

all under one roof

PROPERTY OF THE WEEK

PHILIPPA RUDD

This week our legal columnist discusses buying land from a farmer – quite common in this county.



I am keen to buy some land from our neighbouring farmer so I can extend our garden. One of my colleagues has told me that I should speak to a solicitor first. I had thought I could just give the farmer a cheque and then fence the land in?

Your colleague is right. You should speak to a solicitor before you approach the farmer. You will also need a surveyor to value the land for you so you know what it is worth. The farmer will need a solicitor too and he may ask you to pay his legal costs. If his land is mortgaged, the bank will have to release the land from their mortgage and there will be a fee for this.

What will I need to tell my solicitor?

Your solicitor will need a plan of the land including measurements, ideally based on his Land Registry plan. You will need to reach agreement with the farmer about fencing the new boundary. The farmer may wish to put a new restrictive covenant on the land prohibiting use other than as garden land. Also, you will need to obtain planning permission for the change of use from agricultural to garden land and you should not proceed with the purchase unless you are confident of this being granted to you.

I had no idea that I would need planning permission! Is it likely to be granted?

In most cases such applications will be acceptable in principle but the council does have a duty to protect the rural environment and to preserve the character of the countryside. When you make your application, the council will consider the aspect and location of the plot, the presence of landscape features such as trees or a hedge which would form a natural boundary and the extent to which agricultural land is being taken out of production.

Is there anything else I need to consider?

You should consider access to the land (will the farmer need to grant you a right of way over land he is retaining?) and services such as water (if needed).

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■ **If you have a question or dilemma over the legalities of buying or selling a property which you would like to appear in this supplement, please contact Philippa by e-mailing caroline.culot@archant.co.uk**

■ **These questions and answers are not intended as a complete statement of the law. Specific legal advice should always be taken.**



property throughout in keeping with the modern, contemporary look and much attention has been paid to the lighting, some of which is remote controlled. You then walk downstairs from the kitchen to a lovely bright area with a glazed roof currently used as a gym with its own completely private decked terrace area, which apparently is a sun trap from 10-11am.

Off here is a utility, a good-sized office which overlooks the front but which could be a fifth bedroom, two bedrooms and a bathroom. Going upstairs is a large guest bedroom suite with an en-suite black and white bathroom boasting under-floor heating. Then there is the master bedroom with an en-suite shower room, again in black and white with some added colour, turquoise.

Throughout, the bedrooms have good storage and are easy to maintain, again which all adds to the easy living theme. This property is superb for a family because of its lay-out of bedrooms or for a professional couple who perhaps want the room to have friends or family to stay.

Outside, as well as that super garden there are security gates at

the top of the drive with access through brick pillars on to a gravel drive where there is a single garage as well as additional off street parking. And if you move there, you will find out who your neighbours are too!

■ **Number One, Eaton Gate, is for sale for a guide price of £695,000 with Fine & Country on 01603 221888.**