
From: Graeme Traill
Sent: 22 January 2024 18:30
To: Planning & Regulatory Services
Subject: 24/00031/FUL Objection and 24/00030/30 FUL

CAUTION: External Email

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Monday 22 January 2024

Dear Sir/Madam

Objection to planning applications 24/00030/FUL and 24/00031/FUL - site in grounds of Kingsmeadows House.

I am writing to you in relation to the above noted planning applications. Please note my objections to both applications as set out below.

General - applies to both applications.

This application is, I would suggest, a well known and classic tactic to try to extend the timescale of permission without applying to renew the existing consent. The applicant will be well aware that there is a new National Planning Framework (NPF4) in place. This is significantly stronger in relation to environmental protection etc and there will clearly be a strong developer desire to try to avoid this framework being taken into account. This should not be allowed to happen.

Scottish Borders Council (SBC) is, I understand, close to signing off its emerging Local Development Plan and this should also be a material consideration. It does, after all, articulate the wishes and intentions of the Local Authority - and aligns with NPF4.

This application is, I believe, a frivolous attempt to achieve a fresh consent and it should be rejected.

Application 24/00030/FUL

The condition as stated makes perfect sense to any reader - lay or professional. It is not ambiguous and there is clearly no need or requirement for the planning authority to grant the application to modify the current condition. The suggestion that it is ambiguous seems, in my view, to be a risible attempt to avoid scrutiny by both SBC and the people of Peebles.

I ask that planning officers reject this or treat it as a non-material change. The deadline of 5th March to address the condition should not be extended.

Application 24/00031/FUL

This condition was included for a reason and that was to ensure that the wider and precious woodland etc of this estate, which sits in a conservation area, is protected from piecemeal removal and destruction. The condition must be retained to assure that protection.

The developer has shown, as demonstrated by previous planning applications, an apparent disregard for the protection of trees and their root protection areas. There is, I would suggest, very good reason to believe that other parts of the woodland within the estate would be at risk should the application be accepted.

Circular 4/1998 makes clear that the planning authority may impose conditions regulating the development or use of land under the control of the applicant even if it is outside the site which is the subject of the application.

The application should be rejected.

CONCLUSION

It is now 8 years since the original approval was granted and in that time things have changed dramatically. On a global scale there is now general agreement and acceptance that we are in the midst of a climate emergency. This has resulted in the development of national policies which reflect and take account of this emergency, hence the production of NPF4 in Scotland. This, in turn, has very significantly assisted the development of Local Development Plans, including that of Scottish Borders Council. This rapidly changing global, national and local context should guide our planning decisions.

It seems quite clear what is happening here. I trust that SBC will not allow these applications to result in a further 5 years for the developer to act in a less rather than more closely scrutinised way.

Graeme Traill

Sent from my iPad