



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Email: planning@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100711827-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="FBRSEED"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Sarah"/>	Building Name:	<input type="text" value="Rose Lane"/>
Last Name: *	<input type="text" value="Mason"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07790032111"/>	Address 1 (Street): *	<input type="text" value="Rose Lane"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Kelso"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="TD5 7AP"/>
Email Address: *	<input type="text" value="sarah.mason@fbrseed.com"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Sir"/>	Building Name:	<input type="text" value="Dundas Castle"/>
First Name: *	<input type="text" value="Jack"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Stewart-Clark"/>	Address 1 (Street): *	<input type="text" value="Dundas Estate"/>
Company/Organisation	<input type="text" value="Dundas Castle Estate"/>	Address 2:	<input type="text" value="South Queensferry"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH30 9SP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Type of Application

This application is to ascertain which one of the following would be lawful: \*

- An existing use of buildings or land.
- An existing operation of development.
- Any other matter constituting a failure to comply with any condition or limitation subject to which planning permission has been granted.

## Description of Existing Use of Buildings or Other Land and/or Existing Operations

Description of Existing Use, Buildings or Operations

Describe the existing uses, building works or operations for which you want a certificate of lawfulness: \* (Max 500 characters)

Material commencement of development of a single dwelling at Dundas Estate granted planning permission on 15th August 1995 then extended for a further five year. The development works comprise laying of house foundations prior to August 2000.

Existing Use Class

If a certificate of lawfulness is sought for either an existing use or an existing use in breach of a condition, please state the Use Class as described in the Town and Country Planning (Use Classes) (Scotland) Order 1997 the use relates to: \*

Class 9 Houses

Is there more than one use of activity/operation? \*

Yes  No

## Grounds for Application for Certificate of Lawfulness

Please state the grounds under which the certificate is sought: \*  
(Note: at least one option must be selected)

- The use began more than 10 years before the date of this application and has operated continuously.
- The use, building works, or operations in breach of condition began more than 10 years before the date of this application.
- The use began within the last 10 years, as a result of a change of use not requiring planning permission, and there has not been a change of use requiring planning permission in the last 10 years.
- The operations (for instances, building or engineering works) were substantially completed more than 4 years before the date of the application.
- The use as a single dwelling house began more than 4 years before the date of this application.
- Other – specify (this might include claims that the change of use or building work was not development, or that it benefited from planning permission granted under the Act or by the General Permitted Development Order).

Are there any existing planning permission, Certificates of Lawfulness, enforcement notices or breach of condition notices affecting the application site?

Yes  No

## Information in Support of a Certificate of Lawfulness

When did the use or activity begin, and/or when were the building works or operations substantially Completed? \*

What information or documentation are you providing with your application to support this date? \*

- A plan
- Evidence to substantiate your grounds of application
- Other supporting information

Please describe in further detail, the supporting information that you are providing: \* (Max 500 characters)

included within this application is 1) copy of the original planning permission for a single dwelling 29.10.1990. 2) copy of the extended planning permission dated 15.8.1995 3) copy of the letter 7.8.2000 from the Engineer Eric Ravenscroft confirming that the foundations for the house were laid and works completed along with their invoice 4) a copy of the final account for completion of the foundations from Cyril Sweet dated 6.9.2000 5) Google earth image showing foundations in situ.

In the case of an existing use or activity, including an existing use or activity in breach of conditions, has there  Yes  No  
Been any interruption or material change to the continuous use? \*

Does the application for a Certificate relate to a residential use where the number of residential units has  Yes  No  
Changed?

As you have indicated that the application relates to a residential use where the number of residential units has changed please provide further details: \* (Max 500 characters)

There are now foundations for one new dwelling per the planning permission.

Please explain why you consider a Certificate of Lawfulness should be granted: \* (Max 500 characters)

The original planning permission (29.10.95) has been crystallised by virtue of material works carried out within the time limits stipulated in the extension of this permission (15.8.95). Foundations for the site were laid prior to August 2000 and evidence has been attached to this application to support this. Witness statements could also be obtained if required. It is also noted that the development works has never been subject to any enforcement action within the last 25 years.

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*  Yes  No

## Any other Particulars or Supplementary Information

Please provide any other particulars or information here which you consider may be relevant: \* (Max 500 characters)

Dundas Estate took necessary action within the consented time limits to ensure that the permission for this single dwelling continued in perpetuity. It was always the intention that younger members of the family would return to the Estate to assist in management and that additional accommodation would be needed. It is the intention that the house will now be built out but due to the passage of time the Estate simply wishes to confirm that the original permission is extant.

## List of Documents, Drawings or Plans which accompany this Application

Please provide a full list of documentation, drawings or plans which accompany this application which you are submitting as supporting information and evidence: \* (Max 500 characters)

Location Plan

Please provide a full list of documentation, drawings or plans which accompany this application which you are submitting as supporting information and evidence: \* (Max 500 characters)

1) Location plan 2) Copy original planning permission 3) Copy extant planning permission 4) Copy of engineers report certifying foundations have been laid 5) copy of engineers invoice 6) Copy of contractors invoice for foundation laying works 7) Google image showing foundations in situ.

## Interest in Land

Please state the applicant's interest in the land: \*

Owner  Lessee  Tenant  Occupier  Other

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*  Yes  No

## Checklist – Application for a Certificate of Lawfulness of Existing Use or Development

The burden of proof in a Certificate of Lawfulness is firmly with the applicant and therefore sufficient and precise information should be provided.

Please complete the following checklist to make sure you have provided all the necessary information in support of your application. Failure to submit the required information may result in your application being deemed invalid. The Planning Authority will not start processing your application until it is valid.

A copy of a plan, showing the boundary of the site. The plan should identify the land to which the application relates and should be drawn to an identified scale. Where such an application specifies two or more uses, operations or other matters, the plan which accompanies the application is to indicate to which part of the land each such use, operation or other matter relates. \*  Yes  No

All evidence provided in support of your application. \*  Yes  No

A statement setting out the applicant's interest in the land, the name and address of any other person known to the applicant to have an interest in the land and whether any such other person has been notified of the application. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has need received by the planning authority.

## Declare – Certificate of Lawfulness – Existing Use or Development

I, the applicant/agent certify that this is an application for a certificate of Lawfulness as described in this form and the accompanying plans/drawings and additional information.

Declaration Name: Mrs Sarah Mason

Declaration Date: 14/05/2025

### WARNING

Section 153 of the 1997 Act provides that it is an offence to knowingly or recklessly provide false or misleading information or to withhold material information with intent to deceive.

Section 152(7) enables the planning authority to revoke, at any time, a certificate they may have issued as a result of such false or misleading information or if material information has been withheld.

## Payment Details

Online payment: 7472381688716762304264;

Payment date: 14/05/2025 16:56:00

Created: 14/05/2025 16:56