

PLANNING STATEMENT

Site: Park Pale Farm, Park Pale, Shorne, Rochester, ME20 3UD.

Client: J&B Martin (Crayford and Fawkham).

Prepared by: DHA Planning Ltd.

Date: August 2021.

1.1 Introduction

- 1.1.1 This Planning Statement has been prepared on behalf of the applicant in relation to a Prior Notification Application (PNA) made under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2020, for the:

'Proposed erection of a 486m² Agricultural Barn for the storage of hay and straw, equipment and machinery at Park Pale Farm.

- 1.1.2 This statement provides an overview of the application site, sets out the detail of the farming operation and justification for the building.
- 1.1.3 In accordance with the Town and Country Planning (General Permitted Development) (England) Order (AS AMENDED), information is provided in line with Schedule 2 Part 6 Class A.
- 1.1.4 The following documents are submitted alongside this statement:

Title	Reference
Site Location Plan.	DHA Urban Design.
Existing Site Layout Plan.	DHA Urban Design.
Proposed Site Layout Plan.	DHA Urban Design.
Proposed Plans.	DHA Urban Design.
Proposed Elevations.	DHA Urban Design.
Previous Site Boundary Plan.	DHA Urban Design.
Existing and Proposed Visual View A.	DHA Urban Design.
Existing and Proposed Visual View B.	DHA Urban Design.
Existing and Proposed Visual View C.	DHA Urban Design.
Illustrative Proposed Landscaping Visuals.	DHA Urban Design.
Planning Statement.	DHA Planning.

1.2 Site Context

- 1.2.1 The land lies to the east of Harlex Haulage Services and the parcel of farmland comprises some 7.5 hectares of predominately arable land, currently used as pasture. The land extends to the north and east and is bound to the south by the M2.
- 1.2.2 The site is part of the Metropolitan Green Belt and within the Kent Downs Area of Outstanding Natural Beauty. The land sits as part of a farm operation totalling

over 100 acres and we note that there are currently no farm building within the overall farm estate.

- 1.2.3 We note that Paragraph D.1 of Part 6 of the GDPO defines agricultural land as 'land which, before development permitted by this part is carried out, is land in use for agriculture and which is so used for the purposes of a trade or business and excludes any Dwellinghouses or gardens'.
- 1.2.4 The Site Location Plan clearly shows the extent of the land which the applicant owns.
- 1.2.5 The applicant currently uses the land for agriculture in the sense that he has grazing sheep and produces hay bales to sell to other agricultural holdings within the locality.
- 1.2.6 The applicant also owns other agricultural land at Hazells Farm (60 acres of land) and at Nurstead (30.89 acres). This information has been confirmed by the applicants accountant and details have previously been provided to the Local Planning Authority but are attached again to ensure that the LPA have the evidence to corroborate that the site is part of a bone fide agricultural business.

1.3 Previous planning applications

- 1.3.1 The site has been the subject of a number of planning applications, however the most relevant applications are; 20100878, 20201012 and 20210087.

20100878

- 1.3.2 The above application granted retrospective planning permission for the continued use of land and buildings for general haulage depot and storage use, continued use of land as contractors yard, retention of offices, commercial buildings, security accommodation, portable structures/containers/tanks together with associated parking, access, security gates, fencing and landscaping.
- 1.3.3 Condition 1 is clear that the use of land and buildings permitted shall be restricted to haulage yard and for no other purpose without the prior approval of the LPA in writing. Condition 3 is clear that the approved landscape area shall only be used for screening purposes and should not be used for any commercial storage of any kind.
- 1.3.4 A plan is submitted as part of this application overlaying the extent of planning permission 20100878 in relation to the application at hand to demonstrate that this submission lies wholly within the agricultural land.

20201012

- 1.3.5 This Prior Notification Application (PNA) was submitted for the proposed erection of a 672m² agricultural barn. The PNA was subsequently refused due to the LPA considering that the applicant had not provided sufficient information to determine whether the proposed development would be in line with the requirements of Article 3, Part 6, Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (henceforth referred to as the GDPO).

- 1.3.6 The LPA also considered sufficient information had not been provided to enable a full assessment of the impacts of the proposed development, or whether the location for the building was justified. The LPA gave weight to the Green Belt, Kent Downs and Shorne Woodlands Landscape.
- 1.3.7 Concerning the comment made about the Green Belt, a recent appeal decision confirmed that permitted development rights are not withdrawn by the Green Belt either in total or in part within the Green Belt¹.
- 1.3.8 The LPA are reminded that applications via this procedure are not subject to impacts on Green Belt, Areas of Outstanding Natural Beauty or indeed Landscape Area. Barns are considered commonplace in these areas and are therefore deemed appropriate.
- 1.3.9 We note that the LPA consulted Shorne Parish Council, Dickens Protection Society, KCC Public Right of Ways (PRoW), Kent Downs AONB, Highways England and GBC Engineering. These consultees do not need to be consulted as the application is made under Schedule 2, Part 6, Class A of the GDPO.

20210087

- 1.3.10 The above PNA was submitted in response to the earlier PNA, and reduced the size of the building to what the landowner considered the absolute minimum it could in order to help address some of the Council's previous reasons for refusal.
- 1.3.11 The LPA again considered the impact of development on the Green Belt, Kent Downs AONB and Shorne Woodland Character Area. We reiterate that this is not a consideration for PNA's made under Schedule 2, Part 6, Class A of the GDPO. We do therefore respectfully ask the Council to check the procedure for determination for such cases to avoid potential Appeal Costs.

1.4 This Prior Notification Application

- 1.4.1 This PNA is submitted for the erection of a 486m² agricultural building. The barn will be comprised predominately of 32/1000VW vented wall cladding panels. This is to allow ventilation to circulate around the barn which is required for the storage of hay.
- 1.4.2 The land at Park Pale Farm comprises some 7.97ha and is mainly used as arable land for the production of hay and straw. There are currently no modern/fit for purpose agricultural buildings serving the holding.
- 1.4.3 At present, straw, hay or haylage is either taken off site or stored under tarpaulin, with any machinery being kept outside when required to be on site or being moved between the applicants holdings.
- 1.4.4 Providing purpose built, modern agricultural accommodation on site will help improve farm efficiencies and reduce traffic movements.

¹ Break the Habit: [https://latest.dcp-online.co.uk/2021/07/02/break-the-habit/?utm_medium=EMAIL&utm_campaign=eNews%20Bulletin&utm_source=20210707&utm_content=Late%20from%20DCP%20\(24\)::latest_dcp_online_co_uk_2021_0&email_hash=](https://latest.dcp-online.co.uk/2021/07/02/break-the-habit/?utm_medium=EMAIL&utm_campaign=eNews%20Bulletin&utm_source=20210707&utm_content=Late%20from%20DCP%20(24)::latest_dcp_online_co_uk_2021_0&email_hash=)

- 1.4.5 Other agricultural holdings within the applicants ownership include;
- Hazells Farm, 24ha; and
 - Land at Nurstead, 12.5ha.
- 1.4.6 The applicant has historically paid an agricultural contractor to harvest his land and for hay to be harvested. However, this has proven to be expensive, non-profitable for the applicant and as well as time consuming to organise. Therefore, in order to maintain the land properly and reduce the time, cost and resources needed, the applicant requires safe storage for machinery and equipment to ensure that he is able to undertake this exercise himself, as well as for the storage of hay.
- 1.4.7 The applicant has chosen Park Pale Farm for his Agricultural Building due to its proximity to the A2, meaning it will be easier for equipment to be transported to other land within the applicant's ownership.
- 1.4.8 Furthermore, the applicant already has appropriate means of access and has some buildings erected on the adjacent site, such that when seen in that context visual impacts are minimised. We do reiterate that visual harm is not an aspect the Council need to consider when determining the application at hand.
- 1.4.9 Park Pale is also connected to water and electricity mains and has some security features on site which will deter crime. Is it therefore considered the most appropriate parcel of land to erect such a building.
- 1.4.10 Once the agricultural building is implemented, the applicant will be able to properly maintain all of his land as well as harvest hay to sell to horse owners and to supply other local farmers.

Volumetric need for an Agricultural Barn at this size

- 1.4.11 As stated, the applicant owns some 7.97ha of land at Park Pale Farm, 7.5ha of which is predominately arable land, as well as other arable land at other agricultural holdings such as to total some 44 hectares (108 acres).
- 1.4.12 It is assumed that the applicant can harvest 75-100 round hay bales (i.e., 4ft hay bales) per acre on a one cut policy at Park Pale Farm, which is the average yield for a field of this quality.
- 1.4.13 Assuming that 7 hectares of the site is used for the production of hay crop (17 acres) then between 1,275 – 1,700 bales could be harvested on a one cut policy.
- 1.4.14 Bales can only be stored to eaves height (5m) due to the gradient of the roof. Therefore, if the proposed barn has a maximum storage height of 5m (which is its height to eaves level), a width of 30.36m and a depth of 16m, the total cubic volume (m³) would be 2,428.8m³.
- 1.4.15 Assuming that the applicant maintains a 4ft x 4ft round hay bale cut (49ft³ or 1.39m³) and that the lowest yield is harvested (1,275), this would mean that some 1,772.25m³ of hay bales will be stored in the proposed barn, or some 72.9% of the barn would be taken up by hay bales.

- 1.4.16 The above assumes the **lowest yield** is harvested and does not allow for the movement and storage of machinery and storage imperfections.
- 1.4.17 If the **highest yield** is harvested, then some 2,363m³ of hay bales will be stored in the barn, or 97.2% of the barn will be fully used for the storage of hay bales. This calculation again does not allow for the storage of machinery or indeed storage imperfections.
- 1.4.18 The applicant is able to harvest the field twice a year, and the above calculations assume that all hay harvested from the first cut is sold or used before the second cut takes place.
- 1.4.19 It also assumes that other agricultural holdings within the applicants ownership do not need a dry place to store hay.
- 1.4.20 The above calculations do not consider the need to store the following equipment and machinery:
- Stock Fencing including posts and wiring to demarcate land;
 - Tractors;
 - An All-Terrain Vehicle;
 - Compact Utility Tractor;
 - Lawn Tractor,
 - Blades;
 - Rotary Tiller;
 - Long reach pruners, loppers and chainsaws (for pruning of trees and hedges);
 - Hay rakes;
 - Hay Baler;
 - Hay tedders;
 - Bale Movers (Movers could be rectangular or round dependent on the Bale Wrapper);
 - Bale wrappers.

1.5 Confirmation that the proposal complies with the GDPO

- 1.5.1 Schedule 2, Part 6, Class A of the General Permitted Development Order (GDPO) 2015 AS AMENDED outlines what constitutes Permitted Development and what does not for agricultural development on units of 5 hectares or more. It is considered Permitted Development if:

- 'A. *The carrying out on agricultural land comprised in an agricultural unit of 5 hectares or more in area of -*
- (a) works for the erection, extension or alteration of a building; or*
 - (b) any excavation or engineering operations, which are reasonably necessary for the purposes of agriculture within that unit'.*
- 1.5.2 As the proposed development as for the erection of a 486m² agricultural barn needed to store hay, equipment and machinery on an area of land that is greater than 5 hectares, it is considered that the proposed development meets the criteria for Permitted Development.
- 1.5.3 Therefore, consideration must now be given to Schedule 2, Part 6, Class A.1 of the GDPO and address why it is considered that there are no reasons for the proposed development to not be considered as anything but Lawful Permitted Development.
- 1.5.4 In the following text subparagraphs (a) - (k) of Class A.1, Part 6 of Schedule 2 of the GDPO, which describe development that is not Permitted by Class A will be referenced, with an explanation to each subparagraph outlining why the application in discussion does not meet the criterion.
- 'A.1 *Development is not permitted by Class A if -*
- (a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area'.*
- 1.5.5 As noted above the development will be carried out on a parcel of land with an area of 7.97 hectares.
- '(b) *it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins'.*
- 1.5.6 Paragraph X of Part 3 of Schedule 2 defines established agricultural unit as '*agricultural land occupied as a unit for the purposes of agriculture*'. It is noted that no development under Class Q or S of Part 3 (Change of Use) of Schedule 2 has been carried out by the applicant within a period of 10 years, nor will any development of that nature take place before the proposed development begins. Attached is evidence from the Applicants Solicitor confirming the land is part of an Agricultural Trade or Business as well as a plan overlaying historical permission for the haulage yard, clearly showing that it lies outside of confines.
- '(c) *it would consist of, or include, the erection, extension or alteration of a dwelling'.*
- 1.5.7 The proposal does not consist of or indeed include the erection, extension or alteration of a dwelling.

'(d) it would involve the provision of a building, structure or works not designed for agricultural purposes';

1.5.8 The 486m² agricultural barn will only be used to support and enable the proper maintenance of and agricultural operations undertaken at Park Pale Farm and other agricultural holdings within the applicant's ownership. As has been outlined above how safe and secured covered space is needed to provide storage for equipment and machinery used for maintaining the agricultural land and for hay bales harvested from the farm holding.

1.5.9 The volumetric calculations above show that the proposal is entirely appropriate and is the **lowest possible area** needed to support the applicants agricultural operations.

'(e) the ground area which would be covered by -

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; or

(ii) any building erected or extended or altered by virtue of Class A, would exceed 465 square metres, calculated as described in paragraph D.1(2)(a) of this Part'.

1.5.10 The agricultural building will not be used for accommodating livestock or any plant or machinery arising from engineering operations.

1.5.11 We note that the Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2018 amends Class A of Part 6 of Schedule 2, substituting the previously permitted 465m² figure to now allow buildings up to 1,000m². The proposal meets this criteria.

'(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres';

1.5.12 The buildings height at ridge level will be 7m, however the structure will not be within 3km of an Aerodrome. The below figure shows a 3km radius from the application site in relation to nearby Aerodromes.

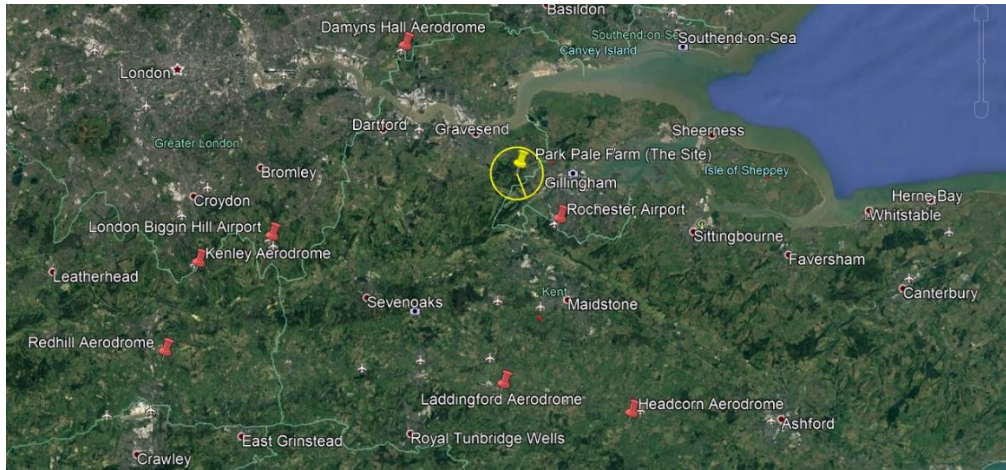


Figure 1: 3KM radius around application site and nearest Aerodromes.

'(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres';

- 1.5.13 The ridge height of the agricultural building will be 7m and is therefore considered to be acceptable. The eaves height of the agricultural building will be 5m.

'(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road';

- 1.5.14 The proposed Agricultural Building will be at least 60m from the nearest classified Road, Watling Street (A2).

'(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building';

- 1.5.15 The Agricultural barn will be used for the storage of hay, machinery and equipment. No structure on the site will be used to accommodate the uses under (i) and therefore this provision does not bite.

'(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or'

- 1.5.16 At no point has or will the land at Park Pale Farm been used in connection with fish farming.

'(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system—

- (i) *would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or*
- (ii) *is or would be within 400 metres of the curtilage of a protected building'.*

1.5.17 This Prior Notification is not for the storage of fuel or waste from a biomass boiler or an anaerobic digestion system, therefore it is considered that subparagraphs (i) and (ii) do not apply to this application.

1.6 Conclusion

1.6.1 We reiterate that Green Belt, AONB and landscape character are not a reason for refusing applications that are made under Schedule 2, Part 6, Class A of the GDPO. The application must solely be determined by the criteria of The Order, and anything else is deemed as unreasonable.

1.6.2 We put on record that if the Council refuse the application based on the above, an Appeal will be submitted should the Council act unreasonably in their decision making process and the client has advised that DHA would be instructed to make a costs application.

1.6.3 It is therefore respectfully requested that Gravesham Borough Council acknowledge that Prior Approval is not required and that the application conforms with the aforementioned Permitted Development Order.

1.6.4 Any queries please do contact me on 01622 776226 or alternatively please email either john.collins@dhaplanning.co.uk or jack.harley@dhaplanning.co.uk

APPENDIX

1



Gravesham Borough Council

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 30 JUL 2021 AT 13:26:57. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: K555548

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : GRAVESHAM

- 1 (12.08.1983) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land on the south west side of White Post Lane, Meopham.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (12.08.1983) Proprietor: J & B MARTIN (CRAYFORD & FAWKHAM) LIMITED of Pinden End Farm, Dartford, Kent.

C: Charges Register

This register contains any charges and other matters that affect the land.

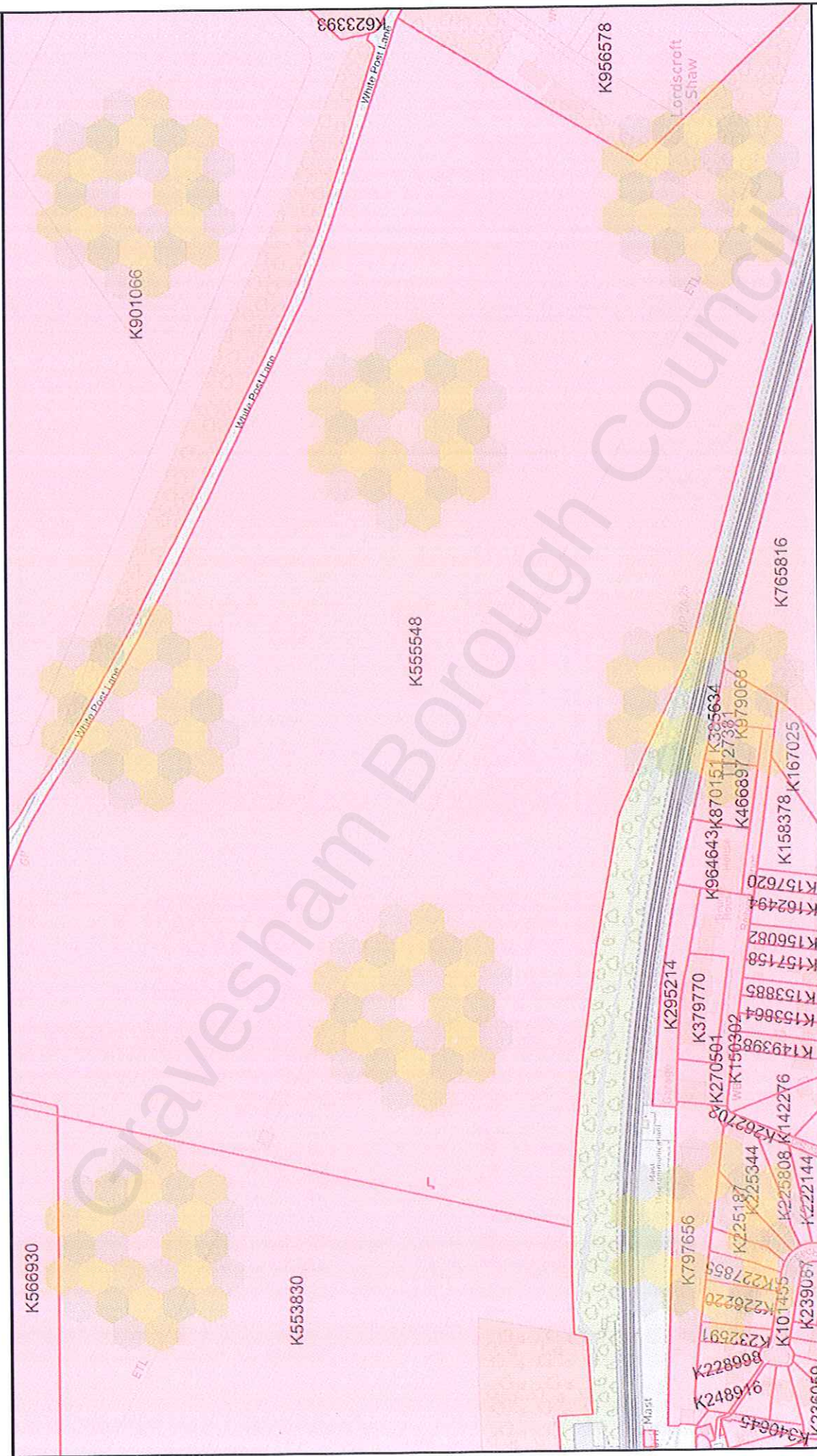
- 1 A Deed dated 24 February 1962 made between (1) Richard William Edmeades and (2) The County Council of the Administrative County of Kent relates to the laying of drains.

NOTE:- Copy filed.

- 2 A Deed dated 23 July 1963 made between (1) Richard William Edmeades and (2) The County Council of the Administrative County of Kent relates to the laying of surface water drains.

NOTE:- Copy filed.

End of register



0 10 20 30 40 50 60 70 80 90 100m

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Data last updated 10:00pm 29 JULY, 2021

Map scale 1:2500

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 30 JUL 2021 AT 13:28:18. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY. FOR SEARCH PURPOSES THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE.

TITLE NUMBER: K927021

There is no application or official search pending against this title.

A: Property Register

This register describes the land and estate comprised in the title.

KENT : GRAVESHAM

- 1 (07.04.1998) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being Hazells Farm, Northfleet Green, Gravesend.
- 2 (07.04.1998) The land has the benefit of the following rights reserved by the Transfer dated 30 September 1997 referred to in the Charges Register:-

"THERE shall be excepted and reserved unto the Transferor and its successors in title:-

(a) The right to the free passage of water soil gas electricity and other service media through and along the drains pipes wires cables laid under or over the property hereby transferred

(b) The right of entry onto the property hereby transferred upon giving prior written notice except in the case of emergency for the purpose of maintaining repairing renewing and relaying the drains pipes wires and cables referred to in (a) above"
- 3 (10.08.2005) The land has the benefit of the rights granted by a Deed dated 11 July 2005 made between (1) Francis Sedley Andrus and (2) The Official Custodian for Charities.

NOTE: Copy filed under K783963.
- 4 (03.09.2007) The Transfer dated 6 July 2007 referred to in the Charges Register contains a provision excluding the operation of Section 62 of the Law of Property Act 1925 as therein mentioned.
- 5 (05.12.2012) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 6 (05.12.2012) The land has the benefit of the rights reserved by a Transfer of the land edged and numbered TT9680 in green on the title plan dated 1 October 2012 made between (1) J & B Martin (Crayford & Fawkham) Limited and (2) Dorothy Murty.

NOTE:-Copy filed under TT9680.
- 7 (05.12.2012) The Transfer dated 1 October 2012 referred to above contains a provision as to boundary structures.
- 8 (04.02.2015) The land has the benefit of the rights reserved by but is subject to the rights granted by the Transfer dated 13 January 2015 referred to in the Charges Register.

Title number K927021

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.09.2007) PROPRIETOR: J & B MARTIN (CRAYFORD & FAWKHAM) LIMITED (Co. Regn. No. 132750) of Pinden End Farm, Dartford, Kent DA2 8EA.
- 2 (03.09.2007) The price stated to have been paid on 6 July 2007 was £800,000.
- 3 (03.09.2007) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge is to be registered without either a certificate signed on behalf of the Charity Trustees or by its conveyancer that the provisions of paragraph 2 of the Schedule to the Transfer dated 6 July 2007 referred to in the Charges Register have been complied with or that the disposition is an Excepted Disposition as defined in the said Transfer.
- 4 (03.12.2008) RESTRICTION: No disposition of the part of the registered estate shown tinted pink on the title plan (other than a charge) by the proprietor of the registered estate or by the proprietor of any charge is to be registered without a certificate signed by the Secretary of State for Transport (or on his behalf by an authorised official or by his conveyancers) that the provisions of Clause 13.4.2 of the Transfer dated 6 July 2007 referred to in the Charges Register have been complied with.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (07.04.1998) The land is subject to the rights granted by a Deed dated 11 October 1962 made between (1) Leonard Riddle and Joseph Frederick Burrell and (2) Central Electricity Generating Board.

The said Deed also contains restrictive covenants by the grantor.

NOTE: Copy filed under K366132.
- 2 (07.04.1998) The land is subject to the rights in respect of overground electricity transmission works granted by a Deed dated 30 May 1977 made between (1) Stanhill Farms Limited and (2) Central Electricity Generating Board. The said Deed also contains restrictive covenants by the grantor and provisions relating to aerial spraying or crop irrigation operations.

NOTE: Copy filed under K366132.
- 3 (07.04.1998) The land is subject to the rights in respect of overground and underground electricity transmission works granted by a Deed dated 30 May 1977 made between (1) Stanhill Farms Limited and (2) South Eastern Electricity Board. The said Deed also contains restrictive covenants by the grantor and provisions relating to aerial spraying or crop irrigation operations.

NOTE: Copy filed under K366132.
- 4 (07.04.1998) The land is subject to the rights granted by a Deed dated 30 September 1997 made between (1) Stanhill Farms Limited and (2) London & Continental Railways Limited.

NOTE: Copy filed under K366132.
- 5 (07.04.1998) Option to purchase the land defined therein in favour of London & Continental Railways Limited contained in the Deed dated 30 September 1997 referred to above and exercisable for the period of ten years from the date thereof.

C: Charges Register continued

- 6 (07.04.1998) The land is subject to the following rights granted by a Transfer of Hazells Farmhouse dated 30 September 1997 made between (1) Stanhill Farms Limited (Transferor) (2) London & Continental Railways Limited (Purchaser) and (3) The Secretary of State for Transport (Secretary of State):-

"together with:-

(a) A right of way for the Secretary of State and its successors in title at all times and for all purposes over and along the roadway shown coloured brown on the plan

(b) The right for the Secretary of State and its successors in title to the free passage of water soil gas electricity and other service media through and along the drains pipes wires and cables laid under or over the adjoining property retained by the Transferor

(c) The right for the Secretary of State and its successors in title to enter onto the adjoining property retained by the Transferor upon giving prior written notice except in the case of emergency for the purpose of maintaining repairing renewing and relaying the drains pipes wires and cables referred to in (b) above"

NOTE: The roadway coloured brown referred to is reproduced on the title plan.

- 7 (10.03.2006) The land is subject to the rights granted by a Deed dated 9 March 2006 made between (1) The Official Custodian For Charities (2) The Trustees Of The Colyer-Fergusson Charitable Trust and (3) Edf Energy Networks (Spn) Plc.

NOTE: Copy filed under K783963.

- 8 (03.09.2007) The land is subject to the rights reserved by a Transfer of the land in this title dated 6 July 2007 made between (1) The Official Custodian for Charities on behalf of the Colyer-Fergusson Charitable Trust and (2) J & B Martin (Crayford & Fawkham) Limited.

NOTE: Copy filed.

- 9 (03.09.2007) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto.
The leases grant and reserve easements as therein mentioned.

- 10 (23.06.2014) The land is subject to the following rights reserved by a Transfer which included the land in this title dated 30 September 1997 made between (1) Stanhill Farms Limited (Transferor) and (2) John Andrew Porter, Sir Charles Matthew Farrer GCV0, The Honourable Jonathan Riversdale St Quintin Monckton and The Honourable Simon Noel-Buxton (Transferees):-

"EXCEPTING AND RESERVING unto the Transferor and the Transferor's successors in title for the benefit of the Transferor's Retained Land the rights set out in Schedule 1 of this Transfer

SCHEDULE 1

1. A full and free right to pass and repass at all times and for all purposes and with and without vehicles of any description and with or without animals over the trackway shown hatched blue on plan 2

2. The right to use inspect maintain repair replace enlarge and improve all water pipes now serving any part of the Retained Land and any houses or cottages now or hereafter erected thereon together with all necessary ancillary rights of entry with or without workmen and equipment for such purposes the person or persons exercising such rights causing no unnecessary damage and making good any damage so causes as soon as reasonably practicable"

NOTE:- The Transferors retained land referred to included the land edged yellow on the title plan. The trackway hatched blue referred to is reproduced on the title plan.

- 11 (04.02.2015) A Transfer of the land edged and numbered TT33311 in green

Title number K927021

C: Charges Register continued

on the title plan dated 13 January 2015 made between (1) J & B Martin (Crayford & Fawkham) Limited and (2) Hazells Farm Developments Limited contains restrictive covenants by the Transferor.

NOTE: Copy filed under TT33311.

- 12 (04.02.2015) By a Deed dated 13 January 2015 made between (1) J & B Martin (Crayford & Fawkham) Limited (2) Dorothy Murty and (3) Bank of Scotland Plc the rights granted by clause (a) to the Transfer of Hazells Farm dated 30 September 1997 referred to above have been extinguished as to part.

NOTE: Copy filed under TT33311.

Schedule of notices of leases

	Registration date and plan ref.	Property description	Date of lease and term	Lessee's title
1	03.09.2007 edged blue	Hazells Farm	06.07.2007 from 6 July 2007 to 28 September 2011	

End of register

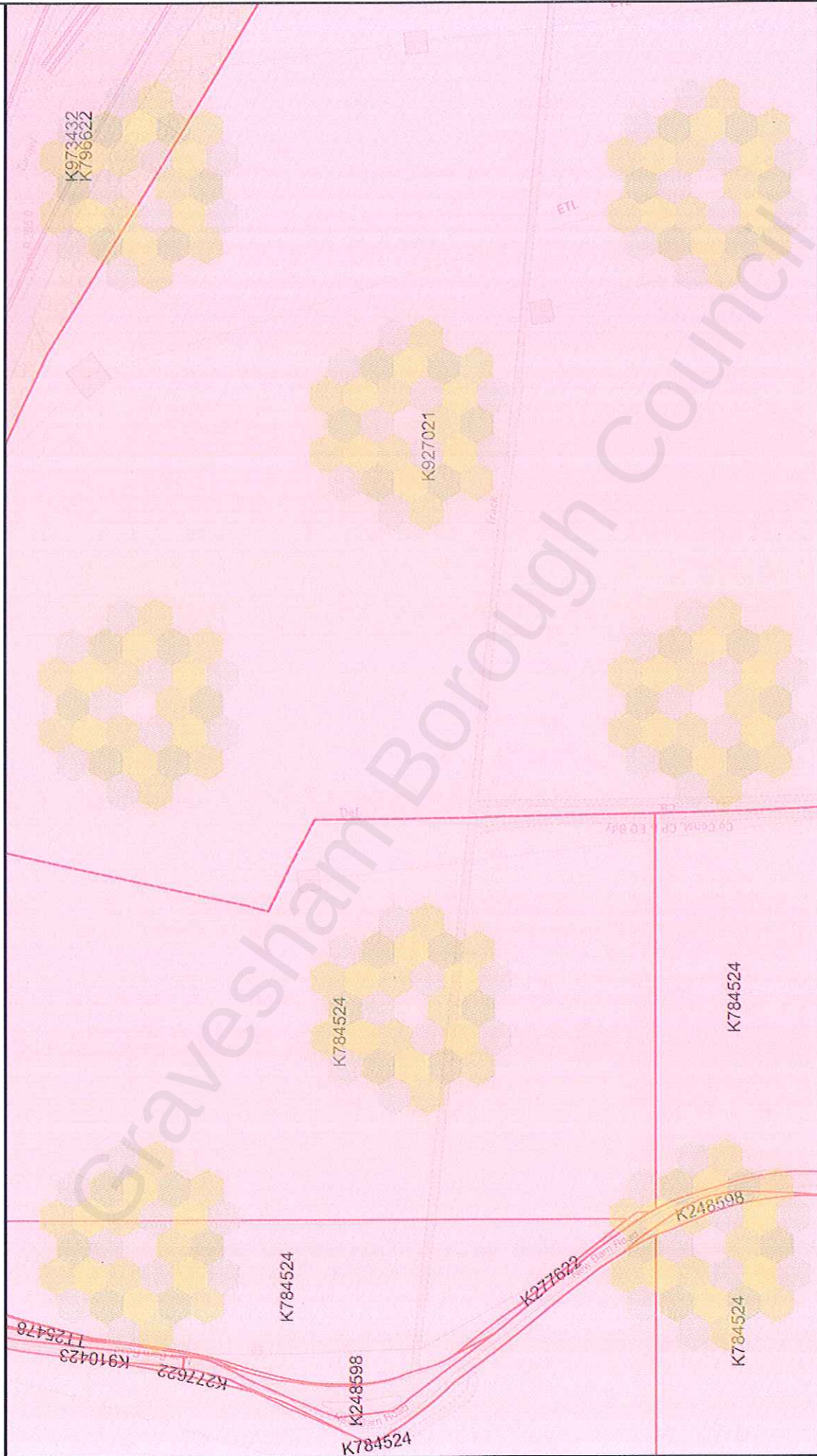


HML Land Registry

BETA

MapSearch Snapshot

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0 10 20 30 40 50 60 70 80 100m

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Data last updated 10:00pm 29 JULY, 2021

Map scale 1:2500