavement.

6.9 26/01511/FUL & 26/01512/LBC – Alterations and extension to dwellinghouse (revision to planning permission 22/01318/FUL) – The Mill House Scotsmill Kailzie. Alterations and extension to dwellinghouse with roof terrace above, including replacement entrance door and sidelights, timber cladding to extension.

6.10 26/01516/TCA – Work to trees – Ingleside Formerly Known as Sideways Bonnington Road. Fell laburnum hard up against boundary wall. Replace with small tree.

Certificates of Lawful Proposed Use (CLPU) ask whether the proposal is permitted development. Refusal means an application for planning permission will be required (refusal is not a comment on the acceptability of the proposal):

6.11 26/01319/CLPU – External alterations to dwellinghouse – 24C Glensax Road. The application proposes the installation of French doors in place of a window, the blocking up of an external door and the insertion of a new window, all on the rear (south-east) elevation. Approved 29 Sep 2026, class 2B General Permitted Development (Scotland) Order GPDSO.

Certificates of Lawful Existing Use (CLEU) ask whether an existing use is lawful:

6.12 26/01389/CLEU – Existing use as workshop and store –10 Eshiels Holdings. Justification – has been used continuously as class 4 GPDSO for the past 10 years.

Minor (replacement windows, interior alterations or external redecoration):

6.13 26/01523/FUL – Enlargement of 2no windows – 39 Damcroft Peebles.

No recommendation (no information available on portal):

6.14 26/01378/VAA – Vehicular Access Application to drop kerb – South Park Lodge Caledonian Road. 22 Sep 2026 Approved.

6.15 26/01507/VAA – Vehicular Access Application to drop kerb – 21 Gallow Hill. 14 Oct 2026 approved.

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Planning Convener