

Property Enquiry Certificate



Date: **04/06/2025**

Our Ref: **SF1361900 - LR**

Your Ref: **GAP/LIM/1148053**

Property enquiry response for: **Aberdein Considine**

Subjects: **Keith Builders Merchants Ltd, Waterford Road, Forres, IV36 3EE**

1.	Planning Details
a)	The current Local Plan is: The Moray Local Development Plan 2020
b)	Policies / proposals in the Local Plan directly affecting the subjects. Policy - Secondary Growth Area Policy L2 - Industrial Estate Policy - Accessible Small Towns
c)	Have the subjects had any applications made for planning permission in the last five years? 25/00096/APP - Erect new builders merchants and then demolish existing builders merchants - Pending Decision - 24/01/2025 18/01370/APP - Creation of 19 no class 4 business starter units and associated on site parking - Withdrawn - 19/02/2019
d)	Are the subjects categorised as a listed building? No Category: N/A
e)	Do the subjects lie within a Conservation/Article 4 Area? No
f)	Do the subjects lie within a designated Smoke Control Area? No

(see page 4 for Terms & Conditions)

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2.	<i>Building Standards Details</i>
a)	Have the subjects had any applications made for building warrants in the last five years? 24/01508/BW - Description: Erect new builders merchants and then demolish existing builders merchants - Pending Consideration - 28/01/2025
b)	If so are there Certificates of Completion for all of the above? No
3.	<i>Other Details</i>
a)	Is the road/footpath/verge ex adverso the subjects adopted by the Local Authority? Waterford Road, Forres - Carriageway/Footway - Adopted Benromach Way, Forres - Carriageway/Footway - Not Adopted Waterford Circle, Forres - Carriageway/Footway - Not Adopted
b)	Are there any Road Scheme proposals that affect the subjects? Yes - A96 Dualling, Hardmuir to Fochabers (The Western Section) - This section of the A96 Dualling Inverness to Aberdeen programme involves a new 46km dual carriageway between Hardmuir and the east of Fochabers - Approximately 200 metres south
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)	<p>Adjoining Property Search</p> <p>16/00473/ERT - Forres Station Construction Compound Forres Moray - Use timber yard as area to site modular cabins for purpose of sleeping and amenity accommodation - Warrant Approved - 22 Jun 2016</p> <p>15/02196/APP - Waterford Road Forres Moray - Development of a new road link between the A96 and Waterford Road including the closure of the Waterford level crossing (on Mosset Road) - Approved on Conditions - 21 Apr 2016</p> <p>18/00811/APP - Land Adjoining Benromach Distillery Waterford Road Forres - Development of a 4.7 hectare site to the north of the existing distillery to deliver 11 new cask warehouses new access formation of pond and associated landscaping - Approved on Conditions - 13 Nov 2018</p>
g)	<p>Any other information relevant to the subjects.</p> <p>None</p>

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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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