

Property Enquiry Certificate



Date: **20/06/2025**

Our Ref: **SF1371877 - PL**

Your Ref: **1149170**

Property enquiry response for: **Aberdein Considine**

Subjects: **255/2 Canongate, Edinburgh, EH8 8BQ**

1.	Planning Details
a)	The current Local Plan is: Edinburgh Local Plan Adopted November 2016
b)	<p>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</p> <p>Policies Econ 2, 5 Hou 1, Re 7-8, Re 10: Urban Area</p> <p>Policies Place 1, Econ 3, Inf 9 Re 9: City Centre</p> <p>Policy Env 9 - World Heritage Site</p> <p>Policies Env 13, Env 14 - Designated Conservation Area</p> <p>Policy Env 21 - Local Nature Conservation Site</p>
c)	<p>Have the subjects had any applications made for planning permission in the last five years? 22/03762/LBC - Alter internal layout including removal of partition. Permission Is Not Required: 18/08/2022</p> <p>22/05919/FULSTL - Change of use from permanent residence to a short term let. Refused: 05/04/2023</p>

(see page 4 for Terms & Conditions)

Millar & Bryce Limited, Ocean Point, 94 Ocean Drive, Edinburgh, EH6 6JH
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d)	Are the subjects categorised as a listed building? Yes Category: B Listed - 24/01/2003
e)	Do the subjects lie within a Conservation/Article 4 Area? Yes - Old Town Conservation Area, Article 4 Class 7, 38, 39, 40, 41
f)	Do the subjects lie within a designated Smoke Control Area? Yes
2.	<i>Building Standards Details</i>
a)	Have the subjects had any applications made for building warrants in the last five years? 22/03608/WARR - Alter internal layout. Warrant: 07/12/2022
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? Canongate - 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)	<p>Adjoining Property Search</p> <p>251 - 253 Canongate Edinburgh EH8 8BQ - 20/03917/LBC - Proposing an alteration to the existing shopfront and rear elevation. New hatch for take away service to be accommodated in existing window. New shopfront and window frame colour scheme (re-painting existing window frames). New kitchen ventilation system to rear elevation of the building. Granted: 12/11/2020</p> <p>Unit 1 5 New Street Edinburgh EH8 8BH - 21/03527/FUL - Change of use of ground + lower ground floor commercial unit at the Canongate Venture Building, Edinburgh, from a Class 3 Restaurant to a Sui Generis Public House, as well as external alterations to lower ground floor frontage + ground floor terrace. Granted: 05/10/2021</p> <p>5 New Street Edinburgh - 21/00315/FUL - Erect outbuildings (part in retrospect). Granted: 27/01/2022</p> <p>5 New Street Edinburgh EH8 8BH - 21/05618/LBC - Application for external seating area to side (New Street) elevation of listed building. Permission Is Not Required: 17/12/2021</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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