

SEARCHES DE-MYSTIFIED

A NOTE FOR CLIENTS

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SOLICITORS & COMMISSIONERS FOR OATHS
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“ARE ALL THESE SEARCHES REALLY NEEDED?”

You won't be surprised that this is one of the most often asked questions we get. "They cost a whole load of money and most of the time they don't show up anything to worry about. Surely we can get by without them." Well, we're afraid not.

We tend to regard certain searches as Essential, and others as Recommended. This Guide aims to show why.

WHAT ARE SEARCHES ANYWAY?

Briefly put, they are requests for information relating to the property you are hoping to purchase which are held by official bodies, or in some cases, private companies.

Asking for such information has two purposes.

1. To find out about things which might affect your property;
2. To ensure that if you do ask, and you get an answer which is wrong, you have some redress.

ESSENTIAL SEARCHES

Local Searches

These are sent to the appropriate local council.

These will find out whether the local council has any "issues" with the property. The result will show:

1. Planning Consents for that property only and sometime Building Regulations entries as well.
2. Whether any Notices have been served by the Council on the property.
3. Whether the road is adopted.
4. Whether the property is a listed building or is in a conservation area or is subject to any other planning related restriction.
5. Whether there are any specific local plan policies, or road or rail proposals which affect the property.

The HIP with the property may well have a local search in it. These searches are carried out by agencies and are pretty well useless. We are not convinced that they are carried out by qualified persons, and although they are normally backed by insurance, not all mortgage companies accept them; and please bear in mind that

they are looking to protect themselves against risk; and the error rate is high. An official search is essentially absolutely guaranteed against error. If a mistake is made by a council, they will indemnify you.

IMPORTANT: Local Searches do not tell you what the neighbours are up to.

Water Searches

These are sent to the appropriate water company.

The result will show:

1. Maps showing the routes of water and drainage pipes. This is particularly important if any are under the property or you are thinking of extending it.
2. Confirmation of the existence of water and drainage services.
3. Water quality and pressure concerns.

Usually, the Water Search in the HIP is an official search, and as such we are happy to use it.

Environmental Searches

These are done by private companies who have access to a large number of official datasets and who compile their results in a form which is reasonably easy to understand.

The result will show:

1. Known sources of contamination. Note that the search is not a site survey. If there have been old industrial uses on the site which might have caused contamination, then this will be flagged up.
2. Local industrial operations. If there is a haddock curing factory next door, this will mean you should find out about it.
3. Flood risks.
4. Soil stability issues.

Chancel Searches

These are done by a private company which has a database of parishes where there is a liability for Chancel Repair. If you want to know about this we have a leaflet.

The search is an economical way of finding out if the property is in such a parish, in which case further investigations may be needed.

Coal Mining Search

This made to the Coal Authority

It only needs doing in mining areas, but will reveal mines under or near the property as well as whether it is within any land scheduled for mining operations.

RECOMMENDED SEARCHES

Planning Search

This is sent to a private company which accesses local authority planning records.

The results will show:

1. Current and past planning permissions for the property and neighbouring ones.
2. Some pending applications.

It is of course no guarantee that an application will not be made at any time after the search is made.

Flooding Search

This is sent to a private company which accesses Environment Agency datasets

The results will show a much more detailed analysis of flooding risk than a basic Environment Search.

We would recommend this if there is any risk of flooding shown up by an Environment Search.

WHAT WE HOPE YOU WILL TAKE FROM THIS LEAFLET

As you can see, Searches can throw up quite a lot of information. If you decide you don't want them, you may not know. We think the Essential Searches are essential!

MORE QUESTIONS?

Just contact us.