

I would like to comment and make a note for the record, this is regarding written claims made here by the neighbours at 129 Oxford Road.

The passageway between house 125/127 and their house, 129, is for the shared access to and from Oxford Road from the backs of all the houses 114 (as written in deeds but likely to be 113) to 127 in this Terrace.

I am including the deeds to house 129 (available at the Land Registry) the owners of this house are claiming this passageway for themselves and themselves only. Maybe the owners have other documents or deeds which they would willingly share showing that they have different information, and that the legal access-way has been closed legally and all the deeds to the neighbours properties have also been updated. Their deeds do not show this to be the case.

The fact that a recent separate passageway between 123 and 125/127 has been opened does not mean that the original passageway can no longer be used, unless stated in the deeds, which it does not appear to. Often, as in this case, land and passageways owned by one house have legal rights of way over them by the neighbours, this cannot be revoked easily by merely building a wall obstructing the access.

NOTE

The first photo here shows the passageway open by way of an access gate, this was taken on 23/10/23

The second photo was taken on 30/10/23 April, only 7 days later, shows the gate has been replaced with 8 inch steel girders and railway sleepers. Apart from this being on the incorrect boundary it has permanently blocked the legal access to and from Oxford Road for the all other residents. Both of these photos were taken during the legal process of selling house 125/127, and the solid wall was built whilst it was unoccupied within this 7 day timeframe. This appears to be done in the hope that the new owner does not realise the passage has been blocked up since the previous owner had left.

The photos also show the last unit in the remaining block of outside toilets, the owner of 129 is claiming it is a coal shed, regardless of what it is, their deeds clearly show this to be outside of the boundary of their property and within the boundary of 127 and most likely belonging to 127. They are claiming it to be their property, despite their own deeds showing otherwise.

This is just an observation which is unlikely to affect planning permission, but it needed to be mentioned here for the record. I have attempted to speak to the neighbours on numerous occasions, to no avail.

Ben Martin

15:53



Cleckheaton - Gomersal

23 October 2023 12:13

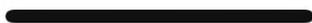


15:26

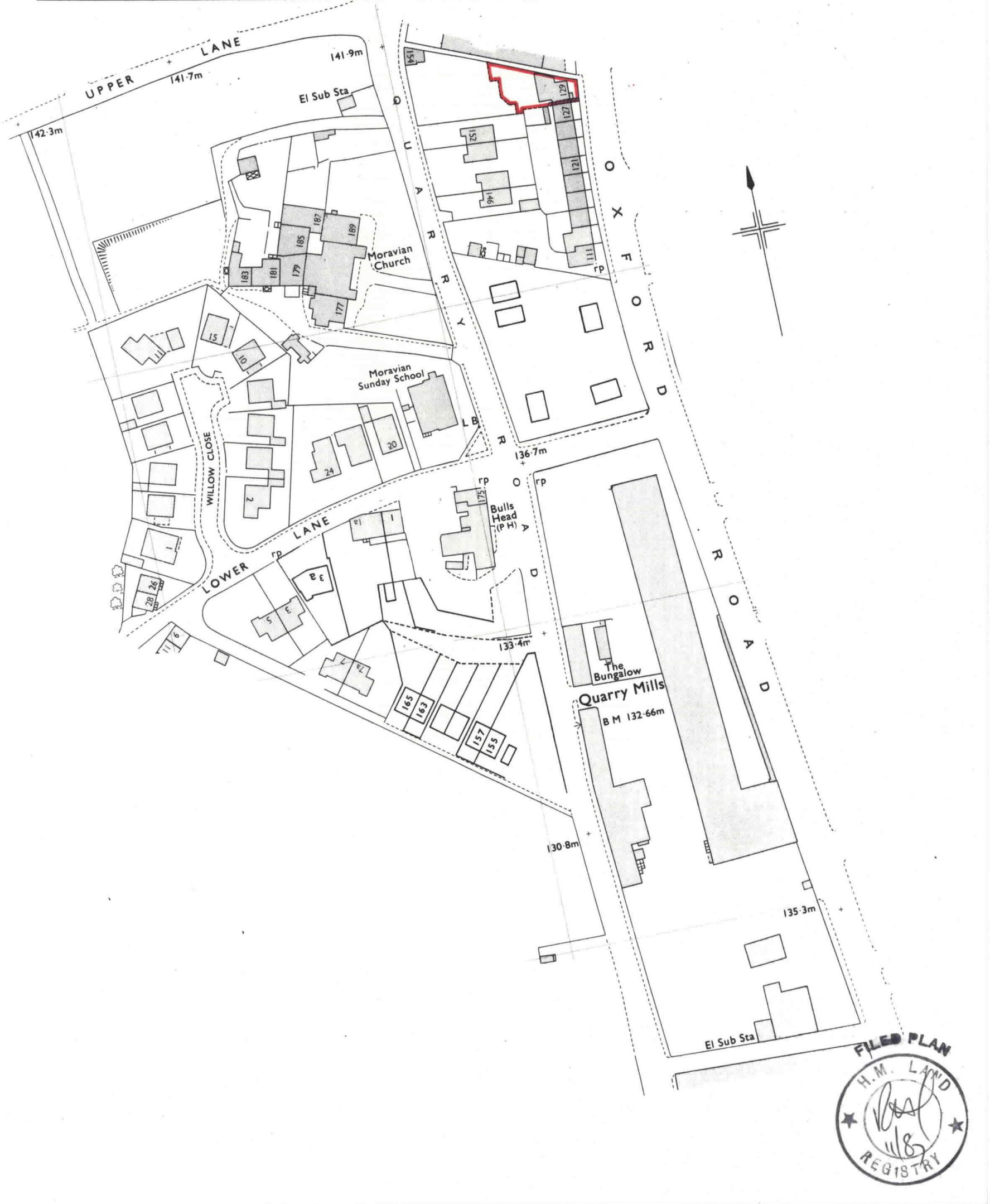


Cleckheaton - Gomersal

30 October 2023 12:09



H.M. LAND REGISTRY		TITLE NUMBER	
		WYK 399162	
ORDNANCE SURVEY PLAN REFERENCE	COUNTY	SHEET	NATIONAL GRID
	WEST YORKSHIRE		SE 2025
Scale: 1/1250	KIRKLEES DISTRICT		SECTION M
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Title register for:

129 Oxford Road, Gomersal, Cleckheaton, BD19 4HE (Freehold)

Title number: WYK399162

Accessed on 08 February 2024 at 18:21:41

This information can change if we receive an application. This service can not tell you if HM Land Registry are dealing with an application.



This is not an official copy. It does not take into account if there's a pending application with HM Land Registry. If you need to prove property ownership, for example, for a court case, you'll need to order an official copy of the register.

Register summary

Title number WYK399162

Registered owners

129 Oxford Road, Gomersal, Cleckheaton, W Yorkshire
BD19 4HE

Last sold for on 19 January 2001

A: Property Register

This register describes the land and estates comprised in this title.

Entry number	Entry date
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1	1986-09-18	WEST YORKSHIRE : KIRKLEES
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The Freehold land shown edged with red on the

plan of the above Title filed at the Registry and being 129 Oxford Road, Gomersal, Cleckheaton (BD19 4HE).

2 The Conveyance dated 23 August 1965 referred to in the Charges Register contains the following provision:-

"IT IS HEREBY AGREED AND DECLARED that the wall separating the property hereby conveyed from the adjoining dwellinghouse on the south side being Number 127 Oxford Road aforesaid is a mesne or party wall and shall at all times hereafter be used enjoyed maintained and repaired accordingly."

3 The land has the benefit of the following rights reserved by but is subject to the following rights granted by a Transfer of land adjoining the western boundaries of the land in this title dated 29 May 1987 made between (1) Steven Benny Raynor and Paul Alan Belcher (Transferors) and (2) Stephen Paul Bagshaw and Jennifer Bagshaw (Transferees):-

"TOGETHER WITH the right for the Transferees and their successors in title the owners and occupiers for the time being of the land hereby transferred in common with the Transferors and all others having the like right to use the existing drain situate under the Transferors retained property SUBJECT to the Transferees or their successors in title paying a fair proportion according to user of the cost of maintaining and repairing the said drain AND ALSO the right to enter upon the Transferors' retained property for the purpose of maintaining and repairing the said drain upon giving reasonable notice (save in the case of emergency) the persons exercising such rights making good all damage caused thereby

.....

Reserving nevertheless to the Transferors and their successors in title the right at all times with or without vehicles for all purposes connected with the use and enjoyment of the Transferors' retained property to pass and repass along the driveway coloured green on the said plan SUBJECT NEVERTHELESS to the Transferors or their successors in title paying one third of the cost of keeping such driveway in good repair and condition."

NOTE: Copy plan filed under WYK393039.

B: Proprietorship Register

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

Class of Title: Title absolute

Entry number	Entry date	
1	2001-02-21	PROPRIETOR: of 129 Oxford Road, Gomersal, Cleckheaton, W Yorkshire BD19 4HE.
2	2001-02-21	The price stated to have been paid on 19 January 2001 was .
3	2018-07-31	RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 17 July 2018 in favour of Yorkshire Bank Home Loans Limited referred to in the Charges Register.

C: Charges Register

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

Class of Title: Title absolute

Entry number	Entry date	
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1		<p>The land is subject to the following rights reserved by a Conveyance of the land in this title and other land dated 23 August 1965 made between (1) Alfred Ineson (Vendor) and (2) Harry Sellers and Gladys Amy Sellers:-</p> <p>"RESERVING unto the Vendor and his successors in title (owners and occupiers for the time being the dwellinghouses numbers 114 to 127 (odd numbers only) Oxford Road aforesaid over and along the footway and passage coloured brown on the said plan for the purpose of obtaining access to and from Oxford Road aforesaid from and to the rear of the said dwellinghouses."</p> <p>NOTE:-The footway and passage coloured brown referred to is hatched blue on the filed plan.</p>
2	2018-07-31	REGISTERED CHARGE dated 17 July 2018.
3	2018-07-31	Proprietor: YORKSHIRE BANK HOME LOANS LIMITED (Co. Regn. No. 1855020) of Mortgage Services, P.O. Box 3105, Clydebank, Glasgow G60 9AU.