

HENHAM PARISH COUNCIL

Grant of Easement and Access across Village Greens Policy – Ratified at HPC Meeting 5 December 2024

Henham Parish Council (HPC) reserve absolute legal right to grant or not to grant access across Village Greens. Each case will be viewed on its own merit in order to ascertain whether or not any proposed single dwelling or multiple dwellings will enhance the character of the village and warrant a deed of easement or easements being granted, even if this is across an existing prescriptive right or deed of easement of a dwelling. No new rights of access will be considered unless absolutely essential.

Scale of charges for access across the Village Greens:

Permission for an easement to access a property across the Village Greens that already has a deed of easement or prescriptive right. This would normally occur when a property is sold and the new owners apply for their own right of access.	£500 plus full payment of the legal costs of HPC
Permission to use an existing right of way for an easement on any new property or properties contained within a dominant tenement with a right of access either by prescriptive right or a deed of easement.	For a single new dwelling 12.5% of the true market value of the property on sale or £50,000 whichever is the higher plus full payment of the legal costs of HPC
Permission to use an existing right of way for an easement on any new property or properties contained within a dominant tenement with a right of access either by prescriptive right or a deed of easement.	For multiple dwellings 25% of the combined true market value of the properties on sale or £100,000 whichever is higher plus full payment of the legal costs of HPC
A new or existing outbuilding or annex subsequently sold as a separate dwelling	For a single new dwelling 12.5% of the true market value of the property on sale or £50,000 whichever is the higher plus full payment of the legal costs of HPC
Permission for a new right of access across the Village Greens should such access be granted by HPC. This could arise if a new property requests a new right of access or an existing property with an existing shared right of access applies for a new access way.	For a single new dwelling 12.5% of the true market value of the property on sale or £50,000 whichever is the higher plus full payment of the legal costs of HPC For multiple dwellings 25% of the combined true market value of the properties on sale or £100,000 whichever is higher plus full payment of the legal costs of HPC