

Planning Committee (including Licencing matters) Report – Tuesday 3rd March 2015

Note these are recommendations to Community Council until passed at full Council Meeting or submitted under delegated powers due to time constraints

Members: Crick Carleton (Chair), Anne Snoddy, Graham Mackie, Alan Mackenzie, Lesley Morrison, Gary Rennie, Robin Tatler, Derek Horsburgh,

Present – Crick Carleton (Chair), Anne Snoddy, Graham Mackie, Derek Horsburgh, Alasdair Stewart (*ex officio*)

Apologies – Lesley Morrison, Robin Tatler

Key issues:

- Local Development Plan
- Planning system training opportunities
- Road and a second bridge
- Flood risk management
- Cloich Forest Windfarm
- Approval of key planning applications

Strategic issues

Draft Local Development Plan

The Planning Reporter has sought further information from the Council and consultees on a number of issues – notably clarity as to future housing development numbers, and approach to renewables. The development and examination of the draft LDP is a complex process, but is clearly laid out at <http://www.dpea.scotland.gov.uk/CaseDetails.aspx?id=115370>.

The draft LDP went out to consultation in 2014, and responses were addressed by SBC planners and council in November 2014 – details available at http://www.scotborders.gov.uk/info/178/development_plans/659/local_development_plan. Our submission to this consultation is shown at **Appendix A** to this report. The Peebles Civic Society's response to the consultation is shown at **Appendix B**.

The main argument that we wish to present is that we do not fundamentally disagree with the housing needs projections for the SESplan area and its subsidiary housing districts, but rather that in recent decades Peebles has hosted a disproportionate amount of new housing (illustrated in the graphics shown as **Appendix C** to this report.). Accordingly, for the next ten years (two LDPs) the bulk of new housing should be allocated to other settlements within the housing district.

At this point in time there is significant imbalance within the Peebles settlement between housing and population numbers, physical infrastructure and service provision, and the

emergence of poorly connected satellite estates removed from town centre services and amenities (notably to the south east of the settlement). On this basis the proposals for medium to long-term future mixed development to the south east and south of the town are excessive, and the provision of a second road bridge across the Tweed exacerbates this situation, and does not meet the medium to long-term needs of the town.

This is not an argument that the settlement of Peebles should not be able to absorb modest further expansion, but rather that expansion should indeed be modest, and that there is pressing need for a recovery period during which physical infrastructures and service provision can be brought into alignment with the current and planned conformation and needs of the town. This includes an urgent need for significant additional economic land able to support expanded local employment in skilled and hi-tech occupations.

We recognise that any reduction in the availability of development land to the south of the river is likely to strengthen calls for release of land to the north of the river for development. We reiterate that what Peebles urgently needs is a recovery period to allow for re-balancing, and that this applies equally to development north or the river as to south of the river.

Training in planning issues

There are potentially two opportunities to improve / develop Community Councillor understanding of physical planning issues – a conference and “**Planning: The People's Perspective**” taking place in Glasgow 25th April, and a training day to be put on by the Scottish Borders Community Council Network with SBC support (likely to be a one-day session, most probably on a Saturday).

The first is especially designed with community councillors in mind – taking the perspective of the community, rather than that of the planners. The [conference](#) you will

- hear three community members speak about their experience of the planning system
- find out about Equal Rights of Appeal and how it can help improve the planning experience for people
- find out how Equal Rights of Appeal operates in Ireland from leading professor, Geraint Ellis from Queen's University, Belfast
- meet others and exchange experience
- learn from experts on a variety of planning topics, including Public Inquiries and planning law
- work with us to campaign for more inclusive planning

Cost: £10 community groups and individuals, £20 professionals

When: Saturday 25th April 2015, 10 - 4.30pm

Where: Central Glasgow, Trades Hall

Book online today at <http://www.planningdemocracy.org.uk/conference>

For more information see their website, reply to info@planningdemocracy.org.uk or ring 0781 387 4805.

The second is an opportunity being promoted by SBCCN, but for which they require some indication of the extent of interest. So now is the opportunity to indicate interest, and to identify particular topics to be covered in the session. Please indicate interest to the Peebles CC Secretary (). This will allow the Secretary to respond to the SBCCN (chair@sbccn.org.uk) in

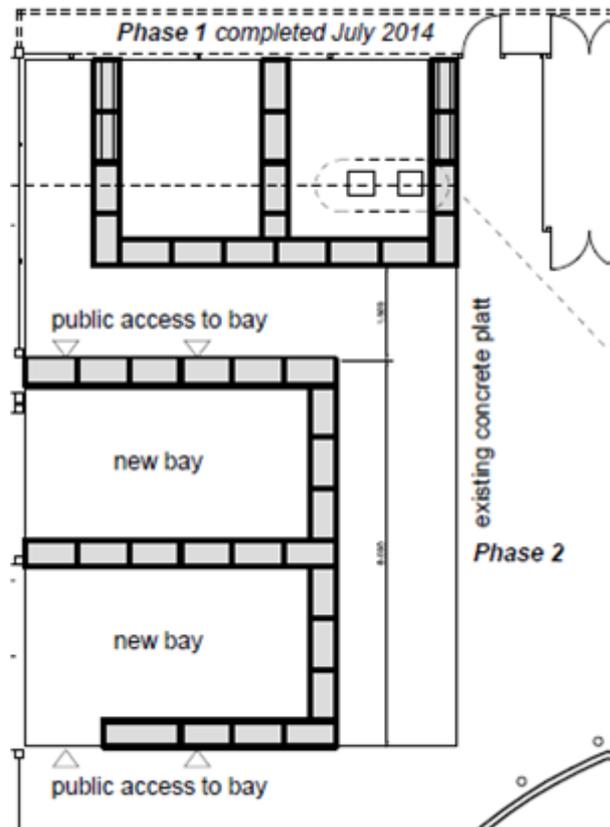
good time for the next SBCCN meeting which is on Wednesday 22nd April 2015 at 7pm at SBC HQ.

Esheils

The two new bays will be installed in front of the two current bays, at 90 degrees to them – as shown in the figure to the left. The two bays at the top of the image being the ones that are already installed.

The council has taken into account the feedback it has received from the first two bays in their design of this next phase. Feedback from the first phase was that some users found the height of the wall awkward to lift over, particularly with heavy and bulky loads of green waste, and that the green waste bay was a long way from the parking area. In response to this feedback the council has:

- reduced the height of the wall that waste is deposited over in the new bays
- arranged for the new bay that will be closest to the parking area to be the bay for green waste disposal
- designed the new green waste bay such that waste can be walked into the bay, removing the need for lifting it over a wall



Neidpath Corner – Dirtpot Corner

Concern has been raised about proposals to permanently site traffic lights at Neidpath Corner – arguing that the physical layout of the road and corner itself is more than sufficient to slow and control traffic movement. Once immediate repairs to the side wall have been completed, *there is a request that wider consultation should be undertaken on longer-term management of this corner – an issue that could be taken up within by the group seeking to raise the standing and condition of the A72 as a particularly important and under-recognised east-west routing through our area.*

Concern has also been raised about the failure to achieve a more permanent engineering solution to management of traffic at Dirtpot Corner – that significant, but relatively small, sums of money are regularly spent on engineering, but without satisfactorily reducing the risk of road closure as a result of accident – i.e. efforts to date have proved a false economy. This brings into stronger focus the need for a more strategic and coherent approach to upgrading of the A72, and examination of any proposals for a second bridge for Peebles in the context of both in-town connectivity and integration with the Borders roads system – for example the future role of the “back” road between Peebles and Cardrona, use of the Cardrona road bridge, and how this links to issues associated with Dirtpot Corner.

Second bridge

Allocation of funding within the SBC financial planning processes for construction of a second bridge – a necessary and precautionary longer-term financial planning procedure – does give a firmer time-line to this issue. Capital allocations are planned for the financial years 2022/23 & 2023/24 – (£18M) – 8 years hence. As the draft LDP proceeds through Examination, much of the proposed mixed development to the south east of constrained by construction of the second bridge. Our continuing concern is that the case for the second bridge has not been adequately demonstrated as far as a large proportion of the community is concerned – and that the agreement of the Planning Reporter to the relationship between future development land allocations and the second bridge adds credibility to this poorly thought through plan. *It is proposed to request SBC planners to further advance more detailed consultation on this proposal – focused not on where the bridge should be located or how it should be constructed, but on what the long-term transport requirements are for Peebles and its surrounds.*

Parking

There is concern that parking continues to present major problems for Peebles, most notably widespread flouting of the restrictions attaching to single and double yellow lines. It is readily accepted that most problems are down to local residents feeling that this is OK because there is no traffic warden, rather than focusing on the rationale behind such restrictions and the disruption and risks to others that abuse of such controls can generate. We are at a loss to propose a remedy for such anti-social behaviour.

It is thus all the more important that local legislation is enacted that will allow the SBC to operate a warden service, and to apply fines. Whilst we are aware that discussions are on-going, there is no end in sight. *We would like confirmation from SBC that every effort is being made to bring a rapid and positive conclusion to the void that has resulted from a mismatch between Police Scotland cutbacks and SBC legal powers.*

Flood risk plans – and consultation

New draft flood risk management delivery plans have been developed for Tweed, Solway and Forth Estuary Local Plan Districts (LPD). As the lead authority for Tweed LPD, which covers the majority of the Borders, Scottish Borders Council has produced a draft delivery plan which clearly sets out how flood risk will be managed, co-ordinated, funded and delivered between 2016 and 2022.

These plans are now out for consultation – <https://frm-scotland.org.uk> – along with the Scottish Environment Protection Agency's (SEPA) draft Flood Risk Management Strategies. The one affecting Peebles is the Tweed LPD. Individuals, businesses and community groups are encouraged to give their views for a public consultation aimed at protecting communities at the greatest risk of flooding in the Scottish Borders.

Consultations

Planning Applications

Details of planning applications, including plans, and council and community representations, can be accessed on the SBC eplanning website – <http://eplanning.scotborders.gov.uk/online-applications/>. Individual applications can be accessed by searching against the application number, or address, or by a more general weekly or monthly listing of applications, making sure to restrict the search to those relevant to “Peebles & District Community Council”.

Cloich Forest Windfarm

Further to discussion at the February meeting of the Community Council, our original response to this planning application has been appended to the February Planning Committee Report (access through the “Document Library” tab at the bottom of each page on the Peebles Community Website – www.PeeblesCommunity.org).

It was also agreed to try and run a poll to establish the extent to which Peebles is for or against the proposed development. The decision whether or not to approve the proposed wind farm application will largely be decided on technical planning policy and planning issues. A summary of the main issues has been presented by SBC to the Public Enquiry, and can be viewed at http://eplanning.scotborders.gov.uk/online-applications/files/333F7C4E282BC72529A72D07F515B7B1/pdf/12_01283_S36-OFFICER_S_REPORT-2595612.pdf.

Peebles, and the Community Council, is very supportive of sustainable development and a raised role for the generation and use of renewable energy. Terrestrial windfarms is one source of renewable energy, and there are those who are strongly supportive of such developments and other who are strongly opposed to such development. This is evident in the range of responses from Peebles residents to date – but from a limited sample size. Siting 18 wind turbines on the top of the broad forested hill to the west of Eddleston, lying just outside the northern border of the Peebles Community Council boundary, means that these turbines will be visible from many parts of the north western Borders, including from parts of Peebles. Does such visibility outweigh the benefits deriving from the capture of wind energy? The main bases of objection to the development are on grounds of impact on the landscape (to do with the physical setting of the wind farm) and its visual impact (its visibility and intrusiveness from the country around it). We would like to be able to provide the enquiry with more detailed information on the views of the residents of Peebles, and *it is proposed that a poll is organised on the Peebles Community Facebook page, and in the Peeblesshire News* along the lines of:

	against			in favour	
	-2	-1	0	+1	+2
Are you supportive of renewable energy generation					
Are you for, against or neutral to the proposed development?					
	minor			major	
	1	2	3	4	5
Is the farm’s impact on the landscape a major or minor issue					
Is the farm’s visual impact a major or minor issue					

The date for public examination of the Cloich Forest Windfarm has now been set for the 26th May at the Peebles Hydro Hotel.

Affordable Housing Cardrona

Mainly as a matter of information and for clarification, we have been notified of a change of layout reference a development in Cardrona (adjacent to the eastern edge of our Community Council boundary).

1. The agent is in the process of submitting to SBC Planning a formal application to modify the residential section of the original approval.
2. There is an approved planning consent for a mixed use development of 10 residential units, pub/ restaurant and shop extension planning ref 09/01542/FUL [2 houses and 8 flats] which included an element of affordable [4 units] on part of the above site [which has been started].
3. The agent, on behalf of the National Housing Trust and in conjunction with SBC, has redesigned the residential section only of the project to take cognisance of the NHT specification/requirements. The housing numbers remain constant with the original consent, i.e. 10 units, but now all 10 units will be affordable, 6 terraced houses and 4 cottage flats.
4. The agent has had pre-application discussions with SBC planning and highway officers and they are broadly supportive of the revised proposals.

3G pitches – adjacent to Craigerne Lane

Concern has been raised about this proposed development from nearby residents. The location of this pitch has been subject to wide consultation over the last three years – with more detailed examination undertaken in recent months. Four possible locations have been explored – Haylodge Park, Whitestone / Kerfield Parks, Victoria Park and Craigerne Lane, all of which currently host playing pitches. A 3G pitch at Haylodge is considered incompatible with the multi-use nature of this site (also taking into consideration recent investment in new pitch layouts), location at the Gytes is rejected as this is a flood area, and location at Victoria Park is at odds with the layout and multi-use nature of this town centre park. Location as Craigerne Lane utilises an existing playing field, is adjacent to and extends the new sports centre and changing facilities at the High School. As is already the case with those using the new sports centre, parking will be accommodated on school premises. On balance this seems an appropriate siting.

Tapestry of Scotland

The issue of proposed local funding of a new purpose-built facility at Tweedbank to house the Tapestry of Scotland has draft a lot of criticism. There is now an offer on the table for SBC to organise a public event to update communities on these plans.

AOCB

none

Planning Applications. (There may be more by meeting so keep an eye on the SBC on-line e-planning).

Special

NEW Ref. No: 15/00131/FUL | Change of use from storage to studio holiday let. | Land And Storage Building East Of Tantah House Edderston Road Peebles Scottish Borders | Received: Sun 08 Feb 2015 | | Status: Pending Consideration | | Mar – **possible objection** – unauthorised development of store, now to be converted to studio holiday let – caution: over-development / increase of housing density on the site / possible residential potential

Ref. No: 15/00013/FUL | [Extension to Quarry to enable widening of internal access haul road](#) | Edston Quarry Peebles Scottish Borders | Received: Sat 10 Jan 2015 | Validated: Wed 14 Jan 2015 | Status: Pending Consideration | | Feb – **pending**

Ref. No: 14/01253/LBCNN | Internal alterations to form 12 residential flats | Kingsmeadows Mansion House Holiday Accommodation Kingsmeadows Road Peebles Scottish Borders EH45 9HR | Received: Sat 08 Nov 2014 | Validated: Fri 14 Nov 2014 | Status: Pending Consideration – **pending – no objection in principle**, but would make more sense set against coherent proposals for development of the whole 17 acre site

Ref. No: 14/01252/FUL | Change of use to form 12 residential flats from holiday let accommodation | Kingsmeadows Mansion House Holiday Accommodation Kingsmeadows Road Peebles Scottish Borders EH45 9HR | Received: Sat 08 Nov 2014 | Validated: Fri 14 Nov 2014 | Status: Pending Consideration – **pending – no objection in principle**, but would make more sense set against coherent proposals for development of the whole 17 acre site

Listed

NEW Ref. No: 15/00134/LBCNN | [Internal alterations](#) | Peebles Hotel Hydro Innerleithen Road Peebles Scottish Borders EH45 8LX | Received: Tue 10 Feb 2015 | Validated: Wed 11 Feb 2015 | Status: Pending Consideration | | Mar – **no objection**

Conservation Area

NEW Ref. No: 15/00169/FUL | Replace conservatory roof, installation of flue, external re-decoration and replacement windows | 30A Northgate Peebles Scottish Borders EH45 8RS | Received: Mon 16 Feb 2015 | | Status: Pending Consideration | | Mar – **no objection**

NEW Ref. No: 15/00121/FUL | [Extension to form storage area and formation of all ability access ramp](#) | Peebles RFC Pavilion Neidpath Road Old Town Peebles Scottish Borders EH45 8NN | Received: Fri 06 Feb 2015 | Validated: Mon 09 Feb 2015 | Status: Pending Consideration | | Mar – **no objection**

NEW Ref. No: 15/00107/FUL | [Alterations to dwellinghouse](#) | 36 Kirkland Street Peebles Scottish Borders EH45 8EU | Received: Wed 04 Feb 2015 | Validated: Mon 09 Feb 2015 | Status: Pending Consideration | | Mar – **no objection**

Ref. No: 14/01424/FUL | [Erection of dwellinghouse with attached garage](#) | Land West Of Souter Brae Venlaw Quarry Road Peebles Scottish Borders –**no**

objection – pending – would like better idea of how planned house fits into view of hillside

NEW Ref. No: 14/00872/FUL | [Re-shell installation of PCP telecommunication cabinet](#) | Land North West Of 105 Northgate Peebles Scottish Borders | Received: Sat 02 Aug 2014 | Validated: Wed 11 Feb 2015 | Status: Pending Consideration | | Mar – **no objection**

Regular

Ref. No: 15/00056/FUL | [Change of use to form hairdressing salon](#) | Block 2 Unit 6 Cherry Court Cavalry Park Peebles Scottish Borders EH45 9BU | Received: Wed 21 Jan 2015 | Validated: Thu 22 Jan 2015 | Status: Pending Consideration | | Feb – **pending**

Rural

NEW Ref. No: 15/00151/FUL | Extension to dwellinghouse and erection of fence enclosure to tennis court | Meldonfoot House Lyne Scottish Borders EH45 8NP | Received: Fri 13 Feb 2015 | | Status: Pending Consideration | | Mar – **no objection**

NEW Ref. No: 15/00150/AGN | [Erection of cold storage building for poultry use](#) | Field No 0328 Kirkburn Cardrona Scottish Borders | Received: Fri 23 Jan 2015 | Validated: Thu 12 Feb 2015 | Status: Pending Consideration | | Mar – **further information required before decision can be reached**

Ref. No: 14/01123/PPP | [Erection of dwellinghouse](#) | Land East Of Redscare Nether Kidston Peebles Scottish Borders | Received: Fri 03 Oct 2014 | Validated: Fri 03 Oct 2014 – **no objection – though increasingly busy road junction – pending**

Appendix B Peebles Civic Society letter to SBC – LDP consultation

Plans and Research Team
Council Headquarters
Scottish Borders Council
Newtown St Boswells
Melrose TD6 0SA

Dear Mr Wanless

26 February 2014

Scottish Borders Local Development Plan: Proposed Plan.

We thank you for the invitation to review and respond to the Proposed Local Development Plan. On behalf of the Peebles Civic Society I set out our views and concerns as they apply to our town of Peebles.

Volume 1

Policies

Appendix 2 Meeting the Housing Land Requirement

Windfall pressures on the planning system especially in relation to Peebles.

Section 2 Housing land supply need and demand assessment (HDNA) in relation to the LDP Proposed Plan for the whole region of the Scottish Borders concludes in table 2 that there is a surplus of 2093 units for the period 2009-2019 reducing to a surplus for the period 2019-2024 of 826. We note that included in these figures there is a windfall assumption of 1169 for years 2009 – 2019 and 730 for years 2019 – 2024. We note that from table 3 the 5 year average percentage completions from 2008 to 2012 are 503 of which 229 are windfall, a percentage of some 46%. We are concerned about this high percentage of windfall sites to planned sites as this demonstrates a weakness in the planning system.

At present in Peebles we are currently confronted with two planning applications due for 34 and 130 houses amounting to some 164 houses that are considered as windfall sites being extra to the allocation in the current Local Plan. We are aware that the housing land requirement for Peebles has already been met for the current planning period. Bearing in mind the new sites allocated for Peebles in table 5 amount to 75 out of a total of 105 for the Western Strategic Development Area the vulnerability to excessive windfall development is unreasonable.

We further refer to table 2 where the expected contribution by windfall for the whole region for period 2019 –2024 is 730. If the two planning applications referred to above are permitted, then the percentage contributed by windfall sites by Peebles alone would amount to 22.5% of the whole region's allocation.

We refer to the SESPlan Main Issues Report chapter 8 paragraph 8.98 that specially refers to the future development pressure on Peebles: '***The Western Hub, particularly at Peebles, has been subject to significant development pressure that will need to be distributed over a wider area within the hub.***'

We feel that we are bearing an unreasonably high proportion of windfall development and that tight control must be adopted for the future of Peebles in order to properly manage the future growth of the town.

If one of these prospective windfall sites is given planning consent during the adoption period of the Proposed LDP then one of the safeguarded sites should be moved to the following planning period.

Volume 2

Settlement Profile for Peebles

Housing

Housing sites TP7B and TP200. We see from the indicative site capacity tables for site TB7B Whitehaugh II that the indicative site capacity is given at 106 whereas in the 2012 Housing Land audit this site has 214 recording the actual number of houses given planning permission. Similarly site TP200 Violet Bank I has an actual consent of 57 houses instead of the 40 listed in the site capacity table.

For the potential longer term mixed use sites south of the river we note that the requirement for a second bridge is demanded. However the potential here is for a considerable number of houses, over 550 using only 20 of the 32ha of site SPEEB005 giving 400, site SPEEB003 South west of Whitehaugh giving 100 and SPEEB004 North west of Hogsbridge 50 at the density presently adopted for the Whitehaugh phase II site.

The potential for over 550 houses will place an undue burden on the current infrastructure of Peebles and we suggest that before any of these sites are brought forward for development and the second bridge decided that a whole town master plan addressing all infrastructure issues and the resulting effect on the town centre is undertaken.

We are still concerned about the increase in traffic on Caledonian Road in respect of the allocation for housing for site APEEB021 South of South Park and Rosetta road for site APEEB041 Violet Bank II.

Business and Industrial Safeguarding

We are concerned that there is a shortage of employment land available in the short term to provide for more local employment to satisfy the projected increase in the population of Peebles. Sites zEL204, zEL2 and zEL46 are already fully used for business. The only indication of future provision for business is in the long term mixed use site SPEEB006 which is well past the proposed planning period to 2024.

We note that site RPEEB001 Dovecot Road is listed for redevelopment. We presume that this will remain for business and industrial use.

Key Greenspace

We are pleased that the listed Greenspace sites are being safeguarded.

Gerard Bakker. Sec Peebles Civic Society

Appendix B – Peebles Civic Society letter to SBC – windfall housing

Mr Brian Frater
Service Director Regulatory Services
Council Headquarters
Scottish Borders Council
Newtown St Boswells
Melrose TD6 0SA

Dear Mr Frater

15 January 2015

Concern about the proportion of windfall sites in Peebles

With the recent granting of planning consent for the housing development at the Peebles Hydro Hotel of 30 units and the current planning application to convert Kingsmeadows House holiday accommodation to 12 permanent flats we are becoming concerned about the proportion of windfall sites over and above the planned expansion of the town stated in the Proposed Local Plan.

We wrote in response to the invitation to consultation of the Proposed Local Plan on 26 February 2014 citing windfall pressures on Peebles. We also wrote a separate letter querying PAN 2/2010 and the definition of the size of potential windfall sites.

The Proposed Local Plan states the provision in Peebles for 75 units for the planning period to 2024 on two sites: APEEB021 South of South Park for 50 units and ABEEB041 Violet Bank II for 25 units. If these two windfall sites are taken into account 42 of the 75 units to meet the planning need for Peebles would be provided by windfall sites. We are disregarding the occurrence of single or double windfall units as these are reasonable in any period and in the last planning period only amounted to some 17 units.

There is a further planning application currently being considered by the Council for development at the Rosetta Holiday Park for some 130 units. If this application obtains planning consent then the total number of housing units rises to 247 if the 75 planned units are built as well.

The Proposed Local Plan Appendix 2 lists in table 3 the completions for the period 2008 - 2012 for the whole of the Borders an average of 46% (503 completions of which 229 are windfall). In the case of Peebles this would be some 60% (247 completions of which 172 are windfall) PAN 2/2010 Housing Land Audit – Windfall Sites states in paragraph 62 that once planning consent has been given these can count towards meeting the housing land requirement. However, we believe that the increase in supply by nature of windfall sites is not taken into account to replace the planned sites so local over development occurs.

The pressure on development in Peebles is recognised in the SESPlan Main Issues Report chapter 8 paragraph 8.98 that specifically refers to future development pressure in Peebles: *'The Western Hub, particularly at Peebles, has been subject to significant development pressure that will need to be distributed over a wider area within the hub'*

Surely the control of windfall sites should be related to need rather than developer demands. The uncontrolled addition of this category of housing places undue demand on infrastructure, services and compromises the landscape capacity of the town which should be the limiting factor. The uncontrolled addition of windfall units rather undermines the intention of the Local Plan that has been produced at significant cost and effort by the Council's planning officials.

Could you let us know the Council's policy in dealing with cases where the windfall situation so distorts the provision of housing in relation to the planned provision? Also how does the Council address the question as to how windfall applications can be effectively controlled in terms of capacity while taking into account the planned provision? We are at the beginning of the planning period to 2024 and already we are experiencing pressure on development here in Peebles.

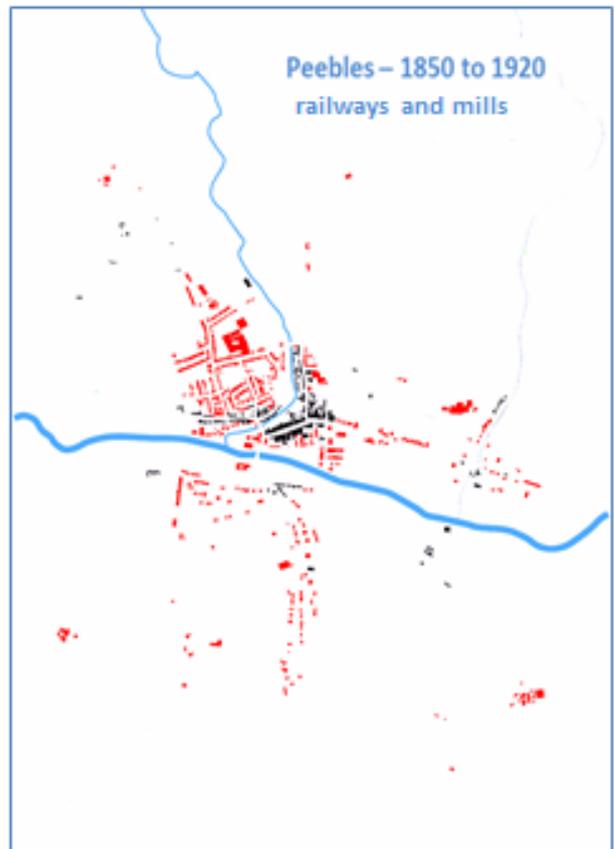
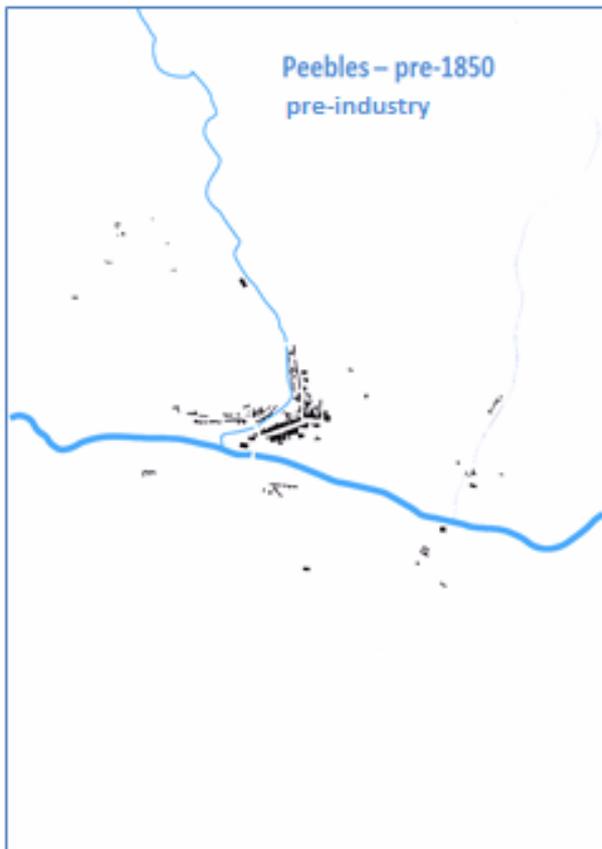
Yours sincerely,

Gerard Bakker, Sec Peebles Civic Society

Copy

Tweeddale Councillors
Community Council

Appendix C- Settlement Evolution



Peebles – 2000-2015
dormitory town

