



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 100729490-001

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:

City of Edinburgh Council

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

Address 1:

8 FORREST ROAD

Address 2:

OLD TOWN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH1 2QN

Please identify/describe the location of the site or sites

Northing

673189

Easting

325726

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

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *
Other Title:		Building Name:
First Name: *	MAZLUM	Building Number: 8
Last Name: *	TAS	Address 1 (Street): * FORREST RD
Company/Organisation	UNION OF GENIUS LTD	Address 2:
Telephone Number: *		Town/City: * EDINBURGH
Extension Number:		Country: * SCOTLAND
Mobile Number:		Postcode: * EH1 2QN
Fax Number:		
Email Address: *		

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)

The premises at 8 Forrest Road, Edinburgh are used as a small hot food takeaway and café. Food preparation is limited to the simple boiling or reheating of soups and similar light foods; no deep-frying or heavy fat cooking takes place. The use has operated continuously for more than ten years.

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: *

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

Please State date and reference numbers and details of any condition being breached.

Reference Number: *

Date of condition: *

Details of condition: * (Max 500 characters)

Enforcement investigation by the City of Edinburgh Council into use of 8 Forrest Road as a hot food takeaway. The Council's Enforcement Report (dated 30/04/2015) confirmed the use had operated continuously for more than 10 years and was lawful. No enforcement notice or breach of condition notice was issued.

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)

Copy of the City of Edinburgh Council Enforcement Report (Ref. 12/00702/ECOU, dated 30 April 2015) confirming that the premises at 8 Forrest Road, Edinburgh have operated continuously as a hot food takeaway with food preparation for more than ten years and that the use is lawful and time-barred from enforcement action. Also included is a Supporting Statement summarising the history of occupation, nature of operations, and evidence of continuous use

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

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

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

The premises at 8 Forrest Road, Edinburgh have operated continuously as a hot food takeaway with food preparation area for over ten years. The City of Edinburgh Council Enforcement Report (Ref 12/00702/ECOU, 30/04/2015) confirmed the use was established and time-barred from enforcement. No interruption or breach has occurred; under Section 124 of the Town and Country Planning (Scotland) Act 1997 a Certificate of Lawfulness should be granted.

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)

Building Warrant (Ref. 25/01049/WARR) was approved on 3 October 2025 for internal works at the premises. This confirms the property remains in active use and occupation as a hot food takeaway and supports the evidence of continuous lawful use. The approval also demonstrates ongoing compliance with current building standards.

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)

Site Location Plan (1:1250) showing 8 Forrest Road outlined in red. City of Edinburgh Council Enforcement Report Ref. 12/00702/ECOU (30/04/2015) confirming 10+ years' continuous hot food takeaway use. Supporting Statement summarising lawful use evidence. Building Warrant Approval Ref. 25/01049/WARR (03/10/2025) confirming continued occupation.

Interest in Land

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

☐ Owner ☐ Lessee ☒ Tenant ☐ Occupier ☐ Other

As you have indicated that you are not the owner please provide further details.

Please give details of the owner and state whether they have been informed in writing of this appeal:

Title:	Mr	Address 1 (Street): *	FORREST ROAD
Other Title:		Address 2:	
First Name: *	MAZLUM	Town/City: *	EDINBURGH
Last Name: *	TAS	Country: *	SCOTLAND
You must enter a Building Name or Number, or both: *		Postcode: *	EH1 2QN
Building Name:	UNION OF GENIUS		
Building Number:	8		
Has the Owner been informed? * ☒ Yes ☐ No			

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 been 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: Mr MAZLUM TAS

Declaration Date: 12/10/2025

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: 7602734134166332104620;

Payment date: 12/10/2025 13:50:00

Created: 12/10/2025 13:50