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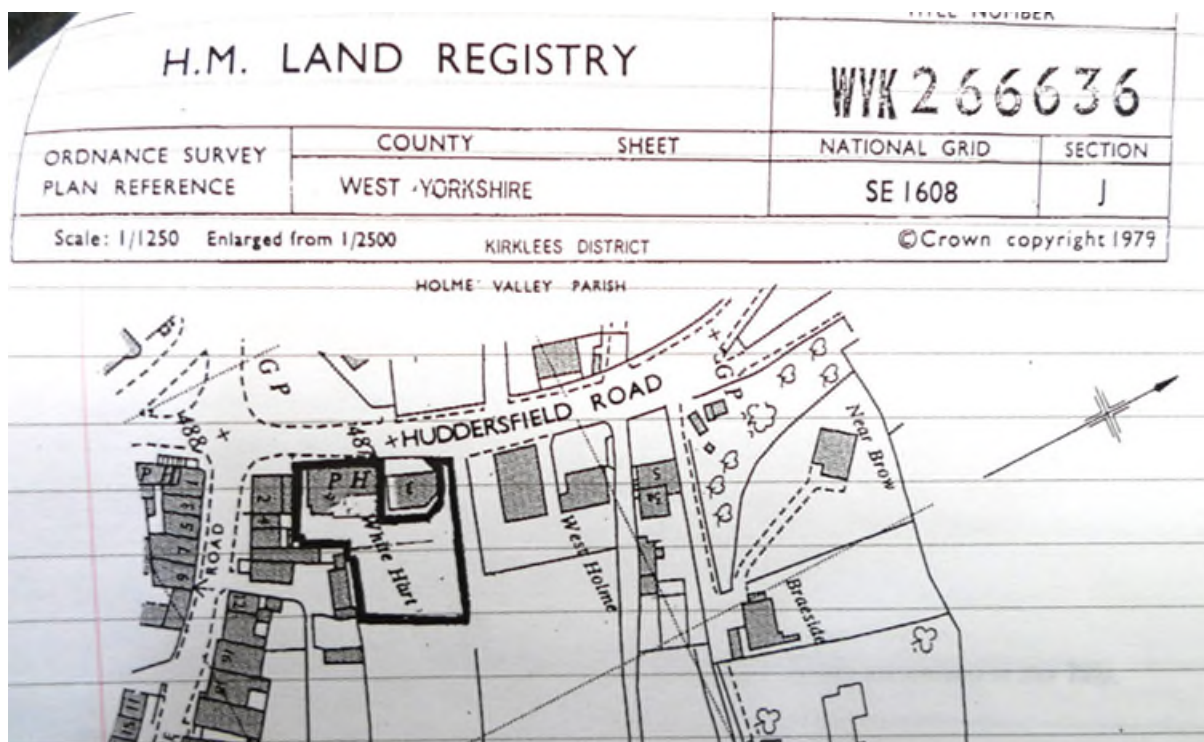
Sent: 30 September 2024 18:22

To: Lucy Taylor <Lucy.Taylor@kirklees.gov.uk>

Subject: Re: Planning Enquiry Re Application 2024/92304 at White Hart, Huddersfield Road, New Mill. Holmfirth. HD9 7JU

Hi Lucy.

I attach a photo of the land registry details for the White Hart Pub.



You can clearly see that the pub does not own the drive running between itself and West Garth/West Holme. This drive is owned by Newlands. I live at Fairview and I have full access right along this drive to my property

along with Newlands, New Stone House and 3C (4 houses, 8 cars therefore use this drive already).

There is another area of land to the south of the White Hart that is shown within the red boundary lines of the applicants block plan but is not shown as being owned by the White Hart on its title deeds.

I do believe, however, that the White Hart may have a 'right of way' over the lower part of this drive granted to allow 'drays' the right to deliver beer barrels while it was an operating as a public house!

If you read the rights of way clauses in the deeds of the various properties that the drive services, they are very different. My clause for example stipulates that I am responsible for paying for any structural alteration and re-surfacing. The clause in the White Hart pub deeds says that it is only responsible for paying maintenance costs and not resurfacing.

My opinion is therefore that the White Hart has only secondary responsibility for and is not a prime user of the drive. If the property is now to be converted from a public house to residential use and no more beer deliveries it does not need this right of way access?

I attach below my interpretation on the applicants block plan, in an attempt to illustrate the points I have made above.



We have now also white lined our drive so you can see what part of the drive is owned by the White Hart and what part is owned by Newlands, Fairview, 3C and New Stone House.



If there is anything you do not understand or if you would like to go over my points in more detail please let me know.

Kind Regards

Fairview, Huddersfield Road, New Mill HD9 7JU