

17 April 2024

SUPPORTING INFORMATION**SITE: EAST BARN, ABBEY ROAD, SHEPLEY, HUDDERSFIELD, HD8 8XP****SUBJECT: CERTIFICATE OF LAWFULNESS APPLICATION IN RESPECT OF LAND AT EAST BARN****CLIENT: MR D P ROBERTS AND MR M A ROBERTS**

- 1.1 This application is submitted on the basis that the former agricultural land surrounding the property has, in part, been used as residential curtilage / formal garden for over 10 years. The details of and evidence being as follows.
 - 1.2 Mr D P Roberts and Mr M A Roberts purchased the property East Barn in November of 2023 and since that time have lived at the property with their family. A copy of the title, showing the property is within their ownership, is attached at **Appendix A**. The total 3.72 acre plot comprises a dwelling, a detached garage, residential curtilage (garden) and additional grassland / grounds.
 - 1.3 As shown on the title plan attached at **Appendix A** the area shaded in blue is described as residential curtilage and measures circa 0.28 acres (1,150 sqm) and the areas shaded in yellow, pink and brown are described as agricultural land which total circa 3.43 acres.
 - 1.4 A section of the land shaded pink on the title plan located to the east and south of the dwelling and measuring circa 0.88 acres (3575 sqm) has been used as residential curtilage / formal garden for over 10 years and as such which is the subject of this application for a certificate of lawfulness. This area of land is shown on the drawings attached at **Appendix B** hatched in green.
 - 1.5 The area of land which is the subject of this application for a certificate of lawfulness has been used as residential curtilage / formal garden by the previous owner of East Barn since they purchased the property in 2005 and from this date has been cultivated to include various shrubs and plants, a wendy house and children's play equipment including a sunken trampoline. In 2011 the previous owner had the same area of land professional landscaped which included boundary treatments, still present to this day, a fixed fire pit and seating areas and additional planting. As demonstrated on the drawing attached at **Appendix B** said boundary treatments comprise a tree lined boundary to the north and a wooden fences to the east and south.
 - 1.6 A statement of truth has been provided by the previous owner of East Barn, Amanda Scacchetti (now Amanda Jennings) which confirms the points set out above.
 - 1.7 Statements of truth have also been provided by two neighbours, namely Mr & Mrs Pember of Heymoor Cottage who have lived at Heymoor Cottage since November 2010 and Mr and Mrs Lawty of West Barn who have lived at West Barn since August 2008, also confirming the points set out above.
-

- 1.8 These documents, a copy of which are attached at **Appendix C**, were requested by and provided directly to solicitor Mr John Robson of Milners and as such the authenticity of these documents can be confirmed by him.
- 1.9 The image below was taken from Google Earth, dated June 2009, and clearly shows the area of land partially landscaped and containing items associated with a family garden. This again supports the information set out within the statements of truth provided which state that the previous owner purchased East Barn in 2005 and from this date the area of land has been cultivated to include various shrubs and plants, a wendy house and children's play equipment including a sunken trampoline.



- 1.10 Unfortunately, there are no images available between 2011, when the area of land which is the subject of this application for a certificate of lawfulness was professionally landscaped which included boundary treatments, a fixed fire pit and seating areas and additional planting were undertaken, and 2015 when the image above was taken. However, the statements of truth demonstrate without doubt that said works were undertaken in 2011.

- 1.11 The image below was taken from Google Earth, dated June 2015, and clearly shows the area of land which is the subject of this application for a certificate of lawfulness with formal boundaries in place, landscaped and containing items associated with a family garden. This supports the information set out within the statements of truth provided which state that in 2011 the previous owner of East Barn had the same area of land professional landscaped which included boundary treatments, still present to this day, a fixed fire pit and seating areas and additional planting.



- 1.12 The images below show the area of land as it is now, boundary treatments, landscaping, planting and items within the garden described above and within the statements of truth are all clearly shown.







APPENDIX A

Our Ref : AP/JR/JR/0003347
Your Ref :
Please ask for : John Robson
Direct Email : john.robson@milnerslaw.com
Direct Dial : 01423 530103

19 December 2023

Mr D P Roberts & Mr M A Roberts
East Barn
Abbey Road
Shepley
Huddersfield
HD8 8EP

Dear Daniel and Michael,

Purchase of East Barn, Abbey Road, Shepley, Huddersfield HD8 8EP

Following completion of the above purchase, please find enclosed the Official Copies of the Register showing you as the new proprietor of the property.

I also enclose an official copy of the register of title for your retention.

I would like to take this opportunity to thank you for your kind instructions. It has been a pleasure to deal with you throughout the transaction and should I be of any assistance in the future please do not hesitate to contact me.

Yours sincerely



PP **JOHN ROBSON**
MILNERS

Partners: Simon Bass Giles Ward Andrew Price Mathew Haynes Victoria Barraclough Kirsty Linden Sarah Hubery
Iain Robson Susan Alexander



MILNERS SOLICITORS
12 PRINCES SQUARE
HARROGATE
HG1 1LX

Date
18 December 2023

Your Ref
JR/0003347

Our Ref
RCS/WYK786757

HM Land Registry
Nottingham Office
PO Box 75
Gloucester
GL14 9BD

DX 321601
Gloucester 33

Tel 0300 006 0008

www.gov.uk/land-registry

Completion of registration

Title number	WYK786757
Property	East Barn, Abbey Road, Shepley, Huddersfield (...)
Registered proprietor	DANIEL PAUL ROBERTS MICHAEL ANTONY ROBERTS

Your application lodged on 20 November 2023 has been completed. An official copy of the register is enclosed. No amendment has been made to the title plan.

The official copy shows the entries in the individual register of title as at the date and time stated on it. You do not need to reply unless you think a mistake has been made in completing your application.

An owner's property is probably their most valuable asset so it's important to protect it from the risk of fraud. Please read our property fraud advice at www.gov.uk/protect-land-property-from-fraud

Important information about the address for service

If we need to write to an owner, a mortgage lender or other party who has an interest noted in the register, we will write to them at their address shown in the register. We will also use this address if we need to issue any formal notice to an owner or other party as a result of an application being made. Notices are often sent as a safeguard against fraud so it is important that this address is correct and up-to-date. If it is not, the property owner or other party may not receive our letter or notice and could suffer a loss as a result.

Up to three addresses for service can be entered in the register. At least one of these must be a postal address, but this does not have to be in the United Kingdom; the other two may be a DX address, a UK or overseas postal address or an email address.

Please let us know at once of any changes to an address for service.

For information on how a property owner can apply to change their contact details or add an address, please see www.gov.uk/government/publications/updating-registered-owners-contact-address on GOV.UK (or search for "COG1") or contact HM Land Registry Customer Support (0300 006 0411) (0300 006 0422 for Welsh speakers service) from Monday to Friday between 8am and 5pm.

If you require this correspondence in an alternative format, please let us know.



Official copy of register of title

Title number WYK786757

Edition date 20.11.2023

- This official copy shows the entries on the register of title on 18 Dec 2023 at 06:54:58.
- 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 18 Dec 2023.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry Nottingham Office.

A: Property Register

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

WEST YORKSHIRE : KIRKLEES

- 1 The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being East Barn, Abbey Road, Shepley, Huddersfield (HD8 8EP).
- 2 The mines and minerals together with ancillary powers of working are excepted with provision for compensation in the event of damage caused thereby.
- 3 (31.01.2003) The land tinted pink and tinted blue on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 14 November 2002 referred to in the Charges Register.
- 4 (31.01.2003) The Transfer dated 14 November 2002 referred to above contains provisions as to light or air and boundary structures.
- 5 (31.01.2003) The land tinted brown on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 14 November 2002 referred to in the Charges Register.
- 6 (31.01.2003) The Transfer dated 14 November 2002 referred to above contains provisions as to light or air and boundary structures.
- 7 (07.02.2003) The land tinted yellow on the title plan has the benefit of the rights granted by but is subject to the rights reserved by the Transfer dated 14 November 2002 referred to in the Charges Register.
- 8 (07.02.2003) The Transfer dated 14 November 2002 referred to above contains a provision as to light or air.
- 9 (17.06.2004) The land tinted brown on the title plan has the benefit of the rights reserved by but is subject to the rights granted by a Transfer of West Barn being the land and buildings adjoining the western boundary of the land in this title dated 25 May 2004 made between (1) John Oates and Margaret Elaine Oates (2) Alexander Michael Mellor and Elisabeth Jane Davies.

NOTE: Copy filed under WYK767628.
- 10 (28.02.2005) The land has the benefit of the rights granted by but is subject to the rights reserved by the Transfer of the land in this

C: Charges Register continued

contains restrictive covenants.

NOTE: Copy filed under WYK732464.

- 4 (07.02.2003) A Transfer of the land tinted yellow on the title plan and other land dated 14 November 2002 made between (1) Dennis John Whiteley and Linda Kay Whiteley (2) Linda Kay Whiteley and (3) John Oates and Margaret Elaine Oates contains restrictive covenants.

NOTE: Copy filed under WYK732921.

- 5 (28.02.2005) A Transfer of the land in this title dated 25 January 2005 made between (1) John Oates and Margaret Elaine Oates and (2) Amanda Scacchetti and Robert John Jennings contains restrictive covenants.

NOTE: Copy filed.

- 6 (20.11.2023) REGISTERED CHARGE dated 16 November 2023.

- 7 (20.11.2023) Proprietor: NATIONWIDE BUILDING SOCIETY of Nationwide House, Pipers Way, Swindon L SN38 1NW.

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

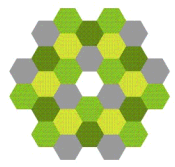
This official copy is issued on 20 September 2023 shows the state of this title plan on 20 September 2023 at 16:15:34. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. 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 the HM Land Registry, Nottingham Office .

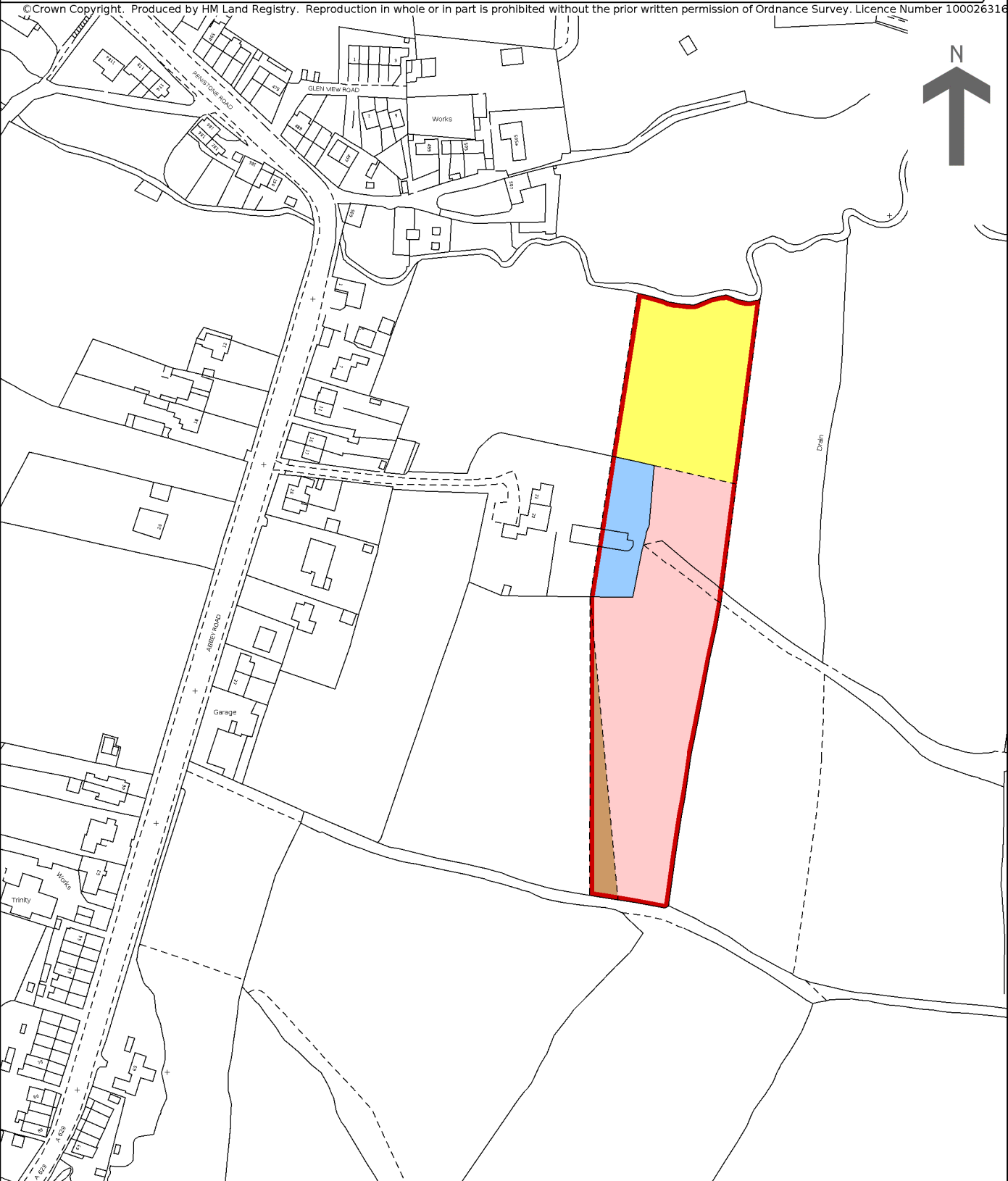
HM Land Registry

Official copy of title plan

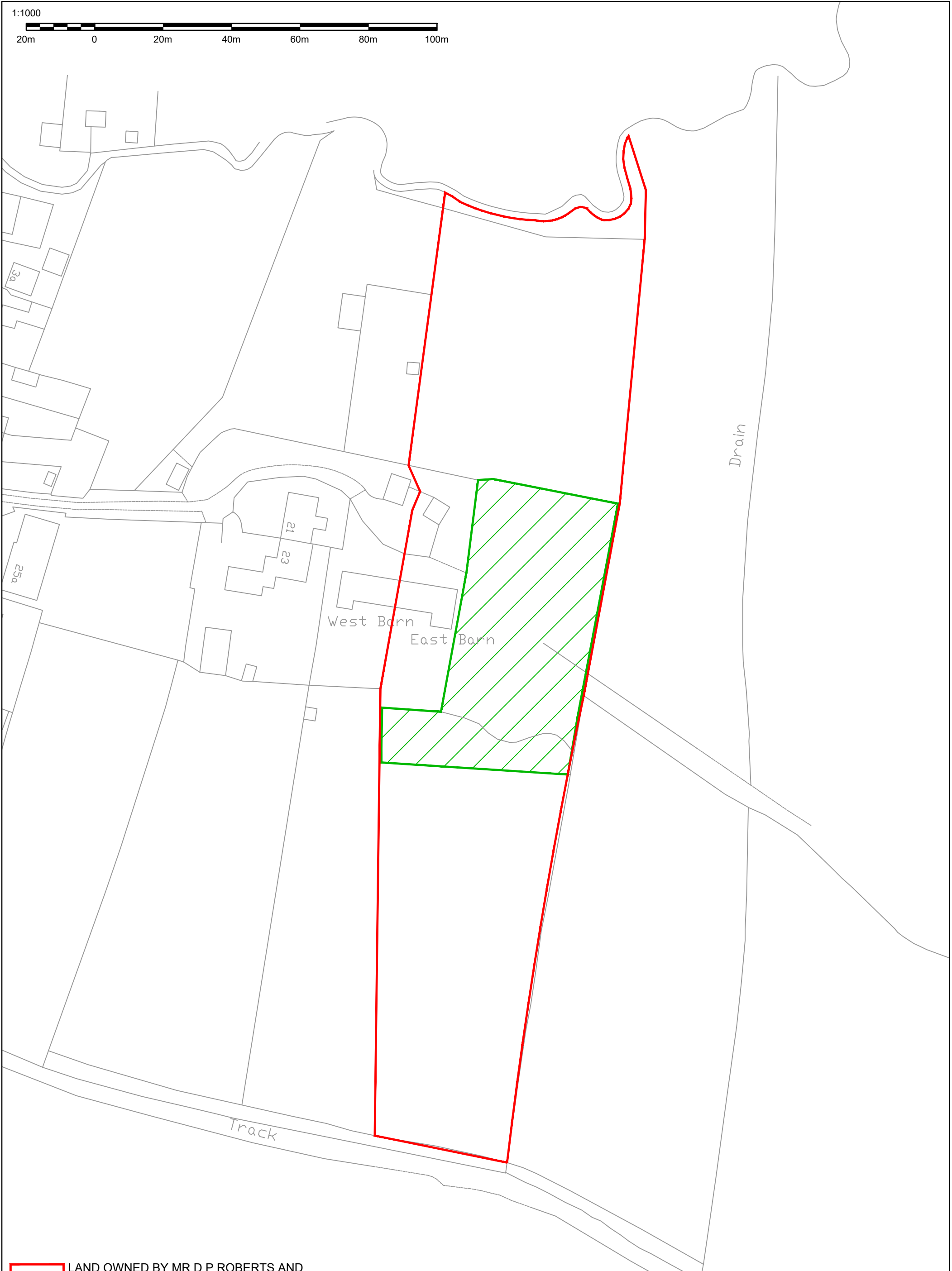
Title number **WYK786757**
Ordnance Survey map reference **SE2010NW**
Scale **1:2500**
Administrative area **West Yorkshire :**
Kirklees



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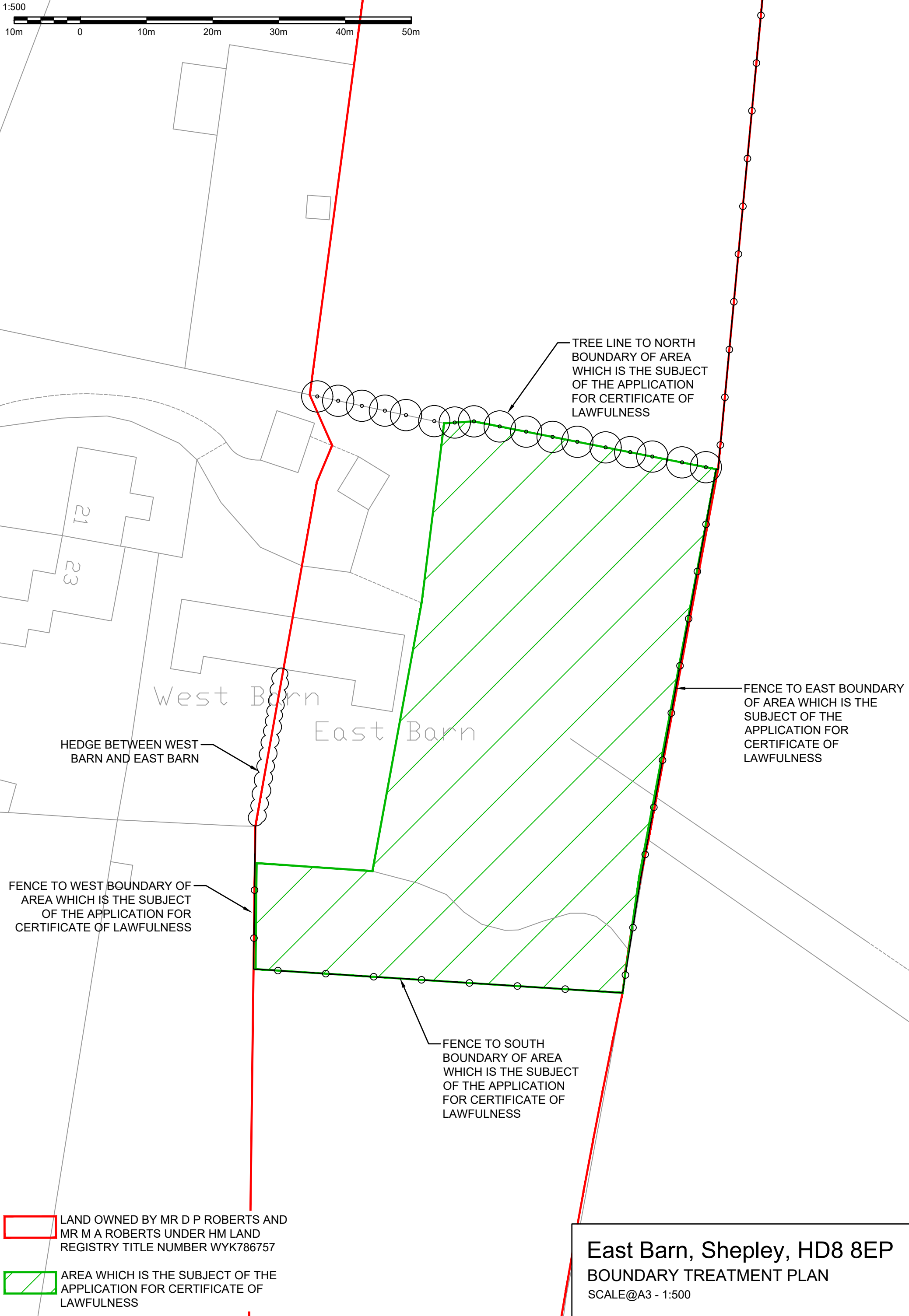


APPENDIX B



-  LAND OWNED BY MR D P ROBERTS AND MR M A ROBERTS UNDER HM LAND
REGISTRY TITLE NUMBER WYK786757
-  AREA WHICH IS THE SUBJECT OF THE APPLICATION FOR CERTIFICATE OF LAWFULNESS

East Barn, Shepley, HD8 8EP
LAND OWNERSHIP PLAN
SCALE@A3 - 1:1000



East Barn, Shepley, HD8 8EP
BOUNDARY TREATMENT PLAN
SCALE@A3 - 1:500

APPENDIX C



Our Ref : AP/JR/JR/0003347
Your Ref :
Please ask for : John Robson
Direct Email : john.robson@milnerslaw.com
Direct Dial : 01423 530103

5 March 2024

Mr D P Roberts & Mr M A Roberts
East Barn
Abbey Road
Sheppey
Huddersfield
HD8 8EP

Dear Daniel and Michael,

Purchase of East Barn, Abbey Road, Sheppey, Huddersfield HD8 8EP

Following completion of the above purchase, please find enclosed the original signed Statement of Truth. Kind regards.

Yours sincerely

John Robson

**JOHN ROBSON
MILNERS**

Partners: Simon Bass Giles Ward Andrew Price Mathew Haynes Victoria Barraclough Kirsty Linden Sarah Hubery
Iain Robson Susan Alexander

Address: 11a Princes Square, Harrogate, HG1 1ND

Telephone: 01423 530 103 Facsimile (Harrogate): 0113 242 0469

Email: hello@milnerslaw.com Website: www.milnerslaw.com

Office also at: Pontefract (Upton) and Leeds

We do not accept service by Email

Authorised and Regulated by the Solicitors Regulation Authority

Registered Number: 52317



Statement of Truth

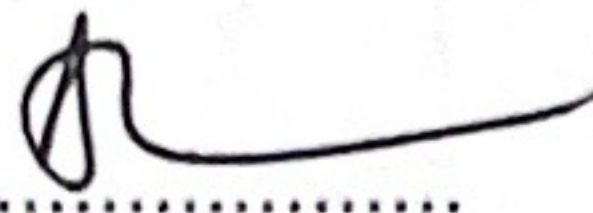
This Statement of Truth relates to the property known as East Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP ("the Property").

I, Amanda Scacchetti, now Amanda Jennings care of Ramsdens Solicitors, Ramsden Street, Huddersfield, HD1 2TH make this Statement of Truth consciously believing that the facts set out herein are within my knowledge and are true.

1. I purchased the freehold Property known as East Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP and registered under Title Number WYK786757 on the 25th day of January 2005, jointly with my husband Robert John Jennings, for a price of £700,000.
2. Upon completion of my purchase myself, my husband and family resided in the said Property East Barn as our main private residence.
3. During our ownership and occupation both the land shaded blue on the Title Plan and also the adjacent land to the east of the blue land as hatched in green on the plan attached hereto and marked "AJ1" was occupied and used as part of the ornamental and residential garden and play areas attached to the property.
4. Since the date of our purchase the said land hatched in green was used for:
 - A recreational garden for ourselves and our children.
 - Cultivation of the garden areas to include planting of various shrubs and plants.
 - The erection of a wendy house to be used by our children.
 - The erection of a sunken trampoline area and climbing frame area to be used by our children.
 - Landscaping of the area and installing a fire pit area with seating and formal planting which works were carried out in 2011.
 - Cultivating the land and used as a family garden since 2005.
5. The said occupation and use of the green land as detailed above, was carried out without any form of objection or interruption by any third parties nor Kirklees Council.
6. The land was continually used for the above purposes until the date we sold the Property on the 8th day of November 2023 to Daniel Paul Roberts and Michael Antony Roberts.

And I make this Statement of Truth consciously believing the same to be true.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed
Amanda Jennings

Dated 26/02/2024

Statement of Truth

This Statement of Truth relates to the property known as East Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP.

We, Craig & Tara Pember of Heymoor Cottage, 21 Abbey Road, Shepley, Huddersfield, HD8 8EP do solemnly and sincerely declare as follows:

1. We have lived at Heymoor Cottage since November 2010.
2. The land within the boundaries of East Barn, hatched in green on title number WYK786757 and marked AJ1 was maintained as a garden by the previous owners, Rob & Amanda Jennings for the whole time we have resided at Heymoor Cottage.
3. We have witnessed the said land being mowed frequently (both by the previous owners and a gardening company) and cultivated with the planting of various shrubs and plants.
4. The previous owners installed a wendy house, trampoline, football nets and climbing frame in this area which was used by their children.
5. The previous owners had this area landscaped to include a fire pit with seating area and formal planting areas.
6. We are fully supportive of this application and would view this as an enhancement to the garden that we have understood to be the land use for at least the last 13 years.

Signed:



Name: CRAIG PEMBER

Date: 21/3/24

Signed:



Name:

TARA PEMBER

Date:

21/3/24

Statement of Truth

This Statement of Truth relates to the property known as East Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP.

We, Craig & Tara Pember of Heymoor Cottage, 21 Abbey Road, Shepley, Huddersfield, HD8 8EP do solemnly and sincerely declare as follows:

1. We have lived at Heymoor Cottage since November 2010.
2. The land within the boundaries of East Barn, hatched in green on title number WYK786757 and marked AJ1 was maintained as a garden by the previous owners, Rob & Amanda Jennings for the whole time we have resided at Heymoor Cottage.
3. We have witnessed the said land being mowed frequently (both by the previous owners and a gardening company) and cultivated with the planting of various shrubs and plants.
4. The previous owners installed a wendy house, trampoline, football nets and climbing frame in this area which was used by their children.
5. The previous owners had this area landscaped to include a fire pit with seating area and formal planting areas.
6. We are fully supportive of this application and would view this as an enhancement to the garden that we have understood to be the land use for at least the last 13 years.

Signed:



Name: CRAIG PEMBER

Date: 21/3/24

Signed:



Name:

TARA PEMBER

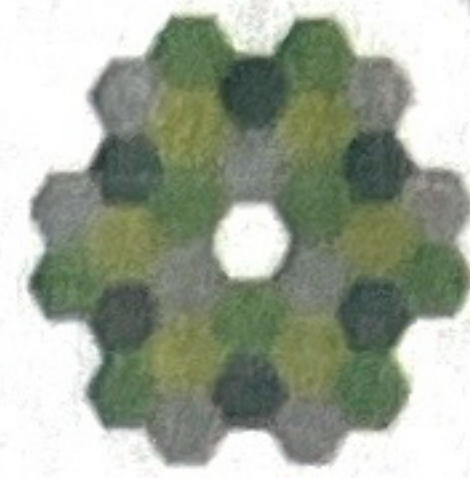
Date:

21/3/24

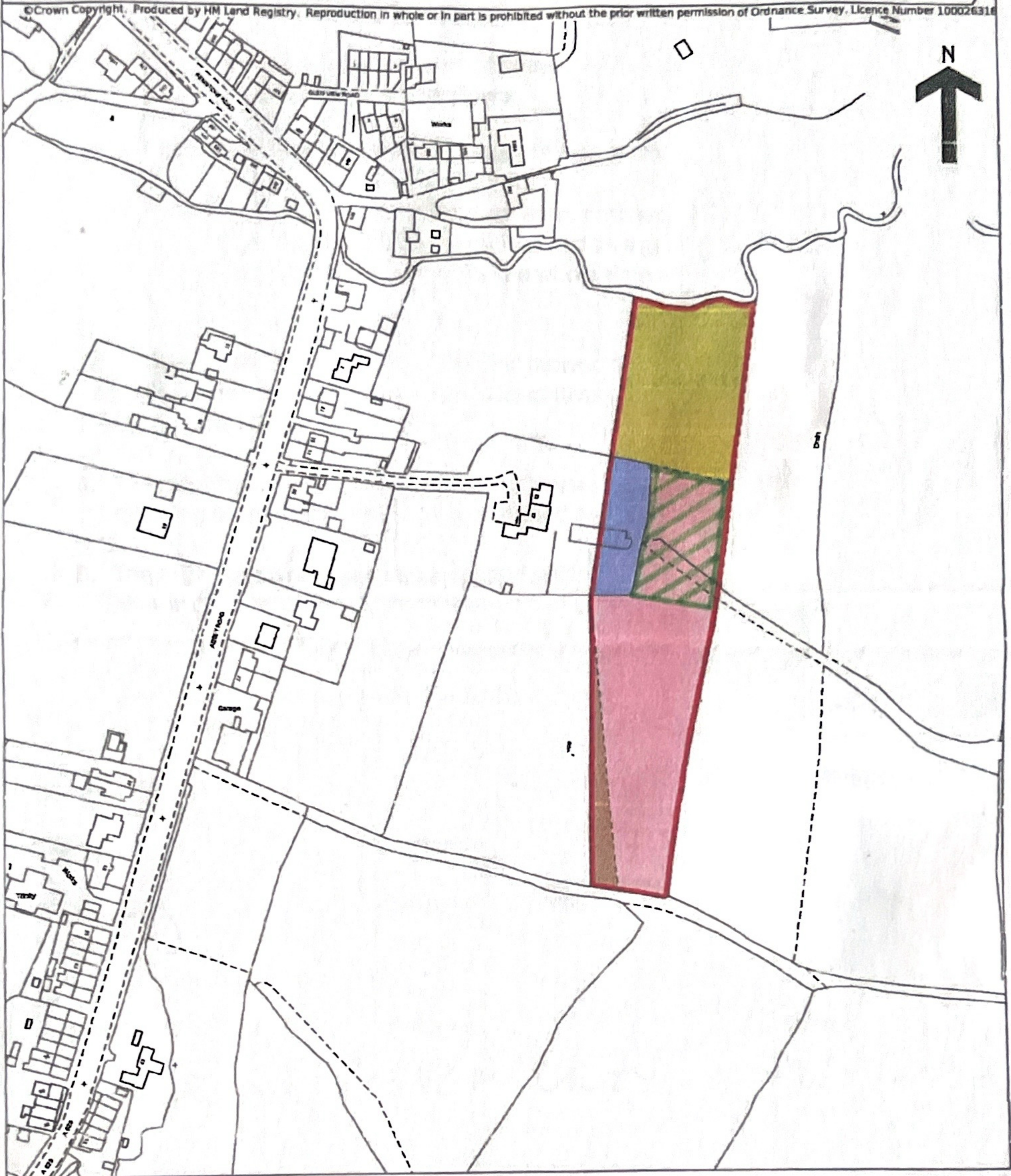
"AJ1"

HM Land Registry
Official copy of
title plan

Title number **WYK786757**
Ordnance Survey map reference **SE2010NW**
Scale **1:2500**
Administrative area **West Yorkshire :**
Kirklees



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Statement of Truth

This Statement of Truth relates to the property known as East Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP.

We Roger and Rachel Lawty of West Barn, Abbey Road, Shepley, Huddersfield, HD8 8EP do solemnly and sincerely declare as follows:

1. We have lived at West Barn since since 1st August 2008.
2. The land within the boundaries of East Barn, hatched in green on title number WYK786757 and marked AJ1 was maintained as a garden by the previous owners, Rob & Amanda Jennings for the whole time we have resided at West Barn.
3. We have witnessed the said land being mowed frequently (both by the previous owners and a gardening company) and cultivated with the planting of various shrubs and plants.
4. The previous owners installed a wendy house, trampoline, football nets and climbing frame in this area which was used by their children.
5. The previous owners had this area landscaped in 2011 to include a fire pit with seating area and formal planting areas.
6. We are fully supportive of this application and would view this as an enhancement to the garden that we have understood to be the land use over the last 15 years.

Signed

R Lawty

Name:

ROGER LAWTY

Date:

19/3/24

Signed

R. M. P. Lawty

Name:

RACHEL M P LAWTY

Date:

19/3/2024.

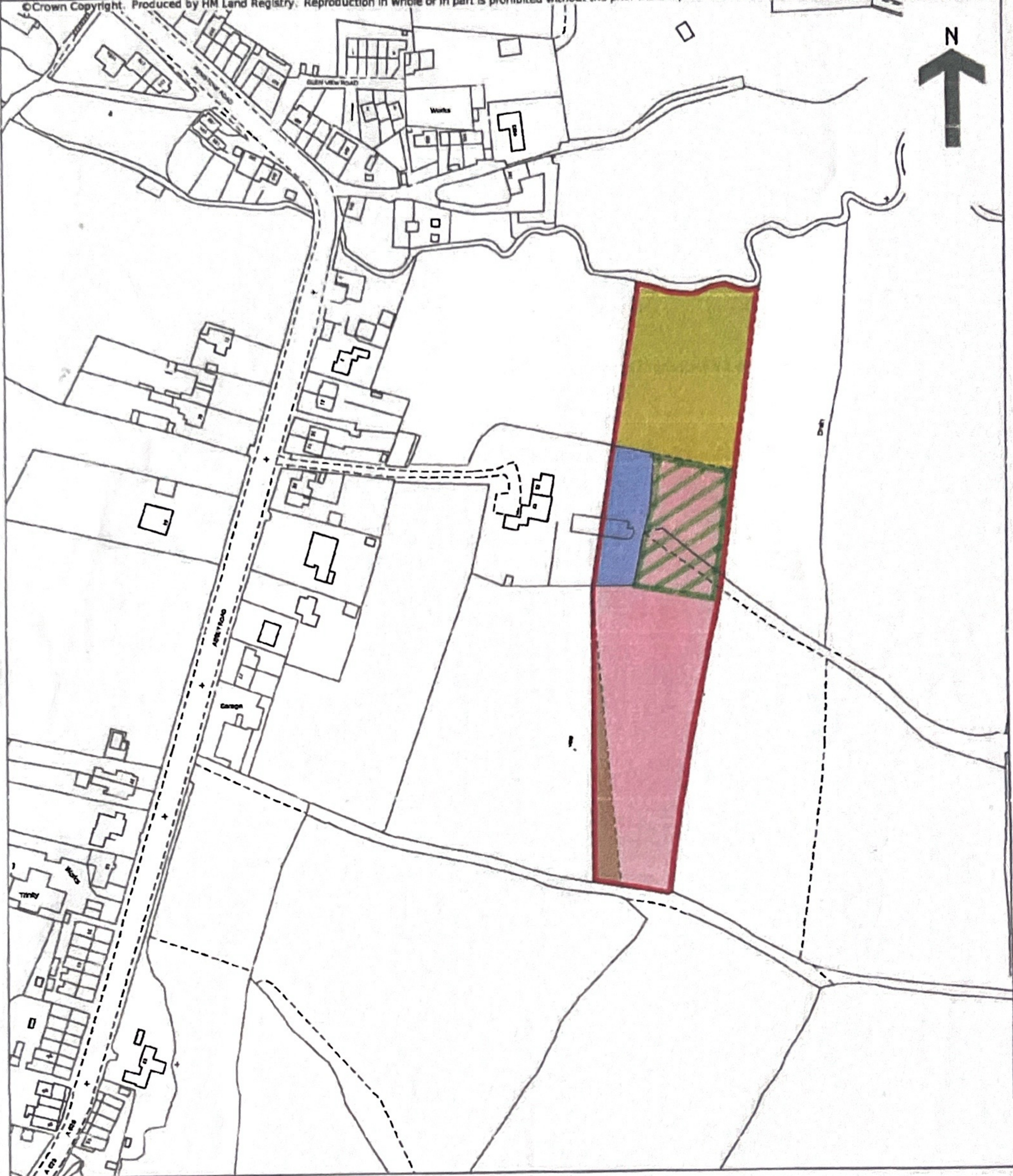
'AJ1'



HM Land Registry
Official copy of
title plan

Title number **WYK786757**
Ordnance Survey map reference **SE2010NW**
Scale **1:2500**
Administrative area **West Yorkshire :**
Kirklees

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