Peebles Civic Society

*"Dedicated to the preservation, improvement and development of amenity in and around Peebles"*

29th July 2025

**24/00031/FUL & 24/00247/FUL**

Dear Ranald

Previously the Peebles Civic Society has objected to 24/00031/FUL & 24/00247/FUL and there has been considerable community opposition to alteration to these applications.

We support the recently submitted letter from the Peebles Community Council and in particular note the following:

NatureScot make it clear that "this proposal is likely to have a significant effect on the River Tweed SAC. Consequently, Scottish Borders Council, as competent authority, would be required to carry out an appropriate assessment in view of the site's conservation objectives for its qualifying interests." This of course refers to a Habitats Regulations Appraisal (HRA), which we understand has not been carried out. The PCC letter points out the contradictions in the NatureScot letter, but these do not change the fact that a HRA is required and that 19/00182/PPP has expired meaning that there is no existing permission for the two applications.

We agree with the PCC and SBC's ecologist (email submitted to the planning portal) who states that altering condition 7 by removing the requirement to have a no-development buffer would have an impact on the Tweed SAC. The SBC ecologist also states that condition 13 requires a Landscape and Habitat Management Plan and that "landscapes and management are a lot more than just the woodland present on the site". The SBC ecologist also states that using the strip along the river as private gardens would have a negative impact and that she "not sure how an appropriate level of habitat management can be achieved". Finally, the ecologist states that any fences or walls dividing gardens would impact on otters and water quality and any application with them would "likely fail and [sic] HRA/Appropriate Assessment because of potential impacts on otters". We agree with the PCC's conclusions that the SBC ecologist's statement demonstrates the importance of retaining condition 7 as the wider woodland needs to be to protected, together with the importance of the no-development buffer for otters and the Tweed SAC. NatureScot also agree and state that 10m buffer is required and should not be removed as requested by the developer.

SBC should carry out an HRA, as stated by the council's own ecologist and this has not been done. It is hard to see how SBC would approve the current applications as there is no

evidence “that [they] will not adversely affect the integrity of that site”. The evidence from the ecologist and NatureScot state that an impact is highly likely.

We note that the ERCS have written to you, but this is not currently available on the planning portal – we would encourage you to upload this. This states that the SBC has previously recognised the need for an HRA. We would strongly encourage the SBC to carry out such an assessment and ensure that the public are consulted.

Finally, under the Habitat Regulations the applicant needs to prove beyond scientific doubt that the development will not have a negative impact on the Tweed SAC. We agree with the PCC that the applicant has not provided any scientific evidence to demonstrate that there will be no harm and the scientific evidence presented suggests that they will be and therefore SBC should reject these applications.

Regards

Anthony Newton

(Secretary, Peebles Civic Society)