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Decision date: 8 August 2023

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013

Erection of dwelling house.
At Land 17 Metres East Of 153 Gilberstoun Edinburgh

Application No: 23/02520/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 13 June 2023, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Reasons:-

1. The proposed development fails to comply with LDP Policy Env 18 (Open Space) as it has not been demonstrated that the proposal will meet the tests to justify the loss of this designated Open Space.
2. The proposed development fails to comply with LDP Policy Des 5 as it fails to demonstrate that future occupiers will have an adequate standard of amenity in terms of daylight and immediate outlook.
3. The proposed development fails to comply with NPF4 Policy 22 (Flood Risk and Water Management). The potential risks of flooding have not been understood and addressed.

4. The extent and scale of driveway and parking proposed fails to comply with NPF4 Policy 14 and LDP Policy Des 1 and fails to have a positive impact on the character of the surrounding area.
5. The proposed development fails to comply with LDP Policy Tra 2 (Private Car Parking) as the proposed parking levels exceed the maximum standards for this development.
6. The location of the plot to the north of Gilberstoun fails to comply with LDP Policy Des 2 (Co-ordinated Development) as it has the potential to compromise the effective use of adjacent land.
7. The proposed development fails to comply with NPF4 Policy 3 (Biodiversity). The proposal fails to assess the existing habitat value of the site and its role in a wider green network.
8. The proposal fails to comply with NPF4 Policy 6 (Forestry, Woodland and Trees) and the Edinburgh Design Guidance as insufficient information has been submitted to assess how the proposals will impact on protected trees.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposals fail to comply with the development plan, as 1. it has not been demonstrated that the proposal will meet the tests to justify the loss of this designated Open Space, 2. it fails to demonstrate that future occupiers will have an adequate standard of amenity in terms of daylight and immediate outlook, 3. the potential risks of flooding have not been understood and addressed, 4. the extent and scale of driveway and parking proposed fails to have a positive impact on the character of the surrounding area, 5. the proposed parking levels exceed the maximum standards for this development, 6. it has the potential to compromise the effective use of adjacent land, 7. it fails to assess the existing habitat value of the site and its role in a wider green network and 8 there is insufficient information has been submitted to assess how the proposals will impact on protected trees.

There are no material considerations which would justify the granting of this application.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly at rachel.webster@edinburgh.gov.uk.

A handwritten signature in black ink, appearing to read 'Rachel Webster', with a long horizontal flourish extending to the right.

Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

**Application for Planning Permission
Land 17 Metres East Of 153 Gilberstoun, Edinburgh,**

Proposal: Erection of dwelling house.

**Item – Local Delegated Decision
Application Number – 23/02520/FUL
Ward – B17 - Portobello/Craigmillar**

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The proposals fail to comply with the development plan, as 1. it has not been demonstrated that the proposal will meet the tests to justify the loss of this designated Open Space, 2. it fails to demonstrate that future occupiers will have an adequate standard of amenity in terms of daylight and immediate outlook, 3. the potential risks of flooding have not been understood and addressed, 4. the extent and scale of driveway and parking proposed fails to have a positive impact on the character of the surrounding area, 5. the proposed parking levels exceed the maximum standards for this development, 6. it has the potential to compromise the effective use of adjacent land, 7. it fails to assess the existing habitat value of the site and its role in a wider green network and 8 there is insufficient information has been submitted to assess how the proposals will impact on protected trees.

There are no material considerations which would justify the granting of this application.

SECTION A – Application Background

Site Description

The application site is a partially cleared wooded area which forms part of the landscaping scheme implemented with the original development of Gilberstoun. The northern part of the application site is designated in the LDP as Open Space. The surrounding area is predominantly residential.

The application site is covered by Tree Preservation Order TPO 193 which took effect on 10th June 2020.

Description of the Proposals

The application proposes the erection of a five bedrooomed, detached house. The dwelling will have an internal floorspace of approximately 250sqm. It is proposed that vehicular access be taken from the east of the site, close to Brunstane Farm Cottages,

No supporting documents have been submitted with the application.

Relevant Site History

16/05449/PPP
Land 17 Metres East Of 153
Gilberstoun
Edinburgh

Clear an area of approximately 405 square metres of existing woodland area and build a 3 bedroom detached house.
Refused

23 December 2016

18/00812/PPP
Land 17 Metres East Of 153
Gilberstoun
Edinburgh

Planning permission in principle to build one three bedroom detached villa with a driveway and landscaped garden.
Refused

17 May 2018

Other Relevant Site History

No other relevant history.

Consultation Engagement

Archaeology

Publicity and Public Engagement

Date of Neighbour Notification: 14 June 2023
Date of Advertisement: Not Applicable
Date of Site Notice: Not Applicable
Number of Contributors: 24

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building and its setting?

The following HES guidance is relevant in the determination of this application:

- Managing Change - Setting

The application site lies directly to the east of a Category B listed steading/farmhouses known as Brunstane House Steading and Brunstane Farm Cottages (LB 28035, 24/09/1991). These remain in residential uses.

The listed buildings are currently bound to the south by modern development and no longer retain their original open landscaped setting. The proposed development will sit within this wider area of modern development. The development of this site will reduce existing views of the listed building when travelling along Gilberstoun. However, given that there a number of shipping containers located adjacent to the application, these views have been restricted for several years.

On this basis the proposal will have a neutral impact on the setting of neighbouring listed buildings.

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development

are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF 4 Policies 1, 2, 3, 6, 7, 12, 14, 15, 16, 18 22
- LDP Policies Del 1, Des 1, Des 2, Des 3, Des 5, Des 8, Env 18, Env 20, Env 22, Hou 1, Hou 3, Hou 4, Tra 2, Tra 4

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering policy NPF4 Policy 7. The Edinburgh Design Guidance (EDG) is relevant to the assessment of new dwellings.

Principle

Within the urban area, LDP Policy Hou 1 gives priority to the delivery of housing on suitable sites provided proposals are compatible with other policies in the plan. The proposal for residential dwellings at this site, complies in principle with the requirements of this policy (subject to other policy considerations).

The north and east of the application site is designated as Open Space within the LDP. The designation covers approximately the area shown as a proposed driveway and parking and includes the rear building line of the proposed house. LDP Policy Env 18 states that the loss of open space will not be permitted if there will be no significant impact on the quality or character of the local environment, there is a significant over-provision of open space serving the immediate area and the loss would not be detrimental to the wider network including its continuity or biodiversity value.

The site forms part of a wider green network which extends south from the application site, then east along the former railway path. The green network also extends to the north along Brunstane Road South and Brunstane Burn Path. The proposals will result in a fragmentation of this green network to the detriment of the quality of the open space. There is no evidence that there is a current oversupply of Open Space in the surrounding area and the green network itself provides an important role in biodiversity.

The proposed development fails to comply with LDP Policy Env 18.

Design and Materials

NPF4 Policy 14 (Design, quality and place) supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places.

LDP Policies Des 1 (Design Quality and Context), Des 2 (Co-ordinated Development), Des 3 (Development Design - Incorporating and Enhancing Potential Features) and Des 4 (Development Design - Impact on Setting) ensure that developments will create or contribute towards a sense of place, based upon positive characteristics of the surrounding area, and planning permission will not be granted for poor quality or inappropriate design that would damage the surrounding character of the area.

The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised.

The proposed new house will not have an access from Gilberstoun and will include a new access point from Brunstane Road South. The plot does not extend up to the roadside on Gilberstoun and is set back approximately 6 metres from the heel of the pavement. This leaves a narrow strip of land which is currently occupied by two shipping containers. The proposed dwelling would have implications on the co-ordinated development of this strip of land and consequently fails to comply with LDP Policy Des 2.

The proposed house will be substantial in footprint and will be relatively large in comparison to existing housing in the estate. However, the proposed two storey height will be of a comparable scale in the streetscene. The submission fail to demonstrate how the proposed dwelling will contribute towards the six qualities of a successful place as required under NPF4 Policy 14.

The proposals include an expansive area of driveway and parking, which will occupy approximately 200 square metres of the plot. This has the potential to accommodate a significant number of vehicles. The EDG notes that proposals for parking within new developments should be design-led and reflect the positive characteristics of the place. Car parking within new developments should not visually dominate the streetscene.

The EDG also notes that the maximum off street parking provision for this location should be one space per dwelling. The application form states this is for 2 cars, but there is a considerable extent of hard standing proposed. The extent of the proposed driveway and hard surface fails to positively contribute to the plot in the street scene and fails to comply with LDP Policy Tra 2.

Sustainability and Climate Change

NPF4 Policy 1 (Tackling the climate and nature crisis) gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of an existing developed site for alternative uses.

NPF4 Policy 2 a) (climate mitigation and adaption) supports development proposals that are sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and in 2 b) those that are sited and designed to adapt to current and future risks from climate change.

There have been no details submitted to suggest the use of low carbon building techniques or energy solutions for the proposed property. The flooding section below notes that insufficient information is provided in relation to future risks from climate change. Although the site will be located within an established residential area, there have been no details on how development of this site will tackle climate and nature crisis.

However, the site is relatively accessible, with access on foot to retail areas at the Jewel and local primary schools.

Historic Environment

NPF4 Policy 7 (Historic assets and places) requires that proposals with a potentially significant impact on historic assets or places should be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records. This policy only supports development proposals in conservation areas where they preserve or enhance the character and appearance of the conservation area and its setting.

The site lies at the core of the historic estate associated with the A-listed 17th century Brunstane House located adjacent to the estates late-18th / early-19th century Steading. Archaeological investigations carried out across the steading has revealed evidence for earlier occupation dating back to the medieval period, with a scheduled cropmark located immediately to the north of the house and partially underlying the house's garden thought to be the remains of a possible moated site. However, the nature of the crop mark may also be interpreted as late Iron Age/ Early medieval square enclosure.

In the event of a grant of planning permission, a condition requiring a programme of archaeological works would be required.

Amenity for Future Occupiers

LDP Policy Hou 3 (Private Green Space) sets out that adequate provision for green space should be made to meet the needs of future residents. The proposal contains an appropriate scale of garden ground in relation to the scale of the dwelling proposed.

However, the proposed development does not provide sufficient detail to show that the no sky line test for daylight to new development can be satisfied. To the south side of the house it is not clear the extent of overshadowing which is caused by the neighbouring shipping containers, which also provide a poor outlook from these rooms. It therefore cannot be shown that the proposals comply with LDP Policy Des 5 and provide future occupiers with an adequate amenity in terms of daylight and immediate outlook.

The proposal will meet the minimum floorspace requirements as identified within the EDG.

Amenity for Neighbours

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring residential properties is not adversely affected in terms of loss of privacy or natural light.

The proposed house is located within a large site and will not result in any significant loss of privacy, sunlight or daylight to neighbouring properties.

Flooding

The site is identified on the SPEA mapping system as being at medium risk for surface water (pluvial) flooding. Guidance on submissions required are detailed on the Council website. In this instance a Flood Risk Assessment and Surface Water Management

Plan would be required to support the application, neither have been included in the submission.

Therefore there is insufficient information provided to assess the impact on flooding as a result of the proposed development. The proposed development fails to comply with NPF4 Policy 2 (Climate Mitigation) and Policy 22 (Flood Risk and Water Management). The potential risks of flooding have not been understood and addressed.

Trees

There appears to have been tree works/clearing carried out on the site in recent years. A Tree Preservation Order (TPO193) was granted in June 2020 which covers the entire application site. No details have been submitted with the application to show any existing trees on the site or within 12 metres of the site boundary. In the absence of a tree survey, in the form specified in BS 5837:2012, it is not possible for an assessment of the impact of the proposal on existing trees to be made.

The proposal fails to comply with NPF4 Policy 6 (Forestry, Woodland and Trees) and the Edinburgh Design Guidance as insufficient information has been submitted.

Biodiversity

The propose new dwelling will be located on an area which forms part of an established linear green networks. The development of this land will reduce the habitat value from the existing situation and fails to provide an appropriate standard of mitigation. The proposals fail to conserve, restore or enhance biodiversity from the baseline.

The proposal fails to comply with NPF4 Policy 3 (Biodiversity).

Infrastructure

Policy 18 of NPF4 advocates an infrastructure first approach to development proposals. The Developer Contributions and Infrastructure Guidance identifies a contribution of £60 to healthcare provision would be relevant in this instance.

Conclusion in relation to the Development Plan

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

Representations submitted comprised 21 objections, 2 support comments and 1 neutral comment. A summary of the representations is provided below:

material considerations - objections

- Loss of existing green space;
- Loss of existing habitat;
- Proposed access location is on a private road;
- Design not in keeping with area;
- Inappropriate use in green network;
- Loss of existing trees;
- All shipping containers require removal;
- No need for additional housing;

non-material considerations

- Land has been in current unauthorised use as business storage;
- Failure of applicant to maintain grounds;
- Presence of existing unlawful portacabins;
- Any works should be completed in a timely manner;
- Failure to maintain other land in Gilberstoun;

Overall conclusion

The proposals as submitted fail to comply with the development plan and there are not material considerations which would justify the granting of this application. The proposals fail to comply with NPF4 Policies 3, 6, 14 and 22, and LDP Policies Des 2, Des 4, Des 5 and Tra 2.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposed development fails to comply with LDP Policy Env 18 (Open Space) as it has not been demonstrated that the proposal will meet the tests to justify the loss of this designated Open Space.
2. The proposed development fails to comply with LDP Policy Des 5 as it fails to demonstrate that future occupiers will have an adequate standard of amenity in terms of daylight and immediate outlook.

3. The proposed development fails to comply with NPF4 Policy 22 (Flood Risk and Water Management). The potential risks of flooding have not been understood and addressed.
4. The extent and scale of driveway and parking proposed fails to comply with NPF4 Policy 14 and LDP Policy Des 1 and fails to have a positive impact on the character of the surrounding area.
5. The proposed development fails to comply with LDP Policy Tra 2 (Private Car Parking) as the proposed parking levels exceed the maximum standards for this development.
6. The location of the plot to the north of Gilberstoun fails to comply with LDP Policy Des 2 (Co-ordinated Development) as it has the potential to compromise the effective use of adjacent land.
7. The proposed development fails to comply with NPF4 Policy 3 (Biodiversity). The proposal fails to assess the existing habitat value of the site and its role in a wider green network.
8. The proposal fails to comply with NPF4 Policy 6 (Forestry, Woodland and Trees) and the Edinburgh Design Guidance as insufficient information has been submitted to assess how the proposals will impact on protected trees.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 13 June 2023

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer
E-mail:rachel.webster@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Archaeology

COMMENT: No objections subject to condition.

DATE:

The full consultation response can be viewed on the Planning & Building Standards Portal.

Appendix 2

Application Certification Record

Case Officer

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Rachel Webster

Date: 3 August 2023

Authorising Officer

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): Alan Moonie

Date: 8 August 2023

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Antonio Mazzealli

Address: 35 Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Incorrect Information within Planning Application (23_02520_FUL-Application_PDF-5883968.pdf)

- Under the section Existing Use, the "current or most recent use" is being described as "Building Plot" which is not the case. The plot of land is currently green space, previously fallen trees have been chopped and piled within the centre of the land whilst the remaining area has been left to grow wild, providing a habitat for various local wildlife. A rudimentary metal fence was erected by the owner of the land several months ago but it is by no means a "building plot". The only use the plot gets is when the owner sporadically burns some of the fallen trees along with non-organic waste (this has been reported to the Scottish Environmental Protection Agency on more than one occasion).

- Under the section Access and Parking, the question "Are you proposing a new altered vehicle access to or from a public road?" has been answered "Yes". Following the review of the Site Plan, the site looks to be gaining access from a section of Brunstane Road South. This section of the road, whilst "public" is not owned by the council (and with no intention of adoption of the road). The ownership and maintenance of the road lies with the residents of Brunstane Farm Steadings. As a resident of Brunstane Farm Steadings, I would not consent to the use of this section of the road for construction traffic nor any additional local access.

- Under the section Trees, the question "Are there any trees on or adjacent to the application site?" has been answered "no". There are over 100 trees on and adjacent to the application site, all of which are protected under a Tree Protection Order (TPO 193 - Effective 10/06/2020). Therefore, the application clearly disregards the TPO.

Site Plan Concerns

- As previously stated, the site plans indicate that local access is to be obtained from a section of Brunstane Road South which is not publicly owned. In addition to this, the site plans indicate that

vehicle access will also utilise the public footpath that joins the section of Brunstane Road South to Gilberstoun. The outcome of previous planning permission for the site (18/00812/PPP) was originally refused then overruled. In the subsequent decision notice (18_00812_PPP-LRB_DECISION_NOTICE-4129737.pdf), appendix Informatives b) clearly states "No motor vehicle access would be permitted to be taken from the adopted footpath east of the proposed development.". The site plan does not take this into consideration at all. The safety of pedestrians that use this pathway would also be affected from the proposed plans.

- Within the "Landscaped area" of the site plan, there are "Proposed new trees" that line the perimeter of the site. As previously stated, over 100 trees, all with a TPO, already inhabit this land. Does this mean the applicant intends to wilfully fell the existing protected trees and replace them with new trees? The act of doing so would be in breach of the existing TPO.

- The site plan also clearly shows that the two shipping containers that are placed on the land south of the site are still in situ. These containers belong to the applicant but the land does not (clearly shown in title plan MID233612). The Council have been contacted numerous times to have these containers removed to no avail.

Privacy Concerns

- The floorplan of the proposed building indicates that there will be 3 large windows on the top floor of the north face. These windows would directly overlook the property of 35 Brunstane Road South and allow direct visibility into the bedroom. In addition, the garden will lose all privacy as it would be entirely visible from these windows.

Appearance Concerns

- The development of the proposed site is not in keeping with the surrounding area. Brunstane House and Brunstane Farm Steading, are listed historical buildings. A modern house of this scale would have a significant detrimental effect on the historical site. The new developments around Brunstane Farm have all had to conform to aesthetic of the listed buildings to preserve the historical site.

- The removal of the existing woodland and Open Space would have an equally detrimental effect on the surrounding areas aesthetically and environmentally. The open space forms the habitat of various local wildlife.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Dr Christopher Holman

Address: 43A Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Responses to Planning Application 23/02520/FUL

I object to the development for several reasons: the plan proposes a development in an area designated as open space on the council plan; it has serious problems of access over an unadopted road; and it will damage the appearance and character of an area of historic significance.

1. traffic and parking

The development indicates a large parking area inside the perimeter of the development which would require access for (presumably multiple) vehicles via the Brunstane Farm Cottages steading, and also appears to indicate using part of the existing footpath through to Gilberstoun for parking. The road through the steading is not adopted by the council, and there is no expectation it will be: it is the responsibility of the owners of the properties in the steading. The residents will be affected by the traffic from the proposed development of a large mansion, and as one of those residents I strongly oppose the creation of such an access route.

The pathway through to Gilberstoun is a public right of way (and is a path, not a road) of some importance, the safe use of which by many pedestrians would be adversely affected by traffic across it from this proposed large development.

2. appearance of the area

The area it is proposed to develop lies in a green corridor established by the Council early in the development of the area. The green corridor is intended to support the local ecology, allowing passage for the movement of plants and animals between the Brunstane burn and the wider countryside. In addition, it offers a break between the developments in Gilberstoun and the historic buildings associated with Brunstane House, a building of major historic significance. As such, it is a central element of the plan for a sympathetic development in line with the Council's commitment

to create a 'sense of place' in new residential areas.

The green corridor has been severely degraded by the actions of the owner of the land in clear-felling as much as he was able. Fortunately, through the vigorous action of local people, a Tree Protection Order (TPO #193) is in place which protects the trees that remain, but the Council was not able to enforce the replacement of the lost trees. Natural seeding has allowed some trees to begin to re-establish themselves, but the land will take some time to recover from the wilful destruction of its previous appearance by the owner - done, it seems, exactly in the expectation that it would make a subsequent application for development more difficult to resist.

This small pocket of green space is highly valued by local residents as a tranquil and traffic-free area for safe passage and recreational activities. The development of this proposed mansion in an eccentrically extended garden would profoundly alter the appearance and utility of the land it occupies.

The title deeds of the land make it clear that it was always intended to remain a wooded break of this sort and it is only through a mapping error on the part of the council, acknowledged in the assessment of a previous building application (18/00812/PPP), that part of the land lost its designation as Open Space. This unintended loss of open space designation applied only to an area up to the line directly extending from the North-East boundary of 155 Gilberstoun. The new proposed development appears to carry over at least 20 metres into land which remains designated as Open Space by the Council: it is clearly not in keeping with this designation.

3. impact on a conservation area

The area of the proposed development retains trees which are protected by the existing Tree Protection Order #193. It intrudes into an area designated as Open Space. It profoundly alters the setting of multiple listed buildings in the steading.

4. setting or character of a listed building

The area around Brunstane House, itself a building of historic importance, is carefully protected in the Council's plans for development in this part of the city. The old farm cottages in the steading facing the development are listed, as is Brunstane House itself. The development of this large property behind a two metre-high hedge and with an extended vehicular access point adjacent to the cottages would have a major detrimental effect on the integrity of the historic site.

Up to now, all new developments in the Brunstane Farm complex have been subject to an expectation that they maintain the historic value and nature of the area. There appears to be no such consideration taken in the proposed new development which is out of proportion and of a different character from the rural aesthetic of the existing steading buildings. Access to such a building through the steading would irrevocably change the character of the area.

5. loss of significant landscape features

Examination of the title deeds of local properties confirms the original intention to establish and maintain a green corridor through the gradual urbanisation of this area. There is a continuous belt

of wooded open space affording cover for birds, bats and animals and offering recreational space for the growing local community. The owner of the land has determinedly taken steps to degrade this important section of the green corridor, but it does at least remain undeveloped so far and could readily be restored to its intended quality if managed sympathetically.

Clearly, the building of a large mansion and the enclosure of a significant portion of the open space would irreparably damage this significant and much-valued local amenity.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Ms Fiona Parkinson

Address: 37 Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to oppose the construction of this house mainly on the grounds that the plot is subject to TPO-193 which was served in order to protect the local woodland and the area immediately surrounding listed buildings. TPOs need to be upheld otherwise they become ineffective and irrelevant.

Loss of significant landscape feature

On the planning notification, the question regarding trees has been answered incorrectly. There are trees on and adjacent to the site and which therefore come under the protection of TPO-193. The land is designated open space (18/00812/PPP) and there is a real burden attached to the land which requires it be maintained in its current form - woodland.

The woodland area creates a much-needed green space which is enjoyed by residents and local walkers alike as it prevents the locality from being overwhelmed by Gilberstoun estate. It forms part of a walk which links into the John Muir Way and creates a peaceful and bucolic setting, the loss of which would cause a detrimental impact on the health and well-being of all regular users of these paths and contribute to even more needless destruction of wildlife habitats.

Impact on a conservation area

The question regarding the existing plot has also been answered misleadingly - the site is not a 'building plot'. The original intention was for the plot to remain as open space to enhance the local amenities and protect the landscape immediately surrounding Brunstane House (Grade A listed) and the accompanying farm cottages (Grade B listed) when Gilberstoun was first built. It is not just waste ground pending the outcome of a planning application.

I also note that the current trees which are protected under TPO-193 are to be felled in order to create a landscaped area with new trees. In May 2020, a tree felled by the landowner landed across a public footpath and the tree-fellers were very lucky not to have caused serious injury or

worse due to their negligence and inexperience in felling. Video footage of this incident can be provided. Due to the close proximity of Brunstane Farm cottages to any proposed tree felling (even if this was granted under TPO-193), there is too much risk to these Grade B Listed dwellings to permit this to go ahead.

Traffic and parking

The road which the landowner is intending for access is already in a state of disrepair and unable to withstand further residential use particularly as the landowner has also verbally signalled his intention to build a further two properties on this location.

Setting and character of a listed building

The trees protect the integrity of the 17th century Grade A Listed Brunstane House. Any changes to the approach to this building would ruin the beautiful and unique setting of the house which the current woodland on both sides of the road provides.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Lesley Boubert

Address: 194 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. The area of the application falls within a larger area which is "amenity ground" for the residents in Gilberstoun and is to remain open area. This is shown on the plan of the Deed of Conditions affecting the area.

2. The application states that the Existing Use is a building plot which is not the case. It has never been a building plot.

3. There are 2 very ugly shipping containers in the narrow strip of land between this application area and the main road. These containers have been there for several years now and have no place in such a prominent position in a residential area. These containers should be removed.

4. Regarding Trees - There are existing trees which have a TPO affecting them

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr William Burt

Address: 155 gilberstoun edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly disagree due to the last 3 years this man has been using this ground for his workplace and I feel I have been living on a building site with council do nothing about it he has been illegally running his business from here I have 2 containers onsite and no one is doing a thing this man is not capable of looking after any grounds nor should he be aloud to build his licence should be revoked on grounds of misuse with the planning not permitted as if he does get to build what other corners will he cut to save money on proper permits

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Miss Sally Miller

Address: 31 GILBERSTOUN BRIG Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I severely object to this building totally out of character to the area and a total eyesore far too big and will encroach on neighbours privacy and sunlight

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Laura McCaughey

Address: 196 Gilberstoun Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sir/Madam

I write to object to the above planning application for the following reasons:

1. Design - The proposed dwelling is not of a design which is in keeping with the scale, character, or appearance of the area. All other dwellings.
2. There is a communal path that runs very close to the proposed house. On both sides of the road. The road runs narrower so could lead to a road traffic accidents.
3. Trees - The proposal would result in the removal of several TPO trees which contribute to the visual amenity of the area. The removal of these trees would detrimentally impact upon the areas appearance and wild life.

Mr Hepburn should be brought to the council attention of deliberate vandalism on proposed site with illegally felling of conservation trees and dumping huge containers to rot for years. Total vandalism.

Regards

Laura McCaughey

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Dr Isla Cameron

Address: 49 Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Proposed dwelling excessive in size for the area. Issues around access currently from a privately owned road which already has excessive traffic. Concern around felling more trees in the area.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Shona Massey

Address: 208 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This location is currently green space and a habitat for many species. In principle I would like to object to any development on this basis. However, I also feel that the visual impact should be considered. It has become abundantly clear that if permission to build a property is not granted, the site will continue to be left as an eye sore. Currently, there are 2 iso containers facing onto Gilberstoun which are certainly not in keeping with the area. The site in question regularly becomes overgrown and the owner then sets fire to areas of the site in what I assume is an attempt to cut it back. Overall therefore, visually this site has been an eyesore for many years. Whilst I am against development on the site, I believe that it is to the benefit of residents of Gilberstoun to grant permission for 1 house to be built, however, I do not support the plans in their current form. The plans currently do not include the removal of the 2 iso containers which face onto Gilberstoun; they are shown on the plans as remaining. I would strongly urge that their removal is a condition of any grant of planning permission.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Drew Clancy

Address: 10 Gilberstoun Loan Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: With thousands of houses being built there is no obvious need to build this one apart from individual economic gain. The title deeds for the estate clearly state in the deed of conditions what the ground can be used for. The applicant has already sold parcels of land of which are now being used differently to the intended use. As far as I can ascertain none of this use has been granted by the Lands Tribunal. All the land in ownership should be upheld by the owner as green land as stated in the legal deeds.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Philip John Hepburn

Address: 12a Magdalene Avenue Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: The site for the building had an outline planning consent which was shelved due to the effects of the recent pandemic.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Neil Duff

Address: 115 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Local nesting area for wildlife, plans submitted don't go with the rest of the area.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Janet Sprott

Address: 35 Gilberstoun Brig Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: It is my understanding that this individual has had planning permission for this project for some time. He has never shown any inclination to build there despite this, it is overgrown. He regularly cuts down protected trees and plants on this plot and destroys them by burning and setting bonfires. He has consistently displayed a blatant disregard for his neighbours and is nasty and aggressive if he is challenged. He owns several plots of land around our estate, none of which he maintains without us having to raise it with the council and they are all breeding grounds for rats and vermin. The plot in question is inaccessible from the main street due to two large storage containers which he has erected on the land which are unsightly and not in keeping with the residential nature of the neighbourhood.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Michelle Robinson

Address: 30 Gilberstoun Brig Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'd like it to be noted that the man who owns this plot (and other green space around Gilberstoun) shows no concern for the local area and wildlife in it. A few years ago numerous trees were felled during the nesting season and then they had a huge bonfire on the site. Ever since, he has kept those shipping containers there so that people would get fed up with the mess and approve this application.

I am concerned that if this permission is granted, he will do exactly the same with the green space he owns in the area (in particular the larger area on Gilberstoun Loan)

The council need to consider the wider impact of this application and ensure that if this house is allowed to be built he will:

1. Complete the work in a timely manner and keep the site as tidy as possible
2. Remove all shipping containers from Gilberstoun before work starts
3. Respect wildlife in the area and stop cutting down trees during nesting season
4. Maintain the other land he owns properly so that the paths are clear to walk down

There is a wider issue here - there is no factor agreement in place in Gilberstoun and the area isn't maintained by the council. I would support one house being built on that plot if all of the above was considered and fixed alongside it.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr William Robinson

Address: 30 Gilberstoun Brig Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would only support this application if the owner can give assurances that they will not - as they have done previously - flatten mature trees in the area and burn them. If this application is approved, it sets a precedent that ruining natural habitats and making the area look untidy with shipping containers will result in applications being granted. Residents need to know that the other green space Philip Hepburn owns will continue to be a habitat for wildlife in the area.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Dr Karin Innes

Address: 55 Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal is to build a large dwelling house on a site of previously zoned as green space land in older developments. There is a strip that sits on Gilberstoun which is set aside land and does not provide access to the main road. It should be noted that the applicant has placed portacabins on this strip of land we assume in the hope that no-one will remove them and the land will eventually become his due to "squatting" rights. The council have been approached on numerous occasions to have them removed.

Our objection is on the basis of:

1. access is via the Brunstane Road South farm road. This is a private road and not yet adopted by the council. This would therefore require the consent of all residents to approve use of the private road for permanent access, as well as issues with the road being used for building trucks/materials and damage to the road.
2. the house is not inkeeping with the current developments, either the older Gilberstoun or the newer Brunstane Farm Steading.
3. Development of this green corridor is not in line with the council's previous planning arrangements.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Ms Pippa Richardson

Address: 5 Brighton Crescent West Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This would again reduce green space and fewer areas of wild land.

I think wherever possible places like this should be preserved before there are no places for wildlife such as hedgehogs, birds weasels etc

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Paul Blore

Address: 190 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:the two shipping containers that have been lying on the land for three years which he uses for Storage .and has no permisson for as long as they are removed

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Ms Colette McColl

Address: 153 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: We live next door to the site. The area is a mess with overgrown trees, weeds and plants which are coming into our garden.

The two storage containers on the land are ugly and an eyesore.

I note the plans seem to still have the two containers present, which I am surprised about.

I am saying that my stance is neutral. Although I don't look forward to the upheaval and noise of building work going on, I am keen that the area is improved and looks better, and that the containers are removed.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Dr Geoff Smith

Address: 151 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Loss of woodland feature built into estate plans. Natural habitat for birds and wild animals.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Ms Fiona Harris

Address: 180 Gilberstoun EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: It would be nice to see this piece of land utilised and not left to disrepair in the way that it is now. I appreciate that a significant part of the land is left as greenspace and not all put behind hedgerows for a private garden. The plans for the garden are also largely natural rather than paved over so I don't feel it would be a large loss of green space.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Mr Alan Heriot

Address: 153 Gilberstoun Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Our house is adjacent to the land where the owner wishes to build a house. The area is a mess with overgrown bushes and weeds which come into our garden. The two storage containers are ugly and I think they should be removed, but I note the intention is for them to remain there in the online plans.

We have lived here 25 years and when we investigated who owned the land a number of years ago, we were told it was a green belt area and it would not be built on. I oppose the house being built on the land and I think it should be tidied up and kept as an area where wildlife can thrive. The field nearby will have many more houses built on it, therefore that is another reason to keep the land as a green area for wildlife.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Dr Alastair Mailer

Address: 43B Brunstane Road South Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object on the following grounds -

Setting of listed building and appearance of local area

The development is planned to take place on and around a green corridor established to maintain the open feel of the local area and assist wildlife in migrating between existing open land. This house would disrupt passage and have a significant impact on this undeveloped area. This green corridor is already subject to TPO #193 and it is unclear how the trees in the area could be maintained with the current plan for converting this into a garden area for the house

Traffic and parking

The proposed vehicle access is across a footpath forming part of an extremely popular walking route.. In addition, access continues through the courtyard currently forming part of a private right of way currently forming part of my own property. I strongly object to the use of this courtyard as an accessway for this new development.

Comments for Planning Application 23/02520/FUL

Application Summary

Application Number: 23/02520/FUL

Address: Land 17 Metres East Of 153 Gilberstoun Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Local1 Team

Customer Details

Name: Hannah Astle

Address: 43b Brunstane road south Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Traffic and parking

This planning application for a large house has road access into a residential courtyard which is privately owned as well as crossing a well established footpath through Gilberstoun. This footpath is a very popular dog walking route and any increase in traffic across it poses a potential risk to those using the pedestrian footpath. As one of the residents in the next door courtyard I strongly oppose the use of this privately owned access to Brunstane farm steadings to access this proposed new building.

Impact on conservation area

TPO#193 is directly impacted by this planning application. The area covered by this TPO should be protected from any development including becoming part of this development. The TPO protects an area which is an extremely important green corridor through the existing development providing a green space for birds, bats and other wildlife. The development is also alongside listed farm cottage buildings and close to the listed Brunstane house and does not appear to have been planned to be sensitive to the historic properties that it would be built next to.

Memorandum

To Head of Planning
City of Edinburgh Council
Planning and Transport
Place
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

F.A.O Planning Local Team 1

From John A Lawson

Date 4th July 2023

Your ref 23/02520/FUL

Our ref 23/02520/FUL

To whom it may concern,

Land 17m East of 153 Gilberstoun

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of dwelling house.

The site lies at the core of the historic estate associated with the A-listed 17th century Brunstane House located adjacent to the estates late-18th / early-19th century Steading. Archaeological investigations carried out across the steading in 2019 by NG Archaeology (NG report BFS019) has revealed evidence for earlier occupation dating back to the medieval period, with a scheduled cropmark located immediately to the North of the house and partially underlying the house's garden thought to be the remains of a possible moated site. However, the nature of the crop mark may also be interpreted as late Iron Age/ Early medieval square enclosure.

Accordingly, this application must be considered under terms of Scottish Government's Our Place in Time (OPIT), NPF4 Policy 7, PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) and Edinburgh Local Development Plan (2016) Policy ENV 9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The development will require significant groundbreaking works associated with development which could reveal evidence for the origins and development of this historic Brunstane Estate dating back to the medieval period. Accordingly, it is essential that if permission is granted that a programme of archaeological work (strip, map, excavate & record) is undertaken prior to development in order to fully excavate and record any significant remains surviving across the site.

It is further recommended that as part of any agreed programme of archaeological works that a programme of public/community engagement is undertaken. The full the scope of which will be agreed with CECAS but may include public open-days, social media/press comms and temporary interpretation boards during development.

Director of Culture, Culture and Wellbeing, Place

City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD
Tel 0131 558 1040; 07775587516; john.lawson@edinburgh.gov.uk

It is recommended that the following condition is attached if permission is granted to ensure that this programme of archaeological mitigation is undertaken:

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Please contact me if you require any further information.

Yours faithfully

A black rectangular redaction box covers the signature area. There are faint lines extending from the left and right sides of the box, suggesting it was part of a larger graphic or signature line.

John A Lawson
Archaeology Officer