

**QUALIFIED SURVEYOR REPORT**

**TO COMPLY WITH THE CHARITIES ACT**

**ON**

**THE SALE OF PROPERTY LOCATED OFF TWENTYWELL  
LANE TO THE NORTH SIDE OF POYNTON WOODS,  
SHEFFIELD S17, TO NETWORK RAIL**

**AS AT**

**20 MARCH 2023**

**FOR USE BY SHEFFIELD CITY COUNCIL AS CHARITABLE  
TRUSTEES OF JG CHARITABLE TRUST**

## **THE CHARITY (QUALIFIED SURVEYOR'S REPORTS) REGULATIONS 1992**

### **PROPERTY OFF TWENTYWELL LANE TO THE NORTH SIDE OF POYNTON WOODS, TWENTYWELL LANE, SHEFFIELD S17**

#### **PROPOSED FREEHOLD SALE**

##### **1. PURPOSE OF REPORT**

- 1.1 This report has been prepared by John Hurman a Member of the Royal Institution of Chartered Surveyors having experience of the valuation of both residential and commercial property for over 15 years in the Yorkshire region.
- 1.2 The purpose of this report is to advise Sheffield City Council as Charity Trustee of JG Graves Charitable Trust (Charity Registration Number 207481) ("the Charity") on the market value of Property located off Twentywell, Sheffield S17, and shown coloured pink on the attached plan. Network Rail are seeking to acquire the Property by agreement having secured a Transport Works Order (Hope Valley Capacity Scheme Order 2018).
- 1.3 Network Rail require to take occupation of the Property and construct in part a secure compound, to house a Power Supply Point (PSP) comprising of a single storey building and separate generator. This development will provide infrastructure for new signalling systems, power supply and equipment storage space to support the wider Hope Valley Capacity Scheme currently under construction. The remainder of the site will continue to be used by Network Rail for access by maintenance vehicles to the PSP and the two adjoining railway lines.

##### **2. COMPLIANCE WITH THE CHARITIES (QUALIFIED SURVEYORS' REPORTS) REGULATIONS 1992**

- 2.1 This report is prepared under the Charities (Qualified Surveyor's Report) Regulations 1992, and assesses the following:
  - The Property
  - Tenure and existing leases
  - Easements and covenants
  - Condition and needs of repair
  - Development potential
  - Confirmation of Market Value
  - VAT
- 2.2 There is usually a requirement for Charity Trustees to obtain a written report on a proposed disposition; in this case the freehold sale of the Property from a qualified surveyor and the Authority must advertise (market) the disposal in accordance with the advice in the report.

- 2.3 Marketing the property is not required as Network Rail has secured a Transport Works Order (Hope Valley Capacity Scheme Order 2018) to take possession of Trust Land and carryout the works authorised by the Order and permitted under planning permission 22/01767/FUL,
- 2.4 The Charities Act also requires confirmation the marketing has achieved best value. As marketing is not required in this case, best value has been determined through assessment of the Property's existing use, future development potential and comparable evidence when undertaking the valuation of the Property.

### **3. LIMITATIONS**

- 3.1 The Property was inspected on 10 August 2022 by John Hurman who is the author of this report. The inspection has been restricted to one considered sufficient for the purposes of this report. No site investigations have been undertaken nor have any detailed enquiries of any Statutory Authority been made. For the purposes of this report, it is assumed that there are no deleterious materials within the site or any development constraints other than those highlighted in paragraph 8.1.

### **4. LOCATION**

- 4.1 The Property, shown coloured pink on the attached plan, is located approximately 5 miles southwest of Sheffield city centre in the Dore and Totley area of the city. The Property is accessed from Twentywell Lane via the road bridge which crosses the Hope Valley and Midland Main lines; an aerial photo and street view of the Property are appended at Appendix 2 and 3.

### **5. DESCRIPTION**

- 5.1 The Property comprises a triangular area of rough hardstanding and embankment measuring approximately 1,499 square metres. It is used on occasion for open storage by the City Council's Parks and Countryside Service as a site compound and for the parking of maintenance vehicles when accessing adjoining Council Property interests.
- 5.2 Vehicular access to the site is controlled via a locked gate. No public vehicular rights of way are permitted across the Property, other than Network Rail who have existing rights of access to maintain the two adjoining railway lines, and on occasion also use the Property as a site compound.
- 5.3 A Public Right of Way (PRoW) (SHE/318), crosses the Property and provides pedestrian access to and from Twentywell Lane through Poynton Woods and beyond; the PRoW shall be unaffected by the proposed sale, access to the footpath is controlled by 'A' type barrier.

**6. TENURE**

Freehold

**7. CONDITION**

The Property appears to have been maintained in adequate repair for its use as an occasional site compound, however, some potholes are visible, particularly in the driveway area between the highway and vehicular access gate.

**8. TOWN & COUNTRY PLANNING**

8.1 This area is located within an area of open space as designated within the Sheffield Unitary Development Plan and draft Local Plan. It is not considered that the Property holds any development potential beyond its current use and that permitted under the extant planning permission 22/01767/FUL granted 31 August 2022, which consented the construction of a new Principal Supply Point (PSP); a single-storey building compound including 2.3 metre high security fencing and access gates.

**9. LEGAL INTEREST**

9.1 The property is registered to Sheffield City Council at HM Land Registry under title number SYK633419 and forms part of larger title which incorporates the neighbouring Poynton Woods.

9.2 The Property together with the remaining land comprised in the conveyance was conveyed to the Council upon trust.

**10. STATUTORY POWERS**

10.1 The Property and the larger title, which incorporates the neighbouring Poynton Woods, is held on charitable trust by the Charity and administered by the City Council, with the Charities Sub-Committee acting as sole corporate Charity Trustee and management provided by Parks & Countryside Services. The charitable trust is registered with the Charity Commission as JG Graves Charitable Trust (Charity Registration Number 207481) and governed by a Charity Commission Scheme dated 12 March 2009 (the Scheme).

10.2 The charitable objects of the Charity are *“the recreation of the public as public walks or pleasure grounds within the meaning of the Public Health Acts or as an open space within the meaning of the Open Spaces Act 1906”*.

10.3 As the Property is held by the Charity for a specified purpose (known as designated land), there are additional requirements that must be complied with in relation to the proposed disposal:

- (a) pursuant to section 121 of the Charities Act 2011 to give public notice of the proposed disposal for at least one month and to take into consideration any representations made within this notice period; and
- (b) where there is no express power within the governing document of the Charity the charity trustee does not have the necessary powers to dispose of the Land without obtaining an order or scheme from the Charity Commission authorising the disposal.

10.4 The Conveyance does not contain an express power allowing the charity trustee to dispose of the whole or any part of the land held on trust for the objects of the Charity. In previous disposals of land held on charitable trust by the Council it has in the appropriate circumstances relied on the power of sale contained in section 6 of the Trusts of Land and Appointment of Trustees Act 1996 which can be applied where the extent of the disposal is in proportion to the overall size of Trust so small that it will have no impact on the charity's ability to further its objects. Legal Services' advice is that this power can be relied on in the proposed disposal of the Trust Land.

## **11. PROPOSED DISPOSAL**

11.1 The Proposed terms of the freehold sale are as follows:

- (a) Property: Situated off Twentywell Lane, Dore, Sheffield, S17, as shown coloured pink on the attached plan (Plan 1) extending to approximately 1,499 square metres.
- (b) Purchaser: Network Rail Infrastructure Limited.
- (c) Price: £25,000 (Twenty-five thousand pounds).
- (d) Possession: Vacant possession upon completion.
- (e) Additional Cost Contributions: The Purchaser make the following financial contributions arising as a result of the sale of the Property;
  - a financial contribution to street signage - £1,200
  - a financial contribution towards improvements to the Footpath - £3,000
  - a financial contribution towards ecological and archaeological surveys of Poynton Wood - £5,000
- (f) Rights to be Reserved: The Vendor is to retain a permanent right of way, at all times, over the Property shown outlined and hatch blue on the attached plan (Plan 1), extending to a width of 3 metres. This right of way is solely to be used by the Council (or persons so authorised by them).

(g) The Vendor is to retain a right to utilise an area of up to 4 x 4 metres, in a location to be agreed with the Purchaser, for vehicular parking and, or, a temporary compound whilst undertaking works associated with the management of the adjoining Property owned by the Council. For the avoidance of doubt, the Purchaser will ensure that the PROW through the property is maintained and kept clear at all times for the benefit of the general public

(h) Legal and Professional Costs: The Purchaser is to be responsible for the Vendor's;

- reasonable surveyors costs;
- reasonable legal costs; and
- associated advertising costs of public notices arising from the sale.

## **12. V.A.T.**

There is no VAT chargeable.

## **13. VALUATION**

13.1 It is considered that the Property's optimum use is limited to that of a site compound. However, the Property's net usable space is limited due to the proximity of the PROW, existing rights of way benefitting Network Rail to access the adjoining railway, and future rights to be reserved for the benefit of the Council.

13.2 The net useable space is therefore estimated to be approximately 250 square metres e.g. the footprint of the secure compound permitted under planning permission 22/01767/FUL.

13.3 Sites of this size and nature are not typically sold on the open market but are instead occupied ad hoc, on short-term tenancy or licence agreements. Sheffield Council regularly grants statutory authorities and developers' occupation of its land for site compounds on short term agreements, typically charging a rent £10 per square metre outside of the city centre. From experience statutory authorities such as Network Rail normally pay £250 per week for a 4-8 week occupation period; this will typically decrease for longer periods of occupation.

13.4 Site compounds are not typically bought/sold for investment purposes, but due to the lack of comparable sales evidence, a capital value approach is considered most appropriate when determining the value of the Property. Due to the short-term nature and limited rental growth of site compounds in general a yield level of 12%+ is deemed reasonable. The offer of £25,000 made by Network Rail equates back to a more favourable yield of 10%,

when adopting a market of rent of £10 per square metre, thereby producing a higher sales price.

#### **14. CONCLUSIONS**

- 14.1 In conclusion, if the Property were to be disposed of based on the proposed Heads of Terms and subject to the above comments, then it is considered that best value will be achieved.

#### **15. ADVICE & RECOMMENDATIONS**

- 15.1 It advised that the proposal to dispose of the Property based on the proposed Heads of Terms is in the best interests of the Trustees.

#### **16. DECLARATION**

- 16.1 I have relied upon the information provided to me which I have assumed to be complete and correct as regards tenure, planning and all other relevant matters as summarised in this report. I confirm that there are no conflicts of interest that affect my ability or impartiality in the preparation of this report.

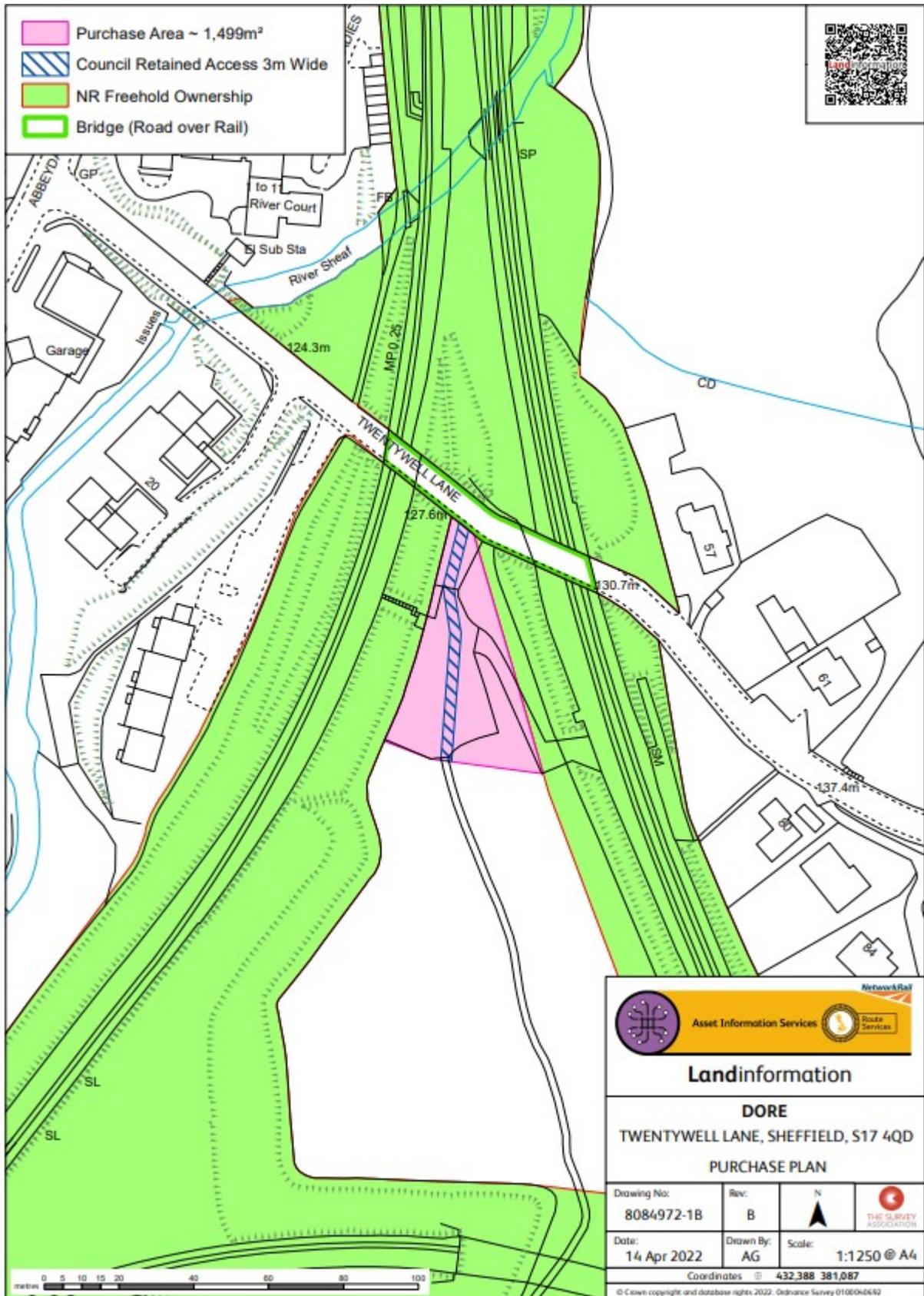
John Hurman BSc MRICS, Registered Valuer

20 March 2023

#### APPENDICES

1. Location Plan
2. Aerial Photo
3. Steet View
4. Proposed layout drawing approved under planning ref: 22/01767/FUL

# 1. Location Plan



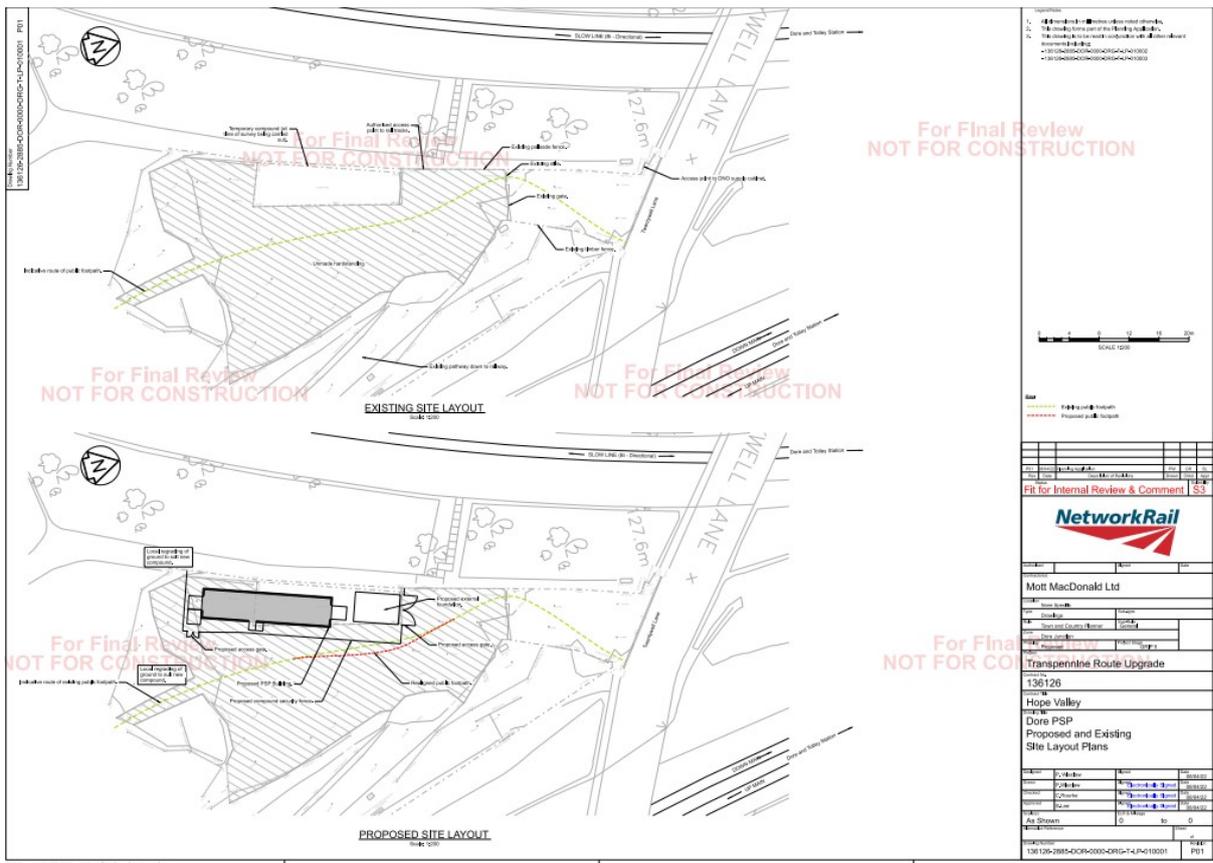
2. Aerial Photo



### 3. Street View



4. Proposed layout drawing approved under planning ref: 22/01767/FUL



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