

## SCHEDULE 9

### Local enquiries

## PART 2

### Enquiries

#### **Planning and building decisions and pending applications**

3. What applications for any of the following relating to the property have been given, approved or rejected or are pending a decision—

- (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 approvals; and
- (g) a building regulations completion certificate?

#### **Planning designations and proposals**

4. 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**

5. Which of the roads, footways and footpaths on which the property is or will be situated 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; or
- (d) to be adopted by a local authority without reclaiming the cost from the frontagers?

#### **Land required for public purposes**

6. Is the property included in land required for public purposes?

#### **Land to be acquired for road works**

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

#### **Drainage agreements and consents**

8. 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; or
- (b) an agreement or consent for a building, or extension to a building on the property to be built over, or in the vicinity of a drain, sewer or disposal main?

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

### **Nearby road schemes**

- 9.** 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 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; or
  - (f) the outer limits of—
    - (i) construction of a possible 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?

### **Nearby railway schemes**

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

### **Traffic schemes**

**11.** Has a local authority approved but not yet implemented any of the following for roads, footways and footpaths 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; or
- (l) bridge building?

#### **Outstanding notices**

**12.** Do any statutory notices which relate to the following matters exist in relation to the property other than those revealed in a response to any other enquiry in this Schedule—

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

#### **Contravention of building regulations**

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

#### **Notices, orders, directions and proceedings under Planning Acts**

**14.** 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 minimum compensation;
- (i) a building preservation notice;
- (j) a direction restricting permitted development;
- (k) an order revoking or modifying planning permission;
- (l) an order requiring discontinuance of use or alteration or removal of buildings or works;
- (m) a tree preservation order; or
- (n) proceedings to enforce a planning agreement or planning contribution?

#### **Conservation areas**

**15.** Do the following apply in relation to the property—

- (a) a decision to make the area a conservation area before 31<sup>st</sup> August 1974; or
- (b) an unimplemented decision to designate the area a conservation area?

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### **Compulsory purchase**

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

### **Contaminated land**

17. 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<sup>(1)</sup>—
  - (i) a decision to make an entry; or
  - (ii) an entry; or
- (c) consultation with the owner or occupier of the property conducted under section 78G<sup>(3)</sup> of the Environmental Protection Act 1990<sup>(2)</sup> before the service of a remediation notice?

### **Radon gas**

18. Do records indicate that the property is in a “Radon Affected Area” as identified by the Health Protection Agency<sup>(3)</sup>?

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(1) 1990 c. 43. Section 78R was inserted by section 57 of the Environment Act 1995.

(2) Section 78G was inserted by section 57 of the Environment Act 1995.

(3) A body established under section 1 of the Health Protection Agency Act 2004 (c. 17).