

# Asset

PROPERTY AND PLANNING NEWS AND UPDATES

MAY 2023 INSIDE THIS ISSUE

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**Lambert  
& Foster**

PROPERTY PROFESSIONALS



## £6 million farm and land sales achieved in Q1 of 2023

If you are looking to sell your farm or land, now is the time to talk to our rural sales team and see how they can help unlock the potential value.



## Latest Update: Environmental Land Management Scheme

We discuss the latest updates and changes effecting the agricultural industry.



## Ashford United Football Club

A successful planning result for our Bloomfields East Kent office. This approved development will provide significant economic and community benefit.

## TWO PAGE SPECIAL An egg-cellent result for Halfway Egg Farm!



## CELEBRATING OUR TEAM SUCCESSES

Welcome to Asset, our quarterly newsletter packed full of property and planning news from the Lambert & Foster and Bloomfields teams. Our cross-departmental collaboration is an invaluable benefit which clients can utilise and this is evident in our two-page special on Halfway Egg

Farm where the whole team came together and worked hard to achieve a successful result.

Our land sales team is unbeatable this year as they effectively use their enviable experience to sell discreetly off-the-market and exceed expectations in the farm and land market. Similarly

with our lettings team, who are pulling out all the stops to provide a full comprehensive professional service to landlords across the south east.

This year is looking to be one to remember and we are looking forward to working on some exciting projects - watch this space!

**TIM DUNCAN, DIRECTOR**



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# Environmental Outcomes Reports consultation

Lasting for 12 weeks from 17 March to 9 June, the opportunity exists to comment on the Government's thinking on how a more effective system of environmental assessment can be implemented. The consultation, which is seeking greater focus on delivering environmental ambitions, will be discussing:

How an outcomes-based approach could work.

How the government might address issues around when an Environmental Outcome Report is required (screening) and what they will cover (scoping).

Strengthening mitigation to reduce harm.

Improving monitoring of development.

How the Government propose to unlock data to support the assessment process.

Options for reporting on system performance.

**If you would like your say on the matter, Bloomfields would be delighted to offer their assistance in the preparation of representations for you.**

## Technical consultation on the Infrastructure Levy

The Department for Levelling Up, Housing and Communities (DLUHC) has published a technical consultation on the Infrastructure Levy, which is a reform to the existing system of Section 106 planning obligations and the Community Infrastructure Levy in England.

DLUHC reports that:

*"The Infrastructure Levy will be a single, mandatory charge, set and collected by local planning authorities. It will be non-negotiable, meaning that developers will be required to contribute their fair share towards affordable housing and important infrastructure like schools, roads, active travel routes and GP surgeries. The Levy seeks to reform the negotiation of section 106 agreements that can cause delay to developments starting on site, whilst still ensuring that vital mitigations are delivered on site. It also seeks to secure at least as much, if not more affordable housing than the current system."*

**Bloomfields would be delighted to offer their assistance in the preparation of representations for you. Please be mindful that the consultation closes on Friday 9 June 2023.**



# £6 million farm and land sales achieved in Q1 of 2023

## Are you looking to sell your farm or land?

We can discreetly offer your property to our active contacts, which in the first quarter of 2023 has contributed to £6 million in contracted sales.

## Continued expansion of Paddock Wood

Lambert & Foster acted for two landowners on the eastern edge of Paddock Wood, in setting up Option Agreements for residential development for the continued expansion of Paddock Wood.

The land is a Draft Allocation in the Tunbridge Wells Borough Council emerging Local Plan, and we are pleased to report that planning applications for 1,160 new homes have been submitted to help deliver much needed private and affordable housing in the area. We have worked closely with Redrow, Persimmon, and Judith Ashton Associates, in working up hybrid applications for both sites.

[CREDIT: Full masterplan by FPCR Environment and Design Ltd]

**If you have a similar project you wish to discuss, please contact Tim Duncan on 01892 832325 or email [tim.duncan@lambertandfoster.co.uk](mailto:tim.duncan@lambertandfoster.co.uk)**



# Environmental Land Management Scheme

*Defra have published an update on the rollout of the Environmental Land Management Scheme (ELMS).*

Defra states that through the Agricultural Transition they are expanding their schemes to “pay farmers to provide environmental goods and services alongside food production” whilst also providing “one-off grants to support farm productivity, innovation, research and development.” The rhetoric is largely the same but there is certainly more emphasis on food production alongside the delivery of public goods, which can only be a good thing.

The recent update by Defra summarises that farmers and land managers will be paid, alongside food production, to deliver outcomes for the climate and environment, to include:

- Creating and restoring a broad range of wildlife habitats
- Improving water quality
- Increasing resilience to flooding and drought
- Creating new woodland
- Managing existing woodlands to increase resilience to pests and diseases
- Reducing carbon emissions, storing carbon and increasing resilience to climate change

There is a lot of detail contained in the Policy Paper.

This Paper is to be supported by a further publication, named the Environmental Improvement Plan, due “shortly”. There will also be a further Policy Paper published in the spring, named the Green Finance Strategy, which will deal with how Defra’s schemes will be designed to support private sector funding for ‘green goods’.

Please contact a member of the Rural Professional team to discuss your individual circumstances if you would like to know more, or if you would like help with an application under any of the schemes or grants.

TO CONFIRM, ELMS WILL NOW COMPRISE:

- **Sustainable Farming Incentive (SFI)**
- **Countryside Stewardship (CS) and Countryside Stewardship Plus (CS+)** – note that Local Nature Recovery (LNR) has been scrapped
- **Landscape Recovery**

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**READ OUR FOUR-PAGE GUIDE ON ELMS AT**



**Free 1-2-1 surgeries for advice on ELMS**

To book call 01892 832 325 or [agric@lambertandfoster.co.uk](mailto:agric@lambertandfoster.co.uk)



## Compensation & Compulsory Access

Lambert & Foster can advise on your rights to compensation and recompense following access to your land by utility providers, including cases of Compulsory Purchase.

Gas mains

Water and oil pipelines

Electricity lines – overhead and underground

Telecoms equipment

Roads and infrastructure improvement and investment

We can assist you from confirmation of the proposed scheme, liaising with the Utility Company or Authority on your behalf to:

Propose and seek scheme alteration to minimise impact

Coordinate survey access

Oversee the works period

Ensure correct land reinstatement

Negotiate the compensation claim

In all cases, Lambert & Foster’s fees are recoverable from the Utility Company or Authority.

**Please get in touch if you have been notified of a scheme that may affect your property.**

# An egg-cellent result for Halfway Egg Farm!

*“When coming to Bloomfields for planning advice to add value, the benefits of a multidisciplinary firm soon become apparent. You’ll discover you can depend on professionals from the different specialist departments to all ‘muck-in’. This provides a complete and invaluable service for the client.”* explains Director, Tom Ogden.

## THE PLANNING

Bloomfields were first approached by their client in late 2015 to undertake a planning review of their site (then a small livestock farm, farm shop and redundant café/retail unit) to consider possible development options. It was around this time that the first permitted development rights existed to turn agricultural barns into residential units in what was then known as Class MB (which has since evolved into what is Class Q).

Bloomfields were able to advise their client of their planning options and the team established various fall-back positions for residential units on site. Mindful that, at the time, Swale Borough Council had not met their five-year housing land supply position, the Bloomfields team were able to promote the site through the Local Plan. They simultaneously advised on the benefits of entering pre-application discussions with the Council about developing the site, despite it being in the countryside and partly in an allocated ‘Strategic Gap’.

**Pre-application discussions** identified that the principle of the development on parts of this brownfield site should be accepted, whilst the fallback positions held material weight. Liaison with the Council identified the opportunity to increase the proposed number of units on the site from 12 to 19, and this was subsequently worked into the masterplan by the Bloomfields’ architectural team. At the same time, provision was made to relocate the existing farm shop on site and provide the applicant with a new agricultural barn to support their farm shop.

**An outline application** was collaborated by Bloomfields who managed many third-party consultants, including drainage engineers, highway engineers, landscape architects, and ecologist, to name a few.

**Three different planning officers later**, and having altered the scheme to satisfy each of the planning officer’s needs along the way (and despite local objection), Bloomfields were able to negotiate a resolution to approve with the Council. After this, a S106 had to be negotiated before a favourable decision was issued without the need to go to planning committee or appeal the case for non-determination.

**But it didn’t stop there**, and rather than appeal some questionable conditions on the 19-unit approval, Bloomfields set about preparing a separate application to allow changes to the farm shop to ensure it could operate without first having to satisfy all the conditions relating to the residential development. This uncomplicated the negotiation process with the developers and allowed Mr and Mrs Harding to more ‘cleanly’ divide the site and be in control of their own destiny.



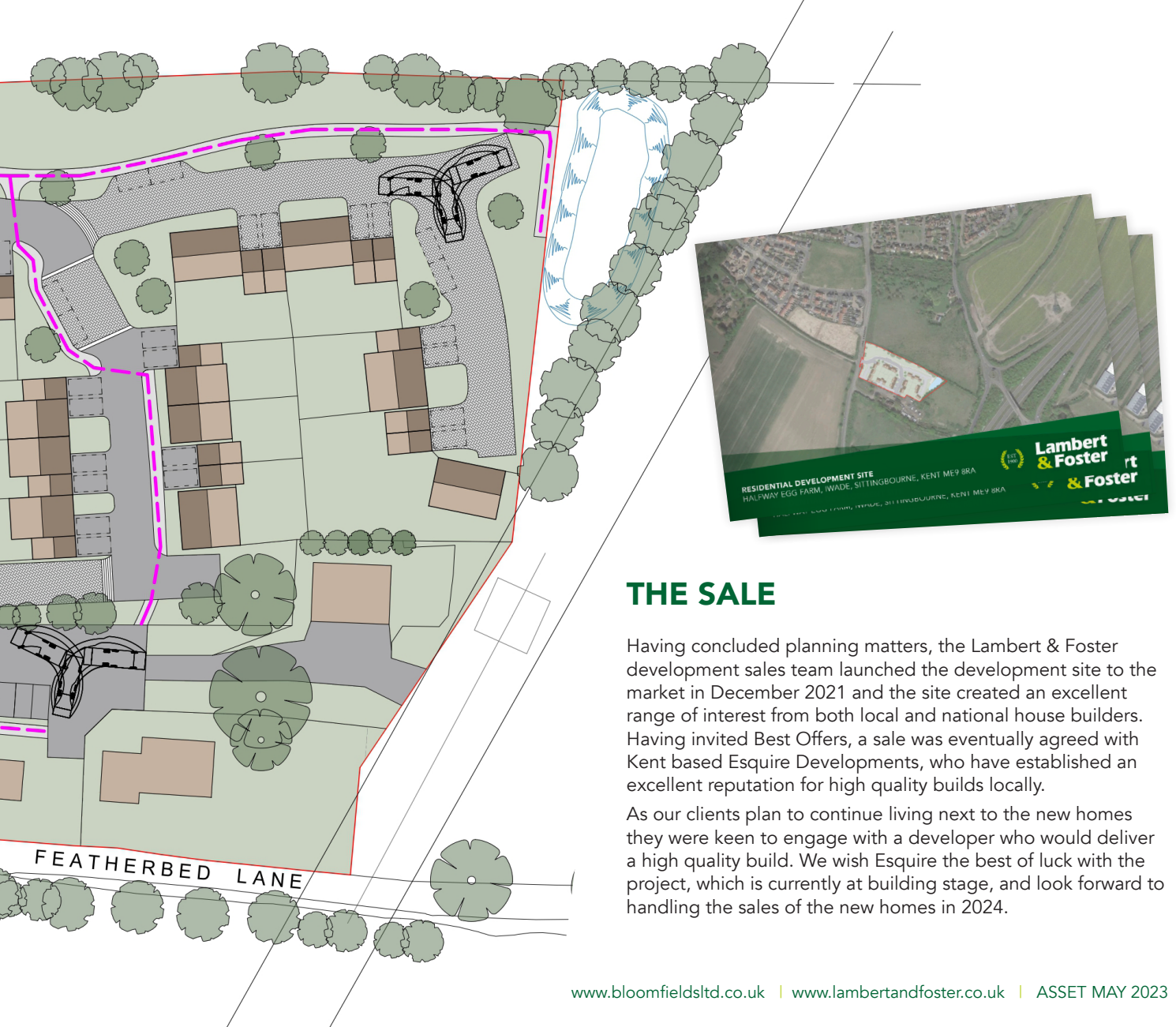
## NEGOTIATING COMPENSATION

At the time the planning process was going on, Lambert & Foster's rural professional team were introduced to help the land owner in protecting their interests during a National Grid project to replace overhead power cables.

Over a two-year period, National Grid required intermittent access to a pylon situated on the edge of the main farmyard to complete operational works and to store materials. Lambert & Foster agreed appropriate accommodation works to minimise the disruption to our client's business, to make sure the land was reinstated to our client's satisfaction and to agree a compensation package for the disturbance that was caused.

## MANAGING AN EASEMENT

Whilst the team at Bloomfields were negotiating their planning application with the Local Council, Lambert & Foster were pulled in to deal with the negotiation of a drainage easement over our client's land in order to facilitate a national house builder being able to provide a foul drainage solution to a development scheme next door.



## THE SALE

Having concluded planning matters, the Lambert & Foster development sales team launched the development site to the market in December 2021 and the site created an excellent range of interest from both local and national house builders. Having invited Best Offers, a sale was eventually agreed with Kent based Esquire Developments, who have established an excellent reputation for high quality builds locally.

As our clients plan to continue living next to the new homes they were keen to engage with a developer who would deliver a high quality build. We wish Esquire the best of luck with the project, which is currently at building stage, and look forward to handling the sales of the new homes in 2024.

# New 'How to Rent'

The Department for Levelling Up, Housing and Communities has published new guides and it is of paramount importance that you serve the correct paperwork when letting a property, and this includes ensuring you serve the most up to date 'How to rent' leaflet. Failure to serve this, or serving incorrect information, can cause serious issues should you wish to serve notice to a tenant.

Having served the correct leaflet at the start of the tenancy, you only ever have to re-issue the updated version if the tenancy is renewed for a further fixed term, or if it continues on as a rolling periodic agreement (and then only if a new version has been issued).

When serving a new version to a tenant staying on after the fixed term, it is wise to either send it via email, so that you have a digital record, or require the tenant to acknowledge receipt in some way.

It is also important to be able to prove that your tenants have received all required documentation, should it be challenged. At Lambert & Foster, signing to confirm receipt of the following documents, forms an important part of the tenancy agreement: the 'How to rent' leaflet, the EPC, gas safety certificate, EICR, the Tenancy Deposit Scheme leaflet and the Prescribed information. It may seem a small detail, if one item is missed, but it can be a costly mistake if you get it wrong.

**We are happy to advise any landlords, who wish to ensure they have complied with all current legislation. Contact your local office for a no-obligation conversation to see how we can assist.**



Melanie Payne  
HEAD OF  
RESIDENTIAL  
LETTINGS



Sally Patient  
SENIOR  
LETTINGS  
NEGOTIATOR



Emily Nicholson  
RESIDENTIAL  
LETTINGS  
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Katie Chyla  
PROPERTY  
MAINTENANCE  
CO-ORDINATOR



Lucy Austin  
LETTINGS  
ADMINISTRATOR

## Top of the tree!

The Lambert & Foster lettings team have enjoyed a bumper start to the year. Demand is still outstripping supply, and good rents are being achieved for our landlords. With fierce competition, we are proud to say we have frequently been top of the league on the Rightmove performance statistics, which is a great boost for all of us working in the department.

We thank all our clients, new and old for putting their trust in us, with such an important investment.

*A selection of properties let through Lambert & Foster*



## Get your local advantage

When it comes to buying, selling, or letting property in Kent or Sussex, it's important to work with an agent that has local expertise and knowledge. They can provide valuable insights into the local property market, as well as unique features and quirks of the local area.

Some of the benefits of using a local agent are:

### Knowledge of the local area

A local firm will have a deep understanding of the local area, and local property market. This knowledge can help them identify the best opportunities and strategies for your property.

### Local Contacts

A good agent will have established relationships with local authorities, including planning departments, local developers, and investors as well as other key property professionals. These contacts can be invaluable when it comes to finding the right buyer, navigating local bureaucracy, and securing necessary planning permissions and approvals.

### Understanding of local trends

A local agent will be familiar with local property trends, such as changes in property values, shifts in demand for certain types of properties, and emerging development opportunities. This understanding can help us advise clients on the best strategies for achieving your goals.

### Personalised service

An established local agent is likely to offer a more personalised service than a larger, national agency. They will take the time to get to know their clients and their unique needs and goals and will be able to provide tailored advice and support throughout the process.

**Please get in contact with a member of staff from Lambert & Foster for a friendly conversation and tell us more about your property requirements.**

# Bloomfields secure 9 large agricultural infrastructure projects totalling 155,000m<sup>2</sup>

*Bloomfields has been actively involved in a number of large agricultural infrastructure projects across the south east, within six of its Local Planning Authorities, so far with a 100% success rate.*

These schemes have involved new farmyard manure stores, slurry lagoons, visual screening bunds, silage clamps, earthworks and engineering operations as well as new farm buildings and brand new associated farm accesses.

Out of the nine most recent approvals, six were classed as a 'Major' planning application, being a scheme with a development site area of 10,000m<sup>2</sup> (1 hectare) or above.

Each submission has faced its own complexities and special demands which needed to be addressed and resolved. These issues varied from amending the scheme to mitigate concerns of local residents, amendments to resolve highway issues or other complications such as having to correct suggested Conditions.

It is quite normal for a major application to be determined at Planning Committee, such as that we have all seen on 'Clarkson's Farm', however, in our recent cases, seven were approved though delegated powers and only two applications were 'called in' to Committee and pleasingly none have required an appeal. Indeed one case was indeed so unique and complex, it required its presentation at two separate Committee meetings!

Large farming schemes such as these are not without their pitfalls and our team of specialist rural planning consultants know that attention to detail from the very earliest stage in the process is fundamental in achieving our clients' ultimate goals.

**If you have a need for a large, or indeed any sized, agricultural project, please contact Bloomfields to speak with one of our specialist rural planning consultants on 01892 831 600.**



**SOME OF THE HIGHLIGHTED CASES INVOLVED:**

LPA	Area (m <sup>2</sup> )	Project
Tunbridge Wells Borough Council	38,000	Engineering operations for a new farmyard, two new buildings and new access.
Horsham District Council	10,500	New slurry lagoon
Lewes District Council	22,000	Engineering operations to create a new FYM store and slurry lagoon
Wealden District Council	46,000	3 silage clamps, a new slurry lagoon and the permanent diversion of a public footpath
Lewes District Council	20,000	1,500m <sup>2</sup> of new farmyard hard standing, 1,000m <sup>2</sup> of new livestock housing, associated engineering operations and the provision of a earth banked visual screen.
Tandridge District Council	11,000	Engineering operations to create a new FYM store and silage clamp.
Rother District Council	5,000	The infilling of a slurry lagoon and a dirty water pond and replacement with a 500m <sup>2</sup> new farm barn.

## Ashford United Football Club planning success

Planning permission has been granted for new light industrial commercial units at Ashford United Football Club, currently providing a vital community facility through its existing and proposed sports facilities. Working closely with our client and the Local Planning Authority, Bloomfields successfully demonstrated that the new commercial units would not have any adverse impact upon the local environment and that they would generate additional income to the club to allow it to fund its existing services, as well as assist with the delivery of significantly enhanced new sports and recreational facilities, for the benefit of the local community.

Bloomfields also highlighted within the application that there was a lack of provision for the type of start-up, commercial units proposed in the local area, and that the proposals would contribute to the prosperity of the rural economy through the appropriate development of an existing brownfield site. The



CREDIT: House of Holly Jean Architecture & Attire

design of the units would also provide further benefit through the new roof providing a covered area at one end of the existing football ground to further enhance supporters match day experience. The approved development will provide significant economic and community benefit and we are delighted with the outcome.

# What makes a good estate agent?

- ✓ Enthusiasm for the property being sold.
- ✓ Proactive marketing.
- ✓ Effective sales progression.
- ✓ Strong communication.
- ✓ Client relationships.

We are pleased to announce that we are working with Berkeley Homes to promote their new-build properties in Kent and Sussex. Hollyfields is an exclusive development of apartments and houses close to Tunbridge Wells town centre enjoying the peace and tranquillity of the countryside.

Despite the return to offices and a normal social routine, country-living remains top of the list as the most popular locations for aspiring buyers' who are looking for small towns, villages, and the countryside, over cities and their suburbs.

**To discuss the sale of your property and to book a free market appraisal, contact your local Lambert & Foster office.**

# Lambert & Foster



## Another successful half marathon!

The Lambert & Foster flag was flown by a small team comprising **Julie Preston**, running to raise funds for MND completing the course in 2 hours 24, and Director, **Alan Mummery's wife Lucy**, who completed the run in 2 hours and 6 minutes. Congratulations to both runners, we are very proud of your achievement!

We are pleased to support the local Paddock Wood Athletics Club who go above and beyond in putting on this professionally run event which attracts a wide range of runners, from serious club runners to first time half marathoners. We are pleased to be able to continue our sponsorship in 2024.

We would like to congratulate **Zoe Moore** on passing her exams to become a Member of the National Association of Estate Agents! Well done.

You can sign up for property alerts, request market appraisals, join our mailing list, browse the latest property news and see the team at [www.lambertandfoster.co.uk](http://www.lambertandfoster.co.uk)



[www.lambertandfoster.co.uk](http://www.lambertandfoster.co.uk) [www.bloomfieldsltd.co.uk](http://www.bloomfieldsltd.co.uk)

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**PUBLICATION DATE:** May 2023. **DISCLAIMER:** The articles in this edition of Asset should not be relied upon or regarded as a substitute for advice. Lambert & Foster and Bloomfields would be pleased to provide further information or advice on any property or planning issues.

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