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Scottish Borders Council
Planning & Regulatory Services
Newtown St. Boswells
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SIGNED FOR, 1ST CLASS

Our Ref: SM/JN/KIN687/I

Your Ref:

02 April 2026

Also sent by email –
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Dear Sir/Madam

Kingsmeadows SCIO (Registered SCIO [SC054200](#))
Scottish Borders Council
Planning Application [24/00247/FUL](#)

We are instructed by Kingsmeadows SCIO, a community environmental charity whose core aim is protection of woodlands and green spaces.

At the heart of this matter is safeguarding the trees and land around Kingsmeadows for the benefit of the local community, considering the significance of the Kingsmeadows woodland, ecologically, historically and for its amenity value.

We are writing on the presumption that the Council is familiar with the background and history of the matter and do not intend to narrate it here.

As we understand it, Scottish Borders Council has yet to produce a recommendation in respect of Application 24/00247/FUL.

This application is a section 42 application of the Town and Country Planning (Scotland) Act 1997, asking for the combined changes that were asked for separately in section 42 applications.

We refer to the following:

- [24/00030/FUL](#) condition 2, made 5 Jan 2024, refused 9 Dec 2024 by planning committee, appealed to DPEA [PPA-140-2107](#) 13 March 2025 (refused out of time)
- [24/00031/FUL](#) condition 7, made 5 Jan 2024, local review [25/00041/RNONDT](#) (non-determination), refused by LRB 23 February 2026

All of the issues for 24/00247/FUL have been decided by Scottish Borders Council's elected planning committee. All of the appeal processes to DPEA and LRB have run their course.

In those circumstances, following the refusal by LRB of 24/00031/FUL dated 23 February 2026 in respect of condition 7, and the refusal of 24/00030/FUL in respect of condition 2 on 9 December 2024, which cover identical applications to 24/000247/FUL, simply combined into a single application, and taking these decisions into account, the only rational recommendation to Committee in respect of Application 24/00247/FUL is to recommend refusal.

We are instructed to give notice, should a recommendation for approval be made, our client reserves the right to take legal steps to challenge that recommendation on the basis that such a recommendation would be unlawful.

Yours faithfully

Sindi Mules
Partner
Balfour+Manson LLP