

Property Enquiry Certificate



Date: **04/04/2025**

Our Ref: **SF1331007 - LR**

Your Ref: **MAF/HASS6.3**

Property enquiry response for: **A C Morrison & Richards**

Subjects: **Flat 2, 40, Drumsheugh Gardens, EDINBURGH, EH3 7SW**

1.	<i>Planning Details</i>
a)	The current Local Plan is: Edinburgh City Plan 2030
b)	Policies / proposals in the Local Plan directly affecting the subjects. Policies Env 1-12, Env 14-17, Env 19-21, Env 23-38, Inf 1-8, Inf 10, Inf 12, Inf 14, Inf 16, Inf 18-19, Inf 21-22, Re 1, Re 7-8, Re 11, Hou 2-7, Econ 1, 3, 7 - General plan-wide Policies Policies Econ 2, 5 Hou 1, Re 7-8, Re 10 - Urban Area Policies Env 13, Env 14 - Designated Conservation Area Policy Env 9 - World Heritage Site Policy Env 15 - Historic Garden/ Designed Landscape Policies Place 1, Econ 3, Inf 9 Re 9 - City Centre
c)	Have the subjects had any applications made for planning permission in the last five years? No outstanding applications found at time of search.
d)	Are the subjects categorised as a listed building? Yes - 37a-44 Drumsheugh Gardens, Edinburgh EH3 7SW Category: B listed: 14/12/1970

(see page 4 for Terms & Conditions)

Millar & Bryce Limited, Ocean Point, 94 Ocean Drive, Edinburgh, EH6 6JH
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e)	Do the subjects lie within a Conservation/Article 4 Area? Yes - New Town Conservation Area - Conservation Area/Article 4 1992 - 7, 38, 39, 40, 41
f)	Do the subjects lie within a designated Smoke Control Area? Yes - City of Edinburgh Council Smoke Control Order
2.	<i>Building Standards Details</i>
a)	Have the subjects had any applications made for building warrants in the last five years? No outstanding applications found at time of search.
b)	If so are there Certificates of Completion for all of the above? N/A
3.	<i>Other Details</i>
a)	Is the road/footpath/verge ex adverso the subjects adopted by the Local Authority? Drumsheugh Gardens - Adopted
b)	Are there any Road Scheme proposals that affect the subjects? No
c)	Is there a public sewer ex adverso the subjects? Yes
d)	Is there a public water supply ex adverso the subjects? Yes
e)	Are there any outstanding Notices under the legislation searched which affect the subjects? No notices found at time of search.

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f)	Adjoining Property Search 21/06396/FUL - 38B Drumsheugh Gardens Edinburgh EH3 7SW - Change of Use from office to dwelling - Application Granted - 22 Feb 2022 21/05943/LBC - Flat 4 42 Drumsheugh Gardens Edinburgh EH3 7SW - Altering the existing stair to the external roof terrace, removing the existing sliding rooflight access and erecting an auxiliary structure on the external terrace and into the roof space to provide improved access - Refused - 16 Feb 2022
g)	Any other information relevant to the subjects. 24/01598/TCO - GF 5 Rothesay Place New Town Edinburgh EH3 7SL - Cherry dismantle. - Permitted Development - 03 May 2024 23/03971/TCO - Drumsheugh Gardens 45 Drumsheugh Gardens Edinburgh - Permitted Development - 06 Sep 2023

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Legislation Searched

- Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 – Section: 1
- Building (Scotland) Acts 1959/1970 – Sections: 10 & 13
- Building (Scotland) Act 2003 – Sections: 24, 25, 26, 27, 28, 29 & 30
- City of Edinburgh District Council Order Confirmation Act 1991 (Where applicable) – Sections: 24 & 31
- Civic Government (Scotland) Act 1982 – Sections: 87, 90, 92, 95, 96
- Clean Air Act 1993 – Section: 18
- Environmental Protection Act 1990 & Part IIA {as amended by the Environment Act 1995} – Sections: 78B, 78E, 78G, 78R & 80
- Local Government (Access to Information) Act 1985 – Section: 2
- Housing (Scotland) Act 1987 – Sections: 88, 89, 90, 91, 108, 114, 115, 116, 156, 157, 160, 161, 162, 166
- Housing (Scotland) Act 2006 – Sections: 1, 3, 5, 30, 31, 32, 33, 35, 36, 37, 38, 40, 42, 146 & 148
- Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 {as amended by the Historic Environment Scotland Act 2014 – Sections: 1A, 3, 4, 34, 42, 43, 49, 50, 61 & 62
- Roads (Scotland) Act 1984 – Sections: 1, 5, 12, 68, 70, 71 & 104
- Sewerage (Scotland) Act 1968 {as amended by the Water Industry (Scotland) Act 2002} – Section: 11
- Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 {as amended} – Section 24
- Town and Country Planning (General Permitted Development) (Scotland) Order 1992 {as amended} – Article 4
- Town and Country Planning (Scotland) Act 1997 {as amended by the Planning etc. (Scotland) Act 2006} – Sections: Part II, 33A, 36, 71, 127, 136, 136A, 140, 144A, 145, 147, 168, 179, 186, 189, 190, 194, 202, 203, 205, 206, 207 & 208
- Water (Scotland) Act 1980 {as amended by Local Government etc. (Scotland) Act 1994, and the Water Industry (Scotland) Act 2002} – Section 24A

Certificate Notes

1. Information contained in this Property Enquiry Certificate has been derived from searches of publicly available records.
2. Only Notices/Orders served on the subjects under the above legislation list are disclosed.
3. Only Road Schemes that lie 250m or less from the subjects are disclosed.
4. Only planning applications validated within the past 5 years will be disclosed.
5. Only building warrant applications validated within the past 5 years will be disclosed.
6. Contaminated Land - Unless details are confirmed in section 3(e) of the PEC above, the answer to each question in para 5.3.6 of the CML Handbook is in the negative.
7. This Property Enquiry Certificate is covered by the Millar & Bryce Comprehensive Warranty, details supplied on request.

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