

Peebles & District Community Council
Planning Report
Draft Wed 1 July 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 set out concerns that planners appeared not to follow SBC guidance and may have breached Habitats Regulations 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.
- 1.5 **Is SBC appropriately publishing objections raising legal concerns?**
 - 1.5.1 [9 July 2025](#) Environmental Rights Centre for Scotland (ERCS) write to planners asking whether Habitats Regulations Appraisal (HRA) has been complied with for Kingsmeadows. SBC publish that letter.
 - 1.5.2 [3 Nov 2025](#) ERCS wrote to SBC explaining the legal requirement for HRA for Kingsmeadows & that in their view approval would give grounds for judicial review. SBC did not publish that letter on the planning portal (as a result, it was not included in the “objection comments” pdf for the local review).
 - 1.5.3 [12 Feb 2026](#) SBC publicly say “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.
 - 1.5.4 PCC notes its concern that [Harper Macleod advice](#) not included in Kingsmeadows officers’ reports in view of its obvious importance.
Cllrs Pirone and Tatler raising this with SBC.
- 1.6 **Is SBC appropriately answering PCC complaints / correspondence?**
 - 1.6.1 [17 Nov 2025](#) PCC complained to SBC re environmental protection.
 - 29 Jan 2026 ERCS complain re failure to give substantive response
 - 25 Nov 2025 [SBC promise response by 23 Dec 2025](#).
 - 18 Dec 2025 [SBC promise response by 28 Jan 2026](#).
 - 27 Jan 2026 [SBC promise response by 11 Feb 2026](#).
 - 11 Feb 2026 [SBC promise response by 25 Feb 2026](#).
 - 25 Feb 2026 [SBC promise response by 30 Mar 2026](#).
 - 23 Apr 2026 [SBC replied](#), apologising for two failures to reply and otherwise upholding no part of PCC’s complaint.
 - 1.6.2 PCC submitted 4 consultation responses re Ballantyne Place ([29 Jul 2025](#), [7 Aug 2025](#), [18 Aug 2025](#) and [22 Aug 2025](#)) requesting clarification of legal issues (see 2.2 [Nov 2025](#)) and seeking delay. [14 Aug 2025](#) SBC refused to delay, promising Legal clarification.

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[10 Sep 2025](#) PCC wrote to SBC Legal asking for clarification.
No response received to date.

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

1.7.1 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 of the appeal processes to DPEA and LRB have run their course.

1.7.2 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.

1.7.3 **SBC are yet to publish the [objection from Balfour Manson solicitors on the portal for 24/00247/FUL](#).**

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.

[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.**

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 [ERCS writes to SBC](#) over Habitats Regs concerns and whether these applications will be approved without proper prior consideration of potential effects on River Tweed SAC.

14 Jul 2025 [SBC refuse to publish ERCS letter](#) but promise a reply.

21 July 2025 [PCC objects](#) based on NatureScot & Ecologist replies

29 July 2025 [Peebles Civic Society objects](#) on same grounds.

22 Sep 2025 [SBC tell Granton](#) "a recommendation would be made under delegated powers to refuse permission" (published 25 Nov).

17 Oct 2025 [SBC confirm to ERCS](#) that HRA not carried out.

3 Nov 2025 [ERCS write to SBC](#) warning of potential breach of Habitats Regulations asking if "Council will reconsider its position."

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](#)).

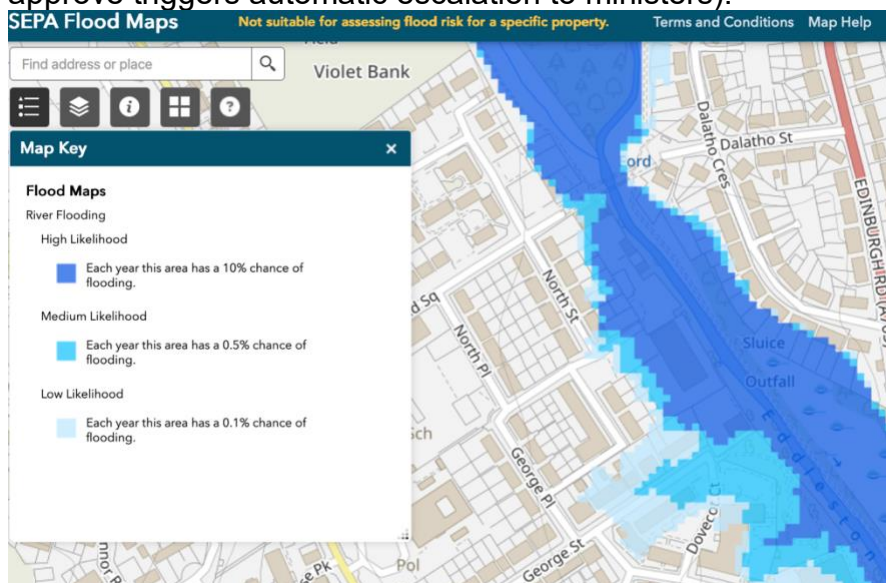
12 Mar 2026 Now that all the issues concerning changes to conditions 2 and 7 have been refused in applications 24/00030/FUL and 24/00031/FUL respectively and the appeals to LRB and DPEA have run their course, we call on planners to abide by the democratic decisions of our elected councillors and refuse 24/00247/FUL on the same grounds ([PCC objection](#)).

2 Apr 2026 [Objection from Balfour Manson](#) (not yet published on portal).

15 Jun 2026 [FOI request for updates. Response due 13 July 2026.](#)

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- 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 on the site adjacent to Eddleston Water and call for Flood Risk Assessment. They also cite traffic, parking and noise problems.
- 2.2.4 **SEPA Flood maps** show the site at $\geq 10\%$ annual risk of flooding, thus an FRA appears to be required (NB: $\geq 0.5\%$ annual flood risk is considered to be within the flood plain, where a recommendation to approve triggers automatic escalation to ministers).



- 2.2.5 The applicant makes a 3-paragraph “Flooding Statement” on the Plans and Elevations, but this 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**, an Environmental Statement and Habitat Survey appear to be required from the applicant (but have not been provided) in order to inform SBC’s 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.
- 2.3 **26/00518/TCA** – **Work to trees – Priorsford House Tweed Avenue.** No recommendation (no information available on portal).

3.0 **New Planning Applications**

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

- 3.1 **26/00839/FUL** – **Alterations and extension to dwellinghouse – Watersmeet 20 Dukehaugh.** Construction of front entrance porch, rear extension, internal alterations and solar panels onto roof of front elevation.
- 3.2 **26/00670/FUL** – **Retrospective change of use of existing detached garage workshop to bunk house – 1 Eshiels Holdings.** The applicant

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was made aware of the requirement for permission after completion when applying for a letting license.

- 3.3 [26/01001/LBC](#) – **Installation of defibrillator and bleed kit – 7 Eastgate Peebles.** Nationwide Building Society are committed to supporting the communities they serve, they aim to install life savings equipment to ensure people have rapid, 24/7 access to vital emergency equipment. The Defibrillator and Bleed Kit will be housed in a secure cabinet installed to the external wall of the branch. The cabinet needs to be prominent, so it can easily be seen and reached in case of emergency. As this equipment is potentially lifesaving, we consider that this outweighs any harm to the appearance of the conservation area.

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

3.4

4.0 Planning Applications – Wind Farms¹

Wind Farm applications \geq 50 MW are decided by the Energy Consents Unit (ECU) under [section 36 of the Electricity Act](#), with [SBC acting as a consultee](#). The Scottish government recently [consulted on raising this threshold](#). PCC supports the proposal to increase the threshold (so that more renewable energy applications are decided locally by SBC) **but only if the corresponding portion of the ECU's budget is transferred to SBC.**

17 Feb 2026 Scotland's Court of Session recently upheld a very significant appeal [\[2026\] CSIH 10](#) in the case of [Wull Muir Wind Farm](#) – potentially impacting every renewable application in Scotland. The wind farm had initially been refused by SBC before being approved by Scottish Ministers in January 2025. The appeal challenged whether it was lawful to approve the wind farm in the absence of grid connection information, arguing that the environmental impact of the wind farm had not been properly considered. The court agreed that this was a material error and quashed the wind farm's approval. [Read more on BBC News](#).

16 April 2026 following Raeshaw Farms' successful Wull Muir appeal, ECU appear to have written to every wind farm under consideration with a series of questions.

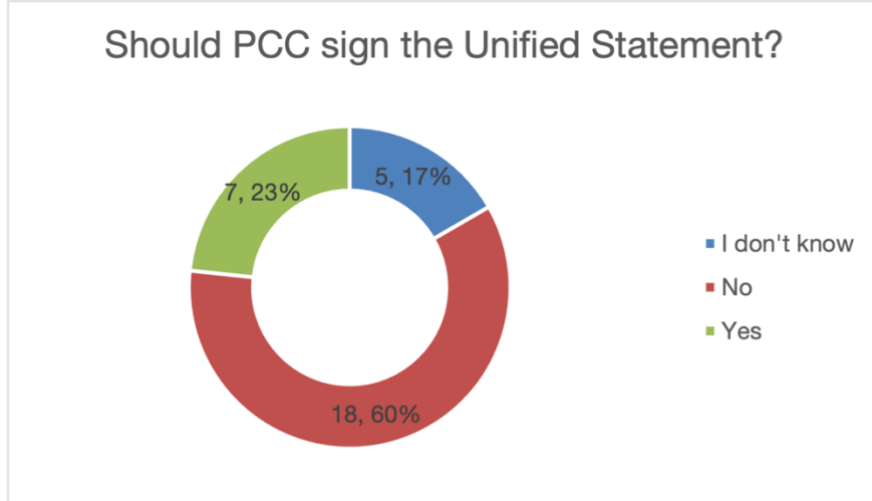
- What are the implications of the Raeshaw Farms judgment?
- Whether the wind farm and its grid connection are considered one project for the purposes of EIA?
 - If one project, have significant effects been considered in the EIA?
 - Otherwise has consideration been given to cumulative effects with grid?
- Are all likely significant effects identifiable at this stage?

All the wind farm projects listed below are impacted.

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

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With respect to the [request to sign the Unified Statement on renewable energy](#), PCC notes the renewable energy survey results on the question “should PCC sign the unified statement”: Yes 7 (23%); No 18 (60%); I don’t know 5 (17%). See the [statement issued by Callum Kerr MSP](#) addressing the complex issues involved.



- 4.1 [Leithenwater](#) – [24/00512/S36](#) / [ECU00004619](#) – SBC S36 deadline **27 Aug 2026**. Awaiting decision.
- 4.1.1 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.
 - 4.1.2 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 [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 2026 The Ministry of Defence (MOD) maintains its objection due to the unacceptable impact on the operation and capability of

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

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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 (see figure below). Public comments due 27 Jul 2026.



Photographs of typical wood poles in the landscape (Belltown Power, June 2026.
NB: Belltown Power do not know how Scottish Power will choose to connect.)

- 4.2 **Scawd Law** – [23/00013/S36](#) / [ECU00002111](#) – SBC S36 decision deadline 3 Mar 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 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 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 eagles²/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 27 Jan 2026 Fred Olsen publishes "information note" to address consultee concerns. For example, SBC asked ECU to consider whether the consultant's omission that they were owned by Fred Olsen (FORL) constitutes a conflict of interest. The "information

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](#).

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- note” says this is incorrect because FORL is owned by “Bonheur” – without disclosing that [Bonheur is controlled by Fred. Olsen & Co.](#)
- 4.2.7 2 Feb 2026 SBC decision deadline extended until 3 Mar 2026.
- 4.2.8 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.”
- 4.2.9 2 Mar 2026 SBC objects on Local Landscape Designations and Renewable Energy Supplementary Planning Guidance, Landscape Capacity and Cumulative Impact, and impact on Golden Eagles.
- 4.2.10 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 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 weeks.

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 [26/00889/FUL](#) & [26/00858/LBC](#) – Alterations and change of use to reinstate the property as a single retail unit – 62 - 64 High Street. Proposal to include reinstatement of units 62 & 64 to original shell unit. Reinstatement existing door opening at no 64 to original window opening to match adjacent windows. Current use of no 62 is betting shop and no 64 is retail clothing. Proposed use for both units to be retail.
- 6.2 [26/00631/ADV](#) – Installation of illuminated and non-illuminated signage – 11 Eastgate. Nisa local, max luminance 600 candela per m².
- 6.3 [26/00792/FUL](#) – Erection of replacement garage – Tweedbank Greenside. Demolish existing concrete panel garage and erect a replacement with the following features; - footprint of 5m x 8m, which is larger than existing and remains at least 1m distant from neighbouring walls and buildings. Construction in concrete block, finished at front with sandstone and whin infill to match house, with sides and rear rendered. Hip roof with slate and

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- lead/zinc construction to match neighbouring garages and the main house. Timber hinged doors with frosted glazing.
- 6.4 [26/00902/TCA](#) – Work to trees – Tweedbank Greenside. Three trees between garden and river, height reduction by 30% and branches cleared to height of 5m above path.
- 6.5 [26/00819/FUL](#) & [26/00820/LBC](#) – Erection of entrance gates – Main Entrance at Kailzie Gardens. New vehicular entry gates are to be white in colour (painted) and made up of steel in a style to match existing pedestrian entry gates. Steel posts for gates are to be positioned behind existing stone pillars.
- 6.6 [26/00811/FUL](#) – Alterations and change of use from Class 1A (legal/estate agency office) to Class 3 café – 20 Northgate.
- 6.7 [26/00817/ADV](#) – Installation of illuminated signage – 20 Northgate. Henry's coffee.
- 6.8 [26/00841/FUL](#) – Alterations and extension to dwellinghouse – 42 Edderston Ridge. Replacement of existing conservatory with rear extension to form family room.
- 6.9 [26/00872/TPO](#) – Work to trees – Ramornie Chambers Terrace. Remove two beech trees (outgrown from beech hedge) damaging wall.
- 6.10 [26/00904/TCA](#) – Work to trees – Loanside 29 Caledonian Road. Remove several birch trees damaging retaining wall which has suffered partial collapse on recommendation of stonemason.
- 6.11 [26/00690/FUL](#) – Formation of off street parking bay and electric vehicle charging point – Glendearg 20 Crossland Crescent.

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