

Official Local Authority Search Commercial (CON29R + LLC1)



Search Details

Prepared for: Gellhorns Solicitors
Matter: WIL0911/willow
Client address: 12 Chalet Hill, Bordon, Hampshire, GU35 0TQ

Property:

Star Acre Farm, East Henaford, Welcombe, Bideford, Devon

Local Authority:

Torridge District Council
Riverbank House, Bideford, EX39 2QG

Date Returned:
17/01/2023

Property type:
Agriculture / Large Site

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Torridge District Council
Riverbank House
Bideford
Devon
EX39 2QG



Tel 01237 428700
Email land.charges@torridge.gov.uk

REGISTER OF LOCAL LAND CHARGES OFFICIAL CERTIFICATE OF SEARCH

Search Reference: 23_00044
NLIS Reference:
Date: 17-Jan-2023

Applicant: InfoTrack

Level 11, 91
Waterloo Road
London
SE1 8RT

Applicant Ref: 34431686:WIL0911/willow

Official Search required in all parts of the Register of Local Land Charges for subsisting registrations against the land described and the plan submitted.

Land/Property: Star Acre Farm, East Henaford

Welcombe
Bideford
Devon

It is hereby certified that the search requested above reveals the 1 registration described in the Schedule(s) hereto up to and including the date of this certificate.

On behalf of Torridge District Council
Staci Dorey
Solicitor

Torridge District Council**Register of Local Land Charges
Schedule to Official Certificate of Search**

Part 3: Planning Charges (b) Other planning charges			
Description of charge (including reference to appropriate statutory provision)	Originating Authority	Place where relevant documents may be inspected	Date of Registration
Land within the Torridge District Town and Country Planning (Control of Advertisements) Regulations 1960 - Areas of Special Control The County of Devon (North and East Devon Area of Special Control of Advertisements) Order 1964 made on 29/06/64, confirmed on 03/03/66, defining Areas of Special Control. Ref:Control of Advertisements TLC Ref: PT127048	Devon County Council	Torridge District Council, Riverbank House, Bideford, Devon, EX39 2QG	01/04/1966

Tel 01237 428700
Email land.charges@torridge.gov.uk

REPLIES TO CON 29 ENQUIRIES OF THE LOCAL AUTHORITY (2016 Edition)

Search Reference: 23_00044
NLIS Reference:
Date: 17-Jan-2023

Applicant: InfoTrack

Level 11, 91
Waterloo Road
London
SE1 8RT

Applicant Ref: 34431686:WIL0911/willow

Land/Property: Star Acre Farm, East Henafor

Welcombe
Bideford
Devon

Other Roads etc:

I refer to your Standard Enquiries relating to the above property. These replies relate to that property as shown on the location plan where supplied. The replies are given subject to the Notes to the Standard Enquiries.

All correspondence relating to these replies should quote the official Search Reference 23_00044.

o;?

CON29 Enquiries of the Local Authority (2016 Edition)

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 or agreements?

(a) a planning permission

Reference: 1/1333/2021/FUL

Retrospective siting of a mobile home for use as a rural workers dwelling for a trial period of three years alterations to access; erection of a general purpose agricultural building and yard.

Land At Grid Reference 225273 118181, Welcombe, Devon

Date Decision Issued: 04/11/2022

Decision: Application Refused

There are also entries relating to applications under the Town and Country Planning Act determined prior to 1st August 1977, however, these are not shown. This history will be researched and information supplied upon receipt of a written request to do so. However, due to the fact that additional work will then be undertaken a further charge of £21.60, including VAT, will be levied. If you require details of these applications please submit a written request (quoting the Official Search Number), together with your cheque made payable to "Torrige District Council" in the sum of £21.60 to :-

The Head of Community Planning and Development Services
Torrige District Council
Riverbank House
Bideford
Devon
EX39 2QG

(b) a listed building consent

None

(c) a conservation area consent

None

(d) a certificate of lawfulness of existing use or development

None

(e) a certificate of lawfulness of proposed use or development

None

(f) a certificate of lawfulness of proposed works for listed buildings

None

(g) a heritage partnership agreement

None

(h) a listed building consent order

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None

(i) a local listed building consent order

None

Informative

(1) In respect Enquiries 1.1(a - i) the Council's computerised records of applications under the Town and Country Planning Act only go back as far as 1st August, 1977 and this reply covers only the period since that date. This Search Result will inform you above if pre 1st August 1977 planning history exists in respect of the property and how further information can be obtained.

(2) The reply to Enquiry 1.1 does not cover other properties in the vicinity of the property.

(3) Please note that access to most Planning Applications, Plans/Drawings, Appeals, application correspondence and Planning Application/Appeal Decision Notices since 1974 is available via the Council's website (www.torridge.gov.uk/plans).

(4) Please remember to include the Official Search number in any correspondence.

(j) building regulations approval

None

Informative

This reply relates only to Building Regulation Applications received from 1st July, 2002. Details of approvals and completion certificates are not currently given in respect of earlier applications. Please note that where building work was approved and controlled by an Approved Inspector the Council does not issue a completion certificate.

Where a Building Regulation Approval relates to more than one property, the reply to CON 29 Enquiry 1.1(j) will indicate properties that have been issued with a building regulation completion certificate under that Building Regulation Approval.

If prior history is required please submit a written request. However, due to the fact that additional research work will then be undertaken a further charge will be levied for the provision of this information. Requests should be made to Building Control, Torridge District Council, Riverbank House, Bideford, North Devon, EX39 2QG or email bc.admin@torridge.gov.uk. Please include the plot number and/or full postal address details together with an up to date location plan upon which you have clearly outlined the extent of the property concerned.

Please note that copies of Building Regulation Decision notices and Completion Certificates can be obtained by writing to:

The Building Control Team
Torridge District Council
Riverbank House
Bideford
North Devon
EX39 2QG

Email: bc.admin@torridge.gov.uk

Please quote the Building Regulation and Official Search numbers when requesting copy documents.

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(k) building regulation completion certificate and

None

Informative

See informative to Enquiry 1.1 (j) above.

(l) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme?

Since 1st April 2013 the Council has not received notification of any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme in respect of the property.

Please note that details of building regulations certificates or notices issued in respect of work carried out under all competent person self-certification schemes notified to the Council prior to 1st April 2013 are not shown. This is because the records are not in an accessible form.

You are advised to ask the seller or developer to provide details and certificates in respect of any works carried out under the competent person self-certification scheme.

Please see the following informative.

Informative

Enquiry 1.1 (l) is designed to reveal information on work carried out under all competent person self-certification schemes. These schemes include the installation of:

- heat producing gas appliances;
- oil-fired combustion devices, oil storage tanks and heating and hot water services systems connected to them;
- certain solid fuel burning appliances and heating and hot water service systems connected to them;
- air conditioning or ventilation systems;
- lighting or electric heating systems;
- certain electrical installations;
- a replacement window, roof light, roof window or door
- sanitary ware or washing facilities.

See Schedule 3 of the Building Regulations 2010 (as amended) for further details.

Any competent person notifications revealed in this property search have been recorded and plotted based on address or location information provided to us by the notifying body. It is suggested that the owner/occupier should be asked to produce any such certificate.

Important Note: Where applications relate to work carried out under a competent person self-certification scheme, the Council does not issue any building regulation certificate or notice. The notifications revealed cannot be considered as authoritative and may not be up to date; any enquiries should be directed to the vendor and/or scheme operators.

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?

Answer from Devon County Council Land Charges
Devon County Waste Local Plan - Adopted
The 3rd Local Transport Plan (LTP3) 2011-2026 - Adopted
Devon Minerals Plan 2011-2033 - None

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If further information is required in respect of the above Devon County Council response to Enquiry 1.2 please contact Planning, Transportation and Environment, Devon County Council, County Hall, Topsham Road, Exeter, EX2 4QW or planning@devon.gov.uk

Answer from Planning Policy Team

The following policies and/or proposals of the North Devon and Torridge Local Plan 2011-2031 (adopted 29 October 2018) apply to the property the subject of this Search:

Policy ST07: Spatial Development Strategy for Northern Devon's Rural Area

Development will be supported, in accordance with the following hierarchy, to achieve an economically resilient and active rural area. Development in Schedule A and B settlements will be enabled: within development boundaries and on allocated sites defined on the Policies Map, and within the principal built form of settlements without development boundaries.

(1) Local Centres, defined in Schedule A, will be the primary focus for development in the rural area; development will be supported in accordance with the local spatial strategies, to enhance the sustainability of the locally important service centres and to enable wider than local needs to be met.

Schedule A: Local Centres

North Devon: Bratton Fleming, Chulmleigh, Combe Martin, Fremington and Yelland, Instow, North Molton, Witheridge, and Woolacombe.

Torridge: Bradworthy, Buckland Brewer, Dolton, Halwill Junction, Hartland, High Bickington, Shebbear, and Winkleigh.

(2) Development in Villages, defined in Schedule B, will be enabled in accordance with the local spatial strategy to meet local needs and growth aspirations.

Schedule B: Villages

North Devon: Atherington, Berrynarbor, Bishop's Nympton, Bishop's Tawton, Burrington, Chittlehampton, Croyde, East Anstey, East Worlington, Filleigh, Georgeham, Goodleigh, Kentisbury / Kentisbury Ford, King's Nympton, Knowle, Landkey, Lower Lovacott / Newton Tracey, Mortehoe, Rackenford, Shirwell, Swimbridge, Umberleigh, and West Down.

Torridge: Abbotsham, Ashwater, Beaford, Black Torrington, Bridgerule, Bucks Cross, Chilsworthy, Clawton, Clovelly / Higher Clovelly, Langtree, Merton, Milton Damerel / Venn Green, Monkleigh, Parkham, Pyworthy, Sheepwash, St Giles on the Heath, Stibb Cross, Sutcombe, Tetcott, Welcombe / Darracott, and Woolfardisworthy.

(3) In Rural Settlements which contain at least one prescribed service or community facility, appropriately located development of a modest scale will be enabled to meet locally generated needs.

(4) In the Countryside, beyond Local Centres, Villages and Rural Settlements, development will be limited to that which is enabled to meet local economic and social needs, rural building reuse and development which is necessarily restricted to a Countryside location.

Policy ST09: Coast and Estuary Strategy

The Coastal and Estuarine Zone is identified on the Policies Map where:

(1) The sustainability of coastal communities will be maintained and enhanced with regard to their distinctive cultural heritage, diverse maritime economy, landscape setting and regeneration opportunities. The separate identity of these settlements will be maintained and enhanced.

(2) Priority will be given to employment uses and waterside infrastructure requiring a coastal location. Such uses will be directed to previously developed sites around the coastline and the Taw-Torridge estuary with existing jetties and wharves. These sites should be safeguarded for employment uses requiring a waterside location. Facilities at Appledore and Yelland Quay will be protected for their value as landing stages for marine aggregates and for other marine employment uses. Loss of traditional boating facilities that are part of the fabric of coastal communities will be discouraged.

(3) Proposals for tourism attractions, leisure developments, new tourist accommodation, associated tourism facilities and services of an appropriate scale will be supported within the Developed Coast where they enhance the quality or diversity of the local tourism offer and will not detract from the

character of protected landscapes and other environmental assets.

(4) Settlements and resorts will be defended against marine inundation, coastal erosion and tidal flooding without transferring risks elsewhere. Opportunities to manage coastal realignment and re-establish functional flood plains will be supported in accordance with the Shoreline Management Plan.

(5) The integrity of the coast and estuary as an important wildlife corridor will be protected and enhanced. The importance of the undeveloped coastal, estuarine and marine environments, including the North Devon Coast Areas of Outstanding Natural Beauty, will be recognised through supporting designations, plans and policies. The undeveloped character of the Heritage Coasts will be protected.

(6) Water quality will be improved where it has been affected by human activity.

(7) Development within the Undeveloped Coast and estuary will be supported where it does not detract from the unspoilt character, appearance and tranquillity of the area, nor the undeveloped character of the Heritage Coasts, and it is required because it cannot reasonably be located outside the Undeveloped Coast and estuary.

(8) The role and operation of Bideford and Ilfracombe as commercial and leisure ports / harbours will be maintained and enhanced. Proposals to diversify Ilfracombe's role as a ferry port to South Wales and beyond will be supported. The development of port facilities to maintain and improve the competitiveness of the fishing industry at Bideford, Appledore, Clovelly and Ilfracombe and to enhance leisure opportunities in appropriate coastal locations where required to meet community needs will be supported.

(9) Military training and operational uses around the Taw-Torridge estuary will be supported in locations associated with established military activity.

(10) Delivery of onshore facilities for operational servicing of offshore renewable energy proposals will be facilitated in existing ports and at existing jetties and wharves where they:

(a) do not harm identified environmental and heritage assets; and

(b) do not prejudice the current operational effectiveness of the port.

(11) The continuity of the South West Coast Path and the Tarka Trail will be protected and a network of connecting routes will be improved. Improvements to coastal and estuarine access will be sought where rundown waterfront areas are regenerated. The Tarka Trail link between Ilfracombe and Braunton will be completed.

Policy ST14: Enhancing Environmental Assets

The quality of northern Devon's natural environment will be protected and enhanced by ensuring that development contributes to:

(a) providing a net gain in northern Devon's biodiversity where possible, through positive management of an enhanced and expanded network of designated sites and green infrastructure, including retention and enhancement of critical environmental capital;

(b) protecting the hierarchy of designated sites in accordance with their status;

(c) conserving European protected species and the habitats on which they depend;

(d) conserving northern Devon's geodiversity and its best and most versatile agricultural land;

(e) conserving the setting and special character and qualities of the North Devon Coast Areas of Outstanding Natural Beauty whilst fostering the social and economic well being of the area;

(f) ensuring development conserves and enhances northern Devon's local distinctiveness including its tranquillity, and the setting and special qualities of Exmoor National Park including its dark night skies;

(g) protecting and enhancing local landscape and seascape character, taking into account the key characteristics, the historical dimension of the landscape and their sensitivity to change;

(h) recognising the importance of the undeveloped coastal, estuarine and marine environments through supporting designations, plans and policies that aim to protect and enhance northern Devon's coastline;

(i) conserving and enhancing the robustness of northern Devon's ecosystems and the range of ecosystem services they provide;

(j) increasing opportunities for access, education and appreciation of all aspects of northern Devon's environment, for all sections of the community;

(k) meeting the Nature Improvement Area's strategic objectives; and

(l) improving failing water bodies and preventing deterioration of water quality.

Policy DM02: Environmental Protection

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Hazards

(1) Development will be supported where it does not cause an unacceptable risk to public health and safety due to:

- (a) coastal erosion or land instability;
 - (b) its siting on known or suspected contaminated land which is unsuitable for the use proposed; or
 - (c) the storage or use of hazardous substance;
- unless taking account of appropriate remedial, preventative or precautionary measures to remove, reduce or mitigate risk to an acceptable level.

Pollution

(2) Development will be supported where it does not result in unacceptable impacts to:

- (a) atmospheric pollution by gas or particulates, including smell, fumes, dust, grit, smoke and soot;
- (b) pollution of surface or ground water (fresh and salt) including rivers, canals, other watercourses, water bodies, wetlands, water gathering grounds including catchment areas, aquifers, groundwater protection areas, harbours, estuaries or the sea;
- (c) noise or vibration; and
- (d) light pollution (sky glow, light intrusion and light spillage), where light overflows on to areas not intended to be lit. Areas particularly sensitive to light pollution include tranquil areas of open countryside, in particular areas of nature conservation value and Exmoor National Park's Dark Sky Reserve.

Air Quality Management Area

(3) Development and traffic proposals that help to deliver measures identified within a Local Air Quality Action Plan or improved overall air quality will be supported.

Policy DM08: Biodiversity and Geodiversity

(1) Development should conserve, protect and, where possible, enhance biodiversity and geodiversity interests and soils commensurate with their status and giving appropriate weight to their importance. All development must ensure that the importance of habitats and designated sites are taken into account and consider opportunities for the creation of a local and district-wide biodiversity network of wildlife corridors which link County Wildlife Sites and other areas of biodiversity importance.

European Sites

(2) The highest level of protection will be given to potential and existing Special Protection Areas, candidate and existing Special Areas of Conservation and listed or proposed Ramsar sites. Proposals having an adverse impact on the integrity of such areas that cannot be avoided or adequately mitigated to remove any adverse effect will not be permitted other than in exceptional circumstances. These circumstances will only apply where there are:

- (a) no alternative solutions;
- (b) imperative reasons of overriding public interest; and
- (c) necessary compensatory provisions secured to ensure that the overall coherence of the Natura 2000 network of European sites is protected.

(3) Development will only be supported where any necessary mitigation is included such that, in combination with other plans or projects, there will be no adverse effects on the integrity of European Nature Conservation Sites.

National Sites

(4) Development proposals within or outside a Site of Special Scientific Interest or Marine Conservation Zone which would be likely to affect the designation adversely, either individually or in combination with other developments, will not be supported unless the benefits of the development at this site clearly outweigh both the adverse impacts on the site and any adverse impacts on the wider network of Sites of Special Scientific Interest and Marine Conservation Zones.

Local Sites

(5) Development likely to affect adversely locally designated sites, their features or their function as part of the ecological network, including County Wildlife Sites, County Geological Sites and sites supporting Biodiversity Action Plan habitats and species, will only be permitted where the need for and benefits of the development clearly outweigh the loss, and the coherence of the local ecological network is maintained.

Protected Species and Habitats

(6) Adverse impacts on European and UK protected species and Biodiversity Action Plan habitats and species must be avoided wherever possible, subject to:

- (i) the legal tests afforded to them where applicable; or otherwise unless
- (ii) the need for and benefits clearly outweigh the loss.

Ancient Woodland and Veteran Trees

(7) Development must avoid the loss or deterioration of ancient woodland and veteran trees, unless the need for, or benefits of development on that site clearly outweigh the loss.

Avoidance, Mitigation and Compensation for Biodiversity and Geodiversity Impacts

(8) Development should avoid adverse impact on existing features as a first principle and enable net gains by designing in biodiversity features and enhancements and opportunities for geological conservation alongside new development. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort.

Policy DM08A: Landscape and Seascape Character

(1) Development should be of an appropriate scale, mass and design that recognises and respects landscape character of both designated and undesignated landscapes and seascapes; it should avoid adverse landscape and seascape impacts and seek to enhance the landscape and seascape assets wherever possible. Development must take into account and respect the sensitivity and capacity of the landscape/seascape asset, considering cumulative impact and the objective to maintain dark skies and tranquility in areas that are relatively undisturbed, using guidance from the Joint Landscape and Seascape Character Assessments for North Devon and Torridge.

Development within or affecting the setting of the North Devon Coast AONB or affecting the setting of Exmoor National Park

(2) Great weight will be given to conserving the landscape and scenic beauty of designated landscapes and their settings. Proposals affecting the North Devon Coast Area of Outstanding Natural Beauty (AONB) or Exmoor National Park or their settings should have regard to their statutory purposes including to ensure that their landscape character and natural beauty are conserved and enhanced. Development should be appropriately located to address the sensitivity and capacity of these designated areas and will not be permitted where it would conflict with the achievement of their statutory purposes.

(3) Proposals within or affecting the setting of the AONB should be informed by, and assist in the delivery of, the North Devon Coast Area of Outstanding Natural Beauty Management Plan. Major development within the AONB will be refused subject to the tests of exceptional circumstances and where it can be demonstrated that the development is in the public interest as set out in national policy.

Heritage Coast

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(4) Development within the Heritage Coast should maintain the character and distinctive landscape qualities of the area.

Policy DM09: Safeguarding Green Infrastructure

Development involving the loss of green infrastructure including public open space will only be supported where:

- (a) alternative green infrastructure is provided of at least equivalent size, quality and accessibility to that being lost; or
- (b) the green infrastructure network in the locality can be retained or enhanced through redevelopment of a small part of the site; and in either case
- (c) there is no net loss in sustainable travel options.

Policy DM10: Green Infrastructure Provision

Development will provide new accessible green infrastructure, including public open space and built facilities, to meet at least the green infrastructure quantitative and accessibility standards, as set out in Table 13.1 and Infrastructure Delivery Plan, to meet the needs of its intended occupants.

Neighbourhood Planning

The property or area subject to the search falls within the Welcombe Neighbourhood Area, designated in accordance with Section 61G of the Town and Country Planning Act 1990 (as amended) on 15th May 2017; with Welcombe Parish Council identified as the Relevant Body for Neighbourhood Planning purposes. No Neighbourhood Plan has been formally submitted to the local planning authority with any designations or proposals for the Neighbourhood Area.

Informative

The reply reflects the specific designations and proposals that are applicable to the property or area subject to this response, as set out through the policies in the adopted development plan and any proposed development plan that has been formally published.

The reply only provides details of specific policies and proposals that are applicable to the property or area subject to the response which do not apply more broadly to the whole area administered by the local planning authority. Other non-area specific policies of the development plan, not disclosed through this reply, may therefore be applicable to the property or area subject to this response and impact on the use, plans or proposals brought forward for development upon it.

The response does not disclose designations or proposals outside the scope of those contained within the development plan; it does not therefore reflect information that may be contained within Supplementary Planning Documents or other guidance documents.

A range of supporting commentary (the so-called Reasoned Justification) accompanies the policies and proposals contained within development plans. You are advised to inspect the Reasoned Justification for a detailed explanation of the development plan policies and/or proposals referred to in response to enquiry 1.2 above.

The documents comprising the development plan can be viewed on the Council's website and are accessible via (www.torridge.gov.uk/planningpolicy). Alternatively, the documents are available for inspection during normal opening hours at the Council Offices in Bideford (Riverbank House, EX39 2QG).

ROADS AND PUBLIC RIGHTS OF WAY

Roadways, footways and footpaths

2.1 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

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Coloured brown (as shown on the attached plan supplied by Devon County Council) is highway maintainable at the public expense.

IMPORTANT NOTE: The colouring referred to in the reply question 2.1(a) relates only to the colouring shown on the plan supplied by Devon County Council returned with this Search Result. The reply to question 2.1(a) does not relate to any colouring shown on the plan(s) submitted by the applicant.

Informative

The reply to this enquiry is restricted to highways maintainable at public expense within the meaning of the Highways Act 1980 (s36). If the road, footpath or footway is not a publicly maintainable highway the council cannot express an opinion as to what rights of access may exist over it. An affirmative reply does not imply that the publicly maintainable highway directly abuts the boundary of the property.

For further information regarding the above reply please contact the Land Charges Department at Devon County Council, County Hall, Topsham Road, Exeter, Devon EX2 4QD or DX 744970 Exeter 31. The Land Charges Department can be contacted on 01392 382295 or lcharges@devon.gov.uk

(b) subject to adoption and, supported by a bond or bond waiver

None

(c) to be made up by a local authority who will reclaim the cost from the frontagers

None

(d) to be adopted by a local authority without reclaiming the cost from the frontagers

None

Public rights of way

2.2 Is any public right of way which abuts on, or crosses the property, shown on a definitive map or revised definitive map?

No

2.3 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?

No

2.4 Are there any legal orders to stop up, divert, alter or create a public right of way which abuts, or crosses the property not yet implemented or shown on a definitive map?

No

2.5 If so, please attach a plan showing the approximate route.

Not applicable

Informative

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A Definitive Map for Devon County Council was published in 1958-1969 which, together with subsequent amendment orders, are the legal record of public rights of way and the response is taken from this information. However, a survey of all paths has not been completed and this does not preclude the existence of unrecorded rights of way. If in doubt please contact Public Rights of Way, Lucombe House, Topsham Road, Exeter, Devon, EX2 4QD or prow@devon.gov.uk for further information.

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 documents be obtained?

Note: Matters entered onto the Local Land Charges Register, or visible by property/site inspection, will not be referred to (where relevant) in answer to the enquiries 3.1. to 3.15. below.

3.1 Land required for public purposes

Is the property included in land required for public purposes?

No

Informative

Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.2 Land to be acquired for road works

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

No

Informative

This enquiry is answered with respect to schemes that have been approved by the council, or have been notified to the council by any other highway authority. For further information regarding the above reply please contact the Land Charges Department at Devon County Council County Hall, Topsham Road, Exeter, Devon EX2 4QD or DX 744970 Exeter 31. The Land Charges Department can be contacted on 01392 382295 or lcharges@devon.gov.uk

Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

3.3 Drainage matters

(a) Is the property served by a sustainable urban drainage system (SuDS)?

Answer from Planning Support Team

The Council's reply to Enquiry 3.3a will only reveal, where applicable, Planning Permissions determined post 4th July 2016 that include SuDS features.

There are no Planning Permissions approved post 4th July 2016 that include SuDS features.

Planning Permissions that include SuDs features that were approved prior to 4th July 2016 are not shown. It is advisable that the applicant undertakes checks of Planning Permissions (including related Plans/Drawings/Agreements) and with the vendor/owner to establish whether any sustainable urban drainage systems are in place at the property.

(Note: Planning Application documentation is available to view on the Council's website www.torridge.gov.uk/plans)

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Answer from Devon County Council Land Charges
Unknown

As schedule 3 of the Flood and Water Management Act has not commenced, there is no legal duty or responsibilities on Councils who are also Lead Local Flood Authorities, to keep records of any new or existing Sustainable Drainage Systems (SuDS) and therefore our records do not allow for the provision of comprehensive answers in relation to this question.

Devon County Council, as the Lead Local Flood Authority, is a statutory consultee to the Local Planning Authority for major development with surface water implications. This advice is given to assist in the determination of the planning application but we do not have a role in checking final as built drawings.

In some cases SuDS can be implemented without the need to obtain planning permission.

Even if planning permission is granted, we have no assurance that the scheme will have been implemented and if so whether in accordance with the approved design. Furthermore, the Council does not normally adopt SuDS which are on private property unless they are serving a public highway.

It is strongly advised that the purchaser undertakes their own checks of planning approvals through the council online Planning with the relevant Planning Authority, S.106 Agreements, detailed site surveys and inspections and with the vendor to establish whether any Sustainable Drainage Systems are in place at the property and who is responsible for any associated charges and maintenance.

(b) Are there SuDS features within the boundary of the property? If yes, is the owner responsible for maintenance?

Answer from Planning Support Team

The Council does not hold a definitive record of the exact legal boundaries for the property. For this reason you must rely on your own searches and enquiries and you are specifically referred to the Council's Planning Application records which are available to view online at <http://www.torridge.gov.uk/plans>

The Council does not hold information as to who is responsible for maintenance of SuDS.

In order to establish whether any SuDS are in place within the boundary of the property (and who is responsible for any associated charges and maintenance) it is strongly advised that the applicant undertakes their own checks of:

- Planning Permissions, drawings and plans (available to view on the Council's website <http://www.torridge.gov.uk/plans>)
- any related S.106 Agreements
- detailed site surveys/inspections, and also
- enquiries of the vendor

The Council does not have a role in checking final "as built" development. In some cases, SuDS can be implemented without the need to obtain planning permission or placed in an alternative position other than as depicted in the planning application.

Even if planning permission is granted, we have no assurance that the scheme will have been implemented.

Answer from Devon County Council Land Charges

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Unknown

(c) If the property benefits from a SuDS for which there is a charge, who bills the property for the surface water drainage charge?

Answer from Planning Support Team

The Council does not hold this information. You are advised to make enquiries of the vendor.

Answer from Devon County Council Land Charges

Unknown

Informative

It was expected that compulsory SuDS would come in to force in April 2015 and apply to new build properties built after that date. However, discussions are still continuing in relation to the SuDS regime in England.

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

No

(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

No

(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**

No

(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**
- (iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes**

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(e) the centre line of the proposed route of a new road under proposals published for public consultation

No

(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)
- (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation

No

Informative

The replies to these enquiries relate to roads that are, or it is proposed will become, highways maintainable at public expense within the meaning of the Highways Act 1980 (s36). The replies to enquiries 3.4 (c), (d) & (f) refer to proposals involving carriageway widening that include additional lanes for motor vehicles. The widening of approaches to proposed junction improvements and schemes that only consist of acceleration/deceleration lanes are not included here, but will be revealed in the reply to enquiry 3.6. 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 with flared approaches.

For further information regarding any of the above replies please contact the Land Charges Department at Devon County Council, County Hall, Topsham Road, Exeter, Devon EX2 4QD or DX 744970 Exeter 31. The Land Charges Department can be contacted on 01392 382295 or lcharges@devon.gov.uk

3.5 Nearby railway schemes

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

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(b) Are there any proposals for a railway, tramway, light railway or monorail within the Local Authority's boundary?

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

3.6 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?

(a) permanent stopping up or diversion

No

Informative

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.

(b) waiting or loading restrictions

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No

(c) one way driving

No

(d) prohibition of driving

No

(e) pedestrianisation

No

(f) vehicle width or weight restriction

No

Informative

The reply to (f) relates to restrictions that will be covered by a legal order.

(g) traffic calming works including road humps

No

Informative

The reply to (g) relates to proposals that involve physical construction on the carriageway.

(h) residents parking controls

No

Informative

The reply to (h) refers to proposals for the introduction or removal of residents parking controls. Amendments to existing waiting and loading restrictions within a residents controlled parking area will be revealed in the reply to enquiry 3.6(b).

(i) minor road widening or improvement

No

Informative

The reply to (i) covers proposals such as junction improvements, turning and acceleration/deceleration lanes etc., which are not revealed in reply to 3.4. Pedestrian improvements (other than the construction of new footways) and improvements that are purely maintenance will not be revealed. Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

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(j) pedestrian crossings

No

(k) cycle tracks

No

Informative

Cycle tracks and marked cycle lanes, but not advisory routes, are covered by this enquiry.

(l) bridge building

No

Informative

This enquiry is designed to reveal matters that are yet to be implemented and could not therefore be ascertained by a visual inspection. Schemes that have not been, or are currently being implemented will not be referred to in this enquiry.

The replies to enquiries 3.6 (a - l) relate to permanent or experimental proposals on roads, footways and footpaths that are, or it is proposed will become, highways maintainable at public expense within the meaning of the Highways Act 1980 (s36). The replies relate to schemes that affect the roads, footways and footpaths mentioned in Box B or Box C to which the property has a frontage (boundary) and that fall within approximately 200 metres of the property. For further information regarding any of the above replies to enquiries 3.6 (a - l) please contact the Land Charges Department at Devon County Council, County Hall, Topsham Road, Exeter, Devon EX2 4QD or DX 744970 Exeter 31. The Land Charges Department can be contacted on 01392 382295 or lcharges@devon.gov.uk

Matters already entered on the Local Land Charges Register will not be revealed in answer to enquiries 3.6 (a - l).

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 a response to any other enquiry in this form?

(a) building works

No

(b) environment

No

(c) health and safety

No

(d) housing

No

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(e) highways

No

(f) public health

No

(g) flood and coastal erosion risk management

No

Informative

For further information regarding 3.7(g) please contact the Land Charges Department at Devon County Council, County Hall, Topsham Road, Exeter, Devon, EX2 4QD or DX 744970 Exeter 31. The Land Charges Department can be contacted on 01392 382295 or email lcharges@devon.gov.uk

Informative

Matters already entered on the Local Land Charges Register will not be revealed in answer to enquiries 3.7 (a - g).

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?

No

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

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(b) a stop notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(c) a listed building enforcement notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(d) a breach of condition notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(e) a planning contravention notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(f) another notice relating to breach of planning control

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(g) a listed building repairs notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(h) in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(i) a building preservation notice

Answer from Planning Support Team
No

Answer from Devon County Council Land Charges
No

(j) a direction restricting permitted development

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Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(k) an order revoking or modifying planning permission

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(l) an order requiring discontinuance of use or alteration or removal of building or works

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(m) a tree preservation order

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

(n) proceedings to enforce a planning agreement or planning contribution

Answer from Planning Support Team

No

Answer from Devon County Council Land Charges

No

Informative

Matters already entered on the Local Land Charges Register will not be revealed in answer to enquiries 3.9 (a - n).

3.10 Community infrastructure levy (CIL)

(a) Is there a CIL charging schedule?

No

(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?**

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- (v) an assumption of liability notice?
(vi) a commencement notice?

Not applicable

- (c) Has any demand notice been suspended?

Not applicable

- (d) Has the Local Authority received full or part payment of any CIL liability?

Not applicable

- (e) Has the Local Authority received any appeal against any of the above?

Not applicable

- (f) Has a decision been taken to apply for a liability order?

Not applicable

- (g) Has a liability order been granted?

Not applicable

- (h) Have any other enforcement measures been taken?

Not applicable

Informative

Matters already entered on the Local Land Charges Register will not be revealed in the response to enquiries 3.10 (b)(i), (b)(iii), (d) and (f)-(h).

3.11 Conservation area

Do the following apply in relation to the property?

- (a) the making of the area a conservation area before 31 August 1974**

No

- (b) an unimplemented resolution to designate the area a Conservation Area**

No

3.12 Compulsory purchase

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

Answer from Local Land Charges Team

No

Answer from Devon County Council Land Charges

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No

Informative

Matters already entered on the Local Land Charges Register will not be revealed in answer to this enquiry.

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 in such a condition that harm or pollution of controlled waters might be caused on the property)?

(a) a contaminated land notice

The Council has not served a contaminated land notice in respect of the property or any adjacent or adjoining land.

(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?

The contaminated land register is to be compiled and maintained by the Council, but to date we hold no verified data and no entries exist.

(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

The Council has not consulted, or resolved to consult, with the owner or occupier of the property under the provisions of Section 78G(3).

Informative

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.

3.14 Radon gas

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

The current Indicative Atlas of Radon in England and Wales, published by Public Health England, indicates that most, but not all, of the Torridge District is within a "Radon Affected Area".

The Atlas is available to view or download from the Public Health England website (www.ukradon.org/).

The estimated radon potential for an individual home can be obtained for a small charge through a website (www.ukradon.org/). The report will tell you the estimated probability that this particular property is above or below the Action Level for radon, but the only way to find out whether it is in fact above or below the Action Level is to carry out a radon measurement in an existing property.

See the informative below for further information that sellers are recommended to provide.

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Informative

"Radon Affected Area" means part of the country with a 1% probability or more of present or future homes being above the Action Level. Such areas are designated by the Health Protection Agency which also advises Government on the numerical value of the "Radon Action Level" (the recommended maximum radon concentration for present homes expressed as an annual average concentration in the home. Radon concentrations above the Action Level should be reduced below it and become as low as reasonably practicable).

The areas are identified from radiological evidence and are periodically reviewed by the Health Protection Agency or its predecessor the National Radiation Protection Board. Existing homes in Affected Areas should have radon measurements. The present owner should say whether the radon concentration has been measured in the property; whether the result was at or above the Action Level and if so whether remedial measures were installed and whether the radon concentration was re-tested to assess the effectiveness of the remedy.

Radon preventative measures are required for new buildings in higher risk areas. For new properties the builder and/or the owners of properties built after 1988 should say whether protective measures were incorporated in the construction of the property.

Further information on radon, including an indicative version of the radon Affected Areas map, the associated health risks and common questions and answers is available on the Public Health England web site (<http://www.ukradon.org/>).

3.15 Assets of Community Value

(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 ?**

- (i) No
- (ii) No
- (iii) Not applicable
- (iv) Not applicable
- (v) Not applicable

(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 ?**

- (i) Not applicable
- (ii) Not applicable
- (iii) Not applicable

Informative

Matters already entered on the Local Land Charges Register will not be revealed in answer to enquiry 3.15.

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

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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.



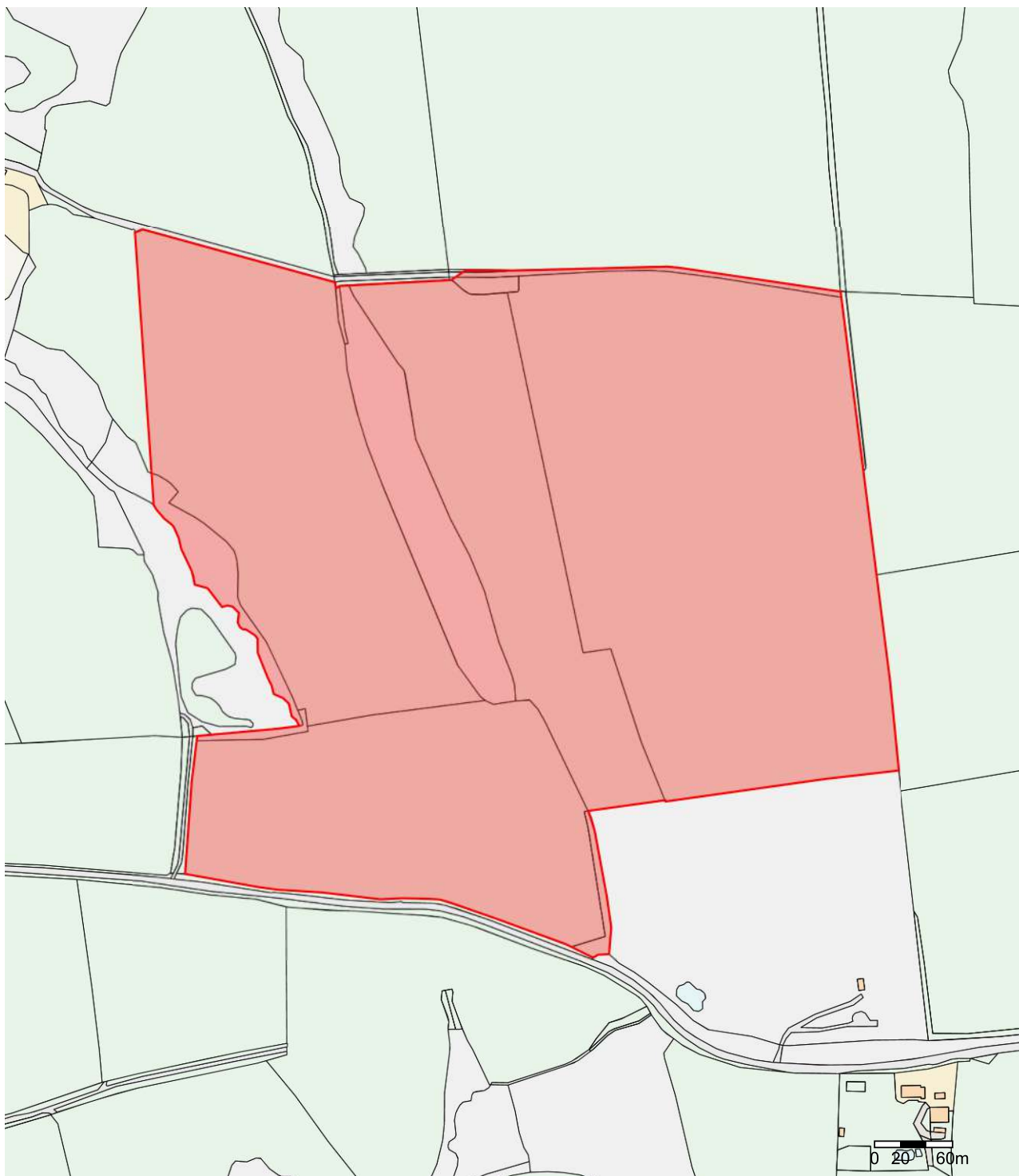


Address: Star Acre Farm, East Henaford, Welcombe, Bideford,
Devon

Scale: 4647

Grid Reference: 225250E 118302N

Local Authority: Torridge District Council



1:4647 10.01.2023

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