

NEWS WITH YOU IN MIND

NEWS • ADVICE • TIPS



Farm diversification and the planning system

Shannon Fuller, Assistant Planner provides the need to know and what to consider when thinking about farm diversification. **p10**

The types of lots that sell well at auction

Charles Lovell, Head of Auction details the types of best selling lots at auction with guide and sold prices. **p16**

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SUMMER 2022

Welcome to our summer newsletter

What a year we have had so far! I think we were all hoping for a bit more normality this year but it has been far from that. With rising energy prices and future changes in the land and property industry (read our articles for more details), all business owners should review the changes and consider the impact on their businesses.

In the farming world, diversification is still key. There are changes on the way, and we share these with you on page 4. Commercial property owners should also be considering the changes to Energy Performance Certificates on page 8. The planning world is ever-changing so read our article on page 10 to learn the latest.

We are pleased that all staff are now working from our offices and continue to operate pre-booked appointments for those who wish to visit us. We are constantly reviewing our procedures in line with Government guidance.

If you require any further information on the topics covered or any other land or property related matters, please contact me or one of my colleagues.

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An update on the Agricultural Transition



Whilst we've just completed the Basic Payment Scheme (BPS) and Countryside Stewardship Scheme annual claims for 2022, at the forefront of our rural team's mind is the future of these schemes and those that will replace them. The guaranteed income from BPS is something farmers have come to rely on, especially at times of volatility in agricultural markets such as we are seeing now.

BPS will be phased out by 2028, with 2027 being the last year a payment is received under the scheme. By 2024, the payment will be around half of what claimants received in 2020 and therefore planning for this reduction in income is now vital.

The Lump Sum Exit Scheme, the Department for Environment Food & Rural Affairs' (DEFRA) retirement scheme, is not an option for most but will be useful for a few farmers.

The Countryside

Stewardship Scheme offers good levels of payment, recently increased, and is a good way of securing a guaranteed income from poorer parts of the farm without the risks of weather, price volatility, etc. Applications for agreements to start on 1st January 2023 must be submitted by **29th July 2022**. With the huge range of options, including capital items, it is worth considering the scheme well in advance of this date to ensure applications are ready for

submission by the deadline. We now have more information of the Government's much publicised **Sustainable Farming Incentive (SFI)**, the first part of the new **Environmental Land Management Scheme (ELMS)**. In 2022, the scheme will open in June with the Soils Standards for arable, horticultural and improved grassland. We are gradually getting the information on the scheme from DEFRA and the boxes below show the confirmed requirements so far.

Arable and Horticultural Soils Standard

LEVEL	Introductory	Intermediate
Payment	£22 per hectare	£40 per hectare
Requirement 1	Soil organic matter tested across all land entered	
Requirement 2	Soil assessment and production of a soil management plan	
Requirement 3	Winter cover in place for 70% of land area included in the Standard	
	Any kind of green cover	Must include multi-species green cover over 20% of the area included. This can be a mix of brassicas, legumes, grasses and cereals. The applicant to decide plant types and proportions.
Requirement 4	Apply organic matter to one third of the included area each year	
	Any kind of organic matter	To include multi-species green cover from Requirement 3 (above)



Further standards under SFI will be launched in 2023-2025 including payments for hedges, woodland and biodiversity.

A further payment available under ELMS will be the **Animal Health and Welfare Review**. This is a contribution towards an annual vet visit. It is available to those with at least 50 pigs, 20 sheep or 10 cattle and the payments are as follows:

- + pigs - £684 per annum
- + sheep - £436 per annum
- + beef cattle - £522 per annum
- + dairy cattle - £372 per annum

There is also funding available for capital items, with the Countryside Stewardship: Capital Grants Scheme. Applications are open now and will remain open until all the funding is allocated. This scheme pays a set rate towards capital items under three categories:

- + boundaries, trees and orchards
- + water quality

Improved Grassland Soils Standard

LEVEL	Introductory	Intermediate
Payment	£28 per hectare	£58 per hectare
Requirement 1	Soil organic matter tested (within the last 5 years) across all land entered	
Requirement 2	Soil assessment and production of a soil management plan	
Requirement 3	95% green cover to protect soil over winter	
Requirement 4		Establish or maintain herbal leys over at least 15% of included land with the applicant able to choose the mix of grasses, legumes, herbs and wildflowers

- + air quality

Claims can be made for capital items up to £20,000 for each category, £60,000 overall. There will also be further rounds of the **Farming Equipment and Technology Fund** and the **Farming Transformation Fund**.

A number of the above schemes are time limited and therefore it will be important for farmers to consider which schemes work best for their farms and act swiftly where funding is available. Making a start with the SFI Soils

Standard will put people in a good position to enter the further standards when they become available as part of the paperwork will already have been completed.

For information or assistance on any of the above schemes, please contact Polly Sewell.



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Partner & Rural Surveyor
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The farmland market

Agricultural land

At this time of year, we look forward to the prospects for the agricultural land market. We would normally expect to see the first properties coming to the market by this time, but the big news is that there is very little available. This continues the theme of recent years when supply has been very tight with well-funded purchasers chasing the better farms and blocks of land which become available.

Some observers have predicted that much more land will come to the market this year as a result of the Agriculture Act, increased fuel prices, increased fertiliser prices and increased interest rates. Likewise, it is predicted that buyers will be in short supply for the same reason. My own prediction is that we shall see little difference from last year. In reality, there is little pressure from the banks for farmers to sell. Meanwhile, there is a

considerable number of well-funded buyers who are willing to compete for whatever is available. Smaller blocks of bare land will continue to be dependent upon local interest, which could give rise to a wide range of outcomes. Well-equipped large farms, whether commercial or residential, will certainly attract interest.

Residential Development Land

Many landowners dream of the possibility of releasing a few acres for residential development. We have certainly been able to assist many across the Oxford to Cambridge Arc and beyond, in converting farmland into residential development land worth a multiple of between ten times and one hundred times its agricultural value.

Such sales can be life-changing, often providing a broader range of opportunities for the next generation. However, a lot of time and

money has to be invested to maximise potential. There is much to be won and much to be lost. Proceeding in the correct manner is key.

We work with a select list of professional promoters in securing Local Plan allocations with great success. We are always keen to manage the marketing of the land to ensure that best value is secured and also to deal with important matters such as retaining the correct rights to any retained land. The development world is full of sharks and egos and it is important to be well represented.

If you are considering your options and would like to find out how we can help you, then please contact David Jones.



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NEED TO KNOWS

- ⊕ **Short supply of farmland.**
- ⊕ **Smaller blocks of bare land will be dependent on local interest.**
- ⊕ **Well-equipped large farms will attract interest.**
- ⊕ **Residential development land is worth ten times to one hundred times its agricultural value.**
- ⊕ **Development land is well worth considering but an expert to represent you is key.**

Do you know where your boundaries are?

Boundary disputes are on the rise. They can be costly, traumatic and time consuming to resolve so we thought we would provide some tips and advice to help you understand the basics and avoid potential pitfalls when dealing with them.

1. When buying a property, ask your solicitor for an official copy of the current title plan so you can clearly assess the boundary.
2. Compare this title plan to the property itself and flag up any differences with the seller prior to exchange of contracts.
3. Talk to your neighbours to establish who is responsible for maintaining the boundaries. This will help you avoid problems in the future.
4. You should never change a boundary feature without your neighbour's knowledge or while they are away.

Disputes occur when boundaries have changed over time but not been recorded, boundary structures are replaced without consulting neighbours or

when a neighbour tries to build right up to a boundary. If you are looking to build up to the boundary line then we can help. Refer to our article 'Understanding the Party Wall etc Act 1996' found on our website.

What to do if a boundary dispute arises?

The key to resolving a dispute quickly and successfully is to seek professional advice as soon as possible. We are Chartered Building Surveyors regulated by the Royal Institute of Chartered Surveyors and are experts in providing advice on boundary disputes.

Our services include checking the title plans, reconciling current plans with historical documents and photographs and surveying the site. We always advocate good communication between neighbours and try and resolve disputes swiftly and amicably.

- + We can accurately survey the features at the property using modern GPS technology.

- + We can reconcile current and historic title deeds and any relevant evidence.
- + If matters escalate, we can also prepare an expert report to comply with Part 35 of the Civil Procedure Rules.
- + We prepare Land Registry compliant plans which accurately identify all the features that currently exist around the property.

Please also refer to our previous article about 'Why use our service to produce Land Registry compliant transfer plans?' found on our website.

If you are struggling to locate your title plan, are unsure where your boundaries are or are

worried a boundary dispute could arise, then please contact Robert Franklin.



Robert Franklin, Head of Architecture & Building Surveying
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Why consider industrial or storage use for redundant buildings?

The industrial and storage market has seen the largest growth in property rents and has remained the most robust of the commercial property sectors. Over recent years, there has been a growth in online sales following the onset of coronavirus and both retailers and distributors are requiring an increased amount of storage space to facilitate these requirements.

Are my farm buildings suitable?

When considering whether commercial industrial property diversification is an option for you, there are a number of matters you should take into consideration, which include:-

1. Access hours
2. Additional security
3. Lease agreements
4. Deposits
5. Planning permission and building regulations
6. Legal requirements
7. Property management
8. The tenant's usage
9. Additional insurance requirements
10. Required adaptations to the existing farming method and business
11. Health and safety requirements





The benefits compared to other diversification options are:

- + The conversion process. There is a lot less work and cost associated with conversion to industrial/storage use, reducing the turn around time and generating rental income sooner.
- + The income generated is all year round and guaranteed during the contract period.
- + There is a lot less input and time required by the landlord than with residential or office use.



When considering whether your farm buildings are suitable, you could also consider storage containers. These have also increased in demand and may be a smaller initial step into the commercial market.

For more information or to discuss your farm buildings and their suitability, please contact Tessa.



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Farm Diversification and the Planning System – what you need to know

Why diversify?

The phasing out of payments under the Basic Payment Scheme has resulted in many farmers looking for ways to protect their business income for future generations.

Through the re-use of redundant/surplus buildings or land of low productivity, diversification can open new sources of revenue that does not rely on the day-to-day agricultural enterprise, add value to assets, provide a new challenge, create new jobs and allow new business entrants in the form of younger generations/family members.

Farm diversification can come in many forms such as:

- + Farm shops
- + Wedding venues
- + Holiday lets
- + Camping / glamping sites
- + Self-storage units (see our commercial article on page 18 for more information)
- + Light industrial/workshop units (see our commercial article on page 18 for more information)
- + Dog walking fields
- + Renewable energy
- + Residential conversions

One of the first steps when considering a farm diversification project should be to assess the planning options available and, if necessary, prepare a planning strategy.

Many proposals utilising existing agricultural buildings may fall under Permitted Development Rights (PDR). Therefore, it is important to understand at an early stage in the project whether full planning permission for change of use is required or whether PDR can be used.



When you can use Permitted Development Rights:

Part 3 of The Town and Country Planning (General Permitted Development) (England) Order focusses on changes of use and in particular Classes Q, R and S focus on the change of use of agricultural buildings.

Class Q enables the conversion of agricultural buildings to up to five new dwellings, the floor space is limited at 465 sqm and the structure of the building must be confirmed as capable for conversion. You also must be able to evidence that the building was previously used for agriculture on or before 20th March 2013.

Class R enables the conversion of agricultural buildings to a flexible commercial use up to 500 sqm and the building must have been last used for agriculture on or before 3rd July 2012.

Class S enables the conversion of agricultural buildings to state-funded schools or registered nurseries providing the building was used for agriculture on or before 20th March 2013 and the change of use does not exceed 500 sqm.

The benefit of being able to use PDR to diversify is it is a simpler, quicker and cheaper way to get farm development through the planning system.

Other factors to consider:

Many sites that offer farm diversification opportunities

are located within the open countryside, where planning permission for new buildings is contrary to policy and difficult to obtain. In addition, if a site is located within the Green Belt, a conservation area, a national park or an Area of Outstanding Natural Beauty, it is further restricted by the National Planning Policy Framework (NPPF) and various measures shall need to be taken to ensure the development is acceptable.

Liaising with the local planning authority:

Where PDR is not an option, it is beneficial to engage with the Council at the earliest opportunity and discuss your proposals at a pre-application stage. It is also helpful to engage with your local Parish Council and adjoining landowners and neighbours to gain support and address any concerns prior to the submission of an application.

Often, planning officers are not familiar with the day-to-day running of a farm and how agricultural businesses work. It can be helpful to your application to invite officers to gain an understanding of the enterprise when undertaking their site visit or to submit additional explanatory information as part of an application submission.

Key points to remember:

+ **Timescales!** We are seeing vast delays within the planning system and with various local planning authorities. Whilst full planning

applications should have a determination period of 8 weeks, we are seeing these stretch to 12-16 weeks and in some cases 6 months.

+ **Third party reports/costs.**

To ensure compliance with both local and national planning policies, local planning authorities may request the submission of third party information such as ecological heritage, transport, air quality and noise assessments as well as landscaping schemes. These are an additional cost to consider when preparing a planning application.

+ **Diversification should not be a distraction from the main farming operation.**

It is important to remember diversifying should be supplementary to the farm enterprise.

We have years of experience successfully helping farmers to diversify their farm business. We can help from start to finish and guide you through the process.

For further information or to find out how we can help you, please contact Shannon Fuller.



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Top five tips for a seamless letting

Over the last ten years there have been changes to, or implementation of, over 175 sections of the regulations affecting the private rental sector. At Robinson & Hall Residential Lettings, we pride ourselves on being up to date with current legislation and best practice. We hold the ARLA PropertyMark and as a firm are regulated by the Royal Institution of Chartered Surveyors (RICS).

Our lettings team's top five tips for compliance and a seamless letting in 2022 are:

1. Has your tenant got the right to rent in the UK?

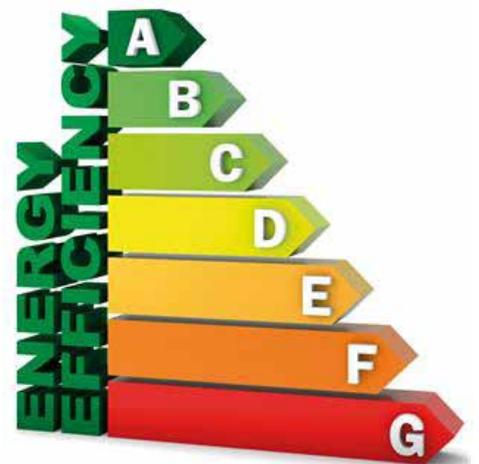
Following the UK's departure

from the EU, we can no longer rely on a European Economic Area (EEA) passport or a National ID Card to prove a person's right to rent in the UK. Evidence of their immigration status must be obtained through the Home Office online service which stipulates their status and the expiry. It is therefore essential the checks are conducted throughout the tenancy.

The new Code paves the way for the introduction of certified digital Identity Service Providers (IDSPs) which will run digital identity checks for British and Irish citizens as part of the Home Office's introduction of the Identity Document Validation

Technology (IDVT) framework.

Adjusted checks, following on from COVID19, using video calls will continue to be accepted until 30th September 2022.



2. Prepare for the Energy Performance Certificate (EPC) changes

Landlords will have until 2026 to ensure all their rental properties achieve band C on the EPC before letting the property. For existing tenancies, the landlord will have until 2028 to meet the requirement.



Landlords under the current minimum rating of E need to invest only up to a maximum of £3,500 which means rental properties can still be let out despite being below an E rating.

The penalty for not having a valid EPC will also be raised from £5,000 to £30,000 from 2025.

(including a gas boiler). Where a new fixed combustion appliance is installed, a carbon monoxide alarm will be required to be installed by law. Gas



cooker appliances are excluded from the new rules.

4. Invest in your rental property

With rents continuing to rise, it is good practice to decorate your rental properties every five years to ensure maximum rents can be achieved.

an agent which is regulated by a respected industry body and has a proven track record of letting and managing properties within the area.

For more information or to book a no obligation lettings appraisal, please contact Yasmine.



Yasmine Degmenlibey
Lettings Supervisor
01234 362930
yd@robinsonandhall.co.uk

3. Carbon monoxide alarm changes

All landlords will also now be obliged to ensure a carbon monoxide alarm is installed in any room of their properties where there is a fixed combustion appliance

5. Choose Robinson & Hall as your letting agent

Did you know that anyone can open an agency without having qualifications, experience or knowledge? Therefore, it is extremely important to choose





Why you need a building survey before you purchase a property

When purchasing a building, you are investing a significant amount of your funds, time and life. While a property may seem appealing and suitable for your needs, consideration should be given to ensuring that there are no significant issues or major surprises. Whether in a residential or commercial context, the building survey and the role of the professional surveyor is vital in protecting a buyer and managing risk. A survey and report by an independent building surveyor will help you to have a balanced view.

Our detailed surveys involve a thorough visual inspection of the building fabric to ascertain issues such as structural movement, dampness, deterioration and lack of facility. In our reports, we consider our findings and give context to defects found in terms of significance and urgency of repair.

Estimated costs of repairs and improvements are also included.

+ Six bedroom 1850 ex-farmhouse in North Hertfordshire, where the



Our specialism is surveying older properties, typically pre-1920s buildings and listed buildings. Recent commissions include:

+ Grade 2* listed manor house in North Bedfordshire where we highlighted that crumbling stonework would involve expenditure of over £40,000.

foul drainage system was found to be defunct. Following a suitable reduction in purchase price, our client is now having this replaced with a sewage treatment plant. We are now advising them on a scheme for repair, refurbishment and alteration.

+ Three bedroom Grade 2 listed cottage in Gamlingay which had suffered from



structural movement. It was concluded that this was typical for the age and structure and therefore no structural intervention was required.

+ 7,000 sq ft 1920s factory in Letchworth requiring full

refurbishment, which had significant damp problems that had been concealed by a cosmetic refurbishment.

Are you soon to purchase a property? Find out more about our building surveying services by calling Stuart Brown.



Stuart Brown
Chartered Building Surveyor
01234 362923
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New starters



Yasmine Degmenlibey joins us as Residential Lettings Supervisor. She has over six years' experience in sales and property

management. She is keen to continue to provide first class customer service.

Rajdeep Dhillon joins us as Residential Lettings Assistant. She is highly experienced in lettings, and delights in building relationships with both landlords and tenants, ensuring all paperwork is completed to meet compliance requirements.



For further marketing queries please contact Laura.



Laura Saunders, Marketing & PR Manager
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The types of lots that sell well at auction

If you haven't considered auction as a method of sale for your land or property then now certainly is the time. We achieved a record success rate of selling 93% of lots in 2021. More sellers are turning to the auction route and an abundance of buyers are looking for their ideal lot.

What sells well at auction?

Any kind of property can sell at auction, from hovels to mansions and bare land to vast warehouses but some types work better than others.

- + **Fixer uppers** – anything that requires refurbishment always generates huge interest.

11 Moor Lane, Bedford
MK42 9U
Guide Price **£140,000**



The owners of this much-loved family home were the original council tenants who first occupied in 1951 but the house now needed to sell to help with the cost of their joint care home fees.

Acting with power of attorney, their children appointed us to

sell the property, wanting a quick, clean sale that would show the house was sold for 'market value'. The last houses which sold in the road achieved £210,000 and £215,000 but these were both more modern inside. Allowing for the cost of refurbishment, we all expected it to achieve less than £200,000 so were delighted when the hammer went down at a staggering **£251,000**.

6 Clare Cottages, Clare,
Thame, Oxfordshire OX9 7HQ
Guide Price: **£190,000**



Having been on the market for sale by private treaty since July 2019, we sold this cottage in June 2020 amid severe lockdown restrictions for **£275,000** – 50% more than the guide price! We also sold Nos 2-5 Clare Cottages at the same time and totalled £1,220,000. The highest offer for all the cottages secured by two previous estate agents was £750,000!

- + **Property that can be subdivided** – the subdivision does not need to be carried out

beforehand but it allows buyers to purchase only the part that interests them.

- + **Small parcels of land** – buyers always see land as a safe investment and if there is any long term hope value, auction will exploit it.

Mad Dog Paddock,
High Street, Little Odell,
Bedfordshire
Guide Price: **£125,000**



Having been refused permission to convert this concrete portal frame barn into a residential property, and then refused again at appeal, the sellers decided to sell. Despite the negative planning history, we felt it would still be appealing to buyers as it is set between residential property within an attractive hamlet, with 8 acres of land to the rear. Our expectations were that it should achieve circa £200,000 so when it sold in our first in-room, post lockdown, auction in October 2021 for **£450,000**, our clients were delighted.

Being owned by a charity, a sale by auction also helped prove the sale was at market value for compliance with the Charities Act regulations.

Land on the South Side of Nash Road, Thornborough, Buckinghamshire
Guide Price: **£55,000**



Small parcels of land near houses always do well at auction. This 1½ acre paddock was no exception and despite there being a restriction on the title and no planning consent, in December 2021 it still sold for **£170,000!**

- + **Potential for change of use** – old chapels, pubs, commercial buildings, and we even sold an old public toilet!
- + **Property let under an Assured Shorthold Tenancy (AST) agreement** that offers an attractive yield.
- + **Property let as a House of Multiple Occupation (HMO).**
- + **Short lease properties that cannot be mortgaged** are ideal for investment buyers with an understanding of the Lease Enfranchisement Act and available funds.

+ **Non-standard construction** – such as prefabricated houses, wattle and daub or single skin wall extensions can be hard or even impossible to mortgage, again ideal for investors with funds and expertise to resolve issues.

+ **Sitting tenants** – buyers of properties occupied by life tenants almost exclusively look to purchase through auction.

28 Stotfold Road, Arlesey, Bedfordshire SG15 6XT
Guide Price: **£160,000**



With a sitting tenant to work around, the seller was a local solicitor acting as executor to a deceased client's estate who needed the property sold to complete his duties. The house had been valued (with vacant possession) by local agents at around £350,000, however a sitting tenant occupied it, a sprightly 75-year-old reluctant to allow viewings due to the pandemic. Having met with the tenant, it was agreed we would make a video tour, take photos and produce a floor plan. It sold for **£275,000**, over £100,000 above the guide price and almost 80% of the vacant full market value.

+ **Low value property** – garages, small workshops or parking spaces.

+ **Mixed use or commercial property** – such property does not qualify for a residential mortgage; commercial rates are higher as can be the risks. Our understanding attracts buyers to us.

The Old Mission Hall, Middle Weald, Calverton, Buckinghamshire
Guide Price **£25,000**



The beneficiary of this sale was a charity which had commissioned a formal 'Red Book' valuation from a firm of chartered surveyors for this brick building. It sat close to the road in open countryside between two hamlets and was 'valued' at £30,000.

Our guide price for auction was stepped back a little from the valuation figure and after intense interest and very strong bidding, the property sold in February 2021 for **£80,000**.

If you would like to find out if your land or property is suitable for auction, please call Charles Lovell.



Charles Lovell
Head of Auction
01280 818903
cal@robinsonandhall.co.uk



How well do you know your commercial building?

With recent rising energy costs and global insecurity brought into sharp focus by the war in Ukraine, it is time to take stock of your property assets.

Two issues should be at the forefront of considerations:

- + The cost of running the property.
- + The general condition of the building. Is it attractive to occupants and fit for purpose?

For landlords, if you have let your property to a tenant on a long lease with the tenant solely responsible for repairs, it is easy to become complacent. However, there is an ongoing trend of Government tightening legislation as it seeks to meet climate change targets, thermal performance and efficient use of energy.

The Government White Paper for Minimum Energy Efficiency Standards (MEES) sets out the need for commercial rented buildings to meet a minimum Energy Performance

Certificate (EPC) rating of C from 2028 and an EPC rating of B from 2030. It is estimated that in Bedfordshire alone, 55% of the commercial buildings have an EPC worse than C.

If a property is not maintained and improved on a continual basis and meets tenant/buyer expectations, it can quickly become unlettable and unfit for purpose. Poor maintenance can also result in users of the building having day-to-day activities disrupted and lead to a spiral of lack of care, resulting in an unattractive property.

Recently we were commissioned by a local property owner of two town centre offices to advise on management issues as follows:

- + Reviewed the condition of the buildings.
- + Investigated ways of meeting energy efficiency to avoid offices that cannot be let.
- + Ensured the landlord's

duties were met under fire legislation and asbestos regulations.

Following a review of the EPCs and obtaining advice on potential improvements by a specialist consultant, we are now drawing up proposals for how to achieve an acceptable rating with a target of EPC rating of at least C and possibly B to future proof.

Various parts of the building were found to be suffering from decay and deterioration resulting in tenant dissatisfaction. Opportunities are being taken to replace windows with thermally efficient versions, while still maintaining the character of the building.

We are also consultants to several local churches to advise on their ongoing repairs and refurbishments. Recently, we have carried out a quinquennial review of properties belonging to Three Rivers Church in Bedford. Various repairs and improvements have been carried out to their three properties during 2021, with



cyclical redecoration planned for 2022. Spurred on by the Mayor's Climate Change fund initiative, the trustees are now looking at ways to reduce their energy bills. Following obtaining an EPC as preliminary guidance, we are now advising on options to carry out improvements to lighting, heating and insulating the building fabric.

Do you have a commercial property that needs to be looked at?



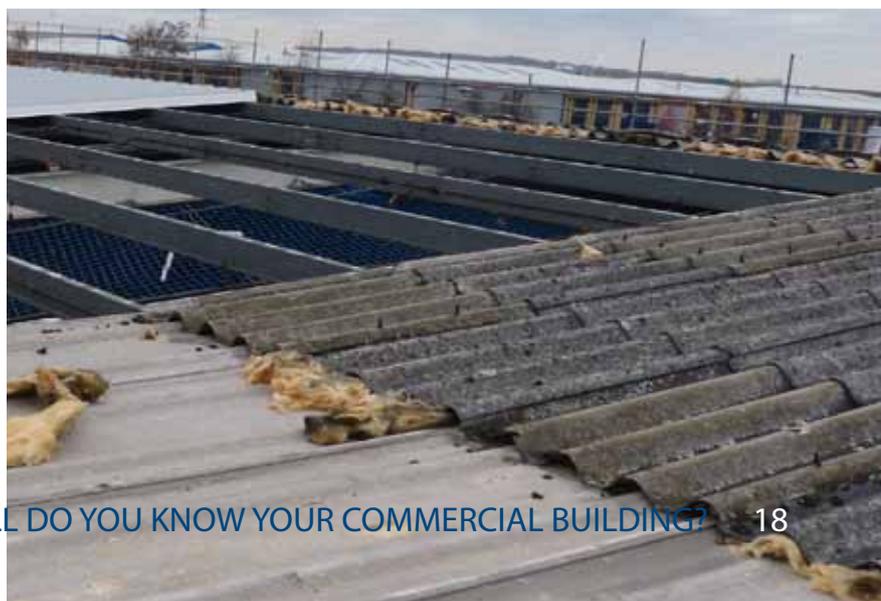
Please contact Stuart Brown to find out how we can help you.

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If you have a commercial property that you let but are considering property management, then please contact Tessa Smith.



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