

# Property Enquiry Certificate



Date: **14/05/2025**

Our Ref: **SF1349953 - PL**

Your Ref: **PM/OGI0005-0959**

Property enquiry response for: **Hill & Robb Limited**

Subjects: **Site at Hens Nest Road, EAST WHITBURN, EH47 8EX**

<b>1.</b>	<b><i>Planning Details</i></b>
a)	The current Local Plan is: <b>West Lothian Local Plan 2018</b>
b)	Policies / proposals in the Local Plan directly affecting the subjects. <b>Policy ENV7 - Countryside Belts and settlement setting</b>

(see page 5 for Terms & Conditions)

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c)	<p>Have the subjects had any applications made for planning permission in the last five years?  <b>Site At Hens Nest Road East Whitburn West Lothian - 0671/FUL/23 - Erection of 6 houses (Amendment to layout and house types on plots 44, 45, 46, 47, 48 and 49 in relation to planning permission 0219/FUL/20 (Appeal ref PPA-400-2121)). Approved on Conditions: 20/10/2023</b></p> <p><b>Land To West Of Hens Nest Road East Whitburn West Lothian EH47 8AB - 0585/A/23 - Display of 1 non-illuminated V-stack sign. Approved on Conditions: 15/08/2023</b></p> <p><b>Land To West Of Hens Nest Road East Whitburn West Lothian EH47 8AB - 0993/FUL/23 - Erection of 24 houses (variation to layout and house types on plots 75-87 &amp; 92-100 in relation to planning permission 0219/FUL/20). Withdrawn: 12/07/2024</b></p> <p><b>Land To South Of 10 Hens Nest Road East Whitburn West Lothian EH47 8AB - 0388/FUL/23 - Siting of temporary sales cabin with associated works. Approved on Conditions: 11/07/2023</b></p> <p><b>Land To West Of Hens Nest Road East Whitburn West Lothian EH47 8AB - 0475/A/24 - Display of 6 flag pole signs (in retrospect). Approved on Conditions: 16/08/2024</b></p> <p><b>Land To West Of Hens Nest Road East Whitburn West Lothian EH47 8AB - 0539/FUL/24 - Erection of 33 houses (variation to layout and house types on plots 69-87 &amp; 92-100 in relation to planning permission 0219/FUL/20). Approved on Conditions: 27/09/2024</b></p> <p><b>4 Whitrigg Crescent East Whitburn EH47 8AB - 0734/CLU/24 - Certificate of lawfulness for proposed rear extension and internal alterations. Grant Certificate of Lawfulness-Proposed: 21/11/2024</b></p>
d)	<p>Are the subjects categorised as a listed building? <b>No</b></p> <p>Category: <b>N/A</b></p>
e)	<p>Do the subjects lie within a Conservation/Article 4 Area?  <b>No</b></p>
f)	<p>Do the subjects lie within a designated Smoke Control Area?  <b>No</b></p>
<b>2.</b>	<b><i>Building Standards Details</i></b>

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a)	<p>Have the subjects had any applications made for building warrants in the last five years?  <b>LIV/22/0512/BW - Land At Hens Nest Road, (Ogilvie) East Whitburn, West Lothian, EH47 8RX - Erection of 104 houses, formation of access roads, open space and associated engineering operations - Building Work Started - 19/06/2023.</b></p> <p><b>LIV/22/0512/BW/A1 - Site At Hens Nest Road, East Whitburn, West Lothian, EH47 8RX - Amendment - Alterations to plots 44-49 to accommodate a service wayleave - Warrant Approved - 06/12/2023.</b></p> <p><b>LIV/22/0512/BW/A3 - Land At Hens Nest Road, East Whitburn, West Lothian, EH47 8RX - Amendment - Alterations to existing affordable house types and change of types to Plots 201-224 on submitted Site Plan - Withdrawn - 08/11/2024</b></p> <p><b>LIV/22/0512/BW/A4 - Land At Hens Nest Road, (Ogilvie) East Whitburn, West Lothian, EH47 8RX - Amendment - Change of house type to plots 50, 64, 224 &amp; 233 - Maree 3 house type. Approved - 19/11/2024</b></p> <p><b>LIV/22/0512/BW/A5 - Land At Hens Nest Road, (Ogilvie) East Whitburn, West Lothian, EH47 8RX - Change of house type to add new house types to plots 201 - 233. Additional 5 plots also added. Approved: 31/03/2025</b></p> <p><b>LIV/22/0512/BW/A7 - LIV/22/0512/BW/A7 - Amendment - Level access now proposed to the rear of plot 38. Approved: 02/10/2024</b></p>
b)	<p>If so are there Certificates of Completion for all of the above?  <b>No</b></p>
<b>3.</b>	<b>Other Details</b>
a)	<p>Is the road/footpath/verge ex adverso the subjects adopted by the Local Authority?  <b>Hens Nest Road (U21) is adopted.</b></p>
b)	<p>Are there any Road Scheme proposals that affect the subjects?  <b>No</b></p>
c)	<p>Is there a public sewer ex adverso the subjects?  <b>Yes</b></p>
d)	<p>Is there a public water supply ex adverso the subjects?  <b>Yes</b></p>

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e)	Are there any outstanding Notices under the legislation searched which affect the subjects? <b>Site At Hens Nest Road, East Whitburn, West Lothian (Ogilvie Homes Limited) - ENF/0150/24 - Breach of conditions (construction noise being 8am). Served: 19/06/2024. Complied With: 24/07/2024</b>
f)	Adjoining Property Search <b>Adjoining properties have been searched during the production of this PEC, no adverse applications have been found.</b>
g)	Any other information relevant to the subjects. <b>None</b>

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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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