

CON 29R Enquiries of local authority (2007)

PLANNING AND BUILDING REGULATIONS

1.1 Planning and building decisions and pending applications

Which of the following relating to the property have been granted, issued or refused or (where applicable) are the subject of pending applications?

- (a) a planning permission
- (b) a listed building consent
- (c) a conservation area consent
- (d) a certificate of lawfulness of existing use or development
- (e) a certificate of lawfulness of proposed use or development
- (f) building regulations approval
- (g) a building regulation completion certificate
- (h) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme

1.2 Planning designations and proposals

What designations of land use for the property or the area, and what specific proposals for the property, are contained in any existing or proposed development plan?

ROADS

2. Roadways, footways and footpaths

Which of the roads, footways and footpaths named in the application for this search (via boxes B and C) are:

- (a) highways maintainable at public expense
- (b) subject to adoption and supported by a bond or bond waiver
- (c) to be made up by a local authority who will reclaim the cost from the frontagers
- (d) to be adopted by a local authority without reclaiming the cost from the frontagers

OTHER MATTERS

3.1 Land required for public purposes

Is the property included in land required for public purposes?

3.2 Land to be acquired for road works

Is the property included in land to be acquired for road works?

3.3 Drainage agreement and consents

Do either of the following exist in relation to the property?

- (a) an agreement to drain buildings in combination into an existing sewer by means of a private sewer
- (b) an agreement or consent for (i) a building or (ii) extension to a building on the property, to be built over, or in the vicinity of a drain, sewer or disposal main

3.4 Nearby road schemes

Is the property (or will it be) within 200 metres of any of the following?

- (a) the centre line of a new trunk road or special road specified in any order, draft order or scheme
- (b) the centre line of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road, or dual carriageway
- (c) the outer limits of construction works for a proposed alteration or improvement to an existing road involving (i) construction of a roundabout (other than a mini roundabout) or (ii) widening by construction of one or more additional traffic lanes
- (d) the outer limits of (i) construction of a new road to be built by a local authority; (ii) an approved alteration or improvement to an existing road involving the construction of a subway, underpass, flyover, footbridge, elevated road, or dual carriageway or (iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes
- (e) the centre line of the proposed route of a new road under proposals published for public consultation;
- (f) the outer limits of (i) construction of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (ii) construction of a roundabout (other than a mini roundabout) or (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation

3.5 Nearby railway schemes

Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail?

3.6 Traffic schemes

Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths (named in Box B) which abut the boundaries of the property?

- (a) permanent stopping up or diversion
- (b) waiting or loading restrictions
- (c) one way driving
- (d) prohibition of driving
- (e) pedestrianisation
- (f) vehicle width or weight restriction
- (g) traffic calming works including road humps
- (h) residents' parking controls
- (i) minor road widening or improvement
- (j) pedestrian crossings
- (k) cycle tracks
- (l) bridge building

3.7 Outstanding notices

Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in response to any other enquiry in this form?

- (a) building works
- (b) environment
- (c) health and safety
- (d) housing
- (e) highways
- (f) public health

3.8 Contravention of building regulations

Has a local authority authorised in relation to the property any proceedings for the contravention of any provision contained in building regulations?

3.9 Notices, orders, directions and proceedings under Planning Acts

Do any of the following subsist in relation to the property, or has a local authority decided to issue, serve, make or commence any of the following?

- (a) an enforcement notice
- (b) a stop notice
- (c) a listed building enforcement notice
- (d) a breach of condition notice
- (e) a planning contravention notice
- (f) another notice relating to breach of planning control
- (g) a listed building repairs notice
- (h) in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimal compensation
- (i) a building preservation notice
- (j) a direction restricting permitted development
- (k) an order revoking or modifying a planning permission
- (l) an order requiring discontinuance of use or alteration or removal of building or works
- (m) a tree preservation order
- (n) proceedings to enforce a planning agreement or planning contribution

3.10 Conservation area

Do any of the following apply in relation to the property?

- (a) the making of the area a conservation area before 31 August 1974
- (b) an unimplemented resolution to designate the area a conservation area

3.11 Compulsory purchase

Has any enforceable order or decision been made to compulsorily purchase or acquire the property?

3.12 Contaminated land

Do any of the following apply (including any relating to land adjacent to or adjoining the property which has been identified as contaminated land because it is in such a condition that harm or pollution of controlled waters might be caused on the property)?

- (a) A contaminated land notice
- (b) in relation to a register maintained under section 78R of the Environmental Protection Act 1990
 - (i) a decision to make an entry
 - (ii) an entry
- (c) consultation with the owner or occupier of the property conducted under section 78G(3) of the Environmental Protection Act 1990 before the service of a remediation notice

3.13 Radon gas

Do records indicate that the property is in a 'Radon Affected Area' as identified by the Health Protection Agency?

- NOTES:**
1. References to the provisions of particular Acts of Parliament or Regulations include any provisions which they have replaced and also include existing or future amendments or re-enactments.
 2. The replies will be given in the belief that they are in accordance with information presently available to officers of the replying Council, but none of the Councils or their officers accept legal responsibility for an incorrect reply, except for negligence. Any liability for negligence will extend to the person who raised the enquiries and the person on whose behalf they were raised. It will also extend to any other person who has knowledge (personally or through an agent) of the replies before the time when he purchases, takes a tenancy of, or lends money on the security of the property or (if earlier) the time when he becomes contractually bound to do so.
 3. This form should be read in conjunction with the guidance notes available separately.
 4. 'Area' means any area in which the property is located.
 5. References to the 'Council' include any predecessor Council and also any council committee, sub-committee or other body or person exercising powers delegated by the Council and their 'approval' includes their decision to proceed. The replies given to certain enquiries cover knowledge and actions of both the District Council and County Council.
 6. Where relevant, the source department for copy documents should be provided.

ROAD PROPOSALS BY PRIVATE BODIES

4. What proposals by others, still capable of being implemented, have the Council approved for any of the following, the limits of construction of which are within 200 metres of the property?
- (a) the construction of a new road
 - (b) the alteration or improvement of an existing road, involving the construction, whether or not within existing highway limits, of a subway, underpass, flyover, footbridge, elevated road, dual carriageway, the construction of a roundabout (other than a mini roundabout) or the widening of an existing road by the construction of one or more additional traffic lanes

This enquiry refers to proposals by bodies or companies (such as private developers) other than the Council (and where appropriate the County Council) or the Secretary of State. A mini roundabout is a roundabout having a one-way circulatory carriageway around a flush or slightly raised circular marking less than 4 metres in diameter and with or without flared approaches

PUBLIC PATHS OR BYWAYS

- 5.1. Is any footpath, bridleway, restricted byway or byway open to all traffic which abuts on, or crosses the property, shown in a definitive map or revised definitive map prepared under Part IV of the National Parks and Access to the Countryside Act 1949 or Part III of the Wildlife and Countryside Act 1981?
- 5.2. If so, please mark its approximate route on the attached plan

ADVERTISEMENTS

Entries in the register

- 6.1. Please list any entries in the register of applications, directions and decisions relating to consent for the display of advertisements
- 6.2. If there are any entries, where can that register be inspected?

Notices, proceedings and orders

- 6.3. Except as shown in the official certificate of search:
- (a) has any notice been given by the Secretary of State or served in respect of a direction or proposed direction restricting deemed consent for any class of advertisement
 - (b) have the Council resolved to serve a notice requiring the display of any advertisement to be discontinued
 - (c) if a discontinuance notice has been served, has it been complied with to the satisfaction of the Council
 - (d) have the Council resolved to serve any other notice or proceedings relating to a contravention of the control of advertisements
 - (e) have the Council resolved to make an order for the special control of advertisements for the area

COMPLETION NOTICES

7. Which of the planning permissions in force have the Council resolved to terminate by means of a completion notice under s.94 of the Town and Country Planning Act 1990?

PARKS AND COUNTRYSIDE

Areas of outstanding natural beauty

- 8.1. Has any order under s.82 of the Countryside and Rights of Way Act 2000 been made?

National Parks

- 8.2. Is the property within a National Park designated under s.7 of the National Parks and Access to the Countryside Act 1949?

PIPELINES

9. Has a map been deposited under s.35 of the Pipelines Act 1962, or Schedule 7 of the Gas Act 1986, showing a pipeline laid through, or within 100 feet (30.48 metres) of the property?

HOUSES IN MULTIPLE OCCUPATION

10. Is the property a house in multiple occupation, or is it designated or proposed to be designated for selective licensing of residential accommodation in accordance with the Housing Act 2004?

NOISE ABATEMENT

Noise abatement zone

- 11.1. Have the Council made, or resolved to make, any noise abatement zone order under s.63 of the Control of Pollution Act 1974 for the area?

Entries in register

- 11.2. Has any entry been recorded in the noise level register kept pursuant to s.64 of the Control of Pollution Act 1974?
- 11.3. If there is any entry, how can copies be obtained and where can that register be inspected?

URBAN DEVELOPMENT AREAS

- 12.1. Is the area an urban development area designated under Part XVI of the Local Government, Planning and Land Act 1980?
- 12.2. If so, please state the name of the urban development corporation and the address of its principal office.

ENTERPRISE ZONES

13. Is the area an enterprise zone designated under Part XVIII of the Local Government, Planning and Land Act 1980?

INNER URBAN IMPROVEMENT AREAS

14. Have the Council resolved to define the area as an improvement area under s.4 of the Inner Urban Areas Act 1978?

SIMPLIFIED PLANNING ZONES

- 15.1. Is the area a simplified planning zone adopted or approved pursuant to s.83 of the Town and Country Planning Act 1990?
- 15.2. Have the Council approved any proposal for designating the area as a simplified planning zone?

LAND MAINTENANCE NOTICES

16. Have the Council authorised the service of a maintenance notice under s.215 of the Town and Country Planning Act 1990?

MINERAL CONSULTATION AREAS

17. Is the area a mineral consultation area notified by the county planning authority under Schedule 1 para 7 of the Town and Country Planning Act 1990?

HAZARDOUS SUBSTANCE CONSENTS

- 18.1. Please list any entries in the register kept pursuant to s.28 of the Planning (Hazardous Substances) Act 1990.
- 18.2. If there are any entries:
- (a) how can copies of the entries be obtained
 - (b) where can the register be inspected

ENVIRONMENTAL AND POLLUTION NOTICES

19. What outstanding statutory or informal notices have been issued by the Council under the Environmental Protection Act 1990 or the Control of Pollution Act 1974? (This enquiry does not cover notices under Part IIA or Part III of the EPA, to which enquiries 3.12 or 3.7 apply).

FOOD SAFETY NOTICES

20. What outstanding statutory notices or informal notices have been issued by the Council under the Food Safety Act 1990 or the Food Hygiene Regulations 2006?

HEDGEROW NOTICES

- 21.1. Please list any entries in the record maintained under regulation 10 of the Hedgerows Regulations 1997.
- 21.2. If there are any entries:
- (a) how can copies of the matters entered be obtained
 - (b) where can the record be inspected

COMMON LAND, TOWN AND VILLAGE GREENS

- 22.1. Is the property, or any land which abuts the property, registered common land or town or village green under the Commons Registration Act 1965 or the Commons Act 2006?
- 22.2. If there are any entries, how can copies of the matters registered be obtained and where can the register be inspected?

NOTES

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- (2) The replies will be given in the belief that they are in accordance with information presently available to the officers of the replying Council, but none of the Councils or their officers accept legal responsibility for an incorrect reply, except for negligence. Any liability for negligence will extend to the person who raised the enquiries and the person on whose behalf they were raised. It will also extend to any other person who has knowledge (personally or through an agent) of the replies before the time when he purchases, takes a tenancy of, or lends money on the security of the property or (if earlier) the time when he becomes contractually bound to do so.

- (3) This Form should be read in conjunction with the guidance notes available separately.
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- (6) Where relevant, the source department for copy documents should be provided.