



**FIRST-TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case reference : **LON/ooAF/OCE/2025/0016**

Property : **17 Sandford Road, Bromley BR2 9AL**

Applicant : **Sandford Management (Bromley) Limited**

Representative : **Mr Andrew Cohen, MRICS**

Respondent : **Deusi Investments Limited**

Representative : **N/A**

Type of application : **Section 24(1) of the Leasehold Reform, Housing and Urban development Act 1993**

Tribunal members : **Judge Tagliavini**
Mrs S Phillips, MRICS

Venue : **10 Alfred Place, London WC1E 7LR**

Date of hearing : **1 September 2025**

Date of decision : **9 October 2025**

Corrected : **22 October 2025**

DECISION

Corrected pursuant to r.50 of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

Decisions of the tribunal

(1.) The tribunal determines that the premium payable as per the valuation of Mr Cohen MRICS is as follows:

**Specified premises - £31,141
Appurtenant land - £100
Non-demised parking space - £500**

The application

1. This is an application made pursuant to section 24(1) of the Leasehold Reform, Housing and Urban Development Act 1993 ('the Act'), exercising their rights to purchase the Respondent's freehold interest.

The background

2. A Claim Notice dated 8th May 2024 was served on behalf of the lessees of Flats 1, 3, 5 ~~4~~ & 6, in accordance with Section 13 of the Leasehold Reform, Housing and Urban Development Act 1993 ("the Act"), exercising their rights to purchase the Respondent's freehold interest. As well as the Specified Premises, this Notice included the additional freeholds of all the common parts of the Specified Premises and the whole of the gardens and amenity land including any access, car parking areas, refuse store, bicycle storage and gateways. The notice proposes the sum of £30,000 for the Specified Premises and £100 for the additional freeholds.

3. A Counter-Notice dated 19 July 2024 was subsequently served accepting the lessees' right to purchase their freehold interest but denying the applicants' right to acquire the whole of the gardens and requiring a premium of £50,000 on the assumption that the rear garden land is not included in the transfer with a right to access the retained part of the rear garden.

4. The lessee of Flat 3 has since withdrawn from the application.

The property

5. The subject property comprises a substantial, detached three-storey building of traditional brick construction beneath a pitched tiled roof with dormer additions. The property appears to date from the late Victorian/early Edwardian period and has been converted to provide six self-contained flats. Some of the flats have a demised parking space in the front garden area but there is one space that is not demised. The

subject property was described in being in poor condition and in need of substantial roof works in an approximate sum of £50,000.

The issues

6. There was no valuation report from the respondent and therefore no Agreed Statement of Issues. Therefore, the tribunal was required to consider all matters relevant to the determination of the premium.

The hearing

7. At the video hearing of this application, the applicants were represented by Mr Andrew Cohen, MRICS who spoke to his report dated 18 August 2025 which was included in a digital bundle of 132 pages. The respondent was not represented and provided no valuation report to the tribunal. The applicant's solicitors confirmed to the tribunal they were no longer seeking to acquire the part of the rear garden retained by the freeholder.
8. In his report, Mr Cohen stated:

In order to calculate the value of the freehold interest in accordance with Schedule 6 of the Leasehold Reform, Housing & Urban Development Act, 1993, there are six variables which need to be considered;

The date to assess all valuation assumptions

The capitalisation rate to assess the value the term

The market value of each flat on a share of freehold basis

The appropriate discount rate for the freeholder's reversion

Any hope value payable in respect of Flat 3

The value of the non-demised parking space

The value of any appurtenant land

9. Mr Cohen told the tribunal that:

- (i) The valuation date is 8 May 2024

(ii) The appropriate capitalisation rate is 7% as the ground rent for the flats represent a generally unattractive form of income.

(iii) Market value of flats on a freehold basis:

Flat 1 - £270,000
Flat 2 - £280,000
Flat 3 - £290,000
Flat 4 - £290,000
Flat 5 - £270,000
Flat 6 - £320,000

(iv) 5% discount rate to be applied for the freehold reversion.

(v) No hope value in respect of Flat 3.

(vi) A nominal value of £100 for the demised appurtenant land.

(vi) £500 for the non-demised parking space.

(vii) The premium payable is:

Specified premises - £31,141
Appurtenant land - £100
Non-demised parking space - £500

The tribunal's decision

10. In the absence of any challenge to the applicants' evidence and the tribunal's scrutiny of Mr Cohen's valuation, the tribunal determines the premium payable is as follows:

Specified premises - £31,141

Appurtenant land - £100

Non-demised parking space - £500

The tribunal's reasons

11. The tribunal accepted Mr Cohen's approach was reasonable and took appropriate account of a number of comparable sales within 250 metres of the subject property, as there were no relevant sales in the property itself and made adjustments for time; size and condition where appropriate and a 'stand back approach based on his experience and expertise to reach freehold values of the six subject flats'.

12. The tribunal considered Mr Chen's adoption of capitalisation and relativity rates to be in line with the current approach. The tribunal also accepted Mr Cohen's evidence that there was no 'hope value' to be realised from Flat 3 particularly in light of the likely legislative changes to enfranchisement claims.
13. The tribunal accepts Mr Cohen's approach to the value of the appurtenant land and the non-demised parking space which would have little value.
14. In conclusion, the tribunal accepts Mr Cohen's valuation and the premium said to be payable.

Name: Judge Tagliavini

Date: 9 October 2025 & 22
October 2025

Rights of appeal

By rule 36(2) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013, the Tribunal is required to notify the parties about any right of appeal they may have.

If a party wishes to appeal this decision to the Upper Tribunal (Lands Chamber), then a written application for permission must be made to the First-tier Tribunal at the Regional Office which has been dealing with the case. The application should be made on Form RP PTA available at <https://www.gov.uk/government/publications/form-rp-pta-application-for-permission-to-appeal-a-decision-to-the-upper-tribunal-lands-chamber>

The application for permission to appeal must arrive at the Regional Office within 28 days after the Tribunal sends written reasons for the decision to the person making the application.

If the application is not made within the 28-day time limit, such application must include a request for an extension of time and the reason for not complying with the 28-day time limit; the Tribunal will then look at such reason(s) and decide whether to allow the application for permission to appeal to proceed, despite not being within the time limit.

The application for permission to appeal must identify the decision of the Tribunal to which it relates (i.e. give the date, the property and the case number), state the grounds of appeal and state the result the party making the application is seeking.

If the Tribunal refuses to grant permission to appeal, a further application for permission may be made to the Upper Tribunal (Lands Chamber).