

Jim Beavan

From: Guy Macklin <guy@dlgi.co.uk>
Sent: 22 September 2024 23:15
Subject: [REDACTED]
Attachments: Huckers lane overhead.pdf; 1937 Conveyance plan.pdf

From: Lance Macklin
Sent: 09 March 2021 08:25
To: Guy Macklin <guy@dlgi.co.uk>
Subject: Letter to [REDACTED]

Dear [REDACTED],

I am writing to you directly to discuss the parking area opposite your house with respect to the position of the boundary fence. I am keen to avoid the costs of solicitors and boundary surveyors so hoped we might resolve this amicably without their need. I am aware that the area was re-fenced after much of the boundary hedging was removed and believe the fence has been erected in the wrong place.

Our solicitor has advised we should have the situation resolved quickly to avoid any future legal challenge over a defective boundary and risk to our company.

Mr Walsha, who purchased the land, unfortunately feels caught in the middle and has expressly asked not to be involved where possible as he does not wish to create any ill feeling towards you.

As part of the Title deeds pack for the Queens Hotel there was a document detailing the 1937 conveyance of the land sold to the former owner of [REDACTED]. It is attached for reference. There are clear dimensions marked on the plan for the avoidance of doubt, which I have scaled and annotated in meters for easier comparison.

When comparing the conveyance document dimensions with a scaled overhead view of the space (also attached) there is a clear discrepancy. I've annotated the scaled area from the conveyance using crosses and highlighted the area outside to the fence with hatching.

In addition, from the conveyance, the original field boundary passes parallel to the Telephone Exchange building at approximately 2.3' or 0.73m from the west facing side and continues in a straight line until it meets the corner of your parking area. This matches closely with the scaled plan overlaid onto the overhead image.

The newly installed boundary fence to the parking bay therefore appears significantly forward of its original location.

It is clear from historic photographs that the boundary hedge encroached on your parking area. The image from 2005 suggests the bay was only just a car's length deep, which is substantially less than the 22.4' or 6.85m shown on the conveyance.

After removal of the hedge boundary, rather than the fence following the planted line of the hedge it appears to have been placed at the farthest edge of the foliage.

Whilst I am sure this is an accidental oversight, the fact remains the fence is significantly in the wrong place.

*I've been advised that should we be unable to agree a solution then we must engage a RICS appointed boundary surveyor, who will visit the area, take measurements, then offer a professional judgement on where the boundary should lie.
I would prefer not to incur the shared costs of a surveyor to arbitrate plus solicitors so would like to propose the boundary is corrected to a position 1.26m back from its current location as indicated on the overhead view in an agreed timeframe.*

We would be grateful if you could acknowledge safe receipt of this letter either by calling the office on 02380 982754 or emailing lance@dlqi.co.uk.

Yours sincerely

Lance Macklin

221 Limited