

Peebles & District Community Council

Planning Report

Wed 10 September 2025

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.

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 **Is SBC planning abiding by legal requirements?**
 - 1.4.1 European Protected Species (EPS) – [24/01016/FUL](#) South Parks per SBC Technical Advice Notes on [bats](#) and [otters](#)? See SBC CEO [David Robertson 4 Mar 2025 reply](#) to [PCC 26 Feb 2025 letter](#). Awaiting outcome of promised review.
 - 1.4.2 European Protected Species – [24/00031/FUL](#) & [24/00247/FUL](#) Kingsmeadows. No substantive response to [Environmental Rights Centre for Scotland 9 Jul 2025 letter](#). ERCS submitting complaint. See section 2.1.
 - 1.4.3 Limited powers where development completed – [25/00974/FUL](#) Ballantyne Place Play Area. Awaiting response from SBC Legal to [10 Sep 2025 letter](#). See section 2.2.
- 1.5 **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, so demolition will require a new planning application (though this has not yet been submitted).

2.0 Planning Applications – Current Interest

- 2.1 **Variation of conditions of expired Planning Permission in Principle** [19/00182/PPP](#) – Kingsmeadows House (Grantown Homes) Ref Nos: [24/00030/FUL](#) **Refused**, [24/00031/FUL](#) & [24/00247/FUL](#) Awaiting decision
 - 2.1.1 Circa 250 objections, including from this Community Council.
 - 2.1.2 9 Dec 2024 [planning committee refuse](#) 24/00030/FUL.
 - 2.1.3 20 Dec 2024 [PCC submission](#) calls for rejection of 24/00031/FUL & 24/00247/FUL for consistency with 24/00030/FUL.
 - 2.1.4 18 Jun 2025 applicant submits new statement re: 24/00247/FUL
 - 2.1.5 30 Jun 2025 applicant submits new statement re: 24/00031/FUL
 - 2.1.6 9 Jul 2025 [Environmental Rights Centre for Scotland writes to SBC](#) over Habitats Regulations concerns and whether these planning applications will be determined without proper prior consideration of the potential effects on the River Tweed SAC.
 - 2.1.7 14 Jul 2025 [SBC refuse to publish ERCS letter](#) but promise a reply.
 - 2.1.8 15 Jul 2025 SBC consult NatureScot and SBC’s Ecologist.
 - 2.1.9 16 Jul 2025 NatureScot advise that “Construction of the Residential Development ... is likely to have a significant effect on the River Tweed SAC”, consequently HRA is required. The watercourse buffer strips mandated by condition 7 are necessary for HRA.

Peebles & District Community Council
Planning Report
Wed 10 September 2025

- 2.1.10 17 Jul 2025 SBC ecologist advises that the no-development buffer and wider woodland protection mandated by condition 7 is required to protect the Tweed SAC, without which applications “would, in my opinion, likely fail an HRA/Appropriate Assessment because of potential impacts on otters.”
- 2.1.11 21 July 2025 [PCC objects](#) based on NatureScot & Ecologist replies
- 2.1.12 29 July 2025 [Peebles Civic Society objects](#) based on NatureScot & ecologist consultation responses.
- 2.2 **Ballantyne Place Play Area – [25/00974/FUL](#)** – Erection of dwellinghouse and Section 42 application to remove condition no.4 of planning permission [02/01783/FUL](#) pertaining to include adequate provision for children’s play area – Land West Of 8 Ballantyne Place.
- 2.2.1 We believe the public opposes applications to build on play areas.
- 2.2.2 Legal Issue 1: PCC challenges whether it is legal for SBC to remove planning conditions that protect play areas once building has been completed (applies across Scotland).
- 2.2.3 Legal Issue 2: Ownership notification laws (which protect sellers by ensuring they are aware of planning permission on their land and thus its true market value) appear not to have been followed in respect of this section 42 application, but the law requires SBC not to consider planning applications unless these rules are satisfied.
- 2.2.4 PCC resolved to: 1) clarify legal issues with SBC Legal & planners first; then 2) object on policy grounds similar to previous application [20/00691/FUL](#) and [reporter’s dismissal of appeal](#).
- 2.2.5 PCC submitted 4 consultation responses ([29 Jul 2025](#), [7 Aug 2025](#), [18 Aug 2025](#) and [22 Aug 2025](#)) requesting clarification of legal issues and that consultation be paused until legal issues clarified.
- 2.2.6 SBC refused to delay consultation. SBC Legal clarification awaited.
- 2.2.7 [Freedom of Information response](#) indicates SBC might regularly act outwith its powers under the Town and Country Planning Act by issuing section 42 permissions where development has completed. Awaiting response from SBC Legal to [10 Sep 2025 letter](#).
- 2.3 **[25/00904/FUL](#) – Change of use from Class 4 to Class 10 (Educational School of Dance) – 3 Rowan Court Cavalry Park.** Fiona Henderson School of Dance requests a change of use to operate from Cavalry Park.
- 2.3.1 PCC believes there is widespread public support for this application which has received 47 support comments and 0 objections to date.
- 2.3.2 The applicant submits a thoughtful [planning statement](#) comprehensively setting out reasons for supporting the proposal.
- 2.3.3 PCC submitted a letter of support endorsing the reasoning set out in FHSD’s planning statement in full.
- 2.4 **Edderston Farm change of use to Events Venue – [21/01327/FUL](#)** – Awaiting decision. No change since 21 July 2023
- 2.5 **Twenty dwellinghouses, Land West of Horsbrugh Ford – [19/00332/FUL](#).** Development appears stalled.
- 2.5.1 Jul 2025 Eildon aware but site does not fit development profile. SBHA report risk and asking price prohibit involvement.
- 2.5.2 Jun 2025 The development plot is said to be back on the market as the previous developer has run out of funding.

Peebles & District Community Council
Planning Report
Wed 10 September 2025

- 2.5.3 The developer wrote (see [Jan report](#)) to confirm that work on site will resume shortly, with completion currently expected end 2025.
- 2.6 **Enforcement action (advertising regulations), 68 High Street – [24/00162/ADVERT](#). Enforcement status: case closed 9 Sep 2025 – No further action required. SBC Enforcement team noted that unauthorised advertisements were removed on 10 Apr 2025.**
- 2.6.1 Members of the public who wish to make a personal complaint may do so via [Consumer Advice Scotland](#).

3.0 New Planning Applications

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

- 3.1 [25/01110/FUL](#) – **Erection of replacement garage with garden room – Acharn, Glen Road**. Demolition of existing garage and construction of new garage with garden room.
- 3.2 [25/01180/TCA](#) – **Work to trees – 8 Dovecot Lade**. Rear garden tree works: 1) remove Leylandii to ground level; 2) reduce Birch canopy overhanging road by 1.5m to allow clear passage of traffic.

4.0 Planning Applications – Wind Farms¹

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 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.
- 4.1.2 31 Jan 2025 SBC Ecology Officer raises concerns re: golden eagles. Requests turbines 11-13 reduced in number or moved.
- 4.1.3 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.
- 4.1.4 14 Nov 2024 [PCC supports Leithenwater](#), subject to the advice of SSGEP & RSPB being followed.
- 4.1.5 23 Oct 2024 [Belltown Power reject RSPB's request](#) "NatureScot did not raise any concerns" (see [NatureScot's advice](#) 15 Jul 2024).
- 4.1.6 1 Aug 2024 landowner [Raeshaw Farms object](#), citing multiple NPF4 policy failures e.g. "policy [3 biodiversity] requirement for betterment"
- 4.1.7 5 Jul 2024 [RSPB requests](#) 3 turbines deleted or moved, disagreeing with EIA report findings on impact to golden eagle² and citing impact to (red-listed) Black Grouse and breeding Curlew.
- 4.2 [Scawd Law](#) – [23/00013/S36](#) / [ECU00002111](#) – SBC S36 decision deadline 4 Jun 2025.

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

² See this report from South of Scotland Golden Eagle project on a [golden eagle struck by wind farm in Galloway](#)

Peebles & District Community Council
Planning Report
Wed 10 September 2025

[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 offence³ 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 8 May 2025 [PCC objects](#) on same grounds as SSGEP & other CCs

4.2.2 25 Feb 2025 Further environmental information (FEI) submitted re: impact to eagles and the potential removal of turbines 7 & 8.

4.2.3 2 Feb 2024 [NatureScot strongly advise turbines 7 & 8 removed](#) from ridge to protect golden eagles²/meet NPF4 biodiversity policy.

4.2.4 19 Sep 2023 [Rt Hon David Mundell MP objects](#).

4.2.5 20 Feb 2023 [Walkerburn and District Community Council paper](#).

4.3 [Cloich Forest](#) – 21/01134/S36 / [ECU00003288](#) – Awaiting decision.

4.3.1 6 Sep 2024 [Midlothian Council objects](#) on biodiversity, landscape and transport (route pinch points) grounds especially at Howgate.

4.3.2 2 Sep 2024 [Howgate Community Council](#) submissions

4.3.3 25 Apr 2023 SBC do not object provided Turbine 12 is relocated to a lower position within the site

5.0 Previous Planning Applications removed from report

No ongoing interest to PCC:

5.1 [25/00923/TPO](#) – Work to trees – Land at Station Bank. Requests epicormic growth removal from 11 lime trees and remedial pruning of 4 other trees, as recommended after detailed survey of 33 trees in conservation area.

5.2 [25/00930/FUL](#) – Alterations to existing driveway – Westfield 62 Edinburgh Road. Change tarmac parking bay into extended, resin bonded gravel driveway through what is now garden ground.

5.3 [25/00943/FUL](#) – Change of use of external parking area to seating for bar and restaurant (retrospective) – Tontine Hotel High Street. Occasional use for drinking & dining, portable bar, 10am–10pm, 7 days.

5.4 [25/01057/LBC](#) – Alterations, extension to dwellinghouse and installation of solar panels to roof – Craigmount Bonnington Road Peebles. Amendments to existing LBC 23/01890/LBC: Removal of existing conservatory and sunroom to rear of house. Reconfiguration and extension of existing accommodation to rear of house to form new kitchen, dining, family room, utility and bathroom. Solar panels and rooflights to new and existing roofs at rear.

5.5 [25/01083/FUL](#) – Alterations and extension to dwellinghouse – The Sheiling, Kailzie. Alterations to existing bungalow and the removal of an existing extension. Construction of a new flat roofed extension to provide an extended kitchen/living area.

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](#).

Peebles & District Community Council
Planning Report
Wed 10 September 2025

- 5.6 [25/01096/FUL](#) – Installation of 2no air source heat pumps – Northgate House 32 Northgate. Upgrade domestic hot water and heating system by replacing the existing gas boiler with two 12kW air source heat pumps.
- 5.7 [25/00686/CLPU](#) – Change of use to form hairdresser from office suite – Suite 6 1 Rowan Court Cavalry Park Peebles Scottish Borders. This request for a Certificate of Lawful Proposed Use (CLPU) asked whether a change of use from Cavalry Park's designation as class 4 (business) to class 1A (shops, financial, professional and other services) can be undertaken without submitting a further planning application. SBC has confirmed that a planning application would be required.
- 5.8 [River Tweed Trail](#) – funded by [Scottish Government](#), see full [Feasibility Report](#). The proposed link section to Kingsland Primary School and Neidpath Car Park (including the hole in the wall) will be removed from this project. If there is an aspiration to develop these links further, then this can be undertaken under a separate project. The east/west riverside link from Fotheringham Bridge & removal of the existing steps is still recommended, albeit, with the reduced path width of 2.5 - 3.0m with no stud lighting.

Scottish Water's requests to install flood mitigation measures in response to flooding / climate change. The supporting statement for each application begins:

"Scottish Water has a duty to remove foul and surface water from within the curtilage of properties, and also to protect properties from sewer flooding. Due to climate change, sewer flooding is occurring more frequently in Peebles during periods of heavy rainfall. When sewer flooding occurs, floodwater enters the customer's property resulting in internal sewer flooding and causing significant material damage to the contents and fabric of the property."

- 5.9 [25/00932/FUL](#) – Installation of 3no. Flood Doors, Periscope Vents, Smartbricks and Air Vent Bund Extension – Flats 1- 4 29 Rosetta Road.
- 5.10 [25/00935/FUL](#) – Installation of Single Removable Flood Barrier – Rosendale 1 Kirkland Street.
- 5.11 [25/00936/FUL](#) – Installation of 2no. Smartbricks – Bluevale 60 Rosetta Road.
- 5.12 [25/00937/FUL](#) – Installation of 1no. Flood Door and 2no. Periscope Vents – 58 Rosetta Road.
- 5.13 [25/00938/FUL](#) – Installation of 1no. Flood Barrier and 2no. Periscope Vents – 56 Rosetta Road.
- 5.14 [25/00939/FUL](#) – Installation of 1no. Flood Door, 1no. Periscope Vent and 1no. Smartbrick – 54 Rosetta Road.
- 5.15 [25/00940/FUL](#) – Installation of 1no. Removable Flood Barrier, 3no. Periscope Vents and 2no. Smartbricks – 52 Rosetta Road.

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

- 5.16 [25/01035/LBC](#) – Replacement windows – First Floor Flat Kingsmuir Hall Bonnington Road. Replacement of existing timber sash windows on a like-for-like basis with new windows, custom-fitted with Slimline IGUs. All historical detail to be matched/reinstated.

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Michael Marshall, PhD
Planning Convener