

Planning Committee (including Licencing matters) Report – Tuesday 7th October 2013

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), Alan Mackenzie, Martin Tolhurst, Lesley Morrison

Present – Crick Carleton (Chair), Martin Tolhurst, Lesley Morrison

Apologies – Alan Mackenzie

Key issues this month are:

- The draft local plan has now been submitted to full SBC council for approval to move forward to public consultation
- The issue of a second bridge was debated last week at a workshop convened by SBC
- New Planning Committee members required

Strategic issues

Draft Local Development Plan

At its end of September meeting of the main council of SBC, consideration was given to the draft Local Development Plan. As far as we are aware this has essentially been approved for release for public consultation, and so will now be printed and distributed. The consultation period of 12 weeks will run from late October to the end of January 2014. Residents and all local community organisations are encouraged to make their views known – either directly to the council using the relevant forms, or via local organisations such as the Community Council, the Civic Society, or the local Vision for Peebles initiative.

In support of the council's debate a copy of the content of the LDP was made available, and can be downloaded from the SBC website at

http://www.scotborders.gov.uk/downloads/file/6530/appendix_b_proposed_local_development_plan_content.

Note that the whole document is large – 51MB.

Note also that it is the main text of the LDP that provides the formal basis against which planning applications will be judged. Settlement plans (included in the draft LDP) have been prepared for each town in the Borders which interpret these guidelines at the local level, and include the Development Plan Map for each settlement that colour codes each of the proposed development elements described in the settlement plan.

Overall we consider the proposals for Peebles to be restrained, with the exception of significant future development to the south east of the settlement area – to the east of Cavalry Park. In the main, modest allocations for medium term housing and economic infrastructure development have been identified, including elements of in-fill and redevelopment of sites north of the Tweed. The more sizeable developments are located south of the river with extensions at South Parks (medium term), and beyond Whitehaugh / Kittlegary (longer term, and dependent on provision of an additional road link across the

Tweed). Provision has been made for a Violet Bank II development of up to 25 houses (as previously signalled – but now mentioning the possible requirement for additional road linkage to Edinburgh Road), and no provision has been made for any housing development at Rosetta Road Caravan Park – or indeed on Venlaw Hill.

It will be important that we give full and appropriate consideration to the planning guidelines laid out in the draft LDP. It is of note that these will remain in place and impact on development in and around Peebles over the five year length of the LDP (through to 2018). It is proposed that the Community Council examine the draft LDP in more detail as the special topic for our November meeting.

Peebles Second Bridge

In a related subject, representatives of a number of Peebles organisations were invited to attend an SBC organised workshop on the Second Bridge. The Community Council was represented by Douglas Wright, Martin Tolhurst and Crick Carleton. In all, 28 representatives were down to attend. These were supplemented by a facilitator, four consultants (involved in the STAG1 & 2 studies and a preliminary technical engineering study), five council planning officers, and four of our local SBC councillors.

After a range of presentations, the workshop formed into four groups to reflect on three questions:

- How should Peebles be expanded?
- Is a new bridge required?
- Where should a new bridge go and what should it look like?

On reflection this was a good and useful meeting. In particular it allowed community organisations represented to convey to the council officials that, in their view, the rationale for a second bridge was still far from clear, the purpose of the various transport studies undertaken was narrowly defined but findings have been interpreted as reflecting the situation outside this narrow brief, and that the community was of the view that if a second bridge were built it would simply open the gate to significant further house building south of the river.

Two broad outcomes of the meeting arise:

- There is still much work to be done – not least in coming up with a Whole Town solution to roads connectivity, and thus better defining the problem that a second bridge would address and then how exactly that problem would be remedied through location and construction of a second bridge
- The community does not have an appetite for substantial expansion of the settlement boundary of Peebles.

Together these issues raise a further two points:

- If the medium / longer term plan were to limit / contain further house building south of the river, then location of a bridge along one of the three routes currently proposed by the council, with landfall somewhere around the westerly or easterly edge of Cavalry Park, might accomplish this, but then again it might not;
- But if the intention were to allow significant expansion of the settlement boundary south of the river, then a bridge further to the east would make better sense.

The current draft LDP allows for expansion of housing to the east of the current Whitehaugh / Kittlegary site, but conditional on construction of a second bridge. The Council is required to make a future housing allowance within its LDP – typically, in the case of Peebles, for something like a couple of hundred houses. If this reserve cannot in fact be delivered (because a second bridge is not built), then developers could argue that they should be allowed to build at other sites, even if such sites were not nominated in the LDP and/or were not inside the current Development Boundary. Apparently a Planning Reporter would be hard pressed to resist such applications – finding that the Council was not upholding its responsibilities, since the area nominated for housing could not, in fact, be consented.

This starts to bring some focus to the trade-offs associated with a second bridge. If a second bridge is built then the majority seem to be convinced that this will simply encourage further house-building south of the river – probably extending, in time, far beyond the Kittlegary site. But if the second bridge is not built, then housing sites will need to be identified north of the river. Two such sites spring immediately to mind – building on the lower slopes of the Rosetta Caravan Park, and further building on the site below Venlaw Castle – two developments that the Community Council and the Peebles community have indicated strong objection to.

The idea that the qualities that make Peebles special are already being eroded by new house-building, and can only get worse with further house-building, does not appear to hold much water in planning terms. Yet surely this is all the more reason to get a Whole Town Plan in place as soon as possible, as a means of coherently defining how the settlement of Peebles can be strengthened and made more sustainable. And if this does involve significantly more house building, then how exactly can this be incorporated into the high quality environment that is a key feature of the town.

At the end of the workshop the facilitator asked attendees if the route or routes currently identified arising from completed studies should be protected from development in the Local Development Plan, just in case they might form the basis of a second bridge route. The response was a yes – in that to lose these routes could restrict options in the future, but the response was not an overwhelming yes.

Still much work to be done on this issue.

Peebles Town Master Plan

The Town Master Plan is intended to inform long-term development of Peebles, providing a design framework that goes beyond the somewhat two-dimensional physical focus of the Local Development Plan, and taking a more rounded and holistic view of Peebles, its environmental and the interests of its residents and visitors. Working with its current schedule, the Town Master Plan will not input directly into the coming LDP, but rather into its successor. Should the currently emerging LDP go to amendment part way through its plan period (as was the case with the last LDP) then the Master Plan will be in place to inform this. In any case, planning for the 2019-2025 Plan is likely to begin in 2016, i.e. after the Master Plan will have been completed and where it will be expected to have greatest impact.

The Steering Group of the Vision for Peebles initiative – responsible for guiding the development and delivery of the Town Master Plan – met at the beginning of October. The key point of discussion was how Vision for Peebles should respond to the draft LDP. It is felt that because Vision for Peebles has an explicitly longer term planning horizon than, for example, both the Community Council and the Civic Society which might be expected to have

a more current focus, then a response to the LDP consultation from VfP would both extend the community response, and influence the structure and form of the LDP – in line with the reasoning behind production of a Peebles Town Masterplan. Accordingly VfP proposes to develop the principles behind its Vision for Peebles, and then to review the extent to which the draft LDP supports or detracts from these principles.

Household Survey Results 2013

The 2013 Survey had now been published. The Household Survey is a vital tool for gathering information to populate the SBC Corporate Plan and Single Outcome Agreement, helps the Council in meeting its duty to secure Best Value, and to gauge public perception of Scottish Borders Council and Partners and the services they deliver.

This report has can be downloaded at

http://www.scotborders.gov.uk/downloads/download/1919/scottish_borders_household_survey_2013.

The survey is undertaken to collect general indicators that can be measured. In 2013, the survey was extended to cover Partnership priorities in more depth. The survey covered the following themes:

- Life in the Scottish Borders
- Information about Scottish Borders Council and its services
- Customer contact with Scottish Borders Council
- Internet access and online services
- Local decision making
- Satisfaction with neighbourhood operational services, waste and recycling services and local cultural and recreational facilities
- Roads and transportation
- Winter service and extreme weather events
- Housing, Education and Social Work
- Community safety and policing
- Fire and rescue service
- Health, wellbeing and health services
- Financial wellbeing.

Consultations

Licensing Applications

There is a proposal for Byelaws to prohibit the consumption of alcohol in designated public places in the Borders out for consultation. The Tweeddale Area Forum will be considering this matter at its meeting on Wednesday 27 November 2013. Receipt for response to the consultation has been extended to the 17th January 2014.

A key issue in relation to Peebles is local concern, and people feeling unsafe, because of drunkenness on the High Street – particularly in the evenings, and particularly on Friday and Saturday nights – and young / underage drinking and drunkenness associated with the parks (details of survey at **Annex A**).

Lesley Morrison will review the proposals and report back.

In addition, Scottish Borders Licensing Board has issued its draft Statement of Licensing Policy for consultation – covering the period Nov 2013 to Nov 2016. A meeting to explore Scottish Borders licensing issues and how drinking culture is affecting licensed premises is to be held in Galashiels on 12 November from 09.30 to 15.00. The deadline for registration for this event is 12th October – **volunteers please.**

The consultation document is available at

http://www.scotborders.gov.uk/directory_record/30175/review_of_licensing_board_policy_statement

Scottish Civic Trust Conference

The Scottish Civic Trust is holding a conference on 5th November at Linlithgow – titled **Staying Special: protecting local heritage**. The conference will show good examples of community-led conservation projects, promote best practise, consider whether we are building the heritage of the future, and look at how to tackle Buildings at Risk. Costs £60. Further details at <http://www.scottishcivictrust.org.uk/resources/events/sct-conference-2013.aspx>.

This year the SCT Conference will include 'soapbox' short presentations by representatives of local civic and community groups. These provide you with an opportunity to showcase your civic group or initiative in a 5 minute talk to fellow delegates.

We would like to showcase examples of:

- how your group is helping your area 'stay special'
- good examples of community projects that protect local heritage
- success stories - tell us about how a building or area has been saved or protected near you
- how you're spreading the word about what's special in your area

Veitch's Corner

A further meeting between its owners and community representatives is being brokered by David Mundell. The Community Council will be represented.

It should also be noted that a discussion point has been raised around the idea of taking Veitch's Corner into community ownership through the vehicle of the Common Good Fund.

Fracking

Arising from the offer by the government for companies to apply for licenses to explore fracking – including in Edinburgh and the Borders – a member of the community has asked if we could facilitate provision of further information on this, possibly through a public event at which the energy company and geologists could present opportunities and risks associated with such development.

Details of current exploratory licenses are provided on the SEPA's website at

http://www.sepa.org.uk/customer_information/energy_industry/unconventional_gas/current_activities.aspx. No licenses have so far been issued relating to the Borders.

Tellmescotland

www.tellmescotland.gov.uk is Scotland's national public information notices (PINs) portal, allowing public notices across Scotland to be published in a single online location for the first time.

It is a national initiative endorsed and supported by the Scottish Government. Public information notices (PINs) are announcements that local authorities are legally required to publish. There are two types of PIN. Statutory Notices give required notice of an intended action, such as road closures, construction, licensing and planning/property developments. Public Notices inform people of changes to services, such as refuse collection.

www.tellmescotland.gov.uk was developed by the Scottish Government in partnership with Scotland's local authorities to provide the following national benefits:

- An integrated national picture of statutory and public service developments
- More accessible public notices with enhanced information across Scotland
- Greater interactivity between service users and suppliers locally and nationally, including consumers, businesses, councils and other public service providers

Scottish Borders Council does notify road closures, etc. to this site, but it is not as yet clear how best we might use / access this facility. Its latest newsletter gives further detail of the potential of this site - <http://www.improvementservice.org.uk/newsletters/pins-update/pins-update-october-2013/>.

Planning Applications

AOCB

Franco's Restaurant

Whilst in principle we support the idea of alfresco dining, etc., because this site is separated from the Francos Restaurant by the road entrance to the Swimming Pool car park (presenting both logistical and safety issues), and issues associated with the area being a public space, complete with street furniture provided through public donation (through the Callants) (the public presumably retains the right to use and sit on these seats, even if / when food is served – leading to a potential conflict of interest), leads us to suggest that this is not an appropriate development for this site – even on the sunniest of days.

Kingsmeadows House

Kingsmeadows House has been re-advertised for sale – in two lots – for an asking price of £2.5M. Details at <http://commercialsearch.savills.co.uk/property-detail/2696>.

The main house and grounds comprise one lot, and the steading and associated land south of Kingsmeadows Road constitutes the second lot.

It is evident from the mock-ups of the site in the brochure that the agents are suggesting that the site could be developed with 33 additional properties on the main site, and another 7 on the secondary site (8 redevelopment, and 7 additional infill). This despite the woodlands

associated with the main site being the subject of significant Tree Preservation Orders (TPOs). This is an issue that the Community Council should express some position on. On the one hand such a development would open up this area more than it is at present – but on the other this would be at the loss of significant stands of mature trees, and an important wildlife reserve in the heart of the town.

Manor Brig

In the context of the Stopping Up proposal for The Sware (**closing date for comments 18th October**) requests for further information on the future management of Manor Brig were made. It appears that discussions between SBC and Wemyss and March Estate are coming to a head, with the expectation that responsibility for the repair and maintenance of the bridge will in future rest with Wemyss and March Estate.

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

Listed

[Request for copies of planning consents 92/01382/LBC \(T114-92L\), 92/01383/FUL \(T114-92\), 95/01389/FUL \(T184-95\), 95/01390/LBC \(T184-95\)](#)|Peebles Hotel Hydro Innerleithen Road Peebles Scottish Borders EH45 8LX|Ref. No: 13/01107/SEAR | Received: Thu 19 Sep 2013 | Validated: Thu 19 Sep 2013 | Status: – **All old applications for window replacements and presume hotel is looking to resubmit**

[Internal and external alterations](#)|The Manse Innerleithen Road Peebles Scottish Borders EH45 8BD|Ref. No: 13/01040/LBCNN | Received: Fri 06 Sep 2013 | Validated: Fri 06 Sep 2013 | Status: Pending Consideration – **No objection**

Conservation area

[Extension to dwellinghouse](#)|Ashley Bank 14 Wemyss Place Peebles Scottish Borders EH45 8JT|Ref. No: 13/01064/FUL | Received: Thu 12 Sep 2013 | Validated: Mon 16 Sep 2013 | Status: Pending Consideration – **No objection**

[Alterations to dwellinghouse](#)|The Manse Innerleithen Road Peebles Scottish Borders EH45 8BD|Ref. No: 13/01039/FUL | Received: Fri 06 Sep 2013 | Validated: Fri 06 Sep 2013 | Status: Pending Consideration – **No objection**

[Formation of new window, installation of new rooflights and replacement rooflights](#)|33 Old Town Peebles Scottish Borders EH45 8JF|Ref. No: 13/01033/FUL | Received: Thu 05 Sep 2013 | Validated: Thu 05 Sep 2013 | Status: Pending Consideration – **No objection subject to the application following established guidelines**

Specials

None

Regular

[Removal of Condition No 11 from planning consent 09/01570/PPP relating to the pedestrian footway](#)|Land East Of Craigmount Bonnington Road Peebles Scottish Borders|Ref. No: 13/01067/FUL | Received: Wed 18 Sep 2013 | Validated: Fri 27 Sep 2013 | Status: Pending Consideration – **Condition is to provide footway in front of development. We object to its removal.**

[Extension to dwellinghouse](#)|Brackla Haystoun Avenue Peebles Scottish Borders EH45 9EB|Ref. No: 13/01055/FUL | Received: Wed 11 Sep 2013 | Validated: Wed 11 Sep 2013 | Status: Pending Consideration – **No objection**

[Installation of 16 No roof mounted solar panels](#)|Bellisle Frankscroft Peebles Scottish Borders EH45 9DX|Ref. No: 13/01083/FUL | Received: Fri 20 Sep 2013 | Validated: Mon 23 Sep 2013 | Status: Pending Consideration – **Aesthetically questionable but probably not outside the rules**

[Installation of illuminated and non-illuminated signage](#)|Brown Brothers Garage Edinburgh Road Peebles Scottish Borders EH45 8QE|Ref. No: 13/01021/ADV | Received: Tue 03 Sep 2013 | Validated: Wed 04 Sep 2013 | Status: Pending Consideration – **No objection**

Rural

[Erection of dwellinghouse](#) | Land South East Of Glentress Hotel Peebles Scottish Borders | Ref. No: 13/01043/PPP | Received: Sat 07 Sep 2013 | Validated: Tue 10 Sep 2013 | Status: Pending Consideration – No detail – outline planning permission. Proposed development takes up part of existing hotel / restaurant car park. Immediate area already subject to significant expansion of building over last decade or so – moving towards inappropriate density of development. The Forestry Commission is due to publish Gentress / Tweed Valley Master Plan shortly, to be followed up by development of complementing Supplementary Planning Guidance (SPG) by SBC. Suggest consideration of this application should await publication of the Master Plan and SPG.

Annex A – Alcohol related problems – results of survey

Respondents were asked to identify occasions where they felt unsafe. Of the 456 respondents identified areas where they felt unsafe 126 (27.6%) were alcohol related. The table below shows where the 126 alcohol related unsafe occasions were:

Area	Total	%
Coldstream	1	0.8%
Coldstream / Kelso	1	0.8%
Duns	2	1.6%
Eyemouth	9	7.1%
Galashiels	15	11.9%
Hawick	24	19.0%
Hawick / Galashiels	2	1.6%
Innerleithen	2	1.6%
Jedburgh	4	3.2%
Kelso	15	11.9%
Peebles	18	14.3%
Selkirk	3	2.4%
Town Centres	30	23.8%
Grand Total	126	100.0%

The table on the following page provides the details of the alcohol related unsafe occasions.

Place	Time of the day	Why
Haylodge Park, Peebles and cemetery, new Kingsland school areas	8pm onwards	Number of teenagers who congregate in these areas to drink, take drugs etc
High St, Northgate	Evening and Late Evening	Drunk people
High Street Peebles	10pm	Young people taking too much drink
High Street, Peebles	Around 11pm and later	Drunks outside pubs fighting and behaving anti-socially causing trouble
High Street, Peebles	Friday / Saturday nights	Teenagers drinking / loitering on street.
High Street, Peebles.	After 11pm.	After pub closing time.
High Street, Peebles.	At night and after the pubs empty.	I'm just not sure what might happen at night when the pubs closing and the people are coming out.
Peebles	Night	Drunkenness'
Peebles	Late evening when pubs close	Drunks milling about the street
Peebles	Night	Too much hanging about outside pubs
Peebles High St	Pub closing time at night	Inebriated youngsters / adults
Peebles High Street	Friday and Saturday night	Drunkenness
Peebles High Street	After dark	Folk hanging around outside pubs etc
Peebles High Street	Late Friday / Sat nights	Too many young drunks
Peebles High Street and the Meldons	After 10pm	Groups of people who have been drinking outside the Keg and Post Office or camping on Meldons
Peebles High Street, Channel Street Gala	11.30 - 3.30	Drunks
Town Centre, Peebles.	10pm +	Alcohol fuelled crowds.