



*Community Council
of the
Royal Burgh of Peebles & District*

Ranald Dods
Planning and Regulatory Services
Scottish Borders Council
Newtown St. Boswells
Melrose, TD6 0SA
By email: DC Consultees

31 August 2026

Dear Mr Dods,

OBJECTION – [24/00247/FUL](#) – Granton’s solicitor’s letter of 13 Apr 2026 revealed – threat “to appeal in the Court of Session”

We maintain our objection to this proposal, that we believe is not justifiable against the current development plan (for the reasons set out in our [comprehensive objection of 30 Dec 2025](#)). In our view, the 750 cumulative objections to these proposals on this site demonstrate overwhelming public opposition.

New information from Freedom of Information response

Thank you for your response dated 20 Aug 2026 to our FOI request asking for information relevant to this application withheld from SBC’s planning portal. We refer to letters provided in your FOI response.

The planning officer’s email of 13 Apr 2026 to the applicant said:

“Dear [redacted],

The applications to vary conditions 2 and 7 (24/00030/FUL and 24/00030/FUL) have been refused by the Planning and Building Standards Committee and the Local Review Body on the 9th of December 2024 and 2nd March 2026 respectively. The proposed wording in application 24/00247/FUL is identical to that which has been refused in the previously determined applications.

For that reason, I assume that you intend to withdraw your application 24/00247/FUL. I would be grateful if you could confirm your position as soon as possible.

Yours sincerely,
[...]

We agree with and support the officer’s assessment. Proposed wording in 24/00247/FUL is identical to the refused applications. The applicant should withdraw the application to avoid refusal.

Attempting to reframe Granton's failed legal strategy as SBC's "legal error"

Solicitors acting on behalf of Granton Homes replied the next day, 14 Apr 2026, rehashing the same tired arguments that the planning committee did not find persuasive with either 24/00030/FUL on 9 Dec 2024 or 24/00031/FUL on 23 Feb 2026. [Their letter](#) attempts to reframe their client's loss as SBC's "legal error" and ends with the threat:

"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."

This is very illuminating wording. If legal errors were made in previous refusals, why didn't the applicant appeal those decisions at the Court of Session? Why frame this threat as a "recommendation to our client" – rather than putting SBC on notice? Is Granton, too, unconvinced by their chances of success at the Court of Session?

Significant change in development plan context justifies 24/00247/FUL refusal

Having sighted legal advice, in our opinion, the 2 Mar 2026 25/00041/RNONDT decision notice of the LRB appears well reasoned and we don't identify any clear grounds for an appeal against that decision. Our view is supported by the fact that it was not appealed at that time.

The new and critically important information we provided to you about the [existence of ancient woodland at the site](#) on 17 Aug 2026 amounts to a significant change in the development plan context which would justify the refusal of 24/00247/FUL, consistent with the argument which is made at page 4 of the MFMAC letter.

We urge planners to refuse permission, in line with the planning officer's 13 Apr 2026 email, citing NatureScot's confirmation of Ancient Woodland status for the site¹ as a significant change in the development plan context against which this application was considered.

Yours sincerely
Peebles & District Community Council

Michael Marshall, PhD
Planning Convener

¹ and the NPF4 policy 1 requirement to give significant weight to the global climate and nature crises.