

## YORKSHIRE DALES NATIONAL PARK



### Land at The Hill and Castle Haw, Sedbergh, Cumbria

**49.049 acres (19.850 hectares) or thereabouts**  
**Valuable meadow and pastureland together with extensive**  
**Common Rights**

**For Sale by Auction**

(subject to conditions and unless sold previously)

**At The Peoples Hall, Howgill Lane, Sedbergh, Cumbria, LA10 5DQ**

**On Tuesday 16<sup>th</sup> August 2022 at 2:30pm**

**Auctioneers:**

**Richard Turner & Son**

**14 Moss End, Crooklands,**

**Milnthorpe. LA7 7NU**

**Tel: 015395 66800.**

**Email: [kendal@rtturner.co.uk](mailto:kendal@rtturner.co.uk) Ref: PDD**

**Vendors Solicitors:**

**Harrison Drury**

**Bridgemills, Stramongate,**

**Kendal. LA9 4BD**

**Tel: 01539 628042**

**Email: [Naomi.Fell@harrison-drury.com](mailto:Naomi.Fell@harrison-drury.com)**

## Money Laundering

### **MONEY LAUNDERING REGULATIONS UNDER 'THE MONEY LAUNDERING, TERRORIST FINANCING AND TRANSFER OF FUNDS (INFORMATION ON THE PAYER) REGULATIONS 2017' (SI 2017/692),**

In order for selling agents to comply with HM Revenue and Customs (HMRC) Anti-Money Laundering regulations we are now obliged to ask all purchasers to complete an Identification Verification Questionnaire form which will include provision of prescribed information (identity documentation to include photo ID (e.g.passport/photo driving licence) and proof of address (e.g bank statement, council tax bill not more than 3 months old)) and a search via Experian to verify information provided however please note the Experian search will **NOT** involve a credit search.

## Location

The property is located to the immediate North East of the market town of Sedbergh and access to all lots can be gained by travelling from main street, turning left on to Joss Lane and following Joss Lane up and round to the right. Continue on Joss Lane until you come to a field gate. At this point enter the field and continue on the track coloured pink on the plan shown by taking the left hand of the two tracks and continuing round. All Lots have a right of way along this track to gain access from Joss Lane. In addition Lot 2 has a further access which can be gained direct off Castle Haw Lane which leads into the South Eastern corner of Lot 2.

## Description

The land forms a valuable and productive block of meadow and pasture land which has formed part of Hill Farm and Castle Haw farm. The land is principally of a Southern aspect and lies within the SDA area of the LFA classification. All the Lots benefit from Common Grazing Rights on Brantfell which lies immediately to the North of the property. Each Lot benefits from a natural water supply.

## Common Rights

Each Lot benefits from Common Rights registered to the property with Lots 1 and 2 benefitting from Rights registered on CL26 Brantfell entry number 79 and Lots 3 to 5 benefitting from Rights entered on the same register at entry 78. We have set out in the schedule below our estimate of the Rights which will be attached to each Lot however we would confirm that this is purely our estimate and the actual number will be calculated by the Commons Registration Authority and may differ from the indicative numbers given in the schedule below. The calculations have been carried out in good faith but in the event that the Commons Registration Authority amend or alter any of those figures this shall not annul the sale nor entitle any Purchaser to compensation or in any circumstances give ground for any action at Law.

Lot Number	Rights for Sheep	Rights for Hogs	Rights for Horses
Lot 1	108	35	--
Lot 2	22	7	--
Lot 3	37	12	--
Lot 4	39	13	0.79-
Lot 5	33	10	0.66

## Basic Payment

The Basic Payment for 2022 has been claimed by the Vendor and will be retained by the Vendor. The Vendor intends to enter in to the Lump Sum Exit Scheme and therefore no Entitlements will be available with the land.

## Viewing

The land may be view at any daylight hour with a copy of these particulars to hand.

### Sale by Auction

In addition to complying with the AML checks successful purchasers will be required to sign and exchange contracts and pay a 10% deposit at the Auction. Payment can be by cheque or if other means are preferred by prior arrangement with the Vendor's solicitors. Payments by card cannot be accepted. The Sellers solicitors, Harrison Drury & Co Ltd have set up a data room containing information relevant to the sale of the land. If access is required please contact Lucy Beachell [lucy.beachell@harrison-drury.com](mailto:lucy.beachell@harrison-drury.com) who will be able to arrange access.

### Lot 1 (Coloured brown on the plan)

An extensive block of productive meadow and pastureland with access across Lot 2 (coloured dark green on the plan) from the access at the Hill and also an access coloured orange through the yard at Castle Haw. The land comprises several enclosures and includes access to water and the shelter it provides.

Field Number	Hectares	Acreage
SD 6692-1386	2.12	5.24
SD 6692-2074	1.29	3.19
SD 6692-1369	1.09	2.69
SD 6692-1952	1.35	3.34
SD 6692-2256	1.06	2.62
SD 6692-2763	1.21	2.99
SD 6692-3055	0.25	0.62
<b>Total</b>	<b>8.37</b>	<b>20.69</b>



Foreground Lot3 – Background Lot 1



**Lot 2**  
**(Coloured purple on the plan)**

A single enclosure of productive meadow and pastureland with access both from the track leading from the Hill and from Castle Haw Lane. The land benefits from a natural water supply including through a pipe feeding water from the beck in Lot 1. The property has a principally Southern aspect. Lots 1 and 3 have access rights coloured dark green and light blue on the plan reserved across lot 2. The owners of Castle Haw have a right of access in the south eastern corner of Lot 2 (hatched red and yellow).

<b>Field Number</b>	<b>Hectares</b>	<b>Acreage</b>
SD 6692-1547	1.72	4.25
<b>Total</b>	<b>1.72</b>	<b>4.25</b>



**Lot 3**  
**(Coloured green on the plan)**

An excellent block of meadowland and pastureland with natural water supplies including a piped supply from Lot 5. The land has a Southern aspect and is productive meadowland with access being taken from the road coloured pink then by entering into Lot 2 and turning round to enter into Lot 3 along the access coloured light blue on the plan.

Field Number	Hectares	Acreage
SD 6592-9873	1.26	3.11
SD 6692-0358	1.75	4.32
<b>Total</b>	<b>3.01</b>	<b>7.43</b>



**Lot 4**  
**(Coloured red on the plan)**

A useful block of principally meadowland situate close to the edge of the town and extending to 5.06 acres or thereabouts. The land will readily lend itself for agricultural or equine use (subject to the relevant planning permissions). The land has a piped natural water supply from Lot 5. This Lot will be subject to an overage charge which will be based on 50% of the uplift in value due to obtaining of planning permission for a non-agricultural use. The overage will last for 25 years but will not be triggered by non commercial equine use.

<b>Field Number</b>	<b>Hectares</b>	<b>Acreage</b>
SD 6592-8150	0.96	2.37
SD 6592-8948	1.00	2.47
SD 6592-9951	0.09	0.22
<b>Total</b>	<b>2.05</b>	<b>5.06</b>



Foreground Lot 5 – Background Lot 4

**Lot 5**  
**(Coloured blue on the plan)**

An excellent block of pasture land with good natural water supplies. The land has a Southern aspect and is coloured blue on the attached plan. There is an Arqiva Telecommunications mast situated on land within Lot 5 however the area of the mast and the equipment cabins is excluded from the sale and appropriate rights for repair, maintenance and parking adjacent to the site are reserved. The site operators have an access being not less than 3.5m wide as shown coloured yellow on the attached plan.

Field Number	Hectares	Acreage
SD 6592-7467	0.64	1.58
SD 6592-7762	1.06	2.61
SD 6592-8863 Part	3.00 est.	7.41 est.
<b>Total</b>	<b>4.70 est.</b>	<b>11.60 est.</b>



**Location Plan**





## **GENERAL REMARKS AND STIPULATIONS**

### **LOCAL SERVICE AUTHORITIES:**

**Cumbria County Council** –The Courts, Carlisle, CA3 8NA Tel: 01228 23 456

**South Lakeland District Council** - South Lakeland House, Lowther St, Kendal LA9 4UF. Tel: 01539 733333

**Yorkshire Dales National Park** - Yorkshire Dales National Park Authority, Yoredale, Bainbridge, Leyburn, North Yorkshire, DL8 3EL

**Electricity North West** - Parkside Road, Kendal, Cumbria LA9 7DU Tel: 0800 195 4141

**United Utilities** - Lingley Mere Business Park, Lingley Green Avenue, Warrington, WA5 3LP. Tel: 0345 672 3723

**National Park** – Wayfaring House, Murley Moss Business Park, Oxenholme Road, Kendal LA9 7RL Tel: 01539 724555

### **PARTICULARS OF SALE:**

The descriptive particulars (but not the stipulations and special conditions of sale) do not constitute, or constitute any part of any offer or Contract and all statements made herein are made without responsibility on the part of the Auctioneers or the Vendor. All intending purchasers should satisfy themselves as to their correctness. The Vendor does not make nor give and neither Richard Turner & Son nor any person in their employment has any authority to make or give any warranty as to the land and property.

### **SALES PARTICULARS AND PLANS:**

The plan and quantities are based upon the latest available editions of the Ordnance Survey/Rural Land Registry maps as revised by the Auctioneers. Such plan and quantities and these particulars are believed to be correct but any error or omission or mis-statement shall not annul the sale nor entitle either party to compensation or in any circumstances give ground for any action at Law.

**TENURE AND POSSESSION:** The land and property is freehold and vacant possession will be given on completion.

**SPORTING AND MINERAL RIGHTS:** The sporting rights and mineral rights are included in the sale in so far as they are owned

**TIMBER AND WOOD:** All growing timber and fallen timber are included in the sale.

**FIXTURES AND FITTINGS:** All fixtures and fittings are excluded from the sale, unless they are expressly stated as being included.

### **TOWN PLANNING AND LOCAL LAND CHARGES:**

So far as the Vendor is aware the present use of the property is in accordance with the Town and Country Planning Acts. No requisition shall be raised in regard to the user or otherwise in relation to the said Acts and the Vendor shall not be required to give any further information in regard to the Town and Country Planning. The land is sold subject to:

a) all local and land charges and any requirements enforceable by any local or other Public Authority.

b) all encumbrances and other matters, the existence of which can or ought to be discovered by enquiry of any Local or other Public Authority and the Purchaser shall not be entitled to any compensation or right of rescission in respect thereof.

### **RIGHTS AND EASEMENTS:**

The land is sold and will be conveyed with the benefit of and subject to the burden of all existing rights of way, all rights for the installation and or continuance of any means of supply of water, gas or electricity, all rights for drainage and sewerage and any other pipelines over or under the land, together with all necessary rights of access for maintenance, renewal and repair of any apparatus or constructions in connection with such rights.

### **OVERHEAD ELECTRICITY & TELEPHONE LINES & UNDERGROUND CABLES:**

The Purchaser of the land shall take it subject to such wayleave as affects the same and shall be responsible to notify the appropriate authority of his interest.

### **DISPUTES:**

Should any dispute arise before or after the date of completion between the Vendor and the Purchaser as to the interpretation of the particulars, or any matter whatsoever arising therefrom, or thereout, that matter in dispute shall be referred to the arbitration of RICHARD TURNER of Richard Turner & Son, Royal Oak Chambers, Main Street, Bentham, whose decision shall be final and binding on the parties in dispute.

### **INSURANCE:**

As from the date of sale/signing of the Contract, the property shall be at the sole risk of the purchaser(s) and he/they shall effect his/their own insurance's accordingly.

### **MISREPRESENTATION ACT 1967:**

Richard Turner & Son, for themselves and for the vendors or lessors of these properties whose agents they are, give notice that these particulars do not constitute any part of an offer or a contract. All statements contained in these particulars as to these properties are made without responsibility on the part of Richard Turner & Son or the vendors or lessors, none of the statements contained in these particulars as to these properties are to be relied on as statements or representations of fact and any intending purchasers or lessees must satisfy themselves by inspection or otherwise as to the correctness of each of the statements contained in these particulars. The vendor or lessors do not make or give and neither Richard Turner & Son nor any person in their employment, has any authority to make or give any representation of warranty whatever in relation to these properties

Old Sawley Grange, Gisburn Road  
Sawley, CLITHEROE BB7 4LH  
T: 01200 441351  
F: 01200 441666  
E: [sawley@rturner.co.uk](mailto:sawley@rturner.co.uk)



Royal Oak Chambers, Main Street,  
BENTHAM LA2 7HF  
T: 015242 61444  
F: 015242 62463  
E: [bentham@rturner.co.uk](mailto:bentham@rturner.co.uk)



14 Moss End, Crooklands,  
MILNTHORPE LA7 7NU  
T: 015395 66800  
F: 015395 66801  
E: [mailto:kendal@rturner.co.uk](mailto:mailto:kendal@rturner.co.uk)



**MISREPRESENTATION ACT 1967:**

Richard Turner & Son, for themselves and for the vendors or lessors of these properties whose agents they are, give notice that these particulars do not constitute any part of an offer or a contract. All statements contained in these particulars as to these properties are made without responsibility on the part of Richard Turner & Son or the vendors or lessors, none of the statements contained in these particulars as to these properties are to be relied on as statements or representations of fact and any intending purchasers or lessees must satisfy themselves by inspection or otherwise as to the correctness of each of the statements contained in these particulars. The vendor or lessors do not make or give and neither Richard Turner & Son nor any person in their employment, has any authority to make or give any representation of warranty whatever in relation to these properties.