

About the application

Application number: 2024/91003	
What is the application for?:	Erection of conservatory to front
Address of the site or building:	3, The Old School, Stocks Bank Road, Mirfield, WF14 9QD
Postcode:	WF14 9QD

User comments

Type of comment: An objection	
Do you wish your comments to be published on the website anonymously?	Yes

RE: PLANNING APPLICATION - 2024/91003

MY OBJECTION TO THE ABOVE PLANS SUBMITTED TO YOU

All information below is from the official H M Land Registry land Title Register documents and Instrument of Transfer - Land Registry, Schedule 3, Paragraph D

The Old School, as its name implies, is a mid-19th-century school of historical significance, marking the inception of education for children in Battyeford and Mirfield. It is believed to have been constructed between 1840 and 1850. The entire structure of The Old School is built of stone (Refer to Land Registry WYK623038 for more details). The renovation process commenced in 1998, which transformed the building into five separate dwellings with NO added structures made to the original building.

The instrument of transfer includes covenants pertaining to the land's usage by the transferees. One notable covenant (Third Schedule, Part D) stipulates that:

1. (i) The transferees will not erect or permit to be erected on the land hereby transferred any buildings (either temporary or permanent) of any kind whatsoever save the erection of a greenhouse or garden hut without previously obtaining the consent of the transferors to erection of said buildings and their approval of the plans and their of the plans and specifications for the same.

2. AND IN PARTICULAR that no erection of any kind whatsoever, inclusive of garden walls and fences shall at any time be erected or built in the front garden of the land hereby transferred other than the garden walls as now provided by the transferors.

I believe the above is a restrictive covenant that 'runs with the land'. This means that they are applicable to all future purchasers of the property and not just the original purchaser.

*The aforementioned conditions apply to the above planning application.

**The HM Land registry Instrument of transfer documents will be of course be available for any inspection.

3. The proposed construction will limit the (a) views, (b) light, and (c) privacy of dwellings 2 and 4.

4. Only complementary materials, such as stone, should be used on any renovations on the house. A Glass and UPVC conservatory is not suitable for this historic 180 year old school structure.

The structure will have no Architectural merit being attached to the front of this early Victorian building.

5. The proposed structure's visual impact would disrupt the aesthetic continuity of this historic building, creating a discordant contrast that undermines its original charm and character.

6. While the potential devaluation of property prices due to the proposed structure may not be a consideration in a planning application/opposition, it is advised by a local estate agent that the structure's appearance and location could significantly diminish the property's appeal for future buyers, particularly as permission is being sought to build onto the front garden and reduces privacy over neighbouring gardens.

26th April 2024