



**Herefordshire
Council**

Enquiries as Requested of the Local Authority

Enquirer:	TM GROUP (UK) LIMITED 1200 DELTA BUSINESS PARK SWINDON WILTSHIRE SN5 7XZ	Official Number:	2018/00826
Enquirer's Reference:	18359945	Dated	17/08/2018

Search Address: Bywell
25 Crooked Well
Kington
HR5 3AF

Total Fee - £126.00

Signed

**Teresa Farmer
Land Charges Manager
On behalf of Herefordshire Council**

Date: 28/08/2018

Property Address: Bywell, 25 Crooked Well, Kington, HR5 3AF

- 1 PLANNING AND BUILDING REGULATIONS
 - 1 Planning and Building Regulation 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 or agreements-
 - 1.01
 - 1.01(a) Planning permission
 - 1.01(a) 1.1 (a) to (i) - see attached schedule
 - 1.01(b) a listed building consent
 - 1.01(b) .
 - 1.01(c) a conservation area consent
 - 1.01(c) .
 - 1.01(d) a certificate of lawfulness of existing use or development
 - 1.01(d) .
 - 1.01(e) a certificate of lawfulness of proposed use or development
 - 1.01(e) .
 - 1.01(f) a certificate of lawfulness of proposed works for listed buildings
 - 1.01(f) .
 - 1.01(g) a heritage partnership agreement
 - 1.01(g) .
 - 1.01(h) a listed building consent order
 - 1.01(h) .
 - 1.01(i) a local listed building consent order
 - 1.01(i) .
 - 1.01(j) building regulations approval
 - 1.01(j) None
 - 1.01(k) a building regulation completion certificate and
 - 1.01(k) None
 - 1.01(l) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme?
 - 1.01(l) None
 - 1.02 Planning designations and proposals
 - 1.02

- 1.02 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?**
- 1.02 The Herefordshire Local Plan - Core Strategy shows the following designations for the property/area or specific proposals for the area: HOUSING MARKET AREA (H1, H2, RA1, RA2)
- Herefordshire Council has prepared a Local Plan - Core Strategy for the County to cover the period 2011 - 2031. This document includes a range of county wide policies which provide the framework for development in the County. The Core Strategy Policies replace most of the Unitary Development Plan (UDP) 2007 policies.
- The Local Plan will ultimately be made up of a number of planning documents. A Hereford Area Plan, Neighbourhood Development Plans and other Development Plan Documents will also be prepared in conformity with the Core Strategy and these will provide greater detail about the location of future development. Together all these documents will form the Local Plan for Herefordshire.
- The Core Strategy can be found at:
<https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/core-strategy/adopted-core-strategy>
- Information on the status of neighbourhood plan preparation can be found at:
www.herefordshire.gov.uk/planning-and-building-control/neighbourhood-planning/submitted-neighbourhood-areas-and-plans/
- For any further information, advice or enquiries please email ldf@herefordshire.gov.uk
- 2 ROADS AND PUBLIC RIGHTS OF WAY**
- Roadways, footways and footpaths (2.01) Public rights of way (2.02 - 2.05)**
- 2
- 2.01 Which of the roads, footways and footpaths named in the application for this search (via boxes B and C) are:**
- 2.01
- 2.01(a) highways maintainable at public expense**
- 2.01(a) No as to ways directly abutting the property -see nearest maintained highway as shown coloured blue on plan.
- Please address enquiries regarding highways to: Mr. B Stevens (Searches & Adoptions), Transportation Unit, Herefordshire Council, Plough Lane, Hereford. HR4 0LE.
- 2.01(b) subject to adoption and supported by a bond or bond waiver**
- 2.01(b) None
- 2.01(c) to be made up by a local authority who will reclaim the cost from the frontagers**
- 2.01(c) None
- 2.01(d) to be adopted by a local authority without reclaiming the cost from the frontagers**
- 2.01(d) None
- 2.02 Is any public right of way which abuts on or crosses the property shown in a definitive map or revised definitive map?**
- 2.02 No
- 2.03 Are there any pending applications to record a public right of way that abuts or crosses the property on a definitive map or revised definitive map?**
- 2.03 No
- 2.04 Are there any legal orders to stop up after or create a public right of way which abuts or crosses the property not yet implemented or shown on a definitive map?**
- 2.04 No
- 2.05 If so please attach a plan showing the approximate route.**
- 2.05 Not applicable
- 3 OTHER MATTERS**
- Apart from matters entered on the registers of local land charges do any of the following matters apply to the property? If so how can copies of relevant documentation be obtained?**
- 3
- 3.01 Land required for public purposes**
- Is the property included in land required for public purposes?**
- 3.01 No
- 3.02 Land to be acquired for road works**
- Is the property included in land to be acquired for road works?**
- 3.02 No

- 3.03 Drainage matters**
3.03
- 3.03(a) Is the property served by a sustainable urban drainage system (SuDS)?**
3.03(a) 3.3 (a) to (c) - Prior to 21/6/16 the authority does not hold comprehensive records of SuDS systems in a retrievable format - please refer to vendor.
Post 21/06/16 please refer to relevant conditions on planning decision notices and associated discharge of conditions notices which are available on the Council's website.
<https://www.herefordshire.gov.uk/planning-and-building-control/development-control/search-and-comment-on-planning-applications>
- 3.03(b) Are there SuDS features within the boundary of the property if yes is the owner responsible for maintenance?**
3.03(b) .
- 3.03(c) If the property benefits from a SuDS for which there is a charge who bills the property for the surface water drainage charge?**
3.03(c) .
- 3.04 Nearby road schemes**
Is the property (or will it be) within 200 metres of any of the following -:
3.04
- 3.04(a) the centre line of a new trunk road or special road specified in any order draft order or scheme**
3.04(a) No
- 3.04(b) The centre line of a proposed alteration or improvement to an existing road notified to the Council by the appropriate Secretary of State involving the construction of a subway underpass flyover footbridge elevated road or dual carriageway (whether or not within existing highway limits) ; or**
3.04(b) No
- 3.04(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;**
3.04(c) No
- 3.04(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 a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes;**
3.04(d) No
- 3.04(e) the centre line of the proposed route of a new road under proposals published for public consultation; or**
3.04(e) No
- 3.04(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 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?**
3.04(f) No
- 3.05 Nearby railway schemes**
3.05
- 3.05(a) Is the property (or will it be) within 200 metres of the centre line of a proposed railway tramway light railway or monorail?**
3.05(a) Not that the Council is aware of
- 3.05(b) Are there any proposals for a railway tramway light railway or monorail within the Local Authority's boundary?**
3.05(b) At present there are no Local Plan proposals or planning permissions in the County for railways, tramways, light railways or monorails
- 3.06 Traffic schemes**
Has a local authority approved but not yet implemented any of the following for the roads footways and footpaths which are named in Boxes B and C and are within 200 metres of the boundaries of the property?
3.06
- 3.06(a) Permanent stopping up or diversion**
3.06(a) No
- 3.06(b) Waiting or loading restrictions**
3.06(b) No
- 3.06(c) One-way driving**
3.06(c) No

- 3.06(d) Prohibition of driving**
3.06(d) No
- 3.06(e) Pedestrianisation**
3.06(e) No
- 3.06(f) Vehicle width or weight restriction**
3.06(f) No
- 3.06(g) Traffic calming works e.g. road humps**
3.06(g) No
- 3.06(h) Residents parking controls**
3.06(h) No
- 3.06(i) Minor road widening or improvement**
3.06(i) No
- 3.06(j) Pedestrian crossings**
3.06(j) No
- 3.06(k) Cycle tracks**
3.06(k) No
- 3.06(l) Bridge building**
3.06(l) No
- 3.07 Outstanding notices**
Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this form?
3.07
- 3.07(a) building works**
3.07(a) No
- 3.07(b) environment**
3.07(b) No
- 3.07(c) health and safety**
3.07(c) No
- 3.07(d) housing**
3.07(d) No
- 3.07(e) highways**
3.07(e) No
- 3.07(f) public health**
3.07(f) No
- 3.07(g) flood and coastal erosion risk management**
3.07(g) No
- 3.08 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?
3.08 No
- 3.09 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:-
3.09
- 3.09(a) an Enforcement Notice**
3.09(a) No
- 3.09(b) a stop notice**
3.09(b) No
- 3.09(c) a listed building enforcement notice**
3.09(c) No
- 3.09(d) a breach of condition notice**
3.09(d) No
- 3.09(e) a planning contravention notice**
3.09(e) No

- 3.09(f) another notice relating to breach of planning control**
3.09(f) No
- 3.09(g) a listed building repairs notice**
3.09(g) No
- 3.09(h) in the case of a listed building deliberately allowed to fall into disrepair a compulsory purchase order with a direction for minimum compensation;**
3.09(h) No
- 3.09(i) a building preservation notice**
3.09(i) No
- 3.09(j) a direction restricting permitted development**
3.09(j) No
- 3.09(k) an order revoking or modifying a planning permission or discontinuing an existing planning use**
3.09(k) No
- 3.09(l) an order requiring discontinuance of use or alterations or removal of building or works;**
3.09(l) No
- 3.09(m) tree preservation order; or**
3.09(m) No
- 3.09(n) proceedings to enforce a planning agreement or planning contribution**
3.09(n) No
- 3.10 Community Infrastructure Levy (CIL)**
3.10
- 3.10(a) Is there a CIL charge schedule?**
3.10(a) No
- 3.10(b) If yes 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:- i) a liability notice? ii) a notice of chargeable development? iii) a demand notice? iv) a default liability notice? v) an assumption notice? (vi) a commencement notice?**
3.10(b) Not applicable
- 3.10(c) Has any demand notice been suspended?**
3.10(c) Not applicable
- 3.10(d) Has the local authority received full or part payment of any CIL liability?**
3.10(d) Not applicable
- 3.10(e) Has the local authority received any appeal against any of the above?**
3.10(e) Not applicable
- 3.10(f) Has a decision been taken to apply for a liability order?**
3.10(f) Not applicable
- 3.10(g) Has a liability order been granted?**
3.10(g) Not applicable
- 3.10(h) Have any other enforcement measures been taken?**
3.10(h) Not applicable
- 3.11 Conservation area**
Do the following apply in relation to the property?
3.11
- 3.11(a) the making of the area a Conservation Area before 31 August 1974; or**
3.11(a) No
- 3.11(b) an unimplemented resolution to designate the area a Conservation Area?**
3.11(b) No
- 3.12 Compulsory purchase**
Has any enforceable order or decision been made to compulsorily purchase or acquire the property?
3.12 No
- 3.13 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 such a condition that harm or pollution of controlled waters might be caused on the property)?**
3.13

- 3.13(a) a contaminated land notice;
3.13(a) No
- 3.13(b) in relation to a register maintained under section 78R of the Environmental Protection Act 1990:- (i) a
decision to make an entry; or (ii) an entry; or
3.13(b) No
- 3.13(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(c) No

Radon gas**Do records indicate that the property is in a "Radon Affected Area" as identified by Public Health England or Public Health Wales?**

- 3.14 It is in a Radon affected area; at least 10% of homes are estimated to be above the action level (higher probability radon area)

What is Radon?

Radon is a naturally occurring gas which is formed by the decay of small amounts of uranium present in all rocks and soils. In the open air radon disperses rapidly and levels are low. However, in buildings such as homes, radon can be drawn in through cracks and gaps in the floor and can in some instances reach unacceptably high concentrations. Exposure to particularly high levels of radon may increase the risk of developing lung cancer.

Radon is measured in Becquerels per cubic metre of air (Bq m-3). The average radon level in homes across the UK is 20 Bq m-3.

Public Health England advises that homes in radon affected areas should be tested and householders should take action to reduce radon levels if their home has a reading of, or over, 200 Bq m-3, (the radon action level).

Radon Affected Areas

Areas of the UK where 1% or more of homes are estimated to exceed the action level are defined as a "radon affected area".

PHE recommends that all parts of the UK should be classified according to the probability that homes in the locality will have an indoor radon concentration above the (200 Bq m-3).

Radon potential band (%) General Risk Affected Area?

0 - 1	Low	No	
1 - 3	Medium	Yes	
3 - 5	Medium		Yes
5 - 10	Medium		Yes
10 - 30	High	Yes	
Over 30	High	Yes	

Radon Probability Areas

Areas where the probability of exceeding the Action Level is 1% or more are defined as Radon Affected Areas. To avoid the misconception that radon is only present in radon Affected Areas, those areas with less than 1% probability of exceeding the Action Level are defined as "lower probability areas".

" Areas where less than 1% of homes are estimated to be above the action level are "lower probability radon areas".

" Areas where between 1% and 10% of homes are estimated to be above the action level are "intermediate probability radon areas".

" Areas where at least 10% of homes are estimated to be above the action level are "higher probability radon areas". "

Radon Searches

There are different ways to find the Radon Potential for an address or area of land from the UKradon website).

You can either use a Definitive Search (which use the full radon data set of 25 metre x 25 metre squares) or a Indicative Search (which use data grouped by area or postcode)

" Online Radon Report (Definitive Search)

You can find out if a property is in a radon affected area by purchasing an online radon risk report which costs £3.90 inc. VAT from the PHE radon website; UKradon: (www.ukradon.org).

The report will provide the following:

1. Whether the property is in a Radon Affected Area
2. The estimated probability of the property being above the Action Level for radon.
3. The requirement under Building Regulations for radon protection in new buildings and extensions at the property.
4. PHE guidance for occupiers and prospective purchases

The report will tell you the risk of the chosen address having a high level of radon. NOT the level of radon at that address.

" Indicative Maps (Indicative Search)

View the free UK maps of radon from the UKradon website. These documents show the worst case radon risk for every 1km grid square in the United Kingdom

To view for all the available Radon Searches please visit the UKradon website.

Assets of Community Value

3.15

3.15(a) Has the property been nominated as an asset of community value? If so:- (i) Is it listed as an asset of community value? (ii) Was it excluded and placed on the 'nominated but not listed' list? (iii) Has the listing expired? (iv) Is the Local Authority reviewing or proposing to review the listing? (v) Are there any subsisting appeals against the listing?

3.15(a) No

3.15(b) If the property is listed: (i) Has the local authority decided to apply to the Land Registry for an entry or cancellation of a restriction in respect of listed land affecting the property? (ii) Has the Local Authority received a notice of disposal? (iii) Has any community interest group requested to be treated as a bidder?

3.15(b) Not applicable

PLANNING HISTORY SCHEDULE

Application Number	97/0859/L
Development Location	25 CROOKED WELL, KINGTON, HEREFORDSHIRE HR5 3AF
Development Description	LISTED BUILDING CONSENT Gable wall, insert tie rods, patress plates and new joists. Insert flue liner and new chimney pot and build new butress
Decision Date	02/12/1997
Decision	APPROVED WITH CONDITIONS

No Building Control applications to reveal

Standard Information/Disclaimer

Addendum

2016 CON29 PART 1 Informatives

Question 1.1(a)-(i)

Local authority records from 1st August 1977 have been inspected to provide this response. Planning entries prior to this date are available on request from the Planning Department. A fee may be charged for this service.
For any enquiries regarding the planning entries please contact the Planning Desk at the Herefordshire Archive and Records Centre Fir Tree Lane, Rotherwas, Hereford HR2 6LA e-mail planningdesk@herefordshire.gov.uk

Question 1.1(j)

Building Control records are kept in accordance with the Building Control Retention Schedule and destroyed once they are no longer required for the Council's business use, in accordance with appropriate legislation and operational requirements.

Question 1.1(l)

The local authority may not always be aware of such works and enquiries should also be made of the seller.
Informative: (1) As from April 1st 2002 the installation of a replacement window, rooflight or roof window or specified type of glazed door must either have building regulation approval or be carried out and certified by a person who is registered under the Fenestration Self-Assessment Scheme by the Glass and Glazing Federation.
Please note that following the implementation of a new computer system in Building Control, any applications dated prior to 28th September 2009 have been abbreviated in your search response. They will no longer contain separating slashes or a prefix of BC.

For any enquiries regarding Building Control please contact the Building Control Section, Council Offices, Plough Lane, Hereford. HR4 0LE or e-mail buildingcontrolenquiries@herefordshire.gov.uk

Question 1.2

This reply reflects policies or proposals in any existing development plan and in any formally proposed alteration or replacement plan, but does not include policies contained in planning guidance notes.

Question 2.1

If a road, footway or footpath is not a highway maintained at public expense, there may be no right to use it and the local authority cannot express an opinion without seeing the title plan of the property and carrying out a site inspection.

Question 2.2

Herefordshire Council holds a Definitive Map and Statement of public rights of way with a relevant date of 1st April, 1989. Whilst this does not preclude the existence of unrecorded rights of way, the council is unaware of any claimed rights of way existing over the search site. If in doubt please contact herefordshireprow@bbivingplaces.com for further information.

Question 3

With reference to questions 3.1 to 3.15 matters already entered on the Local Land Charges Register will not be revealed to in answer to this enquiry.

Question 3.4

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.

Question 3.5

If this property sits near to the local authority boundary, enquirers are therefore advised to seek further information from the neighbouring local authority.

Question 3.6

In some circumstances, road closures can be obtained by third parties from magistrate's courts, or can be made by the Secretary of State for Transport without involving the local authority.
This enquiry is designed to reveal matters that are yet to be implemented and/or could not be ascertained by a visual inspection. Schemes that have, or are currently being implemented will not be referred to in answer to this enquiry.
If this property sits near to the local authority boundary, enquirers are therefore advised to seek further information from the neighbouring local authority.

Question 3.13

A negative reply does not imply that the property or any adjoining or adjacent land is free from contamination, or from the risk of it, and the reply may not disclose steps taken by another local authority in whose area adjacent or adjoining land is situated.

Question 3.14

Radon Affected Areas are designated by the National Radiological Protection Board. It is recommended that the level of radon gas should be measured in all properties with Radon Affected Areas. The present owner or (for a new property) the builder should be asked whether protective measures were incorporated in the construction of the property; whether radon levels have been measured in the property; whether the results were at or above the Action Level (prescribed by the NRPB) and if so whether remedial measures were installed and whether the radon levels were re-tested and confirmed the effectiveness of the measures.

CON29 PART 2 Informatives

Question 8

You are advised to seek further information from <http://www.linesearchbeforeudig.co.uk>

LinesearchbeforeUdig (LSBUD) is a free to use internet based enquiry service available 24/7. It provides a single point of contact for all enquiries relating to the apparatus owned and/or operated by the Asset Owners protected by LSBUD, including underground and overhead transmission/distribution electricity networks, transmission/distribution gas networks, oil pipelines, and fibre optic networks.

These replies have been given in accordance with the notes appended to CON29 form.

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.

The replies will be given in the belief that they are in accordance with information presently available to the officers of the replying local authority, but none of the local authorities or their officers accepts legal responsibility for an incorrect reply, except for negligence. Any legal responsibility for negligence will be owed to the person who raised the enquiries and the person on whose behalf they were raised. It will also be owed 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.

This Form should be read in conjunction with the guidance notes available separately.

Area means any area in which the property is located.

References to the Local Authority include any predecessor Local Authority and also any Local Authority committee, sub-committee or other body or person exercising powers delegated by the Local Authority and their approval includes their decision to proceed. The replies given to certain enquiries cover knowledge and actions of both the District Local Authority and County Local Authority.

Where relevant, the source department for copy documents should be provided.