

GEORGE F. WHITE



SITE H49a: MATTER 37
MATTERS, ISSUES AND QUESTIONS
STAGE FOUR

19th JANUARY 2018

HELEN BOSTON

CLIENT NAME	Mr J Lund
CLIENT REF	WOL607087
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1.0 **Introduction**

- 1.1 George F. White are instructed by Mr John Lund ('Site Owner'), Site H49a (Land adjacent Brick Hill Farm, Oddfellows Street, Scholes) to submit representations to the Kirklees Local Plan; Stage 4 Matters, Issues and Questions Batley and Spen Sub Areas matters 37- 39, 3rd January 2018.
- 1.2 In responding to the Matters, Issues and Questions Document, we have considered each of the questions and make representations only to those considered relevant at this time. We would also like to rely on the submissions to date, (Appendix A).
- 1.3 We trust that you will confirm that these representations are duly made and will give due consideration to these comments.

2.0 **Matter 37 – Batley and Spennings housing allocations: Green Belt releases.**

2.1 A) Is the site suitable for the proposed use? Does the Plan provide clear guidance on the requirements and constraints, and seek appropriate mitigation measures?

2.1.1 The key principle running through planning policy at all levels is to create development that is sustainable. It is the balance of the economic, social and environmental dimensions which determine the sustainability of a proposal; these are not to be undertaken in isolation, as they are mutually dependent.

2.1.2 The proposed development would make a positive contribution to the social dimension of sustainable development, through the provision of new homes which would assist with the Government objectives set out in the NPPF to significantly boost the supply of new housing. In addition the provision of some affordable housing to address the identified need in the locality is a social benefit and a material consideration, to which great weight should be attached.

2.1.3 We consider that proposed policy PLP 1 – Presumption in the Favour of Sustainable Development, is in line with the aims of the NPPF and that this Site would accord with, states:

“positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”.

2.1.4 Furthermore, the aims of proposed policy PLP 3 Location of New Development will seek to establish development where development would reflect;

- a. the settlement’s size and function;
- b. place shaping strengths, opportunities and challenges for growth;
- c. spatial priorities for urban renaissance and regeneration; and
- d. the need to provide for new homes and jobs;

2.1.5 The 0.98 hectare Site has an indicative yield of 34 units, it performed well in the review, the only further clarification centred around highways. Addressed in Section 3.

2.1.6 The Council have clearly identified that there are no other site specific considerations to the development of this Site and as such no mitigation measures are required. The necessary technical reports will be prepared in support of a future planning application.

- 2.1.7 There is a strong positive case for development of the Site in line with the aims of Policy PLP3. The development of the Site would bring significant benefits in meeting the housing shortfall and addressing housing need requirements whilst being of a scale proportionate to the settlement size and function.
- 2.1.8 The development of this Site is acceptable in principle when considered against the provisions of the Emerging Local Plan Development Plan and the NPPF, and would on balance of the economic, social and environmental dimensions provide for sustainable development.

2.2 B) Is the indicative site capacity appropriate, taking account of constraints and the provision of necessary infrastructure?

2.2.1 The Site was initially submitted to extend further east of the proposed eastern boundary. However, the Council concluded that the site should stop prior to the topography changes. The Site has now been reduced to 0.98 hectares with an indicative yield of 34 units.

2.2.2 It is our opinion that the indicative yield would represent efficient use of the Site whilst providing a density that would respect and reflect the existing built form of this part of Scholes.

2.2.3 As identified by the Council, with the exception of highways, there are no site specific constraints which would need to be addressed prior to the commencement of development.

- 2.3 C) Is the Site available and deliverable in the timescales set out in the Councils housing trajectory?
- 2.4 To be considered deliverable Paragraph 47 of the NPPF sets out the requirements for LPA's to identify and update annually a supply of specific deliverable (11) sites sufficient to provide five years' worth of housing against their housing as well as identifying a supply of specific, developable (12) sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- 2.4.1 The Footnotes 11 and 12 of the NPPF state;
- "11. To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable..."*
- 12. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged".*
- 2.4.2 The owner of the Site (Appendix B) has demonstrated a willingness to develop the Site which as previously identified through our representations and that of the Council has limited constraints The Site is vacant, with easy access to the following essential services; sewers, water, gas and electricity.
- 2.4.3 The Site bears no statutory designation in terms of landscape, biodiversity or cultural heritage. The Site is within flood zone 1 and is considered to be at a very low risk of surface water flooding. The access has been considered in more depth in Section 3.
- 2.4.4 We are aware that a number of Sites across Kirklees have been promoted by developers. We are unaware of any evidence, planning policy or case law which states or even implies that to be deliverable a developer has to be involved.
- 2.4.5 The Landowner has taken the decision with regard to Site H49a to self-fund the planning allocation and application process. The reason for doing that is to retain more control of the process, both in regard to the quality of the proposals (which is important to our client being a local landowner) and in terms of the timing of the development coming forward.
- 2.4.6 It is our experience that where developers have control via an option agreement, this can take a significant amount of time to commence development post consent, including time to agree price and serve option notices, which can take 6-24 months.

- 2.4.7 Even where developers own the land in question, there is no guarantee it will be brought forward immediately on grant of planning consent. The issue of land banking is well known and the focus of Government intervention announced in the November 2017 budget. The timing of sites brought forward by developers is dictated by a number of factors, including where in the developer's own build program the site sits. That issue is individual to the developer in question and not necessarily dependent on the local market need or ability of the site in question to deliver housing. For precisely that reason land banking stalls delivery of housing and the Government is trying to reduce its impact on the supply of housing to the market.
- 2.4.8 Through controlling the timing and quality of the process up to planning consent and then offering the site for sale, our client will be able to find a developer able to deliver high quality development at a time in line with the market demand. Given the fact such a developer will be buying the site with consent, the impetus will be on them to develop the site as soon as possible post purchase. Our experience of such matters is that developers purchasing sites from the market only do so if they intend to develop in the immediate short term, thus negating the issue of potential land banking.
- 2.4.9 Given the lack of constraints to the site's development and the assessment of the site as suitable in all respects, it is therefore apparent that the lack of contractual position on the site is not a material reason for the site to be discounted and indeed may mean delivery is swifter and more market orientated
- 2.4.10 In line with the above, we conclude that Site H49a has more than demonstrated that it is deliverable and achievable within the plan period.

2.5 D) What effect would the proposed boundary change and allocation have on the Green Belt and the purpose of including land within it? Are there exceptional circumstances that justify altering the Green Belt? If so, what are they?

2.5.1 Appendix 4a of the Draft Local Plan Green Belt Review and Outcomes Report November 2015 states with respect to Site H49a:

“No risk of sprawl as motorway presents an absolute barrier. Numerous opportunities for some limited rounding off. Opportunity to provide strong new boundary. Development should be restricted so as not to sprawl down slope as this would be unrelated to the settlement.”

2.5.2 The Council's decision to remove Site H49a from the Green Belt is recognition that the site is not contributing to the five purposes of including land within the Green Belt which are:

- “to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

2.5.3 The development of this site for housing would, round off the settlement. It would create a defensible and robust boundary to the Green Belt and would help the Council meet its housing need figures whilst protecting the Green Belt from future incursions.

2.5.4 Green Belt policies were first defined in the 1960s. Pre dating the NPPF by 57 years. The West Yorkshire Structure Plan, approved in 1980, confirmed the general area of the Green Belt in the District and subsequent local plans identified detailed boundaries. These boundaries were largely carried through into the Kirklees Unitary Development Plan which was adopted in 1999, 18 years before the publication of the NPPF. A review of the Green Belt was essential to ensure it complied with the aims of the NPPF.

2.5.5 NPPF contains a presumption in favour of sustainable development. With particular reference to the preparation of Local Plans and the provision of housing Paragraph 47 indicates that local planning authorities should ‘boost significantly the supply of housing’.

2.5.6 As set out within Paragraph 79 of the NPPF, the Government attaches great importance to Green Belts and the fundamental aims of the Green Belt as identified in paragraph; 80 of the NPPF continues:

“ The Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

2.5.7 Finally Paragraph 85 states:

“When defining boundaries, local planning authorities should:

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is unnecessary to keep permanently open;*
- *where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.”*

2.5.8 Policy PLP 5 of the Draft Kirklees Local Plan relates to Safeguarded Land. It states:

“Areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses or temporary uses. All proposals must not prejudice the possibility of long term development on safeguarded land sites”.

2.5.9 The supporting text to this policy states:

“Safeguarded land is identified as land to be protected from development during the local plan period but to be considered for development through a review of the local plan. Although development will not generally be appropriate on safeguarded land, it is recognised that not all development will prejudice the function and the value of the land. It will therefore, be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the plan is reviewed, nor is detrimental to the character of the site and its surroundings.

The consideration of the permanent development of safeguarded land, such as for housing or employment, will only occur through a change to the allocation through a review of the local plan. During a local plan review, the reassessment of safeguarded land will involve determining for each site whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as safeguarded land until the next review of the plan.”

- 2.5.10 In line with the above we support the Council in their assessment of the Green Belt. We conclude that the development of this Site would bring social, economical and environmental benefits, whilst providing a robust and defensible boundary to the wider Green Belt boundary. The Council have clearly, identified the extent of the development to reflect the existing built for of the settlement.
- 2.5.11 Development of this Site would not result in unrestricted sprawl, it would not result in the coalescence of two settlements, the defined boundary would prevent furtherer encroachment and it would not impact on the character of the settlement. In summary the Site does not contribute to the five purposes of the Green Belt, as identified by paragraph 80 of the NPPF. We therefor conclude that the proposed allocation of Site H49a would not have demonstrable adverse impact on the purpose of the Green Belt.

3.0 Site H49a- land adjacent to Brick Hill farm, Oddfellows Street, Scholes

i) Is there evidence that third party land can be secured for access?

- 3.1 The submitted Highways Feasibility Report (Appendix C) suggests that there are multiple access points to the Site. However, the report favours the existing access onto the Site immediately off Oddfellows Street accessed from Salisbury Road. As per the submitted Highways Report Salisbury Road offers a good prospect of servicing the development of the site. Traffic would then only be required to cross over Oddfellows Street to gain access into the Site.
- 3.2 The submitted Title Plan demonstrates that our client, the owner of Site H49a, also owns the western part of Oddfellows Street, ensuring that the adequate visibility splays can be achieved. The Title document refers to “full and unrestricted rights of way” for “the Vendor and all other persons entitled to” “over and along the whole of Oddfellows Street”. The same applies to services.
- 3.3 The corresponding Title Plan shows that our client owns the southern half of Oddfellows Street and this is the land referred to in the aforementioned. The Sites access to the fields is over and across the southern half of Oddfellows Street and onto the remainder of Oddfellows Street. It is not proposed that we develop Oddfellows Street. The development will be restricted to the existing field boundary.
- 3.4 We do not see that access to the field, if developed would restrict or prevent use of the rights of the third parties in any way that is different to the situation at present, i.e. travelling across Oddfellows Street for access but not in any way blocking it. We do not see that development of the site would affect the enjoyment of the third party rights provided free and uninterrupted access is maintained at Oddfellows Street.
- 3.5 We would like it to be noted that the landowner has already made enquires as to the relative costs of bringing Oddfellows Street up to an adoptable standard, if this should be required.
- 3.6 We have been advised by the Councils Highways Team that whole of Oddfellows Street is already part adopted. We are still awaiting formal written confirmation from the Highways Authority, we have assumed that this is as failure of the developer who built out the development north of Oddfellows Street in the 70's failing to complete the Section 38 agreement, it is understood that the company went under prior to completing the work. The highway was therefore never finished and formally signed over to the Highways Authority.
- 3.7 To demonstrate that there is no third party ownership which would prevent access to the Site we have also included the title plans of all the land along Oddfellows Street (Appendix D).

4.0 **Summary of Representations**

- 4.1 These representations provide further supporting information in regard to the site's deliverability for housing development. The detailed principles suggested by the Council in the site's allocation have been considered and demonstrated through the access feasibility study.
- 4.2 It has been demonstrated that the site is deliverable in a way to respond to the market and need for housing within the market area.
- 4.3 We therefore fully support the Council's allocation of the site and if necessary would welcome further discussions in support of the site in the Local Plan Sites Document adoption process.

Signed:

A handwritten signature in black ink, appearing to read "G. White". The signature is stylized with a large initial 'G' and a cursive 'White'.

Date: 19th January 2018

For and on behalf of George F White LLP

APPENDIX A

Previous Representations

**KIRKLEES DRAFT LOCAL PLAN
REPRESENTATIONS**

MR JOHN LUND | JANUARY/2016

KIRKLEES DRAFT LOCAL PLAN REPRESENTATIONS

(WOL607807)

For

Land to the South of Oddfellows Street, Scholes, Cleckheaton

(LPA SITE REF. SL2294 and SCL5)

On behalf of

MR JOHN LUND

January 2016

Prepared by
George F White LLP
Crown House
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1.0 Introduction and Background

- 1.1 We write on behalf of Mr John Lund who is the owner of land referred to as Land South of Oddfellows Street, Scholes, Cleckheaton (site reference SL2294) in the Kirklees Draft Local Plan 2015.
- 1.2 The site is allocated as safeguarded land in this draft document. Mr Lund welcomes the Council's decision to allocate his site as safeguarded land but respectfully requests that the Council considers allocation the land for housing development i.e. to come forward in the lifetime of the draft plan.
- 1.3 This report assesses the suitability of the land for housing development and considers the findings of the Council's Green Belt Review and Outcomes Report.

2.0 Site Description

- 2.1 The site is 1.64 hectares in size and is currently in agricultural use. The site is bounded to the north by Oddfellows Street, to the west by residential development and to the east and south by agricultural, residential and commercial land uses. Image 1 below demonstrates the site's context. The site is highlighted in red. The site is within the Green Belt as set out in the Kirklees Unitary Development Plan.



Image 1: Site Context. Source: www.google.com

3.0 Planning Policy

3.1 The National Planning Policy Framework (NPPF) 2012, contains a presumption in favour of sustainable development. With particular reference to the preparation of Local Plans and the provision of housing Paragraph 47 indicates that local planning authorities should 'boost significantly the supply of housing'. In order to achieve this, local planning authorities should:-

- *Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- *Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirement;*
- *Identify a supply of specific, developable sites or broad locations for growth, for 6-10 years, where possible, for years 11-15;*
- *For market and affordable housing, local planning authorities need to illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target.*

3.2 Footnote 11 of the NPPF states that:

"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable."

3.3 Paragraph 79 of the NPPF states:

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

3.4 Paragraph 80 of the NPPF continues:

“Green Belt serves five purposes:

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

3.5 Finally Paragraph 85 states:

“When defining boundaries, local planning authorities should:

- *ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;*
- *not include land which it is unnecessary to keep permanently open;*
- *where necessary, identify in their plans areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*
- *make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development;*
- *satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period; and*
- *define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.”*

3.6 Policy DLP 5 of the Draft Kirklees Local Plan relates to Safeguarded Land. It states:

“Areas identified as safeguarded land will be protected from development other than that which is necessary in relation to the operation of existing uses, change of use to alternative open land uses or temporary uses. All proposals must not prejudice the possibility of long term development on safeguarded land sites.

The status of safeguarded land sites will only change through a review of the local plan.”

3.7 The supporting text to this policy states:

“Safeguarded land is identified as land to be protected from development during the local plan period but to be considered for development through a review of the local plan. Although development will not generally be appropriate on safeguarded land, it is recognised that not all development will prejudice the function and the value of the land. It will therefore, be appropriate to permit development required in connection with established uses, or change of use to an alternative open land use or to temporary uses which would not prejudice the possibility of development after the plan is reviewed, nor is detrimental to the character of the site and its surroundings.

The consideration of the permanent development of safeguarded land, such as for housing or employment, will only occur through a change to the allocation through a review of the local plan. During a local plan review, the reassessment of safeguarded land will involve determining for each site whether in the prevailing circumstances there is a case for releasing some or all of the land for development, or whether it should be maintained as safeguarded land until the next review of the plan.”

3.8 Appendix 4a of the Draft Local Plan Green Belt Review and Outcomes Report November 2015 which assesses the site in Green Belt terms states with respect to Mr Lund’s land:

“No risk of sprawl as motorway presents an absolute barrier. Numerous opportunities for some limited rounding off. Opportunity to provide strong new boundary. Development should be restricted so as not to sprawl down slope as this would be unrelated to the settlement.”

4.0 Planning Consideration

4.1 Mr Lund welcomes the proposed removal of his site from the Green Belt and also welcomes the findings of the Council's Green Belt Edge Review which is quoted above. Whilst welcoming the proposed removal of the site from the Green Belt, we respectfully request that the Council consider the merits of this site as a housing allocation.

4.2 To be considered an appropriate area of land for allocation as a housing site, the NPPF requires that the land is available, deliverable and suitable for housing. Mr Lund has received expressions of interest from housebuilding companies about this land and he has confirmed that should the land be allocated, he would be willing to make it available to the market. On this basis we can confirm that the site is available.

4.3 The site is serviced, is not in an area of flood risk and is accessible. Oddfellows Street could be upgraded if required or alternative access via Salisbury Road can be provided. The site is not sensitive in ecological terms. There are no obstacles to the deliverability of the site.

4.4 With respect to suitability, the site is well positioned with respect to the centre of the settlement and its facilities. The site is on the edge of Scholes and as shown in the aerial photo above, the site has built development on three sides. The development of the site would also represent a rounding off of Scholes. It is our view that the site is suitable for housing development.

4.5 The Council's decision to remove the land from the Green Belt is recognition from the Council that the site is not contributing to the five purposes of including land within the Green Belt which are:

- *“to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

- 4.6 The boundary of this site can easily be strengthened through landscaping which would provide a very robust boundary to the Green Belt and the edge of the settlement. This principle which the Council has considered in its allocation of the site as safeguarded land (as evidenced in the comment “Opportunity to provide strong new boundary” in the Green Belt Edge Review) can equally be applied to a housing allocation at the site.
- 4.7 The development of this site for housing would, as stated above, round off the settlement. It would create a defensible and robust boundary to the Green Belt and would help the Council meet its housing need figures whilst protecting the Green Belt from future incursions.

5.0 Conclusion

- 5.1 We confirm we represent Mr John Lund, the owner of the site referred to by the Council as SCL5/SL2294 and Land to the South of Oddfellows Street, Scholes, Cleckheaton.
- 5.2 On behalf of Mr Lund we welcome the Council's proposal to remove the site from the Green Belt and respectfully request that the Council considers the merits of the site as a housing allocation to come forward in the lifetime of the Local Plan.
- 5.3 We have demonstrated above that such an allocation would strengthen the Green Belt through the creation of a defensible boundary, would round off the settlement and would assist the Council in meeting its housing figures.

GEORGE F. WHITE



PLANNING REPRESENTATIONS

FOR SITE H49a

Allocations and Designations November 2016

Helen Boston

16th December 2016

CLIENT NAME	Mr J Lund
CLIENT REF	WOL607087
DATE	16 th December 2016
OUR REF	WOL607087
CONSULTANT	Helen Boston Planning Consultant
CONTACT DETAILS	George F White 9 South End Bedale North Yorkshire DL8 2BJ 01677 458209 helenboston@georgefwhite.co.uk

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APPENDICES

Appendix A Initial Highway Assessment

1.0 Introduction

1.1 George F. White (Planning and Development) are instructed to respond to the Kirklees Council Draft Local Plan Allocations and Designations November 2016 on behalf of Mr J Lund. Our client owns Site H49a Land adjacent Brick Hill Farm, Oddfellows Street, Scholes, Cleckheaton.

1.2 Site H49a has been included within the Draft Local Plan Allocations and Designations November 2016 as a preferred Site for housing. The 0.98 hectare site has an indicative yield of 34 units

1.3 This Planning Statement will provide the Council with sufficient information to assist in its assessment as to whether Site H49a is suitable for allocation as a housing site. Having regard to section 38 (6) of the Planning and Compulsory Purchase Act 2004, this planning statement considers the Sites conformity with the Development Plan, relevant national planning policy and other material considerations.

1.4 The Planning Statement is supported by the following information and documents:

- Planning Statement (this Statement) (George F.White)
- Initial Highways Assessment of Site (date 7 February 2014 EJS Associates)

1.5 Purpose of Report

This report establishes the physical, technical and planning policy context in which the proposed development should be considered, and draws together the findings of all the supporting technical material in order to establish the consistency of the proposals with both extant and emerging planning policy at the national and local level. In doing so it is written in sections with the remainder as follows:

- Section 2: provides a description and analysis of the Site and its surroundings and provides any relevant planning history;
- Section 3: sets out summary of the planning policy context in which the Site should be considered;
- Section 4: considers the main issues
- Section 5: summarises the proposed development

2.0 Site and Surroundings

2.1 The Site, known as Land to the South of Oddfellows Street, Scholes, Cleckheaton measures 1.64 hectares in size and is currently in agricultural use. The Site is bounded to the north by Oddfellows Street, to the west by residential development and to the east and south by agricultural, residential and commercial land uses.

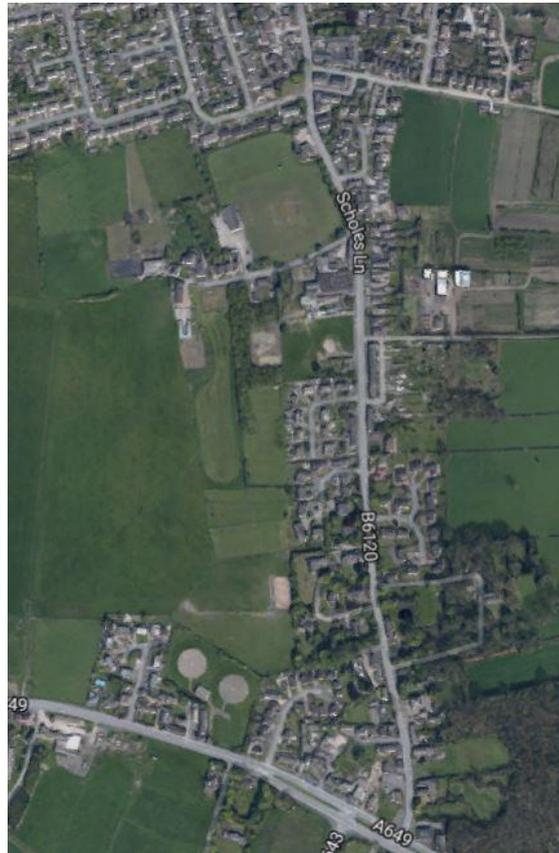


Figure 1 – Site Location (Google Map)

2.2 The Site is accessible by public transport with 19 bus stops located within approximately 450 metres of the Site providing access to bus routes across West Yorkshire, including Leeds and Huddersfield. Brighouse Railway Station is approximately 3 miles south of the Site.

2.3 Consultation with the EA Flood Maps indicates that the Site is located within Flood Zone 1, with no known or predicted flood risk arising from the Site

2.4 The Site bears no statutory designation in terms of landscape, biodiversity or cultural heritage.

2.5 Planning History

2.6 The Site was previously designated as Green Belt however the land was declassified as part of the Council’s recognition that the site was not contributing to the five purposes of including land within the Green Belt.

2.7 There are no relevant planning applications which relate directly to the application Site or the surrounding area.

3.0 **Planning Policy**

3.1 This section outlines the relevant policies of the National Planning Policy Framework (March 2012), and the adopted and emerging Development Plan.

3.2 National Policy and Guidance

3.2.1 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. It states that planning applications should be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise and that due weight can be given to relevant policies of the Development Plan according to their degree of consistency with the NPPF (215). It also introduces a presumption in favour of sustainable development. It explains in paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. It goes on to make it clear that "relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites."

3.2.2 In paragraph 14, the Framework sets out its presumption in favour of sustainable development. It says that where the development plan is absent, silent or relevant policies are out of date; this means granting permission unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole".

3.2.3 Paragraph 47 of the NPPF states that,

- "To boost significantly the supply of housing, Local Planning Authorities should:
- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for marketing affordable housing in the housing market area, as far as is consistent with the policies set out in this framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing ...;
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;"

3.2.4 Footnotes 11 and 12 of the NPPF are also of relevance:

"11. To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable..."

12. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged".

3.2.5 The NPPF (6) establishes that the purpose of the planning system is to contribute to the achievement of sustainable development. It goes on to identify (7) three dimensions to sustainable development; economic, social and environmental setting out (8) that these should be sought jointly. It identifies (9) that 'pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in peoples quality of life' including (amongst others) 'making it easier for jobs to be created in cities, towns and villages; and widening the choice of high quality homes'.

3.2.6 Within the 12 core planning principles (17) the NPPF recognises (amongst others) that:

- Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.
- Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in their area, taking account of the needs of the residential and business communities,
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings,
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable

3.2.7 Local Planning Authorities are advised (30) in preparing Local Plans that they should ‘support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport’. It goes on (34) to indicate that ‘plans and decisions should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, acknowledging that account would need to be taken of other framework policies, particularly in rural areas’

3.2.8 An important element of the NPPF is the delivery of a wide choice of high quality homes and the commitment to ‘boost significantly the supply of housing’ (47). It advises that local planning authorities should ensure that the plan ‘meets the full objectively assessed needs for market and affordable housing in the housing market area, including identifying key sites which are critical to the delivery of the housing strategy over the plan period’. To do this the NPPF identifies that LPAs should:

3.2.9 Identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%;

3.2.10 Local planning authorities are required to deliver a wide choice of quality homes (50);

“where it is identified that affordable housing is needed, set policies for meeting this need, unless offsite provision or a broadly equivalent financial contribution can be robustly justified;”

The NPPF places emphasis (56) and (57) on high quality inclusive good design as a key aspect of sustainable development, and that it can contribute positively to making places better for people.

3.3 Development Plan

3.3.1 The Planning and Compulsory Purchase Act 2004 (Section 38 (6)) requires the determination of planning applications to be in accordance with the Development Plan unless material considerations indicate otherwise.

3.3.2 We understand that the Development Plan for this area is the Kirklees Unitary Development Plan, (saved policies 2007), the relevant policies are;

- **G4** new development should achieve a high standard of design.
- **G5** development proposals should have regard to equality of opportunity in terms of access to buildings and open space facilities and other relevant aspects of design, including the provision of ancillary facilities.
- **G6** development proposals will be considered having regard to available information on the contamination or instability of the land concerned.

Development Framework (chapter 2)

- **D1** development proposals which would lead to a loss of valuable open land within towns or of open countryside will not normally be permitted.
- **BE1** all development should be of good quality design such that it contributes to a built environment which:
 - i creates or retains a sense of local identity;
 - ii is visually attractive;
 - iii promotes safety, including crime prevention and reduction of hazards to highway users;
 - iv promotes a healthy environment, including space and landscaping about buildings and avoidance of exposure to excessive noise or pollution;
 - v is energy efficient in terms of building design and orientation and conducive to energy efficient modes of travel, in particular walking, cycling and use of public transport.
- **T1** priority will be given to:
 - i satisfying the travel needs of all sections of the community through an effectively integrated transport system, with emphasis on improving public transport and encouraging a modal shift away from travel by private car;
 - ii promoting a transport network on which it is safe to travel and which causes minimal disturbance through danger, noise and air pollution; and
 - iii co-ordinating land use change with transport provision so as to minimise the need to travel and locating new development where it can best be served by public transport and where it minimises the need for expansion of the highway network.
- **H1** the housing needs of the district will be met by:
 - i improving existing housing particularly through the designation of renewal areas and areas for housing improvement;
 - ii providing land to meet the requirement for a range of house types by allocating sites of various sizes and in different types of locations having regard to local patterns of demand;
 - iii the provision of houses affordable to those least able to compete in the housing market; and
 - v applying appropriate planning standards for houses in multiple occupation and residential homes for the elderly.

3.4 The following Local Plan policies are relevant to this application:

- The Council have prepared a Preliminary Draft Charging Schedule Consultation Report
- There is no neighbour plan either in place or being prepared for Scholes, Cleckheaton

3.5 Emerging Development Plan

3.5.1 We note that there is an emerging Kirklees Local Plan. The document, once adopted, will guide where future development takes place. The Local Plan is currently out for public consultation the relevant policies have been considered in relation to the development of the Site in the latter parts of this statement. The relevant policies are considered to be:

- Policy PLP 1 - Presumption in favour of sustainable development
- Policy PLP 2 - Place shaping
- Policy PLP 3 - Location of new development
- Policy PLP 4 - Providing infrastructure
- Policy PLP 7- Efficient and effective use of land and buildings
- Policy PLP 11 - Housing Mix and Affordable Housing
- Policy PLP 20 - Sustainable travel
- Policy PLP 21 - Highway safety and access

- Policy PLP 22 – Parking
- Policy PLP 23 - Core walking and cycling network
- Policy PLP 24 – Design
- Policy PLP 26 - Renewable and low carbon energy
- Policy PLP 28 - Drainage
- Policy PLP 30 - Biodiversity & Geodiversity
- Policy PLP 32 - Landscape

3.6 Material Considerations

3.6.1 Kirklees SHLAA 31st March 2014 concluded that Site H49a was:

- *Suitable: Amber - Agricultural field with few physical constraints. Access can be achieved but may need upgrading.*
- *Available: Green - No ownership constraints.*
- *Achievable: Amber - Site in medium-strong broad market area but may face costs to improve access.*

3.6.2 Following the Autumn Statement in which the Government set out their intentions to continue to focus on planning to deliver more housing and to this end is seeking fast-tracked planning services. The White Paper which is anticipated to be issued early on in the New Year is expected to change the way in which the numbers of houses needed in an area; the Objectively Assessed Need (OAN) is calculated. This, if accepted by Government, will fundamentally change the evidence base of all local plans, simplifying the process but providing a potentially different conclusion to current need and housing numbers required in an area. The paper will make further recommendations on the methodology for the Strategic Housing Market Assessment (SHMA).

4.0 MAIN ISSUES

4.1 Based upon an assessment of the planning policy and the supporting statements, this section will consider and address the following key issues:

- Sustainability Development;
- Assessment of potential impacts on the natural and built environment;
- Transport, Highways and Access;
- Flood Risk and Drainage Strategy

4.2 Sustainable Development

4.2.1 The key principle running through planning policy at all levels is to create development that is sustainable. It is the balance of the economic, social and environmental dimensions which determine the sustainability of a proposal; these are not to be undertaken in isolation, as they are mutually dependent.

4.2.2 The proposed development would make a positive contribution to the social dimension of sustainable development, through the provision of new homes which would assist with the Government objective set out in the NPPF to significantly boost the supply of new housing. In addition the provision of some affordable housing to address the identified need in the locality is a needs social benefit and a material consideration to which great weight should be attached.

4.2.3 We consider that proposed policy PLP 1 – Presumption in the Favour of Sustainable Development, is in line with the aims of the NPPF and that this Site would accord with, states:

4.2.4 “positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. The council will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area”.

4.2.5 Furthermore, the aims of proposed policy PLP 3 Location of New Development will seek to establish development where development would reflect;

- a. the settlement's size and function; and
- b. place shaping strengths, opportunities and challenges for growth; and
- c. spatial priorities for urban renaissance and regeneration; and
- d. the need to provide for new homes and jobs;

4.2.6 For the reasons set out within this planning statement there is a strong positive case for development of the Site in line with the aims of Policy PLP3. The development of the Site would bring significant benefits in meeting the housing shortfall and addressing housing need requirements whilst being of a scale proportionate to the settlement size and function.

4.2.6 The development of this Site is acceptable in principle when considered against the provisions of the Emerging Local Plan Development Plan and the NPPF, and would on balance of the economic, social and environmental dimensions provide for sustainable development.

4.3 Assessment of potential impacts on the natural and built environment

4.3.1 It is noted that out of the three comments received thus far, only one representation has made comment on the landscape impact of the Site. They state that

4.3.2 "The justifications made out by the land owner are not sound ... for instance on this land will make Scholes more symmetrical!!!!"

4.3.2 The Council has recognised that the Site can be developed without having an adverse impact on the character and form of Scholes. We consider that the Councils decision to remove the Site from the Green Belt confirms that the development of the Site would not have an adverse impact on the character and form of the settlement.

4.3.3 Taking into consideration the Emerging Local Plan, in particular, Policy PLP 32 (Landscape Proposals) which if adopted will require that development should be designed to take into account and seek to enhance the landscape character of the area considering in particular; the setting of settlements and buildings within the landscape, will be duly considered during the design stage.

4.3.4 The development would bring the existing development limits to the west in line with the development limits to the south of the Site towards the A649 as highlighted within Figure 1.

4.4 Transport, Highways and Access

4.4.1 There is an existing access to the Site in the north eastern corner onto Oddfellows Street. The attached, Initial Highways Assessment concludes that access on to Oddfellows Street could be achieved and would enable the access to serve the whole site. Our Client's inform me that they own to the centre of Oddfellows Street along the northern boundary of the Site.

4.4.2 Alternative access could also be achieved onto Salisbury Road, where there is an existing point of access.

4.4.3 We are confident that following the Initial Highways Assessment a successful resolution will be achieved which would mean that the site if adopted would be capable in line with footnotes 11 and 12 of the NPPF being both deliverable and achievable.

4.4.4 Having regard to Policy PLP 21 which if adopted will require that proposals should demonstrate adequate information and mitigation measures to avoid a detrimental impact on highway safety and the local highway network. Proposals shall also consider any impacts on the Strategic Road Network. A formal application will be fully supported by a detailed access plan and Highway Survey.

4.5 Flood Risk and Drainage Strategy

4.5.1 The Strategic Flood Risk Assessment concluded that the Site is classified as Flood Zone 1. However, due to the size of the Site a formal application would be supported by a Flood Risk Assessment. The treatment of foul waste will follow the Governments Guidance. If it is possible surface water will be dealt with via the existing network, if this is not possible then it is likely that the treatment of surface water would need to be dealt with via SUDS. Again it is considered that a suitable drainage scheme would be best considered at the design stage of a formal application.

5.0 **Conclusion**

5.1 Our clients wish to confirm to Kirklees Council that they are keen to see this Site taken forward as Allocated Site within the forthcoming Kirklees Local Plan, Allocations and Designations Document for housing.

5.2 The Site is serviced, is not in an area of flood risk and is accessible. Oddfellows Street could be upgraded if required or alternative access via Salisbury Road can be provided. The Site is not sensitive in ecological terms. There are no obstacles to the deliverability of the Site.

5.3 With respect to suitability, the site is well positioned with respect to the centre of the settlement and its facilities. The Site is on the edge of Scholes and as shown in image 1, the Site has built development on three sides. The development of the site would also represent a rounding off of Scholes and as such the Site is suitable for housing development.

5.4 Further, detailed survey work will be undertaken at the appropriate stages of promotion on the land. We would welcome detailed discussions with the Council as to their requirements for information moving forward.

Signed: Helen Boston

Date: 16th December 2016

For and on behalf of George F White LLP

GEORGE F. WHITE

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Duns	t 01361 883488

AGRICULTURE RESIDENTIAL COMMERCIAL DEVELOPMENT INVESTMENT ENERGY ENVIRONMENTAL

Tel: 01484 221000**Email:** johanna.scrutton@kirklees.gov.uk**Website:**www.kirklees.gov.uk/communityinvolvement**Date:** 28th June 2015**Ref:** Revised Draft SCI Consultation July 2015

Mr J Lund
Coneygarth Hill
Emmotland
Driffield
YO25 8JS

Dear Sir/Madam

Re: Statement of Community Involvement

The purpose of this letter is to notify you that the council has reviewed its adopted Statement of Community Involvement (SCI) 2006 and to invite you to make comments on a revised draft SCI. The SCI sets out how the council intends to involve the community in the preparation of planning policy documents including the Kirklees Local Plan and other planning policy guidance.

A copy of the draft SCI has been placed on the council's website at:

<http://www.kirklees.gov.uk/communityinvolvement> I should be grateful to receive your comments on the documents by: **30th July 2015**. Comments should be made on-line via the **on-line comment's form** which can be accessed via the above link. The use of the on-line form makes it quicker and easier to process your comments. If you are unable to access the on-line form, please send your comments by e-mail to: local.development@kirklees.gov.uk or by post to us at:

Planning Policy Group

PO Box B93

Civic Centre 3

Off Market Street

Huddersfield

HD1 2JR the above address or by e-mail to:

If you have any queries regarding this matter, please do not hesitate to contact my colleague Johanna Scrutton on the above telephone number, or by e-mail: johanna.scrutton@kirklees.gov.uk

Yours faithfully



Richard Hollinson
Policy Group Manager

Initial Highways Assessment of Site

Site Location: Land off Oddfellows Street, Scholes.

Date: 7 February 2014
EJSA ref: 2013-31-1
Client ref:

Leathley House
New Street
Clifton
Brighouse
HD6 4HN

Tel: 07841 870477
Email: spivey.edward@gmail.com

Documents available: Kirklees SHLAA and Plan.
File Note 30/9/13.

A Site Visit was undertaken on Monday 3 February 2014. The weather was fine and dry.

Current site use: The site is currently under agricultural cultivation. It has direct frontage along its northern boundary onto Oddfellows Street, but no other direct vehicular access. Its western boundary is onto the rear of the properties fronting Scholes Lane and Spinners Way – but there is no direct vehicular access to either of these roads from the site. Its eastern and southern boundaries are onto other agricultural land.

There are two public footpaths crossing the site from Oddfellows Street – they would appear to be "field footpath" standard. The exact routes of these can be established by reference to the Definitive Footpaths Map held by KMBC. They will need to be incorporated into the proposed site layout, or diverted as necessary by the appropriate legal form.

There is vehicular access from Oddfellows Street into the site, via two field gates.

Proposed use: The site would appear to be in the region of 13,600m² (or 1.36 Ha) in area, and assuming a density of 30 units per hectare, could be anticipated to provide in the region of 41 units.

Surrounding Road Network: I note that KMBC suggest that Oddfellows Street is "Adopted" for its full length. If that is so, then I would suggest the Client contacts KMBC and asks them to repair it fully, as it is their sole responsibility. However, having looked at the road and its current condition, I would suggest that it is only Adopted at its western end. There may be Highway Rights for its full length. The exact status of Oddfellows Street should be established by obtaining a copy of the Highway Adoptions Plan from KMBC.

Oddfellows Street is the obvious route to and from the site. It is wide enough to fully serve the current uses and the site, with (probably) a carriageway and two footways in a traditional form. From its western end (and the junction with Scholes Lane) it has a carriageway approximately 6m wide, with two 2m wide footways. My view is that Oddfellows Street is only Adopted between Scholes Lane and Industrial Street. Thereafter, eastwards, I would anticipate that it is a Private Street.

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The junction of Oddfellows Street and Scholes Lane is adequate, although not of a high standard. The radii are 2m, and the sightline to the left (although land has been left for an improved sightline here) appears to be still only 4.5m x ~25m. (The status of this land needs to be established, as its inclusion in any planning application will need to show that the Developer has control over it.) Sightlines of 2m x 45m+ appear to be available in both directions. KMBC will need to be persuaded that these are sufficiently safe to allow intensified use of this junction.

On-street parking occurs on the "Adopted" section of Oddfellows Street, and should be prevented (at least on one side) to allow the intensification of use (and the frontagers who are displaced will not be happy, as they do not have parking within their curtilages).

Industrial Street would offer a 'second' route onto Scholes Lane from the direction of the site, and could be said to offer some 'relief' to the Oddfellows Street/Scholes Lane junction. Industrial Street has a carriageway over 6m wide, with two 2m wide footways. However, it executes a blind, right angled bend prior to its junction with Oddfellows Street. The sightlines at the junction of Industrial Street and Scholes Lane of 2m x 45m+ appear to be available in both directions. KMBC will need to be persuaded that these are sufficiently safe to allow any intensified use of this junction.

Nonetheless, Industrial Street will perform a role in accessing the site if Oddfellows Street is the main access.

Salisbury Road runs north-south away from the site. It has a carriageway approximately 6m wide, with two 2m wide footways. At its northern end, it has a junction with Towngate and the minor road known as Wellands Lane. Sightlines at the junction of Salisbury Road and Towngate of 2m x 45m+ appear to be available in both directions. Towngate then gives good access onto the B6120, main road.

Salisbury Road appears to offer good prospects of being used as an access to the site – perhaps the main access. However, Salisbury Road does not connect directly to the site – it has to cross Oddfellows Street. Hence, any use of Salisbury Road, would involve the making-up of the intervening, short section of Oddfellows Street, and some "junction" works either side. Once again, the ownership of this section of Oddfellows Street may be crucial to the options available.

Spinners Way is a residential development accessed off Scholes Lane, which backs onto the site. There may be possibilities of buying one of the houses to demolish it and create a new route through. KMBC noted that they were not in favour of this due to the nature of Spinners Way – ie a shared use cul-de-sac.

Approximately 18 properties are currently served off Spinners Way. It could be anticipated that this form of cul-de-sac could be suitable to serve a maximum of 50 dwellings. Thus, it may be possible to access up to 33 dwellings within the site if access to Spinners Way can be achieved (by demolishing one of the current dwellings on it); however, it appears that the shared surface is only approximately 4m wide and so if KMBC determine that the maximum number of dwellings should be 25, there is only scope for 8 dwellings on the site to be accessed off Spinners Way.

Scholes Lane. Direct access to Scholes Lane may be possible. KMBC noted the high accident rate at the junction with New Popplewell Lane (although 2 accidents is not a very high rate at all). But, this junction has been considerably improved recently as part of the works to develop the "Cricketers" site by David Wilson Homes. Therefore, the potential fears about this section of Scholes Lane, and any new junctions onto it, can be allayed.

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There is a Public Footpath off Scholes Lane which appears to run to the site, and which has been widened and paved for access to a couple of dwellings and a number of garages as part of the Spinners Way development. Unfortunately, the access road is only approximately 3.5m wide and so it is not suitable to access further dwellings. Moreover, the only way to widen it would be to acquire one of the properties adjacent to it. However, if the financial opportunity came, acquisition of the property on the north side of the access road could offer a way through to Scholes lane (although the garages of another property may have to be re-located somehow); or the property at the end (east) of the road, and that on the south of the road, would open it up to be able to create a new high standard junction onto Scholes Lane.



The junction so formed onto Scholes Lane will be a staggered cross-roads type, unfortunately with the stagger in the "wrong direction", but it may well be possible to produce a detailed design which meets normal standards.

Conclusions on Access: Oddfellows Street can probably be made suitable to allow the whole site to be served by it, but there are considerable costs of making up the "Unadopted" section; there will be a TRO (which is likely to received Objections) to limit on-street parking; and the sightlines at the junction with Scholes Lane need to be fully established – and KMBC convinced that they are adequate.

Industrial Street may offer a minor, additional access route.

Salisbury Road offers a good prospect of access, but the connection across Oddfellows Street may be problematical.

Spinners Way may be able to offer access for 8 dwellings on the site (although up to 33 may be possible). This would require the acquisition of a current dwelling on Spinners Way, and its demolition. The details of the current layout of Spinners Way compared to KMBC's current standards are needed to establish the scale of additional development possible.

Direct access to Scholes Lane may be provided if property is acquired.

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Options: If Oddfellows Street is Adopted, ask KMBC to bring it up to standard.

If only the western end is "Adopted", then the un-made section would need to be made-up to allow the site to be accessed from it. It is likely that the current frontagers own part (or all) of the land under the "Unadopted" section of Oddfellows Street, and so any one of them could Object to the making up – and stop the proposals happening. However, if the Client offers to make-up the street at no cost to the frontagers, KMBC could use their powers under the Private Streetworks provisions to make-up Oddfellows Street and Adopt it, and dismiss any Objections from frontagers. It would be worth confirming the land ownership details of Oddfellows Street to understand what options are available.

Salisbury Road offers a good prospect of servicing the site. It would be worth confirming the land ownership details of the section of Oddfellows Street which would need to be crossed to access Salisbury Road to understand the nature of this option.

Spinners Way may offer access if a current dwelling is acquired and demolished.

Direct access to Scholes Lane, and the creating of a new high standard junction, may be possible if property is acquired.

E J Spivey

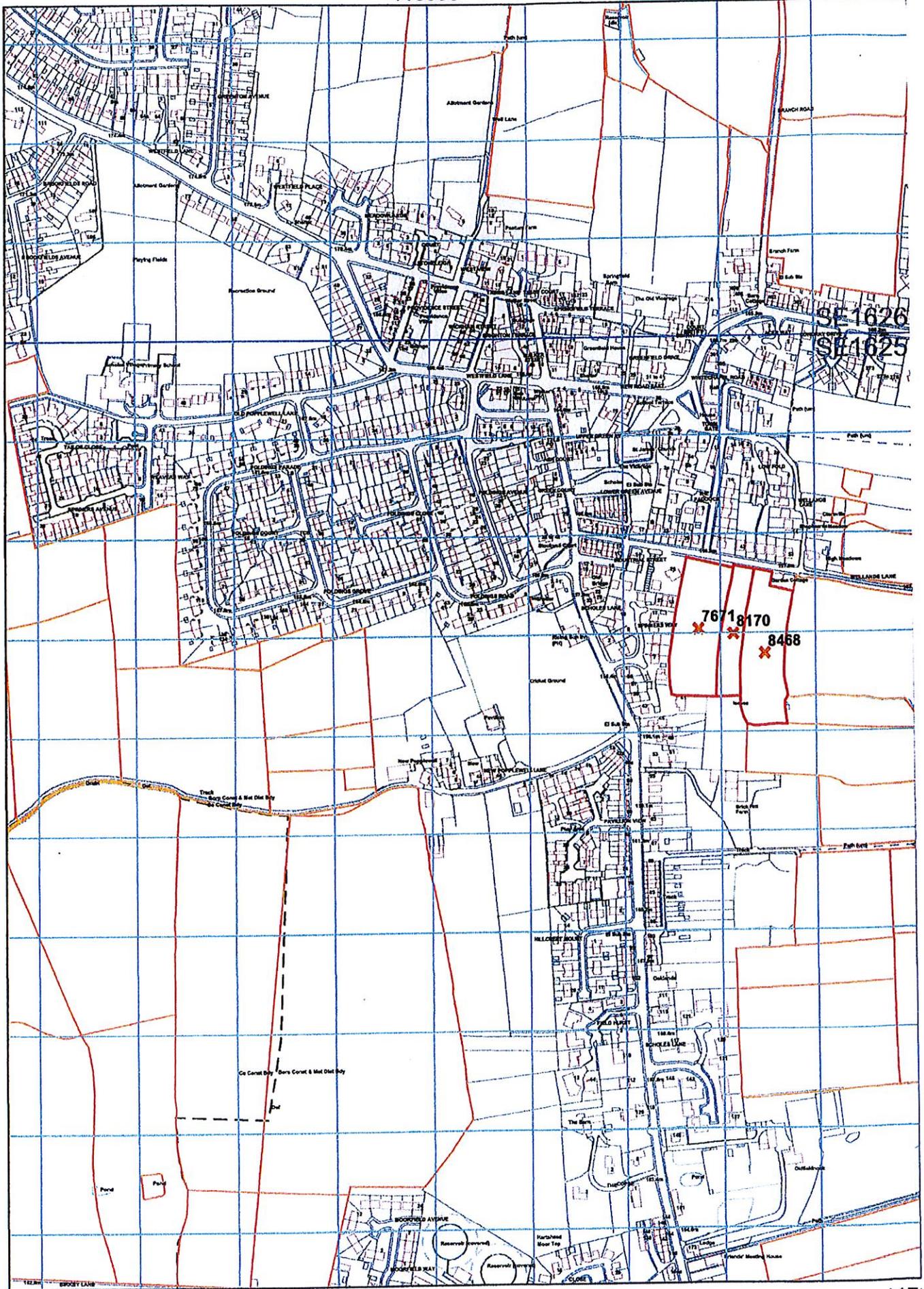
Ed Spivey
Principal
for EJSA Associates.

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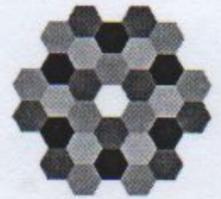
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APPENDIX B

Title Plan – Land Owner



Official copy of register of title

Title number WYK698616

Edition date 03.08.2007

- This official copy shows the entries on the register of title on 01 Oct 2007 at 14:19:34.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 01 Oct 2007.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1-A *guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry Nottingham (West) Office.

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

- 1 (13.08.2001) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Brickhill Farm, Scholes Lane, Cleckheaton, (BD19 6LY).
- 2 (13.08.2001) The mines and minerals together with ancillary powers of working are excepted.
- 3 (03.08.2007) The land edged and numbered in green on the title plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
- 4 (03.08.2007) The Transfer dated 31 March 2006 referred to in the Charges Register contains a provision as to boundary structures.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (13.08.2001) PROPRIETOR: JOHN CHARLES LUND of Brickhill Farm, Scholes Lane, Cleckheaton, W Yorkshire BD19 6LY.
- 2 (13.08.2001) The price stated to have been paid on 20 June 2001 was £31,333.50p.

C: Charges Register

This register contains any charges and other matters that affect the land.

C: Charges Register continued

- 1 (13.08.2001) The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 22 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Arnold Woodcock and Elizabeth Woodcock and Elizabeth Woodcock (Purchasers):-

"RESERVING NEVERTHELESS Unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchasers) over and along the portions hereby conveyed of the said streets AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed and liberty and authority to grant to others any such rights as are hereinbefore reserved"
- 2 (03.08.2007) The land is subject to the rights granted by a transfer of the land edged and numbered WYK856688 in green on the title plan dated 31 March 2006 made between (1) John Charles Lund and (2) Charles William Beardsworth Barbara Beardsworth.

NOTE: Copy filed under WYK856688.
- 3 (03.08.2007) The land is subject to the rights granted by a transfer of Brickhill farm dated 31 March 2006 made between (1) John Charles Lund and (2) Charles William Beardsworth and Barbara Beardsworth.

NOTE: Copy filed under WYK221162.

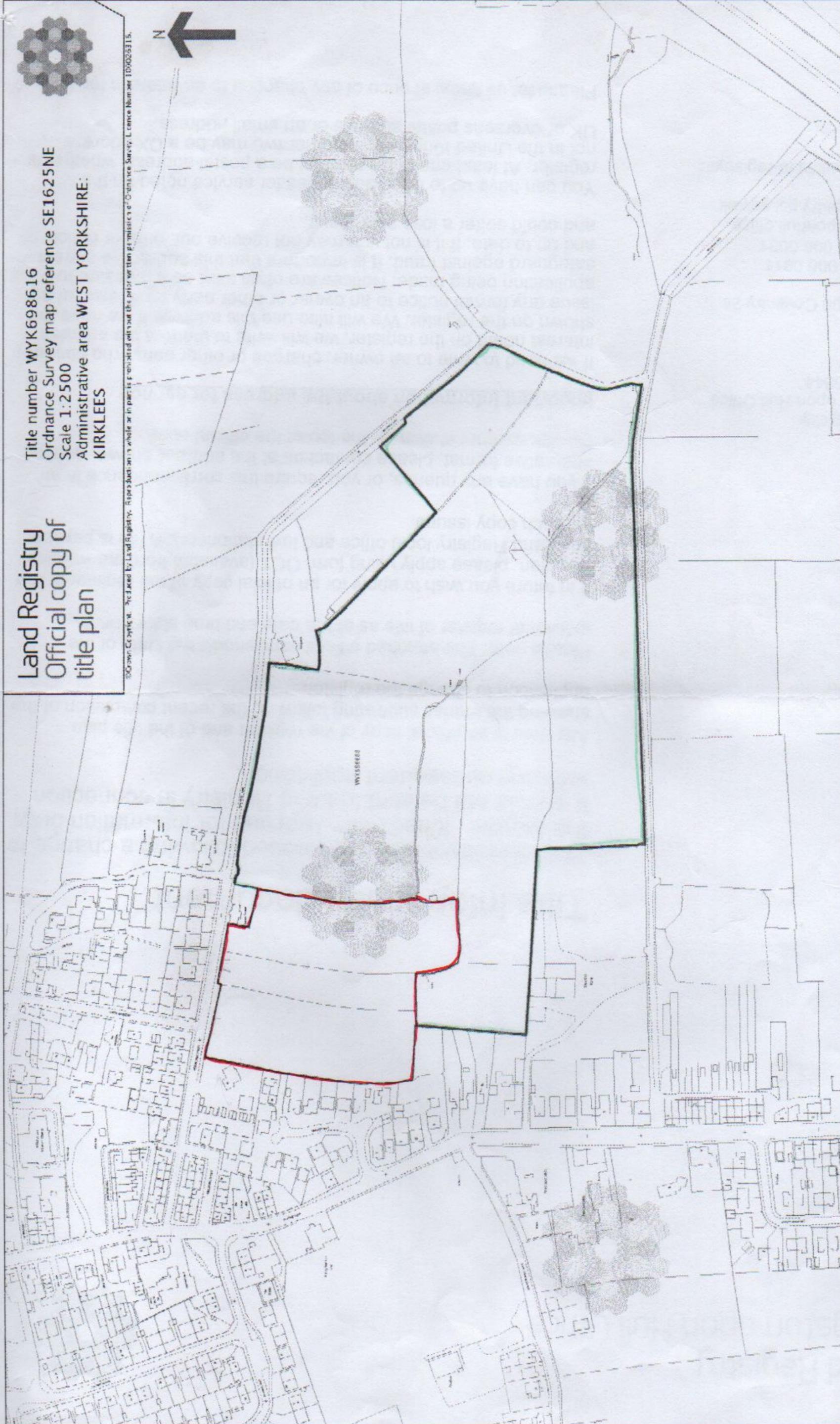
End of register

Land Registry
Official copy of
title plan

Title number WYK698616
Ordnance Survey map reference SE1625NE
Scale 1:2500
Administrative area WEST YORKSHIRE:
KIRKLEES



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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 12:07:58. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: YY41735

[Title Plan View](#)

REGISTER LAST UPDATED ON : 06 NOV 2014 AT 11:28:45

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

- (06.11.2014) The Freehold land shown edged with red on the plan of the above title filed at the Registry and being land forming part of Oddfellows Street, Scholes, Cleckheaton.
- (06.11.2014) The mines and minerals together with ancillary powers of working are excepted.
- (06.11.2014) The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Conveyance of the land tinted blue on the title plan dated 28 April 1977 made between (1) John Woodcock (Vendor) and (2) Charles Graham Firth (Purchaser):-

TOGETHER with full and unrestricted rights of way for the Purchaser and his successors in title at all times hereafter and for all purposes (in common with the Vendor and all other persons entitled or to become entitled to similar rights) over and along the whole of Oddfellows Street aforesaid AND ALSO the right (in common as aforesaid) to use the main drains and common sewer gas water electricity mains pipes and cables made or laid or hereafter to be made or laid under the said street and to make connections therewith RESERVING NEVERTHELESS unto the Vendor and his successors in title a right of way at all times and for all purposes (in common with the Purchaser) over and along the portion hereby conveyed of the said street and the right to use (as aforesaid) the portions of the said drains or sewers lying in or under the portion hereby conveyed of the said street and liberty and authority to grant to others any such rights as are herein reserved.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

- (06.11.2014) PROPRIETOR: %JOHN CHARLES LUND% of Coneygarth Hill Farm, Brandesburton Road, Emmotland, *Driffield* YO25 8JF.
- (06.11.2014) The value as at 6 November 2014 was stated to be under £1,000.

C: Charges Register

This register contains any charges and other matters that affect the land.

- (06.11.2014) The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 22 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Arnold Woodcock and Elizabeth Woodcock (Purchasers):-
 "RESERVING NEVERTHELESS Unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchasers) over and along the portions hereby conveyed of the said streets AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed and liberty and authority to grant to others any such rights as are hereinbefore reserved AND SUBJECT to all such rights of way over and drainage under the portions hereby conveyed of the said streets as any person or persons is

or are entitled to in common with the owners or occupiers of the property hereby conveyed."

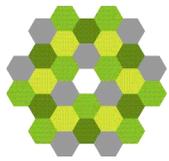
End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

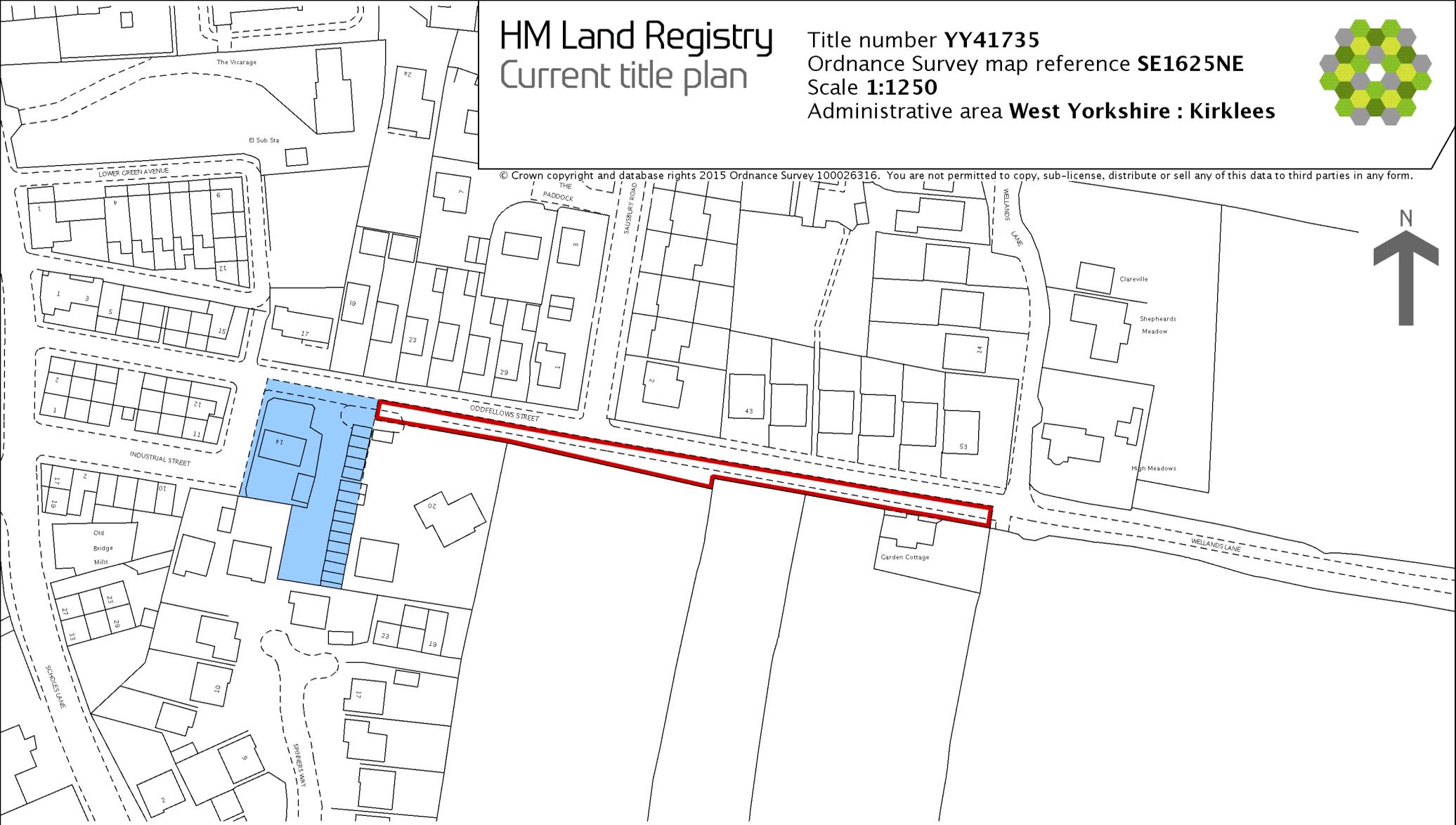
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

HM Land Registry Current title plan

Title number **YY41735**
Ordnance Survey map reference **SE1625NE**
Scale **1:1250**
Administrative area **West Yorkshire : Kirkles**



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This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 12:07:03. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.

APPENDIX C

Access Feasibility Report

Tel: 01484 221000

Email: johanna.scrutton@kirklees.gov.uk

Website:

www.kirklees.gov.uk/communityinvolvementDate: 28th June 2015

Ref: Revised Draft SCI Consultation July 2015

Mr J Lund
Coneygarth Hill
Emmotland
Drifffield
YO25 8JS

Dear Sir/Madam

Re: Statement of Community Involvement

The purpose of this letter is to notify you that the council has reviewed its adopted Statement of Community Involvement (SCI) 2006 and to invite you to make comments on a revised draft SCI. The SCI sets out how the council intends to involve the community in the preparation of planning policy documents including the Kirklees Local Plan and other planning policy guidance.

A copy of the draft SCI has been placed on the council's website at:

<http://www.kirklees.gov.uk/communityinvolvement> I should be grateful to receive your comments on the documents by: **30th July 2015**. Comments should be made on-line via the **on-line comment's form** which can be accessed via the above link. The use of the on-line form makes it quicker and easier to process your comments. If you are unable to access the on-line form, please send your comments by e-mail to: local.development@kirklees.gov.uk or by post to us at:

Planning Policy Group

PO Box B93

Civic Centre 3

Off Market Street

Huddersfield

HD1 2JR the above address or by e-mail to:

If you have any queries regarding this matter, please do not hesitate to contact my colleague Johanna Scrutton on the above telephone number, or by e-mail: johanna.scrutton@kirklees.gov.uk

Yours faithfully



Richard Hollinson
Policy Group Manager

Initial Highways Assessment of Site

Site Location: Land off Oddfellows Street, Scholes.

Date: 7 February 2014
EJSA ref: 2013-31-1
Client ref:

Leathley House
New Street
Clifton
Brighouse
HD6 4HN

Tel: 07841 870477
Email: spivey.edward@gmail.com

Documents available: Kirklees SHLAA and Plan.
File Note 30/9/13.

A Site Visit was undertaken on Monday 3 February 2014. The weather was fine and dry.

Current site use: The site is currently under agricultural cultivation. It has direct frontage along its northern boundary onto Oddfellows Street, but no other direct vehicular access. Its western boundary is onto the rear of the properties fronting Scholes Lane and Spinners Way – but there is no direct vehicular access to either of these roads from the site. Its eastern and southern boundaries are onto other agricultural land.

There are two public footpaths crossing the site from Oddfellows Street – they would appear to be "field footpath" standard. The exact routes of these can be established by reference to the Definitive Footpaths Map held by KMBC. They will need to be incorporated into the proposed site layout, or diverted as necessary by the appropriate legal form.

There is vehicular access from Oddfellows Street into the site, via two field gates.

Proposed use: The site would appear to be in the region of 13,600m² (or 1.36 Ha) in area, and assuming a density of 30 units per hectare, could be anticipated to provide in the region of 41 units.

Surrounding Road Network: I note that KMBC suggest that Oddfellows Street is "Adopted" for its full length. If that is so, then I would suggest the Client contacts KMBC and asks them to repair it fully, as it is their sole responsibility. However, having looked at the road and its current condition, I would suggest that it is only Adopted at its western end. There may be Highway Rights for its full length. The exact status of Oddfellows Street should be established by obtaining a copy of the Highway Adoptions Plan from KMBC.

Oddfellows Street is the obvious route to and from the site. It is wide enough to fully serve the current uses and the site, with (probably) a carriageway and two footways in a traditional form. From its western end (and the junction with Scholes Lane) it has a carriageway approximately 6m wide, with two 2m wide footways. My view is that Oddfellows Street is only Adopted between Scholes Lane and Industrial Street. Thereafter, eastwards, I would anticipate that it is a Private Street.

This note is provided in good faith by the Consultant (EJS Associates) to the Client solely as an Initial Highways Assessment of the site and the Client should use it for that purpose only. Use by anyone else, or by the Client for any other purpose, is strictly prohibited. Copyright remains with the Consultant, but the Client may reproduce this note for the purpose it was intended. No third party may rely on anything contained in this document. This document and its contents are copyright. The copyright holder is EJS Associates. No copying of any part of this document is permitted without the expressed consent of the copyright holder.

The junction of Oddfellows Street and Scholes Lane is adequate, although not of a high standard. The radii are 2m, and the sightline to the left (although land has been left for an improved sightline here) appears to be still only 4.5m x ~25m. (The status of this land needs to be established, as its inclusion in any planning application will need to show that the Developer has control over it.) Sightlines of 2m x 45m+ appear to be available in both directions. KMBC will need to be persuaded that these are sufficiently safe to allow intensified use of this junction.

On-street parking occurs on the "Adopted" section of Oddfellows Street, and should be prevented (at least on one side) to allow the intensification of use (and the frontagers who are displaced will not be happy, as they do not have parking within their curtilages).

Industrial Street would offer a 'second' route onto Scholes Lane from the direction of the site, and could be said to offer some 'relief' to the Oddfellows Street/Scholes Lane junction. Industrial Street has a carriageway over 6m wide, with two 2m wide footways. However, it executes a blind, right angled bend prior to its junction with Oddfellows Street. The sightlines at the junction of Industrial Street and Scholes Lane of 2m x 45m+ appear to be available in both directions. KMBC will need to be persuaded that these are sufficiently safe to allow any intensified use of this junction.

Nonetheless, Industrial Street will perform a role in accessing the site if Oddfellows Street is the main access.

Salisbury Road runs north-south away from the site. It has a carriageway approximately 6m wide, with two 2m wide footways. At its northern end, it has a junction with Towngate and the minor road known as Wellands Lane. Sightlines at the junction of Salisbury Road and Towngate of 2m x 45m+ appear to be available in both directions. Towngate then gives good access onto the B6120, main road.

Salisbury Road appears to offer good prospects of being used as an access to the site – perhaps the main access. However, Salisbury Road does not connect directly to the site – it has to cross Oddfellows Street. Hence, any use of Salisbury Road, would involve the making-up of the intervening, short section of Oddfellows Street, and some "junction" works either side. Once again, the ownership of this section of Oddfellows Street may be crucial to the options available.

Spinners Way is a residential development accessed off Scholes Lane, which backs onto the site. There may be possibilities of buying one of the houses to demolish it and create a new route through. KMBC noted that they were not in favour of this due to the nature of Spinners Way – ie a shared use cul-de-sac.

Approximately 18 properties are currently served off Spinners Way. It could be anticipated that this form of cul-de-sac could be suitable to serve a maximum of 50 dwellings. Thus, it may be possible to access up to 33 dwellings within the site if access to Spinners Way can be achieved (by demolishing one of the current dwellings on it); however, it appears that the shared surface is only approximately 4m wide and so if KMBC determine that the maximum number of dwellings should be 25, there is only scope for 8 dwellings on the site to be accessed off Spinners Way.

Scholes Lane. Direct access to Scholes Lane may be possible. KMBC noted the high accident rate at the junction with New Popplewell Lane (although 2 accidents is not a very high rate at all). But, this junction has been considerably improved recently as part of the works to develop the "Cricketers" site by David Wilson Homes. Therefore, the potential fears about this section of Scholes Lane, and any new junctions onto it, can be allayed.

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There is a Public Footpath off Scholes Lane which appears to run to the site, and which has been widened and paved for access to a couple of dwellings and a number of garages as part of the Spinners Way development. Unfortunately, the access road is only approximately 3.5m wide and so it is not suitable to access further dwellings. Moreover, the only way to widen it would be to acquire one of the properties adjacent to it. However, if the financial opportunity came, acquisition of the property on the north side of the access road could offer a way through to Scholes lane (although the garages of another property may have to be re-located somehow); or the property at the end (east) of the road, and that on the south of the road, would open it up to be able to create a new high standard junction onto Scholes Lane.



The junction so formed onto Scholes Lane will be a staggered cross-roads type, unfortunately with the stagger in the "wrong direction", but it may well be possible to produce a detailed design which meets normal standards.

Conclusions on Access: Oddfellows Street can probably be made suitable to allow the whole site to be served by it, but there are considerable costs of making up the "Unadopted" section; there will be a TRO (which is likely to received Objections) to limit on-street parking; and the sightlines at the junction with Scholes Lane need to be fully established – and KMBC convinced that they are adequate.

Industrial Street may offer a minor, additional access route.

Salisbury Road offers a good prospect of access, but the connection across Oddfellows Street may be problematical.

Spinners Way may be able to offer access for 8 dwellings on the site (although up to 33 may be possible). This would require the acquisition of a current dwelling on Spinners Way, and its demolition. The details of the current layout of Spinners Way compared to KMBC's current standards are needed to establish the scale of additional development possible.

Direct access to Scholes Lane may be provided if property is acquired.

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Options: If Oddfellows Street is Adopted, ask KMBC to bring it up to standard.

If only the western end is "Adopted", then the un-made section would need to be made-up to allow the site to be accessed from it. It is likely that the current frontagers own part (or all) of the land under the "Unadopted" section of Oddfellows Street, and so any one of them could Object to the making up – and stop the proposals happening. However, if the Client offers to make-up the street at no cost to the frontagers, KMBC could use their powers under the Private Streetworks provisions to make-up Oddfellows Street and Adopt it, and dismiss any Objections from frontagers. It would be worth confirming the land ownership details of Oddfellows Street to understand what options are available.

Salisbury Road offers a good prospect of servicing the site. It would be worth confirming the land ownership details of the section of Oddfellows Street which would need to be crossed to access Salisbury Road to understand the nature of this option.

Spinners Way may offer access if a current dwelling is acquired and demolished.

Direct access to Scholes Lane, and the creating of a new high standard junction, may be possible if property is acquired.

E J Spivey

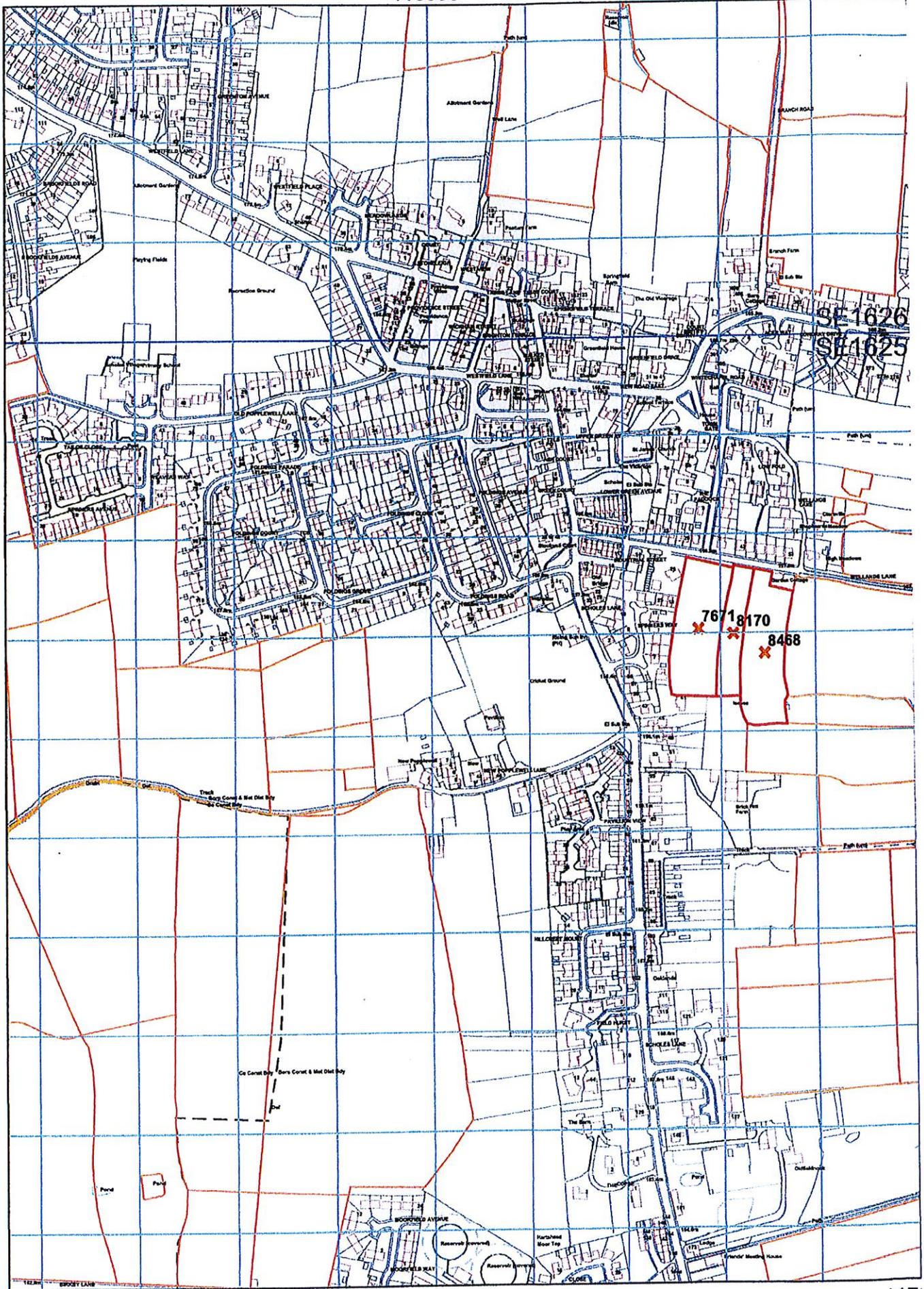
Ed Spivey
Principal
for EJSA Associates.

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Registered in England No. 08041757

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APPENDIX D

Title Plans – Oddfellows Street



Register View - HTML

Register view information

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK26101

[Title Plan View](#)

REGISTER LAST UPDATED ON : 04 JUN 2009 AT 14:44:50

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (19.05.1975) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 47 Oddfellows Street, Scholes, Cleckheaton (BD19 6NX).
2. There are excluded from this registration the mines and minerals excepted by a Conveyance dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-

EXCEPT AND RESERVING unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 8 November 1972 made between (1) John Woodcock (Vendor) and (2) Jack Tallant (Purchaser):-

TOGETHER with full and unrestricted rights of way for the Purchasers and his successors in title at all times hereafter and for all purposes (in common with the Vendors and all others persons entitled or to become entitled to similar rights) over and along the whole of Salisbury Road extending from Town Gate to Oddfellows Street aforesaid and over and along the whole of Oddfellows Street aforesaid

AND ALSO the right (in common as aforesaid) to use the main drains and common sewers and gas water and electricity main pipes and cables made or laid or hereafter to be made or laid under on or over the said streets and to make connections therewith RESERVING unto the Vendors (in common with the Purchaser and his successors in title and all other persons entitled or to become entitled to similar rights) rights of way at all times hereafter and for all purposes over and along such part of Oddfellows Street aforesaid as is included in the property hereby conveyed AND the right to use (in common as aforesaid) such of the said drains or sewers lying within or under the property hereby conveyed and liberty and authority to grant to others any such rights as are hereinbefore reserved.
4. The land has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 12 May 1975 referred to in the Charges Register:-

"TOGETHER WITH such rights over and under the said adjoining property now or formerly of the Vendor as may be necessary for the drainage of and supply of gas electricity and water to the property hereby conveyed RESERVING NEVERTHELESS unto the Vendor and his successors in title (in common with the Purchasers and their successors in title and all other persons now or hereafter having the like rights) such rights over and under the property hereby conveyed as may be necessary for the drainage of and supply of gas electricity and water to the said adjoining property forming part of the Vendor's said Development"
5. The Conveyance dated 12 May 1975 referred to above contains the following provision:-

"IT IS HEREBY AGREED AND DECARED by and between the parties hereto that

the walls and fences separating the property hereby conveyed from the adjoining property comprised in the Conveyance (hereinafter called "the said adjoining property") shall be mesne or party walls and fences and maintainable and repairable accordingly and that such of the drains sewers gas and water pipes electric cables and other services as are present used and enjoyed jointly by the property hereby conveyed and the said adjoining property shall continue to be so used and enjoyed and the cost of the upkeep maintainance and repair of the same shall be borne by the owners concerned proportionately

IT IS HEREBY FURTHER AGREED AND DECLARED that the Purchasers shall not be entitled to any right of light or air to any building erected or to be erected on the property hereby conveyed which would restrict or interfere with the free user of any part of the said adjoining property for building or other purposes"

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (04.08.2000) PROPRIETOR: %JOHN PETER YEARSLEY% of 47 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* BD19 6NX.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. A Conveyance of the land in this title dated 12 May 1975 made between (1) Jack Tallant (Vendor) and (2) Derrick Peter Yearsley (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 12 May 1975 referred to in the Charges Register:-

"For the benefit and protection of the property comprising the remainder yet unsold of the adjoining property comprised and described in the Third Part of the Schedule to a Conveyance dated the 12th day of January 1973 made between Joseph Mountain of the first part the said Joseph Mountain and the Vendor of the second part and the Vendor of the third part belonging to and forming part of the Vendor's Wellands Lane and Oddfellows Street Development or any part or parts thereof and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come the Purchasers hereby jointly and severally covenant with the Vendor that they the Purchasers and their successors in title will at all times hereafter duly observe perform and comply with the conditions and stipulations more particularly specified in the Second Part of the Schedule hereto

THE SCHEDULE hereinbefore referred to:-

SECOND PART

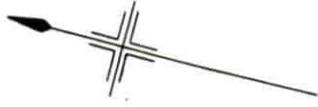
- (a) Not to use or permit to be used the property hereby conveyed and any building to be erected thereon for any purpose other than as a single private dwellinghouse with private garage thereto and not to carry on or suffer to be carried on upon the property hereby conveyed any trade profession business or manufacture whatsoever and not to do or suffer thereon anything which may be or become a nuisance or annoyance to the owners or occupiers of the said adjoining property
- (b) Not to keep or allow to be kept upon the property hereby conveyed any animals or other livestock other than a cat and/or dog and/or caged bird
- (c) No advertisement hoarding or other erection shall at any time be erected or placed or suffered to be placed on any part of the property hereby conveyed other than such as relates to the selling or letting of the property and
- (d) No buildings shall be erected on the said plot of land hereby conveyed until plans and elevations of such building and particulars of the materials to be used in the construction thereof and particulars of the fences or fence walls proposed to be erected shall have been submitted to and received the approval in writing of the Vendor or his duly authorised Agent. No alteration or addition of a permanent or temporary nature shall be subsequently made to any such buildings fences or fence walls without the written consent of the Vendor or his duly authorised Agent first had and obtained"

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK 26101	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
Scale: 1/1250	KIRKLEES DISTRICT		© Crown copyright 1975



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This title is dealt with by HM Land Registry, Nottingham Office.

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Register View - HTML

Register view information

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[New enquiry](#)

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK33374

[Title Plan View](#)

REGISTER LAST UPDATED ON : 02 JUN 2003 AT 11:31:49

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (04.08.1975) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 45 Oddfellows Street, Scholes, Cleckheaton, (BD19 6NX).
2. The mines and minerals together with ancillary powers of working are excepted.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 22 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Willie Arnold and Gerty Woodcock (Purchasers):-

TOGETHER with full and unrestricted rights of way for the Purchasers at all times hereafter and for all purposes in common with the Vendors and all others entitled or to become entitled to similar rights over and along the whole of the street on the Western side of the property hereby conveyed and extending from Town Gate and Low Fold aforesaid to Oddfellows Street and over and along the whole of Oddfellows Street aforesaid AND ALSO the right in common as aforesaid to use the main drains and common sewers and gas water and electric main pipes and cables made or laid or hereafter to be made or laid under on or over the said streets and to make connection therewith

RESERVING NEVERTHELESS unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchasers) over and along the portions hereby conveyed of the said streets and the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed and liberty and authority to grant to others any such rights as are hereinbefore reserved.
4. The land has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 13 June 1975 referred to in the Charges Register:-

"TOGETHER WITH such rights over and under the said adjoining property now or formerly of the Vendor as may be necessary for the drainage of and supply of gas electricity and water to the property hereby conveyed RESERVING NEVERTHELESS unto the Vendor and his successors in title (in common with the Purchasers and their successors in title and all other persons now or hereafter having the like rights) such rights over and under the property hereby conveyed as may be necessary for the drainage of and supply of gas electricity and water to the said adjoining property forming part of the Vendor's said development".
5. The Conveyance dated 13 June 1975 referred to above contains the following provision:-

"IT IS HEREBY AGREED AND DECARED by and between the parties hereto that the walls and fences separating the property hereby conveyed from the adjoining property comprised in the Conveyance (hereinafter called "the said adjoining property") shall be mesne or party walls and fences and maintainable and repairable accordingly and that such of the drains sewers gas and water pipes electric cables and other services as are present used and enjoyed jointly by the property hereby conveyed and the said adjoining property shall continue to be so used and enjoyed and the cost of the upkeep maintenance and repair of the same shall be borne by the owners concerned proportionately

IT IS HEREBY FURTHER AGREED AND DECLARED that the Purchasers shall not be entitled to any right of light or air to any building erected or to be

erected on the property hereby conveyed which would restrict or interfere with the free user of any part of the said adjoining property for building or other purposes".

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (19.06.1975) Proprietor: %ANDREW PHILIP THORNTON% and %ELAINE THORNTON% of 45 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* BD19 6NX.
2. (01.10.1996) RESTRICTION: Except under an order of the registrar no disposition or dealing by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 23 August 1996 in favour of HSBC Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. A Conveyance of the land in this title dated 13 June 1975 made between (1) Jack Tallant (Vendor) and (2) David Dunn and Christine Dunn (Purchasers) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
2. (01.10.1996) REGISTERED CHARGE dated 23 August 1996 to secure the moneys including the further advances therein mentioned.
3. (01.10.1996) Proprietor: #HSBC BANK PLC# (Co. Regn. No. 14259) of 40 Wakefield Road, Leeds, West Yorkshire, LS98 1FD, trading as First Direct.

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 13 June 1975 referred to in the Charges Register:-

 "For the benefit and protection of the property comprising the remainder yet unsold of the adjoining property comprised and described in the Third Part of the Schedule to a Conveyance dated the 12th day of January 1973 made between Joseph Mountain of the first part the said Joseph Mountain and the Vendor of the second part and the Vendor of the third part belonging to and forming part of the Vendor's Wellands Lane and Oddfellows Street Development or any part or parts thereof and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come the Purchasers hereby jointly and severally covenant with the Vendor that they the Purchasers and their successors in title will at all times hereafter duly observe perform and comply with the conditions and stipulations more particularly specified in the Second Part of the Schedule hereto

 IT IS HEREBY AGREED AND DECLARED by and between the parties hereto that the Vendor or his successors in title owners of the parts yet unsold of the said adjoining property may at any time release or vary any of the conditions and stipulations herein contained and that the covenants by the Purchaser in respect thereof shall not operate to impose any restrictions in the manner in which the Vendor may deal with any other part of the said adjoining property or be deemed to create a building scheme

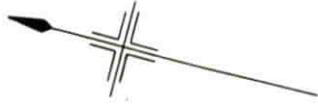
Second Part

- (a) not to use or permit to be used the property hereby conveyed and any building to be erected thereon for any purpose other than as a single private dwellinghouse with private garage thereto and not to carry on or suffer to be carried on upon the property hereby conveyed any trade profession business or manufacture whatsoever and not to do or suffer thereon anything which may be or become a nuisance or annoyance to the owners or occupiers of the said adjoining property
- (b) Not to keep or allow to be kept upon the property hereby conveyed any animals or other livestock other than a cat and/or dog and/or caged bird
- (c) No advertisement hoarding or other erection shall at any time be erected or placed or suffered to be placed on any part of the property hereby conveyed other than such as relates to the selling or letting of the property and
- (d) No buildings shall be erected on the said plot of land hereby conveyed until plans and elevations of such building and particulars of the materials to be used in the construction thereof and particulars of the fences or fence walls proposed to be erected shall have been submitted to and received the approval in writing of the Vendor or his duly authorised Agent. No alteration or addition of a permanent or temporary nature shall be subsequently made to any such buildings fences or fence walls without the written consent of the Vendor or his duly authorised Agent first had and obtained".

End of register

- NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
 NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK 33374	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
Scale: 1/1250	KIRKLEES DISTRICT		SECTION D
			© Crown copyright 1975



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 09:58:41. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 09:59:39. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK35944

[Title Plan View](#)

REGISTER LAST UPDATED ON : 16 JAN 2008 AT 08:42:55

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (28.08.1975) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 43 Oddfellows Street, Cleckheaton, (BD19 6NX).
2. There are excluded from this registration the mines and minerals excepted by a Conveyance dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms:-

EXCEPT and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which or which might in the rear be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 4 July 1975 referred to in the Charges Register:-

"TOGETHER WITH such rights over and under the said adjoining property now or formerly of the Vendor as may be necessary for the drainage of and supply of gas electricity and water to the property hereby conveyed RESERVING NEVERTHELESS unto the Vendor and his successors in title (in common with the Purchasers and their successors in title and all other persons now or hereafter having like rights) such rights over and under the property hereby conveyed as may be necessary for the drainage of and supply of gas electricity and water to the said adjoining property forming part of the Vendor's said Development."
4. The Conveyance dated 4 July 1975 referred to above contains the following provision:-

"IT IS HEREBY AGREED AND DECLARED by and between the parties hereto that the walls and fences separating the property hereby conveyed from the adjoining property comprised in the Conveyance (hereinafter called "the said adjoining property shall be mesne or party walls and fences and maintainable and repairable accordingly and that such of the drains gas sewers and water pipes electric cables and other services as are at present used and enjoyed jointly by the property hereby conveyed and the said adjoining property shall continue to be so used and enjoyed and the cost of the upkeep maintenance and repair of the same shall be borne by the owners concerned proportionately

IT IS HEREBY FURTHER AGREED AND DECLARED that the Purchasers shall not be entitled to any right of light or air to any building erected or to be erected on the property hereby conveyed which would restrict or interfere with the free user of any part of the said adjoining property for building or other purposes

The Vendor hereby reserves the right for himself and his successors in title to alter re-arrange or abandon the plotting of the unsold portions upon the said adjoining property of the Vendor and the position of the building lines and other matters shown on the Vendor's Estate plans but not so as to interfere with the free and uninterrupted access to the property hereby conveyed and the drainage and sewerage thereof

IT IS HEREBY AGREED AND DECLARED by and between the parties hereto that the Vendor or his successors in title owners of the parts yet unsold of the said adjoining property may at any time release or vary any of the conditions and stipulations herein contained and that the covenants by

the Purchasers in respect thereof shall not operate to impose any restrictions in the manner in which the Vendor may deal with any other part of the said adjoining property or be deemed to create a building scheme."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (25.08.1977) PROPRIETOR: %DEREK BUTTERFIELD% and %SUSAN BUTTERFIELD% of 48 Oddfellows Street, Scholes, Cleckheaton, *West Yorkshire* BD19 6NX.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. A Conveyance of the land in this title dated 4 July 1975 made between (1) Jack Tallant (Vendor) and (2) Brian Woodhall and Geraldine Anne Heydenrych (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.
2. (25.08.1987) REGISTERED CHARGE dated 19 August 1977 to secure the moneys including the further advances therein mentioned.
3. (16.01.2008) Proprietor: #BANK OF SCOTLAND PLC# (Scot. Co. Regn. No. SC327000) of Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 4 July 1975 referred to in the Charges Register:-

"For the benefit and protection of the property comprising the remainder yet unsold of the adjoining property comprised and described in the Third Part of the Schedule to a Conveyance dated the 12th day of January 1973 made between Joseph Mountain of the first part the said Joseph Mountain and the Vendor of the second part and the Vendor of the third part belonging to and forming part of the Vendor's Wellands Lane and Oddfellows Street Development or any part of parts thereof and so as to bind so far as may be the property hereby conveyed into whosoever hands the same may come the Purchasers hereby (jointly and severally) covenants with the Vendor that they the Purchasers and their successors in title will at all times hereafter duly observe perform and comply with the conditions and stipulations more particularly specified in the Second Part of the Schedule hereto.

THE SECOND hereinbefore referred to

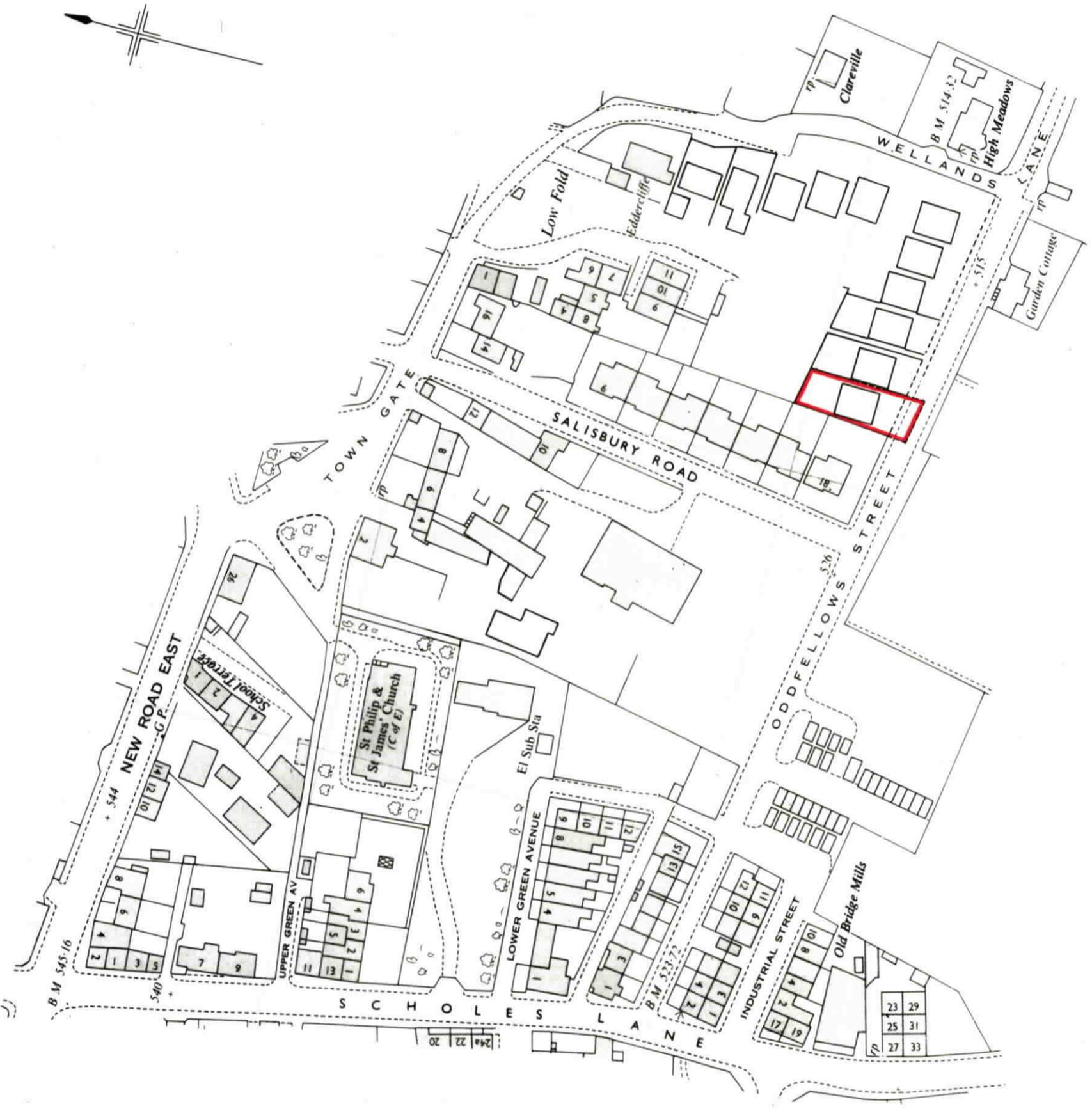
SECOND PART

- (a) Not to use or permit to be used the property hereby conveyed and any building to be erected thereon for any purpose other than a single private dwellinghouse with private garage thereto and not to carry on or suffer to be carried on upon the property hereby conveyed any trade profession business or manufacture whatsoever and not to do or suffer thereon anything which may be or become a nuisance or annoyance to the owner or occupiers of the said adjoining property
- (b) Not to keep or allow to be kept upon the property hereby conveyed any animals or other livestock other than a cat and/or dog and/or caged bird
- (c) No advertisement hoarding or other erection shall at any time be erected or placed or suffered to be placed on any part of the property hereby conveyed other than such as relates to the selling or letting of the property and
- (d) No buildings shall be erected on the said plot of land hereby conveyed until plans and elevations of such building and particulars of the materials to be used in the construction thereof and particulars of the fences or fence walls proposed to be erected shall have been submitted to and received the approval in writing of the Vendor or his duly authorised Agent. No alteration or addition of a permanent or temporary nature shall be subsequently made to any such building fences or fence walls without the written consent of the Vendor or his duly authorised agent first had and obtained."

End of register

- NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER		
		WYK 35944		
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	WEST YORKSHIRE		SE 1625	D
Scale: 1/1250	KIRKLEES DISTRICT		© Crown copyright 1975	



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 10:07:25. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 09:52:05. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK39394

[Title Plan View](#)

REGISTER LAST UPDATED ON : 30 NOV 2015 AT 13:05:47

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (29.09.1975) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being The Lodge, Oddfellows Street, Scholes, Cleckheaton (BD19 6NX).
2. The mines and minerals are excepted.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by the Conveyance dated 15 August 1921 referred to in the Charges Register:-

TOGETHER with rights of way at all times and for all purposes (so far as the Vendors have power to grant the same and in common with the Vendors and all other persons entitled and to become entitled to similar rights) over the whole of the street eight yards wide leading from Webster Lane to the north western corner of the plot of land hereby conveyed RESERVING NEVERTHELESS unto the Vendors (in common with the Purchaser and all other persons to become hereafter entitled to a similar right) the right to use at all times hereafter and for all purposes the portions hereby conveyed of the first before mentioned street eight yards wide and of the main drains or common sewers made or to be made thereunder AND liberty and authority to make connections with the drains and sewers AND liberty and authority to grant to others any such rights as are hereinbefore reserved.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (01.02.1995) PROPRIETOR: %DEBORAH CECILIA RADAGE% of The Lodge, Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* BD19 9NX.
2. (01.02.1995) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. A Conveyance dated 2 March 1870 made between parties unknown contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
2. A Conveyance of the land tinted pink on the filed plan and other land dated 15 August 1921 made between (1) Sam Sharp and William Henry Firth and (2) Thomas Speight contains covenants details of which are set out in the schedule of restrictive covenants hereto.
3. A Conveyance of the land tinted pink on the filed plan and other land dated 22 December 1921 made between (1) Joseph Speight (2) Joseph Speight and Thomas Speight and (3) Thomas Speight and (4) Fletcher Curtis contains covenants details of which are set out in the schedule of

restrictive covenants hereto.

NOTE: A Transfer dated 9 November 1993 made between (1) Susan Ballance and (2) Gary Victor Paul Haydon contains provisions supplemental thereto.

4. A Conveyance dated 11 August 1944 made between (1) Amy Longbottom and others and (2) Percy Flynn contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
5. A Conveyance of the land in this title dated 30 July 1975 made between (1) Blanche Hodge (Vendors) and (2) Derek Boyes (Purchaser) contains covenants details of which are set out in the schedule of restrictive covenants hereto.

Schedule of Restrictive Covenants

1. The following are details of the covenants contained in the Conveyance dated 15 August 1921 referred to in the Charges Register:-

The Purchaser hereby covenants with the Vendors that the Purchaser will not at any time hereafter carry on any noisy noxious or offensive trade or business upon the said plot of land hereby conveyed AND ALSO that the Purchaser shall and will at all times hereafter keep the portion hereby conveyed of the first hereinbefore mentioned street eight yards wide and the main drains or common sewers made or to be made thereunder unobstructed and properly cleansed and in good repair order and condition at the Purchasers own expense AND ALSO that the Purchaser will not at any time hereafter make or open out any windows or other openings in any building erected on the plot of land hereby conveyed overlooking the Vendors adjoining hereditaments within a distance of ten feet from the northerly boundary of the plot of land hereby conveyed.
2. The following are details of the covenants contained in the Conveyance dated 23 December 1921 referred to in the Charges Register:-

The Purchaser for himself his heirs and assigns hereby COVENANTS with the said Thomas Speight (party hereto) THAT he the Purchaser his heirs and assigns will forthwith erect and afterwards maintain a fence along the Southerly side of the plot of land forming the Easterly portion of the said hereditaments hereby conveyed.
3. The following are details of the covenants contained in the Conveyance dated 30 July 1975 referred to in the Charges Register:-

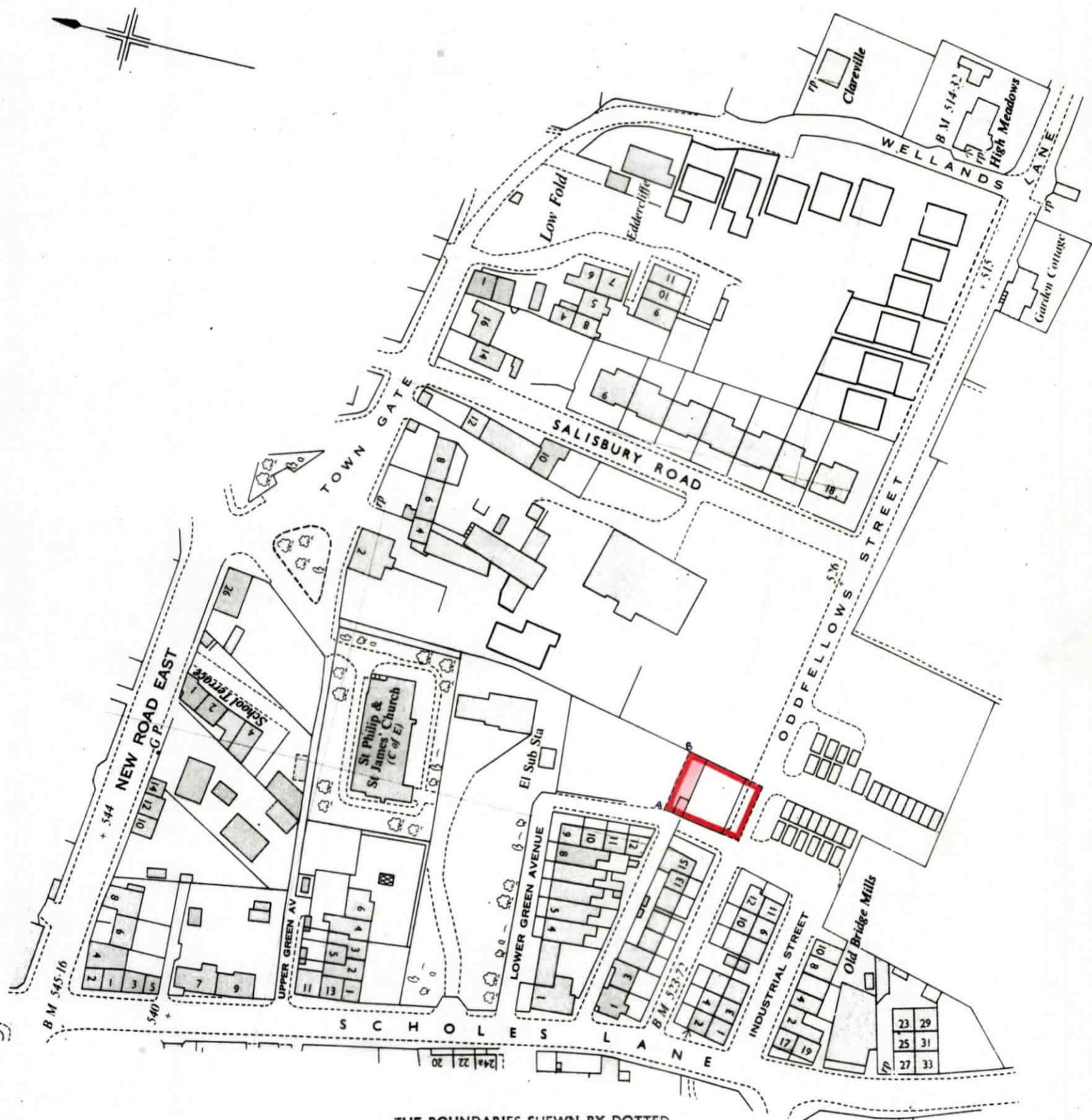
"The Purchaser for himself and his successors in title hereby covenants with the Vendors that he the Purchaser will within three months from the date hereof erect and forever thereafter maintain an interwoven fence not less than four feet in height between the points marked A and B on the said plan annexed hereto."

NOTE :-The points A and B have been reproduced on the filed plan.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK 39394	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
			SECTION
			D
Scale: 1/1250	KIRKLEES DISTRICT		© Crown copyright 1975



THE BOUNDARIES SHOWN BY DOTTED LINES HAVE BEEN PLOTTED FROM THE PLANS ON THE DEEDS AND ARE SUBJECT TO REVISION ON SURVEY.



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 09:48:48. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 11:59:21. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK67769

[Title Plan View](#)

REGISTER LAST UPDATED ON : 24 MAY 2000 AT 23:59:59

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

COUNTY	DISTRICT
WEST YORKSHIRE	KIRKLEES
1.	(25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land and buildings on the North side of Oddfellows Street, Scholes.
2.	<p>There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-</p> <p>EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.</p>
3.	<p>The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchaser):-</p> <p>TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid.</p> <p>.....</p> <p>RESERVING nevertheless unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchaser) over and along the portions hereby conveyed of the said streets</p> <p>AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed</p> <p>AND liberty and authority to grant to others any such rights as are hereinbefore reserved</p> <p>.....</p> <p>SUBJECT to all such rights of way over and drainage under the portion hereby conveyed of the street on the easterly side of the property hereby conveyed as any other person or persons is or are entitled to in common with the owners and occupiers of the property hereby conveyed."</p>
4.	<p>The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-</p> <p>"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute</p> <p>.....</p>

the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains

.....

rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

.....

the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' adjoining properties in Town Gate aforesaid

.....

AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

5. (06.11.1979) A new filed plan based on the latest revision of the Ordnance Survey Map has been substituted for the original plan.
6. (06.11.1979) The land edged and numbered in green on the filed plan has been removed from this title and registered under the title number or numbers shown in green on the said plan.
7. (06.11.1979) Where the parts edged and numbered in green on the filed plan include parts of footpaths, garage forecourt areas and joint access areas rights of way are reserved thereover.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (28.01.1986) Proprietor: %TONY BROADLEY% and %STEVEN BROADLEY% both of 23 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* and %GLYN BROADLEY% of 581a Huddersfield Road, Scholes, Cleckheaton, *W Yorkshire*.
2. (28.01.1986) RESTRICTION: No disposition by a sole proprietor of the land (not being a trust corporation) under which capital money arises is to be registered except under an order of the registrar or of the Court.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The roads footpaths, garage forecourts areas and joint access areas included in the title are subject to rights of way.
2. The land is subject to rights of drainage and rights in respect of water, gas and electricity supply services.
3. The parts of the land respectively affected thereby which adjoin the parts edged and numbered in green on the filed plan are subject to rights of entry for the purpose of maintaining and repairing the boundary walls eaves and roofs of the dwellinghouses or any other buildings erected on the said parts edged and numbered in green.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK 67769	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
			SECTION
			D
Scale: 1/1250	KIRKLEES DISTRICT		© Crown copyright 1980



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 11:56:27. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 09:53:52. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK99451

[Title Plan View](#)

REGISTER LAST UPDATED ON : 15 OCT 2009 AT 16:51:55

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (12.05.1977) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land and Buildings on the South side of Oddfellows Street, Scholes, Cleckheaton.
2. The mines and minerals are excepted.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (15.10.2009) PROPRIETOR: %BRENDA GEORGINA FIRTH%, %CHARLES GRAHAM FIRTH% and %JONATHAN NIGEL FIRTH% of 14 Oddfellows Street, Scholes, Cleckheaton, *West Yorkshire* BD19 6NX.
2. (15.10.2009) The value stated as at 15 October 2009 was £120,000.
3. (15.10.2009) RESTRICTION: No disposition by a sole proprietor of the registered estate (except a trust corporation) under which capital money arises is to be registered unless authorised by an order of the court.

End of register

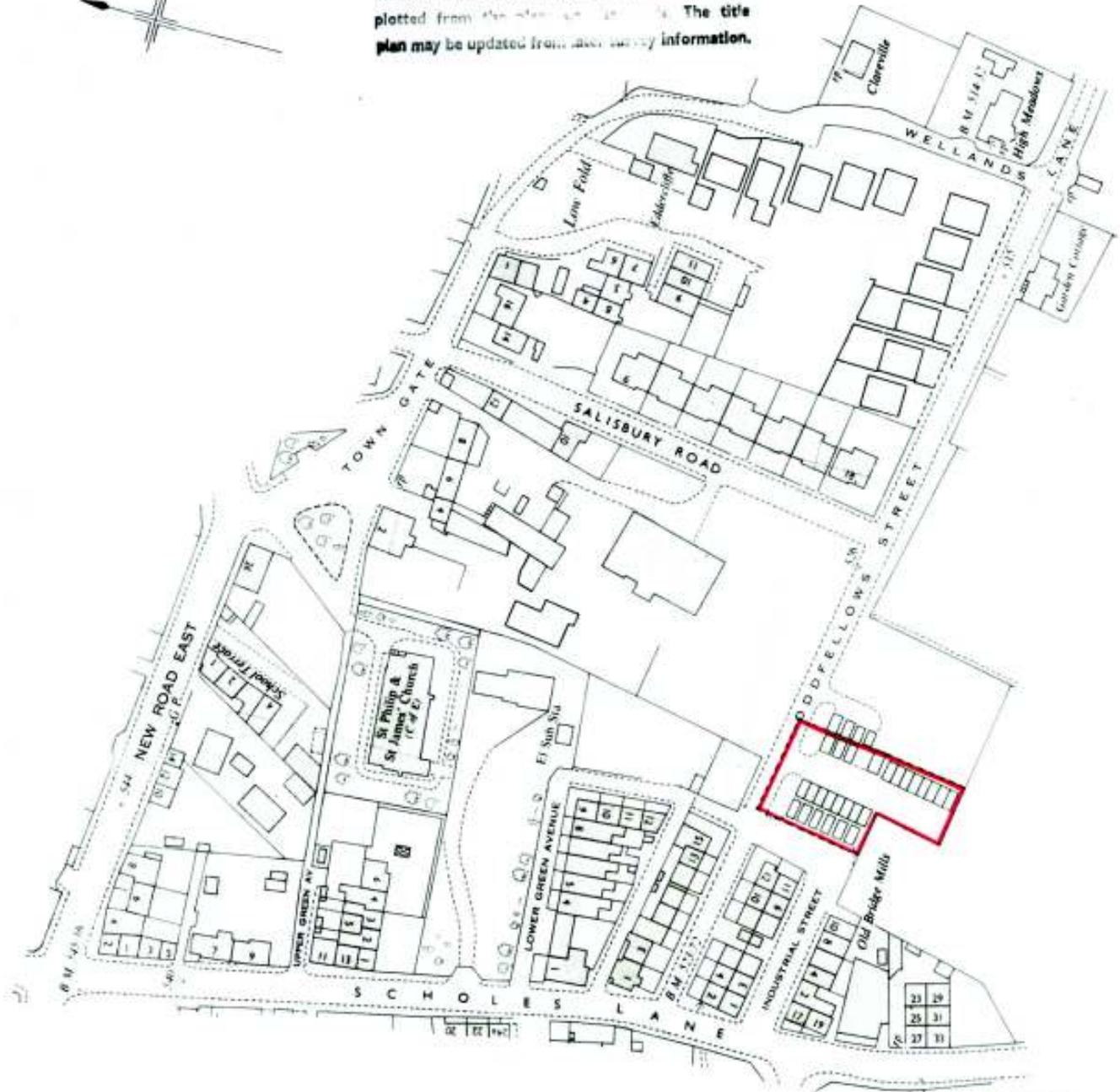
NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER		
		WYK 99451		
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	WEST YORKSHIRE		SE 1625	D
Scale: 1/1250		KIRKLEES DISTRICT	© Crown copyright 1975	



The boundaries shown by dotted lines have been plotted from the plan as shown. The title plan may be updated from later survey information.



N

This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 09:55:07. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Nottingham Office.



Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 11:43:46. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S.67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK357768

[Title Plan View](#)

REGISTER LAST UPDATED ON : 24 FEB 2010 AT 08:33:48

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being Land on the North side of Oddfellows Street, Scholes, Cleckheaton.
2. There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-

EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchasers):-

TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the streets on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid

.....

RESERVING nevertheless unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchaser) over and along the portions hereby conveyed of the said streets AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed

AND liberty and authority to grant to others any such rights as are hereinbefore reserved

.....
4. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-

"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute

....

the right to continue to use exercise and enjoy the same manner as heretofore all such gutters gullies fall pipes drains

.....

rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or

formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

.....

the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' properties in Town Gate aforesaid

.....

AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

5. A Transfer of the land in this title dated 28 November 1985 made between (1) Tony Broadley and others and 82) Glyn Broadley contains the following provision:-

"It is hereby agreed and declared that the Transferee shall not be or become entitled to any express or implied right of light or air or other right or easement which would in any wise restrict or interfere with the free use of any adjoining or adjacent property retained by the Transferors for building or any other purpose."

6. (15.11.1995) The land edged and lettered A in red on the filed plan added to the title on 15 November 1995.
7. (15.11.1995) The land edged and lettered A in red on the filed plan is included in the Conveyances dated 24 June 1898, 11 August 1944 and 9 September 1952 referred to above.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (15.11.1995) PROPRIETOR: %ANTHONY DAVID ALLEN% and %ANNETTE BERRY% of 27 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire*.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The land is subject to rights of drainage and rights in respect of water, gas and electricity supply services.
2. The roads footpaths garage forecourt areas and joint access areas included in the title are subject to rights of way.
3. The land is subject to rights of entry for the purpose of maintaining and repairing the boundary walls eaves and roofs of the dwellinghouses or any other buildings adjoining the land in this title.
4. (15.11.1995) The land edged and lettered A in red on the filed plan is affected by the rights referred to above.
5. (15.11.1995) REGISTERED CHARGE dated 6 November 1995 to secure the moneys including the further advances therein mentioned.
6. (24.02.2010) Proprietor: #SANTANDER UK PLC# (Co. Regn. No. 2294747) of Deeds Services, 101 Midsummer Boulevard, Milton Keynes MK9 1AA.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER		
		WYK 357768		
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	WEST YORKSHIRE		SE 1625	D
Scale: 1/1250		KIRKLEES DISTRICT	© Crown copyright 1986	

The boundaries shown by dotted lines have been plotted from the master plan. The title plan may be updated from later survey information.



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 22 January 2018 at 11:42:45. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 10.04:58. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK537896

[Title Plan View](#)

REGISTER LAST UPDATED ON : 18 OCT 2005 AT 11:24:40

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

COUNTY	DISTRICT
WEST YORKSHIRE	KIRKLEES
1.	(25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 29 Oddfellows Street, Scholes, Cleckheaton, (BD19 6NX).
2.	<p>There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-</p> <p>EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith</p>
3.	<p>The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchasers):-</p> <p>TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid</p> <p>.....</p> <p>RESERVING nevertheless unto the vendors</p> <p>the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed</p> <p>AND Liberty and authority to grant to others any such rights as are hereinbefore reserved</p> <p>.....</p>
4.	<p>The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-</p> <p>"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute</p> <p>.....</p> <p>the right to continue to use exercise and enjoy the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed</p>

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

.....

the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' adjoining properties in Town Gate aforesaid.

AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

5. A Transfer of the land tinted pink on the filed plan and other land dated 28 November 1985 made between (1) Tony Broadley and others and (2) Tony Broadley contains the following provision:-

"It is hereby agreed and declared that the Transferee shall not be or become entitled to any express or implied right of light or air or other right or easement which would in any wise restrict or interfere with the free use of any adjoining or adjacent property retained by the Transferors for building or any other purpose."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (23.09.1993) Proprietor: %IAN ANDREW PYRAH% and %TRACY JANE PYRAH% of 29 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire*, BD19 6NX.

C: Charges Register

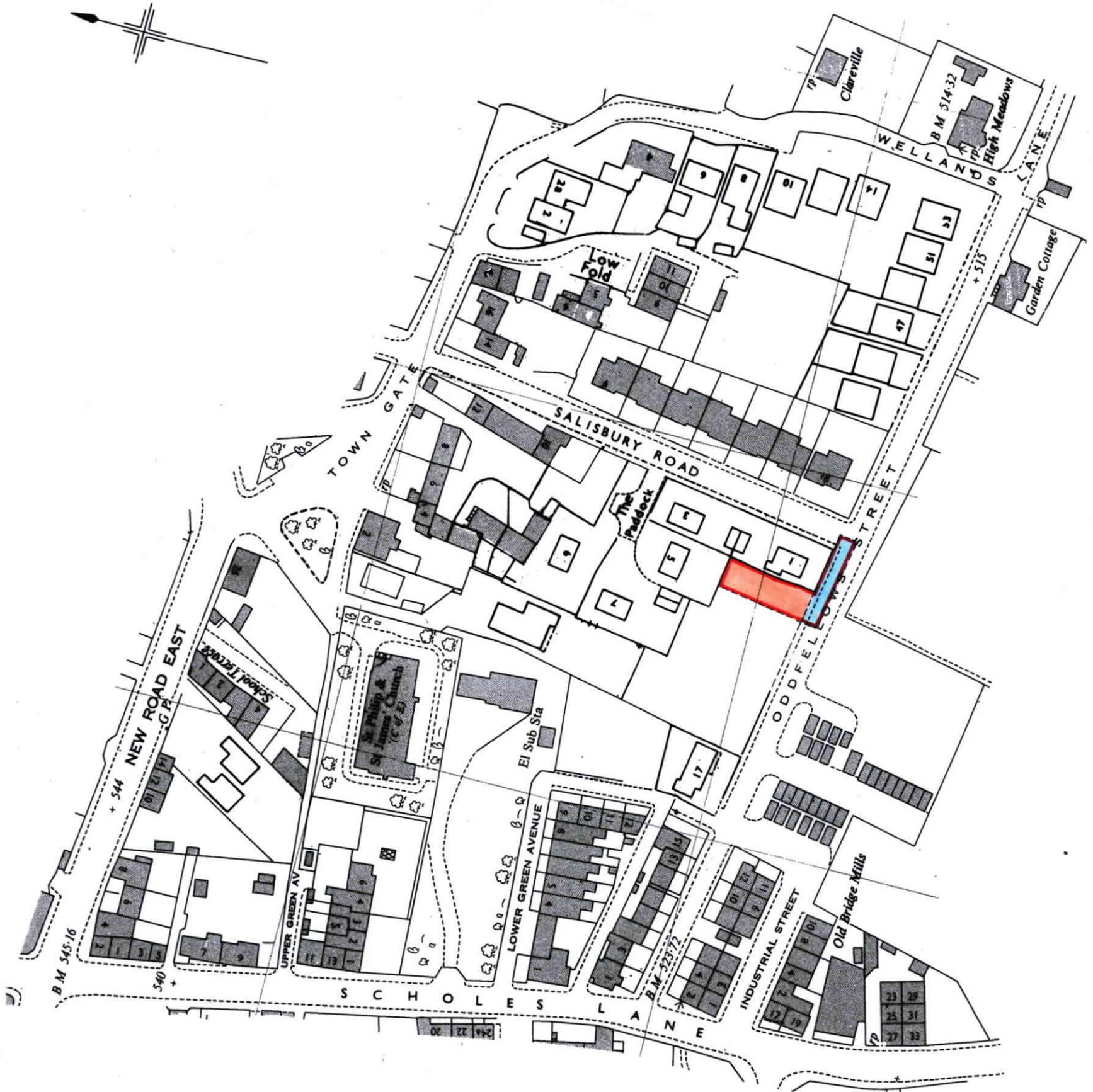
This register contains any charges and other matters that affect the land.

1. The land is subject to rights of drainage and rights in respect of water gas electricity and other supply services
2. The roads and footpaths included in the title are subject to rights of way
3. The land is subject to rights of entry for the purpose of maintaining the boundary walls eaves and roofs of the dwellinghouses or any other buildings adjoining the land in this title.
4. (23.09.1993) A Transfer of the land tinted pink on the filed plan dated 19 March 1993 made between (1) Tony Broadley (Transferor) and (2) Ian Andrew Pyrah and Tracy Jane Pyrah (Transferees) contains the following covenants:-
- "The Transferees hereby covenant with the Transferor that they and their successors in title shall not at any time carry on any trade or business from the property nor use the property or any part thereof for any purpose or in any manner which shall or may be a source of nuisance or damage to the Transferor or his successors in title or to the adjoining owners and further that they shall maintain repair and renew the fences and walls marked 'T' within the boundary on the plan annexed hereto."
- NOTE:-Copy Transfer plan in Certificate. Copy plan filed.
5. (07.08.1998) A Transfer of the land tinted blue on the filed plan dated 19 March 1993 made between (1) Tony Broadley and others (Transferors) and (2) Ian Andrew Pyrah and Tracy Jane Pyrah (Transferees) contains the following covenants:-
- "The Transferees hereby covenant with the Transferors that they and their successors in title shall not at any time park or allow to be parked any caravan or house on wheels van lorry boat trailer or other similar vehicle on the land hereby transferred nor cause or permit any obstruction on any part thereof and further to pay a proportion of the expense from time to time of maintaining and repairing the whole of the roadway contained within title number WYK67769 together with the adjoining owners and to use the land as a roadway for the purpose of gaining access to and egress from the property known as 29 Oddfellows Street Scholes and for no other purpose.
6. (18.10.2005) REGISTERED CHARGE dated 30 September 2005.
7. (18.10.2005) Proprietor: >NOTTINGHAM BUILDING SOCIETY> of Nottingham House, 5-13 Upper Parliament Street, Nottingham NG1 2BX.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK537896	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
			SECTION
			D
Scale: 1/1250	KIRKLEES DISTRICT		© Crown copyright 1986



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This title is dealt with by HM Land Registry, Nottingham Office.

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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 11:45:28. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK586781

[Title Plan View](#)

REGISTER LAST UPDATED ON : 20 SEP 2013 AT 08:09:24

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 25 Oddfellows Street, Scholes, Cleckheaton (BD19 6NX).
2. There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-

EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land tinted yellow on the filed plan and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchaser):-

TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid.

.....

RESERVING nevertheless unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchaser) over and along the portions hereby conveyed of the said streets

AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed

AND liberty and authority to grant to others any such rights as are hereinbefore reserved

.....

SUBJECT to all such rights of way over and drainage under the portion hereby conveyed of the street on the easterly side of the property hereby conveyed as any other person or persons is or are entitled to in common with the owners and occupiers of the property hereby conveyed."
4. The land tinted pink on the filed plan and other land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchasers):-

TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid

.....

RESERVING nevertheless unto the vendors

the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed

AND liberty and authority to grant to others any such rights as are hereinbefore reserved

5. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-

"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute

.....
the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains

.....
rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

.....
the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' adjoining properties in Town Gate aforesaid

.....
AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

6. A transfer of the land tinted pink on the filed plan dated 28 November 1985 made between (1) Tony Broadley and others and (2) Steven Broadley contains the following provision:-

"It is hereby agreed and declared that the Transferee shall not be or become entitled to any express or implied right of light or air or other right or easement which would in any wise restrict or interfere with the free use of any adjoining or adjacent property retained by the Transferors for building or any other purpose."

7. The land tinted yellow on the filed plan has the benefit of rights of way over the footpaths, garage forecourt areas and joint access areas.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (18.04.1996) PROPRIETOR: %STEVEN LESTOR JEWELL% and %AMANDA JANE JEWELL% of 25 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* BD19 6NX.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The roads footpaths, garage forecourts areas and joint access areas included in the title are subject to rights of way.
2. The land is subject to rights of drainage and rights in respect of water, gas and electricity supply services.
3. The land is subject to rights of entry for the purpose of maintaining and repairing the boundary walls eaves and roofs of the dwellinghouses or any other buildings adjoining the land in this title.
4. (18.04.1996) A transfer of the land tinted pink on the filed plan dated 25 March 1996 made between (1) Steven Broadley and (2) Steven Lester Jewell and Amanda Jane Jewell contains the following covenants:-
- "The Transferees further jointly and severally covenant with the Transferor to observe and perform the following restrictive covenants:-
- (i) the property shall be used as a single private dwellinghouse and no trade or business shall be carried out therefrom
- (ii) that the Transferees shall maintain the fence along the western boundary of the property

(iii) not to use the property or any part thereof for any purpose or in any manner which may be a source of nuisance or cause damage to the Transferor or his successors in title or to the owners of the adjoining properties."

5. (18.04.1996) A Transfer of the land tinted yellow on the filed plan dated 25 March 1996 made between (1) Tony Broadley and others and (2) Steven Lester Jewell and Amanda Jane Jewell contains the following covenants:-

"The Transferees further jointly and severally covenant with the Transferors to observe and perform the following restrictive covenants:-

- (i) not to park or allow to be parked on the land hereby transferred any caravan house on wheels van lorry boat trailer or other similar vehicle
- (ii) not to cause or permit any obstruction on any part of the land
- (iii) to pay a proportion of the expense from time to time of maintaining and repairing the whole of the roadway forming the unadopted portion of Oddfellows Street of which the right of way as defined within entry number 3 of the Property Register to Title Number WYK67769 is exercised proportionate with adjoining owners exercising the same right."

6. (21.09.2007) REGISTERED CHARGE dated 20 September 2007.

7. (21.09.2007) Proprietor: #TSB BANK PLC# (Scot. Co. Regn. No. SC095237) of Mortgages, P.O. Box 2230, Barnett Way, Barnwood, Gloucester GL3 9ED.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK586781	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
Scale: 1/1250	KIRKLEES DISTRICT		SECTION D
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Register View - HTML

Register view information

THIS IS A PRINT OF THE VIEW OF THE REGISTER OBTAINED FROM HM LAND REGISTRY SHOWING THE ENTRIES SUBSISTING IN THE REGISTER ON 22 JAN 2018 AT 11:52:16. BUT PLEASE NOTE THAT THIS REGISTER VIEW IS NOT ADMISSIBLE IN A COURT IN THE SAME WAY AS AN OFFICIAL COPY WITHIN THE MEANING OF S 67 LAND REGISTRATION ACT 2002. UNLIKE AN OFFICIAL COPY, IT MAY NOT ENTITLE A PERSON TO BE INDEMNIFIED BY THE REGISTRAR IF HE OR SHE SUFFERS LOSS BY REASON OF A MISTAKE CONTAINED WITHIN IT. THE ENTRIES SHOWN DO NOT TAKE ACCOUNT OF ANY APPLICATIONS PENDING IN HM LAND REGISTRY.

[New enquiry](#)

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FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK652742

[Title Plan View](#)

REGISTER LAST UPDATED ON : 30 MAR 2011 AT 11:19:25

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land adjoining 23 Oddfellows Street, Scholes, Cleckheaton (BD19 6NX).
2. There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-

EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchaser):-

TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid.

.....

RESERVING nevertheless unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchaser) over and along the portions hereby conveyed of the said streets

AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed

AND liberty and authority to grant to others any such rights as are hereinbefore reserved

.....

SUBJECT to all such rights of way over and drainage under the portion hereby conveyed of the street on the easterly side of the property hereby conveyed as any other person or persons is or are entitled to in common with the owners and occupiers of the property hereby conveyed."
4. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-

"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute

.....

the right to continue to use exercise and enjoy in the same manner as

heretofore all such gutters gullies fall pipes drains

.....
rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

.....
the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' adjoining properties in Town Gate aforesaid

.....
AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (30.03.2011) PROPRIETOR: %APOSTOLOS TOLIKAS% and %LAURA JOANNE TOLIKAS% of 23 Oddfellows Street, Scholes, Cleckheaton, *West Yorkshire* BD19 6NX.
2. (30.03.2011) The price stated to have been paid on 17 March 2011 for the land in this title and in WYK652739 was £145,000.

C: Charges Register

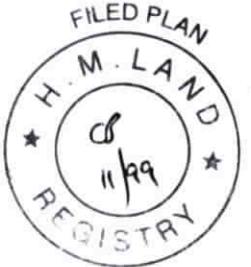
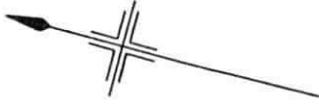
This register contains any charges and other matters that affect the land.

1. The land is subject to rights of way, drainage and rights in respect of water, gas and electricity supply services.
2. By a Transfer dated 12 July 1999 made between (1) Tony Broadley and others and (2) Stephen Leslie Barker and Jean Shepherd the land in this title was conveyed subject as follows:-
 - "1. Not to park or allow to be parked on the land any caravan house on wheels lorry boat trailer or other similar vehicle
 2. Not to cause or permit any obstruction on any part of the land
 3. To pay a proportion of the expense from time to time of maintaining or repairing the whole of the roadway forming the unadotted portion of Oddfellows Street over which the right of way as defined within entry number 3 of the Property Register to title number WYK67769 is exercised proportionate with the adjoining owners exercising the same"
3. (30.03.2011) REGISTERED CHARGE dated 17 March 2011 affecting also title WYK652739.
4. (30.03.2011) Proprietor: #BANK OF SCOTLAND PLC# (Scot. Co. Regn. No. SC327000) of Halifax Division, 1 Lovell Park Road, Leeds LS1 1NS.

End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.
NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.

H.M. LAND REGISTRY		TITLE NUMBER	
		WYK652742	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 1625
			SECTION
			D
Scale: 1/1250		KIRKLEES DISTRICT	© Crown copyright 1986



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Register View - HTML

Register view information

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[New enquiry](#)

[Printer-Friendly Version](#)

FOR SEARCH PURPOSES, THE ABOVE DATE SHOULD BE USED AS THE SEARCH FROM DATE.

THIS TITLE IS DEALT WITH BY HM LAND REGISTRY, NOTTINGHAM OFFICE

Use current title number for:

TITLE NO: WYK672038

[Title Plan View](#)

REGISTER LAST UPDATED ON : 01 AUG 2014 AT 16:05:06

[OC Title Known](#)

[OS with Priority](#)

[OS w/o Priority](#)

[Home Rights](#)

Register View

A: Property Register

This register describes the land and estate comprised in the title.

WEST YORKSHIRE : KIRKLEES

1. (25.06.1976) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being land adjoining Oddfellows Street, Scholes, Cleckheaton.
2. There are excluded from this registration the mines and minerals excepted by a Conveyance of the land in this title and other land dated 24 June 1898 made between (1) Edmund Minson Wavell and (2) Joseph Longbottom in the following terms and the land is also subject to the following ancillary powers of working:-

EXCEPTING and reserving unto the said Edmund Minson Wavell his heirs and assigns out of the Conveyance thereby made all mines veins seams and beds of coal ironstone and other minerals whatsoever already found or which might thereafter be found under the said closes pieces or parcels of land thereby conveyed or intended so to be with full power for the said Edmund Minson Wavell his heirs and assigns at all times thereafter to work get and carry away the said coal ironstone and other minerals thereby reserved but so that the surface of the said closes pieces or parcels of land should not be entered upon for any purpose connected therewith.
3. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 11 August 1944 made between (1) Amy Longbottom and others (Vendors) and (2) Percy Flynn (Purchaser):-

TOGETHER with full and unobstructed rights of way for the Purchaser at all times hereafter and for all purposes (in common with the Vendors and all others entitled and to become entitled to similar rights) over and along the whole of the street on the eastern side of the property hereby conveyed and extending from Town Gate aforesaid to Oddfellows Street and over and along the whole of the Oddfellows Street aforesaid.

.....

RESERVING nevertheless unto the Vendors rights of way at all times hereafter and for all purposes (in common with the Purchaser) over and along the portions hereby conveyed of the said streets

AND the right to use (in common as aforesaid) the portions of the said drains or sewers lying within or under the property hereby conveyed

AND liberty and authority to grant to others any such rights as are hereinbefore reserved

.....

SUBJECT to all such rights of way over and drainage under the portion hereby conveyed of the street on the easterly side of the property hereby conveyed as any other person or persons is or are entitled to in common with the owners and occupiers of the property hereby conveyed."
4. The land has the benefit of the following rights granted by but is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 9 September 1952 made between (1) Herbert Flynn and Douglas Stead Flynn (Vendors) and (2) Sam Hey and Beatrice Hey (Purchasers):-

"TOGETHER with (as partly explanatory of or by way of addition to and not so as to prejudice or limit the operation of the general words implied by statute

.....

the right to continue to use exercise and enjoy in the same manner as

heretofore all such gutters gullies fall pipes drains

rights of support and other appurtenances easements and rights in the nature thereof upon over or against the adjoining properties now or formerly of the Vendors as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any part of the property hereby conveyed

RESERVING nevertheless unto the Vendors (in common with the Purchasers)

the right to continue to use exercise and enjoy in the same manner as heretofore all such gutters gullies fall pipes drains rights of support and other appurtenances easements and rights in the nature thereof upon over or against the property hereby conveyed as have hitherto been used exercised or enjoyed (whether exclusively or in common) as appurtenant to any of the Vendors' adjoining properties in Town Gate aforesaid

AND liberty and authority to grant to others any such rights as are hereinbefore reserved."

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title Absolute

1. (24.05.2000) PROPRIETOR: %MARK PHILIP ORMONDROYD% and %JOANNE LOUISE ORMONDROYD% of 21 Oddfellows Street, Scholes, Cleckheaton, *W Yorkshire* BD19 6BX.
2. (24.05.2000) The price stated to have been paid on 25 October 1999 was £500.
3. (24.05.2000) The Transfer to the proprietor contains a covenant to observe and perform the covenants and other matters and of indemnity in respect thereof.
4. (24.05.2000) RESTRICTION: Except under an order of the registrar no disposition by the proprietor of the land is to be registered or noted without the consent of the proprietor of the Charge dated 25 October 1999 in favour of HSBC Bank PLC referred to in the Charges Register.

C: Charges Register

This register contains any charges and other matters that affect the land.

1. The roads footpaths, garage forecourts areas and joint access areas included in the title are subject to rights of way.
2. The land is subject to rights of drainage and rights in respect of water, gas and electricity supply services.
3. The land is subject to rights of entry for the purpose of maintaining and repairing the boundary walls eaves and roofs of the dwellinghouses or any other buildings adjoining the land in this title.
4. (24.05.2000) A Transfer of the land in this title dated 25 October 1999 made between (1) Steven Broadley and others (Transferors) and (2) Mark Philip Ormondroyd and Joanne Louise Ormondroyd contains the following covenants:-
 "The Transferees hereby covenant as follows:-
 a) not to park or allow to be parked on the land any caravan house on wheels van lorry boat trailer or other similar vehicle
 b) not to cause or permit any obstruction on any part of the land
 c) to pay a proportion of the expense from time to time of maintaining and repairing the whole of the roadway forming the unadopted portion of Oddfellows Street over which the right of way as defined within entry number 3 of the Property Register to Title No. WYK67769 is exercised proportionate with adjoining owners exercising the same right"
5. (24.05.2000) REGISTERED CHARGE dated 25 October 1999 affecting also title WYK357769 to secure the moneys including the further advances therein mentioned.
6. (24.05.2000) Proprietor: #HSBC BANK PLC# (Co. Regn. No. 14259) 40-41-42 of Mortgage Service Centre, P.O. Box 6308, Coventry CV3 9LB.

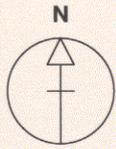
End of register

NOTE 1: The date at the beginning of an entry is the date on which the entry was made in the Register.

NOTE 2: Symbols included in register entries do not form part of the register and are used by HM Land Registry for internal purposes only.



TITLE NUMBER
WYK672038



WEST YORKSHIRE : KIRKLEES

ORDNANCE SURVEY MAP REFERENCE:

SE1625NE

SCALE 1:1250

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