

# L&F News



## COMMUNITY SERVICE BRINGS NEW BUSINESS TO SUSSEX OFFICE

■ GILL WEAVERS, ESTATE AGENCY MANAGER (SUSSEX OFFICE)



Mayfield is a great village with a strong sense of community and as a village resident and Vice Chairman of the Parish Council I have been keen to support local events in the village. Each year Mayfield residents hold a May Fair and with the 100th anniversary of the end of WW1, the local branch of The Royal British Legion are working hard to remember those who fell during that war and indeed remember those who continue to fall today. We were therefore delighted to announce that the **Lambert & Foster's Sussex office raised £170 for The Royal British Legion** at the Mayfield May Fair this year. A raffle was held with prizes that included a Magnum of Champagne donated by Lambert & Foster. Despite the bad weather, the spirit of Mayfield carried on and everyone greatly enjoyed the day

with a Maypole being erected in the high street and over 100 local children taking part in the tradition of dancing around it.

The raffle brought visitors into our office and was a great way to showcase the range of property we have for sale, including period homes, barns and farms. It also allowed visitors to fully appreciate the range of professional services we have that complement the agency team, including, planning, valuation, dispute resolutions and expertise in landlord and tenant law but to name a few.

Perhaps it was just coincidental that after holding the May Fair raffle we took on 4 new Mayfield properties and had 3 agreed sales (with one property having sold within 5 days!) but perhaps it was not...but rather a reflection on the property and services on offer?

## SUMMER HEATWAVES & AUTUMN RAIN

■ TIM DUNCAN, DIRECTOR



After one of the driest summers on record, this is creating challenges and some opportunities for our farming clients. It has been a busy summer for all departments at Lambert & Foster and we see this continuing through into the autumn and winter periods.

There are still uncertainties with Brexit and the recent interest rate rise, but with the government's focus on providing housing we are seeing more pressure on the south east for this land to be delivered and this is creating opportunities.

You will see from the articles within this newsletter many examples of how the correct professional advice can lead to successful outcomes.



## A BUSY AUCTION SCHEDULE

■ ALAN MUMMERY, DIRECTOR



Lambert & Foster's Autumn auction season kicks off in style with four sales planned within a month. The firm's Land Agency team have been dealing with the sale of land on behalf of Gilbert Brothers who are retiring from farming and a major sale of farm machinery and equipment is to take place at Burford Farm in Linton on Thursday 20th September. The sale will include big arable farm machinery including a number of tractors, vehicles, trailers and general lots off this 600 acre farming enterprise.

A week later, and a couple of miles up the road, Lambert & Foster are instructed to handle a sale by Tender of the remaining woodworking machinery and equipment on behalf of C R Foreman Ltd, better known locally trading as Tudor Oak. The business has for many years created high quality oak furniture, and following the owner's decision to retire the entire remaining stock of specialist woodworking and turning machinery, together with a large quantity of planked oak is to be sold in situ by Tender, with Tenders closing on Wednesday 26th September following two days of viewing. The sale is sure to be of national interest given the firm's reputation.

Our regular Autumn collective sale at

Paddock Wood takes place on Thursday 4th October and entries are invited by the 15th September, and this quartet of sales is completed on Thursday 11th October with a specialist dispersal of vehicles, workshop equipment and tools to be held at Hadlow Down, East Sussex on behalf of Mrs Skipper. Further entries are again invited for this sale from local vendors and entries to be at the Paddock Wood office no later than the 22nd September.

Catalogues for all of the sales will be available to be downloaded online around a week before each of the events listed. If you have any questions please contact the auction admin team at Paddock Wood on 01892 832 325.

# THE SUSSEX BLOG

■ TED HANDLEY,  
CHARTERED SURVEYOR



## It's a funny ol' thing,

**sunshine...**From Basic Payment Scheme time to harvest time – what a difference! I went to a farm in May and came back with wellingtons covered in thick mud and I really wondered if I should have learnt more boating skills when in my teens. Today, same farm and I come back to the office with boots and trouser bottoms covered in dust. What a change! I still got moaned at when I deposited the same on the door mat!

Valuations for more purposes than I thought existed have been coming into the business in increasing volumes. One important aspect of all valuations is the necessity to be aware of the planning connotations in the immediate vicinity and more widely. Thank goodness we have a very experienced planning side to the business in the form of Bloomfields to help us RICS Registered Valuers fill in the planning gaps with the more difficult assignments. I am sure the trend for more valuations is upwards.

Sales of land and farms are something of an enigma and associated with this thought is the strange lack of instructions to buy the same on behalf of clients. There are some very interesting propositions available throughout South East England. This must be a good time to think for the future because regardless of BREXIT, they do not make the stuff anymore. However, they still want to build houses!

The underlying message is that we at Lambert & Foster can look after all your property needs, sunshine or rain...

**Call today!**



## DEMOLITION OF AGRICULTURAL STORAGE BUILDING AND ERECTION OF NEW RESIDENTIAL DWELLING WITHIN AONB WITH NEW SEPARATE ACCESS

■ SAM FINNIS, SENIOR CHARTERED TOWN PLANNER



Following initial success for the erection of a new dwelling at this site in East Sussex, Bloomfields has obtained a further full planning permission for the demolition of the existing agricultural barn and replacement with a detached dwelling and garage, which now includes a separate access within the Area of Outstanding Natural Beauty. The approval followed significant negotiation with the Local Authority regarding the level of landscaping required, before a suitable scheme was agreed.

Within the application, Bloomfields provided a robust case with supporting information to prove that the scheme would see a significant enhancement to the landscape and provide for a substantial new dwelling.



## CHICKEN OR EGG? ALEC COX TAKES A LOOK AT WHAT AND WHO IS DRIVING THE PROPERTY MARKET THIS YEAR

■ ALEC COX, ASSOCIATE DIRECTOR



In property there are top-down people and bottom-up people. The top-down people seem to believe that wealthy overseas buyers and those spending their city bonuses drive the property market - or that is certainly how it seems if one reads the national press.

On the other hand the more rarely heard bottom-up people think that first time buyers drive the market. They think that first time buyers breed second-time buyers and so on. They think market entrants kick-start the chain of events that gives momentum to the market as a whole.



But whatever one believes there is little doubt that most of the action in the market right now is being propelled from below rather than above.

Last year first time buyer numbers across the UK reached the highest level for ten years. This was helped by the government's stamp duty cut, help-to-buy programme and lower deposit and cheaper mortgage deals. It was also helped by less competition as for some years a big impediment to first-time buyers purchasing a

property has been buy-to-let, cash investors. But some crucial tax measures have put this sector into neutral for the time being at least, and helped make welcome room for those who have reached the stage of buying a home of their own.

The property market shouldn't really be a roller-coaster-ride influenced by tax measures and financial instruments. Nor should it be dominated by those who treat housing as a commodity. There should be balance and space for those who first and foremost seek a home for themselves and their families. And there should be a healthy rental market for those who choose not to buy.

For the time being at least we will enjoy a bottom-up market. We should make the most of it. We have learnt that it only takes an ill-considered single tax measure to upset the balance.

## NATIONAL FRUIT SHOW - 24TH & 25TH OCTOBER -

Tom Ogden, Director of Bloomfields and Lambert & Foster, was recently voted onto the general committee of the national fruit show. This annual event has been dedicated to showcasing the best of British fruit for over 85 years.



## AGRICULTURAL TENANCIES – THINK AHEAD

■ PETER HODGES, DIRECTOR



Since the introduction of the Farm Business Tenancies Act in 1995, all new tenancies on farms have been under this legislation. There is complete flexibility as to what can be agreed between a landlord and a tenant as to the terms that are agreed which becomes ever more important as more and more farms are diversifying into non-agricultural activities. Providing the farm is predominately agricultural at the commencement of the tenancy then during the course of the tenancy diversification into non farming activities will not affect the status of the tenancy as a Farm Business Tenancies (FBT). There are, however, still many old style tenancies under the 1986 Agricultural Holdings Act which do not allow the flexibility of diversifying into non agricultural activities. Many of those would then be covered by the 1954 Landlord and Tenant Act and whilst this gives a not dissimilar degree of security of tenure to the tenant, it is completely different legislation which may have knock-on tax consequences that would not be present if the letting was under an FBT. Add to this the tenant is a company (and for a number of years particularly during the 1960's a good number of companies become tenants) and then also add into the mix the landlord and the shareholders of the companies are all in the same family but not all necessarily farming, and you have quite a complex number of issues to deal with particularly with regard to succession and the different objectives of the landlord members of the family and the tenant members of the family. This is not an unusual situation and often they only come to light when a particular issue arises, and maybe relationships between the family are not quite as comfortable

as they were at one time. It is perhaps better, therefore, to try and sort out matters before it comes to that point. I consider the two following situations.

Firstly, three siblings who inherit the freehold of the farm many years ago with the farming company in which all three parties have shares but only the brother is the active farmer and it is the farming company that is the tenant. The company has carried out many improvements over the years, there is no written tenancy agreement and all three siblings are now well past retirement age. The next generation is getting involved but none are involved with the farm. Discussions are now taking place as to how the situation can be resolved as funds are required for the care of one of the siblings.

Secondly, a similar situation with the company occupying under a written tenancy agreement dating from many years ago. Again, family members being both freeholders and shareholders in the farming company. There is a need for part of the farm to be taken out of the existing tenancy to enable diversification into a commercial activity which would necessitate the surrender and re-grant of the original tenancy. It sounds simple, in principle, but there are potentially taxation consequences in terms of Inheritance Tax, Stamp Duty and Capital Gains Tax. This is something that cannot be rushed into and proper time given considering how to mitigate any of those tax effects.

As always, with any complicated land tenure issues, it is wise to take early advice to ensure that one is not left with unexpected and potentially painful consequences. Please contact us to discuss how we can help you.

## “THE TIMES THEY ARE A CHANGIN”...

■ BEN BRANDRETH,  
COMMERCIAL PROPERTY



*...as Bob Dylan would sing!* In 2018 the

surveyors at Lambert & Foster have witnessed first-hand a generally positive change in market conditions for office, retail, and industrial type properties throughout the Weald of Kent. There has been an evident improvement in occupier demand for both office and industrial properties, they have been letting quicker and at higher rents.

We have seen from a wide range of valuations carried out by Lambert & Foster, that capital values and investment yields have strengthened for offices and more significantly, industrial units.

The retail property market has generally not been as buoyant, however, we are optimistic for landlords with retail units in the local towns and villages that can adapt, as there will be opportunities for dynamic new occupiers. For example, last year we let the former florist shop in Cranbrook High Street to Larkins Alehouse who converted the property to a micropub. In Paddock Wood there are planned major housing developments which will potentially increase the footfall on Commercial Road and support an expansion in the range of High Street businesses. A micropub on Commercial Road will also provide a welcome refreshment for the local residents and employees during these long hot summers.

**CONGRATULATIONS TO DIRECTOR, KATIE HURLEY, ON HER RECENT ENGAGEMENT**



FROM THIS...



...TO THIS

ARTIST IMPRESSION

# CONVERSION OF FOUR AGRICULTURAL BUILDINGS INTO TWO DWELLINGS

■ BETH WATTS, PLANNING CONSULTANT



Bloomfields were successful in their application to convert four agricultural buildings to two dwellings in the Kent countryside. In order to do this, Lambert & Foster undertook a marketing exercise to ascertain whether the buildings were suitable for a commercial use or not. The findings of this study were then used to produce a viability report which accompanied the application. This together with the required analysis of a new Local Plan and after a pre-application meeting with the Council resulted in a successful outcome. The property with its planning permission has been marketed for sale by Lambert & Foster and is, at the time of writing, understood to be under offer.

## WELCOME!

The Bloomfields team is pleased to announce the arrival of both **Jamie Wilkes** and **Charlotte van de Wydeven** during this last quarter.

Jamie arrives to provide assistance to the team of Planning Consultants in both administrative and technical capacities as he embarks upon his career path within planning. Charlotte is a former Planning Officer at Tunbridge Wells Borough Council and joins as a Planning Consultant offering another means of insight for the firm as to the decision-making of our public sector colleagues.

As the planning arm of the firm, Bloomfields remains very active and continues to expand upon its role as the driving force behind many developments across the region. Bloomfields has recently commenced operations from a new base within the Sussex branch of Lambert & Foster at Mayfield in order to ensure the portfolio of Sussex-based clients have equal access to its team of Chartered Town Planners. Bloomfields continues to build upon its successes and is keen to hear from any motivated graduates or candidates wishing to embark upon a career in the field of planning and development.



**Alexandra Young**, Sussex resident and daughter of a Rural Chartered Surveyor joins Lambert & Foster having graduated from The Royal Agricultural University with

a degree in Rural Land Management. Alexandra will assist the Rural Professional

team in Sussex as she embarks on her studies to become a RICS Rural Chartered Surveyor.

Lambert & Foster are also delighted to welcome **Barbara Bryder** and **Melanie Payne** to the Cranbrook Lettings team.

Barbara joined the team earlier in the year and has brought invaluable experience having worked as a lettings manager and negotiator in Sussex for many years as well as a brief period handling let property in Greece!



Mel has recently joined the team but is well known to many at Lambert & Foster after her time at the Wealden Advertiser. More recently Mel has gained experience as a lettings negotiator with another firm in the region and brings to the role enviable local knowledge.



Director, Jon Booth says, "Over the last few years the regulatory burden placed on Landlord's has increased exponentially. This coupled with changes to buy-to-let taxation, increasing the cost of both purchasing and letting a rental property, has unsurprisingly resulted in Landlords leaving the market. Whilst we cannot do anything about the Treasury's decisions we can certainly help make sure our Landlords are meeting their legal obligations. We are delighted to welcome Barbara and Mel to the team at Cranbrook and their experience and local knowledge will ensure our Landlords remain in safe hands."



## THE CRICKET REPORT

Team Lambert & Foster have played some great matches this season starting with a successful victory at our 20/20 match against Gullands Solicitors at the Mote cricket ground.

The next match saw us play in the midst of the summer heatwave against BTF Partnership at Marden. BTF set an impressive high score which we almost chased down before the sun set.

We finished the season with a match against Thomson-Snell Passmore Solicitors at the Nevill County Cricket Ground in Tunbridge Wells. It was a great match which finished on an excitingly close score margin - we almost managed to chase the opposing teams score down and only narrowly lost just before the sun set!

Well done to all teams involved and we look forward to what next season will bring.



## PROPERTY PROFESSIONALS FOR OVER 100 YEARS

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