

Peebles & District Community Council
Planning Report
Wed 12 February 2025

1.0 General

- 1.1 **Caledonian Court (previously Tweedbridge)** – No change
- 1.2 **Baptist Church Building** – No change
- 1.3 **Victoria Park Centre** – No change
- 1.4 [Peebles Place Plan](#) – Registered 4 Feb 2025. Can now be referenced in planning comments. Thank you Mr Crick Carleton for leading this effort.
- 1.5 [River Tweed Trail](#) – funded by [Scottish Government](#). North route between Fotheringham Bridge and The Gytes recommended over South route – see SBC's [Executive Summary](#) (page 10), or full [Feasibility Report](#).

2.0 Planning Applications – Current Interest

Wind farms¹

- 2.1 [Leithenwater](#) – 24/00512/S36 / ECU00004619 – Awaiting decision. [SBC S36 deadline extended to 2 Jul 2025](#).
 - 2.1.1 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.
 - 2.1.2 23 Oct 2024 [Belltown Power reject RSPB's request](#) “NatureScot did not raise any concerns” (see [NatureScot's advice](#) 15 Jul 2024).
 - 2.1.3 1 Aug 2024 landowner [Raeshaw Farms object](#), citing multiple NPF4 policy failures e.g. “policy [3 biodiversity] requirement for betterment”
 - 2.1.4 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.
- 2.2 [Scawd Law](#) – 23/00013/S36 / ECU00002111 – Awaiting decision. [SBC S36 deadline extended to 4 Jun 2025](#).
 - 2.2.1 2 Feb 2024 [NatureScot strongly advise turbines 7 & 8 removed](#) from ridge to protect golden eagles²/meet NPF4 biodiversity policy.
 - 2.2.2 19 Sep 2023 [Rt Hon David Mundell MP objects](#).
 - 2.2.3 20 Feb 2023 [Walkerburn and District Community Council paper](#).
- 2.3 [Cloich Forest](#) – 21/01134/S36 / ECU00003288 – Awaiting decision.
 - 2.3.1 6 Sep 2024 [Midlothian Council objects](#) on biodiversity, landscape and transport (route pinch points) grounds especially at Howgate.
 - 2.3.2 2 Sep 2024 [Howgate Community Council](#) submissions
 - 2.3.3 25 Apr 2023 SBC do not object provided Turbine 12 is relocated to a lower position within the site

Other

- 2.4 **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.
 - 2.4.1 20 Dec 2024 [PCC submission](#) calls for rejection of 24/00031/FUL & 24/00247/FUL for consistency with 24/00030/FUL.

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](#)

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- 2.4.2 9 Dec 2024 [planning committee refuse](#) 24/00030/FUL.
- 2.4.3 Circa 250 objections, including from this Community Council.
- 2.5 **Edderston Farm change of use to Events Venue** – 21/01327/FUL – Awaiting decision. No change since 21 July 2023
- 2.6 **March Street Mills – 2 houses & 12 flats, affordable housing, to satisfy condition 13 (affordable housing) of 23/00884/FUL (50 houses & flats)** – Ref No: 24/00181/FUL – [Approved 21 Jan 2025](#).
- 2.6.1 [Suspensive conditions include: biodiversity enhancement plan; and identification and assessment of potential contamination.](#)
- 2.7 **Commercial storage yard comprising storage containers, Land West of Tweedview, South Park Industrial Estate** – Ref No: 24/01016/FUL – [Approved by planning committee 3 Feb 2025](#). Condition added to restrict hours of operation between 7am and 9pm Mon–Sun. ([Watch recording](#)).
- 2.8 **Twenty dwellinghouses, Land West of Horsbrugh Ford** – 19/00332/FUL Development appears stalled.
- 2.8.1 The developer wrote (see [Jan report](#)) to confirm that work on site will resume shortly, with completion currently expected end 2025.
- 2.9 **Alterations to form opening in boundary wall to form pedestrian access, Boundary Wall North of Hay Lodge Park Off Neidpath Road** – 24/01365/LBC – Awaiting decision.
- 2.9.1 This proposal is part of the River Tweed Trail (see item 1.5). Proposal to provide a 2.4m opening in the existing boundary wall to allow users of the car park and the school to access the crossing from the internal park path network. The scuncheons will be formed using recycled stone from the demolished opening with pointing to match existing. See [3-page explanation on planning portal](#) and [Feasibility Report](#).
- 2.9.2 SBC planning portal – [45 objections, 6 supporting](#)
- 2.9.3 Feasibility report for full path network showed 65% in favour, 19% against (of ~150 consulted)
- 2.10 **Enforcement action (advertising regulations), 68 High Street – 24/00162/ADVERT**. Enforcement status: pending consideration.
- 2.10.1 See Colin Smyth MSP [correspondence with enforcement \(pg 4\)](#).
- 2.10.2 Window advertising has been reduced and shop name has changed to Peebles Mini Market.
- 2.10.3 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 [25/00022/FUL – Erection of garden shed – Waverley Edinburgh Road](#). Move pod from previous house. Length 5m, Width 3m, Height 2.5m.
- 3.2 [25/00056/FUL – Extension to dwellinghouse and installation of raised decking – 1 Edinburgh Road](#). Alter and extend existing house to form new living room and replace existing timber deck.
- 3.3 [25/00058/FUL – Extension to dwellinghouse – 10 Kittlegairy Way](#). erect a single storey pitched roof extension to dwellinghouse.
- 3.4 [25/00111/TPO – Work to trees – Craigerne House Craigerne Drive](#). Removal of 2 dangerous trees and 1 dead tree. No tree report.

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- 3.5 **25/00130/TCA – Work to tree – Land East Of The Croft Chambers Terrace.** Removal of one tree with Ash Dieback.
- 3.6 **25/00132/TCA – Work to trees – Park Hotel.** Removal of 2 substantial trees, one pine one beech. Justification: risk of damage to property.
- 3.7 **25/00131/TCA – Work to trees – Peebles Hotel Hydro.** Trim substantially overgrown hedges.
- 3.8 **Anonymous complaint re: 19 & 21 Rosetta Road.** No planning permission listed on portal.

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

- 3.9 **25/00080/FUL – Replacement of 9 no windows (retrospective) – Tweedside House Greenside.**

4.0 Previous Planning Applications removed from report

No ongoing interest to PCC:

- 4.1 24/00571/FUL – Extend operational lifetime of Bowbeat by 5 years to 14 Aug 2030. Approved at planning committee meeting 9 Sep 2024. No ongoing interest from planning perspective. Community benefits reported in separate [wind farm report](#).
- 4.2 24/01451/FUL – Change of use to form self-catering holiday let from garden office – Staddlestones, Neidpath Road Old Town. We seek consent for change of use of a small garden office on the garden of our domestic property, from garden office to small self-catering unit. We aim to encourage active travellers (bike/kayak/hike) or those using public transport to encourage low-impact affordable and accessible accommodation options for people. We would aim at couples/singles with emphasis on respecting nature and the quiet neighbourhood.
- 4.3 24/01438/ADV – Installation of illuminated and non-illuminated signage – 11 Eastgate. Nisa local/CoOp illuminated signage.
- 4.4 24/01426/FUL – Alter garden room and form 1 off-street parking space – Glendearg, Crossland Crescent. Enclose rear conservatory.
- 4.5 24/01490/FUL – Section 42 Application to remove condition 2 of planning permission 17/01633/FUL pertaining to installation of main entrance barrier – Forest Holidays, Kittlegairy Hill, Glentress. Request removal of condition 2 requiring entrance barrier just after Go Ape.
- 4.6 25/00018/TPO – Work to trees – Land at Former Craigerne School Edderston Road. Fell 2 trees: beech tree leaning over property & footpath; lime tree insect boring and basal decay.
- 4.7 24/01496/FUL – Alterations and extension to dwellinghouse – 8 Eliots Park Peebles. New front porch and alterations to existing conservatory.

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

- 4.8 24/01484/PNWIN – Replacement windows – 4 Springwood Terrace
- 4.9 24/01483/PNWIN – Replacement windows – Elmbank 43 March Street
- 4.10 24/01378/LBC – Replacement of 12 no first-floor windows – Hydro

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From: **Smyth C (Colin), MSP**
Date: Wed, 12 Feb 2025 at 15:21
Subject: RE: One Stop Convenience Store
To: secretary@ccrbpeebles.co.uk <secretary@ccrbpeebles.co.uk>

Dear Anne,

We have received the following reply from the Council.

We will keep you updated when we hear further.

Kind Regards

Colin

Colin Smyth
Member of the Scottish Parliament for South Scotland
(Scottish Labour and Co-operative Party)
Regional Office, 17 Buccleuch Street, Dumfries, DG1 2AT

I take privacy very seriously and will handle all information received through the office in line with the requirements of the General Data Protection Regulation and Data Protection Act 2018. To read my privacy notice explaining how my office collects and uses personal information about individuals please visit <https://www.colinsmythmsp.com/privacy-notice/>

From: Smyth C (Colin), MSP
Sent: Wednesday, January 29, 2025 5:07 PM
To:
Subject: RE: One Stop Convenience Store

Dear Anne,

Thank you for your email on behalf of Peebles Community Council in relation to the new vape shop on Peebles High Street.

I agree with you that the shop is not in keeping with the area. With a rise in vaping, especially among young people, and the dangers not yet fully known of this, not to mention the environmental damage of disposable vapes, I strongly believe we should be restricting advertising of vapes and banning disposable vapes altogether.

In the first instances, I have written to the Chief Executive of Scottish Borders Council asking in the first instance whether there are any planning or licensing breaches and whether there is any action that can taken. When I receive a reply I will be back in touch. In the meantime, thank you for bringing the Community Council's views on this matter to my attention.

Kind Regards

Colin

Colin Smyth
Member of the Scottish Parliament for South Scotland
(Scottish Labour and Co-operative Party)
Regional Office, 17 Buccleuch Street, Dumfries, DG1 2AT

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John Hayward
Chief Planning and Housing Officer

Colin Smyth MSP.,
By e-mail

Please ask for:

Alan Gueldner

Our Ref:

AG/

Your Ref:

E-Mail:

Date:

07 February 2025

Dear Mr Smyth,

VAPE SHOP PEEBLES HIGH STREET.

I refer to your email of 29 January 2025 in relation to concerns that have been raised about the advertising material at the new vape shop on Peebles High Street. I have had an opportunity to consider your constituent's concerns, and I can advise that my team have received numerous complaints in relation to the advertisement affixed to the premises. An enforcement case has been opened and is currently the subject of an ongoing enforcement enquiry. I have been given to understand that some of the advertisement material has been removed and my officer is engaging with the operator of the shop to ensure that any remaining advertisement material will either benefit from deemed consent, be removed or will be subject of a retrospective application for advertisement consent.

Given that the matter is still a live enquiry, I am unable to offer any further clarification at this time , other than my team will ensure the matter is resolved at the earliest opportunity.

I trust I have been able to provide some assistance in relation to this matter, however if you would like to discuss these matters further please do not hesitate to contact me.

Yours faithfully

Alan Gueldner
Team Leader Enforcement

Planning Committee Mon 3 Feb 2025

Mr Chairman, Committee Members

The community simply has a different experience from the Roads Planning assessment. Caledonian Road is a one-lane road, with passing spaces between parked cars. It regularly snarls up, with lorries frequently causing gridlock. Residents specifically asked me to remind councillors of what they see as a promise in the LDP that this industrial site “can only be a longer term option”.

Had the proposal looked like Harbros, or had the town’s traffic issues been resolved, the application might have had a different reception. But, our community is very unhappy that the Western edge of our beautiful town might be blighted by 85 rusting storage containers.

Section 37(2) gives you broad powers to disregard the plan in favour of these material considerations.

You will be aware that your section 37 freedoms do not apply in respect of European Protected Species. You must: determine whether they are present; fully consider potential impacts prior to determination; and this cannot be deferred to conditions.

Dr Topalian referenced bats and included photos and locations of an active badger sett within 80m and the evidence on screen shows both bats and badger present.

However, neither the Preliminary Ecological Appraisal Report (PEAR, Report 1), nor the ecology officer’s comments, are available publicly. Without this report, how can the committee fully consider potential impacts?

Section 36 requires all reports, to which this committee has regard in this decision, to be publicly available. Our community cares deeply for the preservation of our protected species. We are sceptical of this recommendation justified on the basis of missing reports, and we believe that reference to the missing Report 1 makes condition 3 invalid.

Even if Report 1 were available, it would not be sufficient to satisfy today’s needs. CIEEM (eco) guidelines say:

“it is not appropriate to submit a PEAR in support of a planning application because the scope of a PEAR is unlikely to fully meet planning authority requirements” [pg 3]

SBC’s August 2024 Bat guidance tells us that proposals for sites within 200m of rivers require bat surveys. The Tweed is only 140m away, yet there is no bat survey.

It is claimed that lighting Report 2 addresses bats. But Report 2 is not a bat survey, nor was it prepared by a qualified bat expert. Report 2 was prepared under expired 2014 Scottish Planning Policy and non-existent 2018 LDP. Section 37(2) does not give this committee the power to set conditions disregarding the statutory plan in favour of an expired version. We respectfully submit that condition 4’s reference to report 2 makes this condition invalid.

It seems impossible that the impacts on protected species have been fully taken into account. We urge you to consider the wider impacts on the community and reject this application.

References

European Protected Species - terms of guidance: Chief Planner letter, Published 16 May 2006,

<https://www.gov.scot/publications/european-protected-species-chief-planner-letter/>

SBC Technical Advice Notes (TANs – bats & otters)

<https://www.scotborders.gov.uk/technicaladvicenotes>

Precautionary Principle

Environment – guiding principles: statutory guidance, 15 Aug 2023

<https://www.gov.scot/publications/scotlands-guiding-principles-environment-statutory-guidance/pages/5/>

Sample European (Bat) and National (Badger) Protected Species

Public data records indicate European and Nationally protected species may be on-site. Public location data for sensitive species are blurred. Location data below are accurate to 700m for bats and 1.4 km for badgers.

EP1: “If there is **reasonable evidence to suggest that a protected species is present** on a site or may be affected by a proposed development, **steps must be taken to establish its presence**. The level of protection **required by legislation** must be factored into the planning and design of development, and **potential impacts must be fully considered prior to the determination of any application.**”

NBN atlas
SCOTLAND

SPECIESLOCATIONS▼ANALYSEGET INVOLVED▼DATA AND PARTNERS▼ABOUT▼HELP

Home > Occurrence records > Search results

Occurrence records

Advanced search

Quick search

Customise filters

1 results for Scientific name: "Myotis daubentonii" - within 0.5 km of point(55.649, -3.207)

API

Selected filters: [exclude] Occurrence status: absent - within 0.5 km of point(55.649, -3.207) Spatial filter: CIRCLE

RecordsMapChartsRecord imagesOverview and download

Alerts

per page: 20 sort: Record date order: Descending

Species: **Myotis daubentonii** | Daubenton's Bat Date: 2019-04-19 Scotland OSGR: NT2440
Data Resource: R. Manning's Records Basis Of Record: Human Observation [View record](#)

Narrow your results

Selected filters

☒ [exclude] Occurrence status: absent - within 0.5 km of point(55.649, -3.207)

Taxon

NBN atlas
SCOTLAND

SPECIESLOCATIONS▼ANALYSEGET INVOLVED▼DATA AND PARTNERS▼ABOUT▼HELP

Home > Occurrence records > Search results

Occurrence records

Advanced search

Quick search

Customise filters

6 results for Scientific name: "Meles meles" - within 2 km of point(55.649, -3.207)

API

Selected filters: [exclude] Occurrence status: absent - within 2 km of point(55.649, -3.207) Spatial filter: CIRCLE

RecordsMapChartsRecord imagesOverview and download

Alerts

per page: 20 sort: Record date order: Descending

Species: **Meles meles** | Badger Date: 2020-04-04 Scotland OSGR: NT
Data Resource: National Mammal Atlas Project, Online Recording Basis Of Record: Human Observation [View record](#)

Species: **Meles meles** | Badger Date: 2016-04-22 Scotland OSGR: NT23J
Data Resource: TWIC Spots And Stripes Public Survey Basis Of Record: Human Observation [View record](#)

Species: **Meles meles** | Badger Date: 2015-04-07 Scotland OSGR: NT24K
Data Resource: TWIC Spots And Stripes Public Survey Basis Of Record: Human Observation [View record](#)

Species: **Meles meles** | Badger Date: 2015-03-27 Scotland OSGR: NT24F
Data Resource: TWIC Spots And Stripes Public Survey Basis Of Record: Human Observation [View record](#)

Species: **Meles meles** | Badger Date: 2014-06-26 Scotland OSGR: NT24F
Data Resource: TWIC Spots And Stripes Public Survey Basis Of Record: Human Observation [View record](#)

Species: **Meles meles** | Badger Year: 2015 Scotland OSGR: NT24K
Data Resource: TWIC Spots And Stripes Public Survey Basis Of Record: Human Observation [View record](#)

Narrow your results

Selected filters

☒ [exclude] Occurrence status: absent - within 2 km of point(55.649, -3.207)

Taxon

Attribution

Identification

Occurrence

Record

Assertions

Occurrence records

Customise filters

Narrow your results

Selected filters

☒ [exclude] Occurrence status: absent - within 0.5 km of point(55.649, -3.207)

Taxon

Attribution

Identification

Occurrence

Record

Assertions

1 results for Scientific name: "Myotis daubentonii" - within 0.5 km of point(55.649, -3.207)

API

Selected filters: [exclude] Occurrence status: absent - within 0.5 km of point(55.649, -3.207) Spatial filter: CIRCLE

Records

Map

Charts

Record images

Overview and download

View in spatial portal

Download map

Map type: Variable grids

Size: 4

Opacity: 0.8

Outline: ☐

Lat: 55.6434 Lng: -3.2064

Explore Your Area

Enter your location or address:

NT241401

Search

E.g. a street address, place name, postcode, GPS coordinates (as lat, long) or Ordnance survey grid reference

Showing records for: 2 Neidpath Pl, Peebles EH45 9ST, UK

Display records in a 2 km radius

View selected records

Group	Species	Common Name	Species	Records
All species	1: 1.	Soprano Pipistrelle	Pipistrellus pygmaeus	928
Animals	5 2.	Grey Squirrel	Sciurus carolinensis	904
Amphibians	3 3.	Common Pipistrelle	Pipistrellus pipistrellus	392
Arthropods	3 4.	Red Squirrel	Sciurus vulgaris	247
Crustaceans	6 5.	Hedgehog	Erinaceus europaeus	97
Insects	3 6.	Rabbit	Oryctolagus cuniculus	31
Myriapods	3 7.	Daubenton's Bat	Myotis daubentonii	21
Spiders and Allies	3 8.	Otter	Lutra lutra	15
Birds	1: 9.	Brown Long-eared Bat	Plecotus auritus	14
Fishes	5 10.	House Mouse	Mus musculus	12
Mammals	2 11.	Roe Deer	Capreolus capreolus	11
Molluscs	4 12.	Wood Mouse	Apodemus sylvaticus	6
Reptiles	0 13.	Badger	Meles meles	6
Worms	1: 14.	American Mink	Neovison vison	6
Bacteria	0 15.	Stoat	Mustela erminea	5
Chromista	1: 16.	Natterer's Bat	Myotis nattereri	4
Fungi	3 17.	Water Vole	Arvicola amphibius	3
Plants	6 18.	Sika Deer	Cervus nippon	2
Algae	0 19.	Field Vole	Microtus agrestis	2
Bryophytes	1: 20.	Mole	Talpa europaea	2
Clubmosses and Firmosses	5 21.	Pine Marten	Martes martes	1
Ferns and Allies	1: 22.	Bank Vole	Myodes glareolus	1
Flowering Plants	0 23.	Pygmy Shrew	Sorex minutus	1
Gymnosperms and Ginkgo	0 24.	Red Fox	Vulpes vulpes	1
Hornworts				
Protozoa				

+

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↶

Leaflet | Map data © OpenStreetMap, imagery © CartoDB, Atlas of Living Australia

Tips: you can fine-tune the location of the area by dragging the red marker icon

EP2: “If there is evidence to suggest that a legally protected species is on site or may be affected by proposed development, steps must be taken to establish its presence. The level of protection afforded by legislation must be factored into the planning and design of the development. Any impacts will be fully considered in determination of the application.”

References

- Species data accessed via the NBN (National Biodiversity Network) Atlas
 - <https://nbnatlas.org>
 - Data reproduced under NBN Atlas Sensitive Species licensing (i.e. with location data blurred) <https://docs.nbnatlas.org/data-licenses/>
 - All data are unmodified (other than NBN location blurring)
- Unmodified, original Badger data (coordinate uncertainty 1.4142 km) provided by
 - the Mammal Society
 - National Mammal Atlas Project, online recording.
<https://registry.nbnatlas.org/public/show/dr671>
 - Creative Commons No rights reserved licence (CC0)
 - The Wildlife Information Centre, <https://wildlifeinformation.co.uk>
 - TWIC Spots and Stripes Public Survey
<https://registry.nbnatlas.org/public/show/dr1523>
 - Creative Commons CC-BY-NC license
<https://creativecommons.org/licenses/by/4.0/>
- Unmodified, original Daubenton's Bat data (coordinate uncertainty 0.707 km)
 - The Wildlife Information Centre, <https://wildlifeinformation.co.uk>
 - R. Manning's Records
<https://registry.nbnatlas.org/public/show/dr2005>
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<https://creativecommons.org/licenses/by/4.0/>

Attachment

Technical Advice Note #1 Bat Surveys, SBC, August 2024, Available
<https://www.scotborders.gov.uk/technicaladvicenotes>

From: Dods, Ranald [REDACTED]
Subject: RE: [OFFICIAL] Ecology Baseline Report 19/00182/PPP
Date: 19 November 2024 at 16:30
To: Michael Marshall [REDACTED]

RD

We don't publish ecology reports Paul. I would expect that we wouldn't send them to a third party either because we then cannot control what is done with it thereafter, essentially negating them being sensitive. This gentleman is opposed to 24/00030/FUL and may use the information in a manner which would end up in wider distribution.

Ranald

From: Michael Marshall [REDACTED]
Sent: 19 November 2024 12:45
To: Planning & Regulatory Services <prs@scotborders.gov.uk>
Subject: Ecology Baseline Report 19/00182/PPP

Dear Planning & Regulatory Services

Would you please add to the portal (and/or send me) a document that appears to be missing from your portal in respect of 19/00182/PPP.

The document (attached) marked "10 Dec 2019 Consultation Reply ECOLOGY OFFICER" makes reference to the following documents:

- Ecology Baseline Report ITP Energised November 2019
- Bat survey, ITP Energised, September 2019

I am particularly interested in the Ecology Baseline Report. Please also send me (or post on the portal) the bat survey as well if you can – though I understand if it needs either to be redacted or possibly withheld.

Time is of the essence as this relates to a matter before the planning committee on 9 Dec 2024.

Kind regards,

Michael

Royal Burgh of Peebles & District Community Council (PCC)
Dr Michael Marshall, Planning Convenor
c/o The Eastgate Theatre
Eastgate, Peebles, EH45 8AD
<https://ccrbpeebles.co.uk/>

[REDACTED]

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