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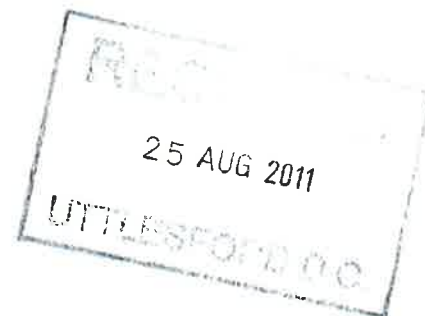


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Miss Catherine Nicholson
Solicitor to Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

23rd August 2011



Dear Ms Nicholson,

Re: Section 36 Charities Act 1993 - Surveyors Report on Saffron Walden Pig Market

Please find enclosed my valuation comments on the proposal to alter the right of way over the old pig market to the Goddard's building at 23A Fairycroft Road. As we discussed there is no difference in the value of the pig market (now car park) as to either of the right of ways. As you are aware the original location of right of way was an S shape but this has never been implemented due to the way the car park was constructed and laid out. The right of way has been a more direct route from the entrance into the yard, it is accepted that the building has used this more direct route for probably in excess of 20 years and therefore they may have rights over it in any event. I feel changing the right of way to its current format is probably beneficial to both parties and certainly clarifies the situation. Should the owners of 23A Fairycroft Road wish to implement the original right of way this could have major ramifications and therefore changing to the existing route would appear to be prudent and beneficial.

I hope the report is sufficient for your needs but should you require any further confirmation please do not hesitate to contact me.

I enclose my fee account for the agreed sum for your kind attention in due course.

Yours sincerely,

AD Chapman, FRICS



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**REPORT ON VALUE UNDER
SECTION 36 CHARITIES ACT 1993**

**RIGHT OF WAY OVER CAR PARK
FAIRCROFT ROAD
SAFFRON WALDEN
ESSEX**

CHARITY: SAFFRON WALDEN PIG MARKET

1. INSTRUCTIONS

- 1.1. I have been instructed by Uttlesford District Council to advise as to whether there is any effect on the value of the land which forms the right of way across the Waitrose car park to the building owned by Goddards known as 23a Fairycroft Road, Saffron Walden, Essex.
- 1.2. I have been provided with a number of documents which include the original Deed of Exchange dated January 1984 and various Land Registry extracts and plans defining the land in question.

2. CURRICULUM VITAE

- 2.1. I, Anthony David Chapman am a Fellow of the RICS and have been professionally qualified in excess of 30 years and have been a Fellow since 1991.
- 2.2. I have practiced in the area for the last 20 years and have carried out many valuations on both residential and commercial property and advised in connection with charities.

3. DESCRIPTION OF RIGHT OF WAY

- 3.1. The original transfer of land allowed for a right of way to the Goddard building at 23A Fairycroft Road. This access right of way is S shaped and was from Elm Grove into the yard area of 23A. This is defined on the title number EX820299 which is a caution property register document.

- 3.2. The exact location of the right of way never followed the S shaped access as the car park was subsequently laid out differently. Instead the access is almost a straight line from Elm Grove into the yard area partially designated on title number EX820309.
- 3.3. The draft Land Registry title number EX860317 appears to set out more accurately the right of way which starts at a width of some 7m and then narrows down towards the rear to 5m.
- 3.4. The reason for the discrepancy in the access way was caused by the original construction and layout of the car park area.
- 3.5. It is my understanding that the Goddard building at 23A Fairycroft Road has always used the more direct route from the entrance direct to their yard. The S shaped route has never been adopted.
- 3.6. The access way is purely a registered Right of Way and therefore does not involve ownership of the land it is purely a right to pass over land.

4. COMMENT ON VALUES

- 4.1. As advised there is no actual ownership of land. There is purely only a Right of Way being relocated.
- 4.2. The original location of the Right of Way as set out on the plans was never actually possible due to the car park being constructed in a different layout.
- 4.3. The access has always been in a more direct route from the car park entrance direct into the yard. Therefore there may well be ramifications with regard to established rights of way over this area.

- 4.4. In any event the relocation of the Right of Way area has no effect on values of the land. It is purely a substitution of one area of access over another.
- 4.5. The fact that the Right of Way has been exercised for probably in excess of 20 years in its current format does not have any effect on value either. It is purely relevant to what has been used.

5. RECOMMENDATION

- 5.1. It would seem prudent to allow the relocation of the Right of Way over the access area as the area originally set out has never been used and the existing access has always been the main route into 23A.
- 5.2. It is my opinion that there is no difference in values for adopting the actual route rather than the areas set out originally.
- 5.3. I attach several plans which clearly show the access ways as existing and as originally proposed.
- 5.4. As there is no difference in the value of the car park area for either of the Right of Ways, either the original S shape or the actual used more direct route.
- 5.5. The same applies to the Right of Way to the electricity substation. It is obvious on site that the access to the substation is over the main access way which also serves as the lorry delivery area for the supermarket. Again slight variations in the original and the actual Right of Way may have taken place but again have no effect on value.

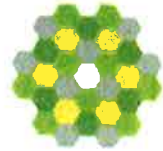
- 5.6. I can confirm that this report has been compared taking into account the Charities (Qualified Surveyors' Report) Regulations 1992.
- 5.7. Should you have any further comments please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'AD Chapman', with a stylized flourish at the end.

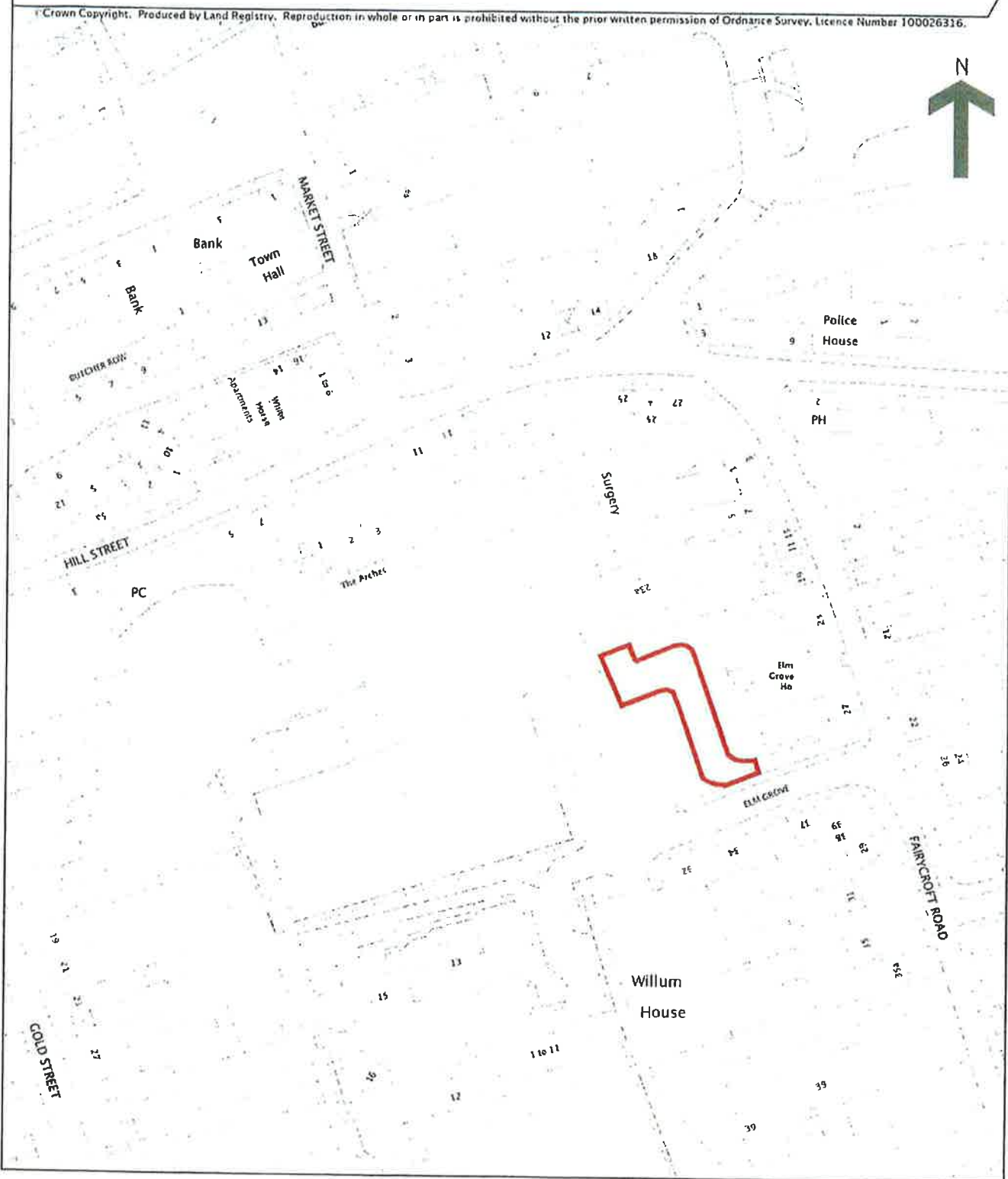
Anthony David Chapman FRICS

Land Registry
Official copy of
caution plan

Title number **EX820299**
Ordnance Survey map reference **TL5338SE**
Scale **1:1250**
Administrative area **ESSEX : UTTLESFORD**



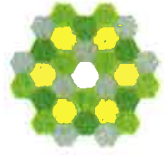
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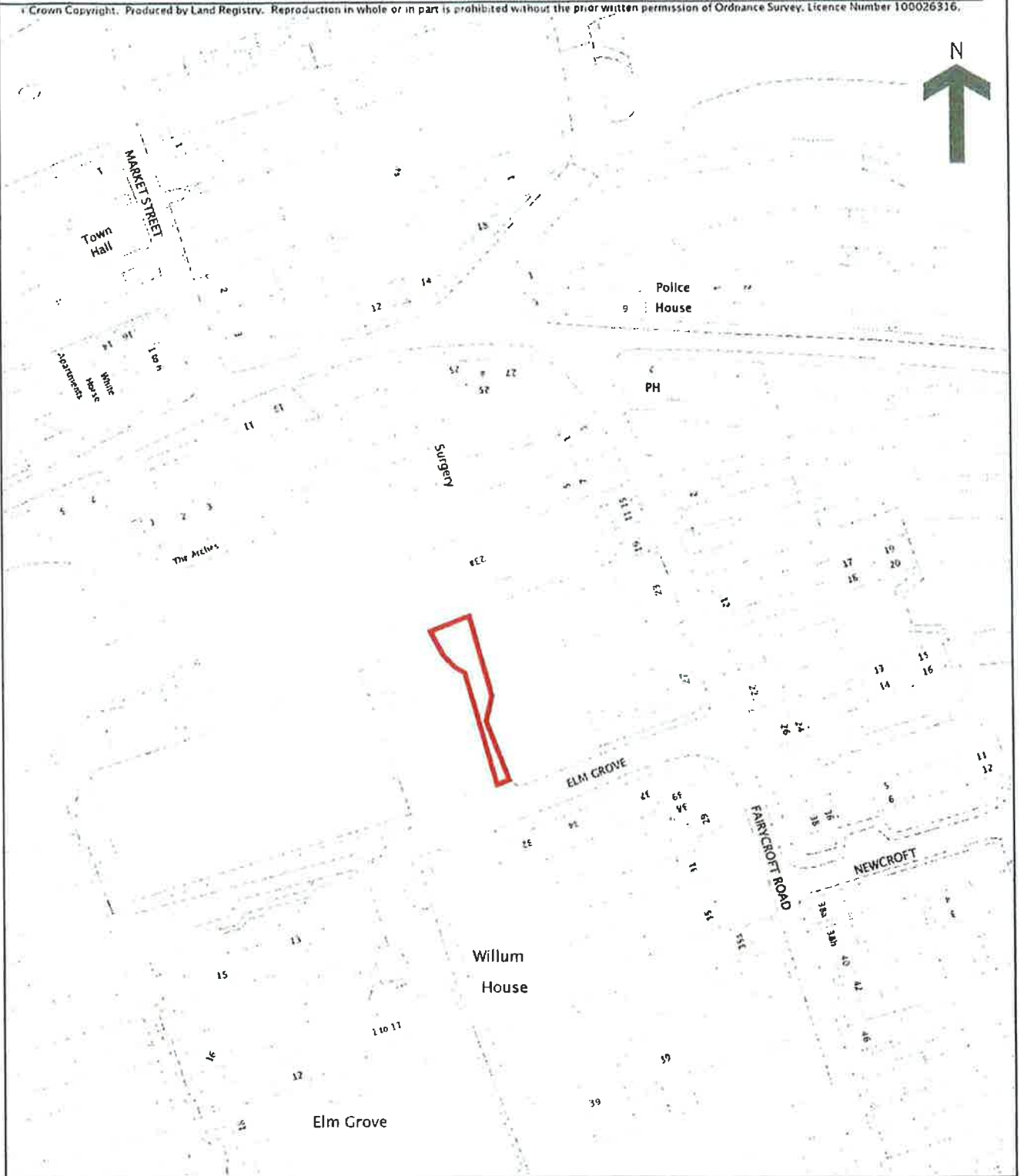
ORIGINAL LOCATION

Land Registry
Official copy of
caution plan

Title number EX820309
Ordnance Survey map reference TL5338SE
Scale 1:1250
Administrative area ESSEX : UTTLESFORD



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