



Meeting: **Development Control and Regulatory Board**

Date/Time: **Thursday, 18 June 2026 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr E. Walters (Tel: 0116 3052583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. R. Bailey CC	Mr. J. McDonald CC
Mr. S. L. Bray CC	Mr. J. Miah CC
Mr. M. H. Charlesworth CC	Mr. P. Morris CC
Mr. D. A. Gamble CC	Mr. B. Piper CC
Mr. D. J. Grimley CC	Mr. K. Robinson CC
Mrs. K. Knight CC	Mr. B. Walker CC
Mr. B. Lovegrove CC	

AGENDA

Item

9. Application for a Public Path Diversion Order - Proposed diversion of public footpath P12 (Part) at Butt Lane, Blackfordby. (Pages 3 - 32)



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16th June 2026

PUBLIC FOOTPATH REF P12 BLACKFORDBY – ADDENDUM REPORT

Description

This document is an addendum to our original report dated 28th August 2025 and is issued in response to Leicestershire County Council Development and Regulatory Board Agenda Item 9 for the meeting on the 18th June 2026 referring to the *Application for a public path diversion order-proposed diversion of public footpath P12 (part) at Butt Lane, Blackfordby within the parish of Ashby De La Zouch*

Observations.

Item 16 of the Agenda Item 9 states

***Legal Line of Public Footpath P12** – Mr Sunderland is of the opinion that Public Footpath P12 is shown incorrectly on the Definitive Map for the part of the footpath that goes through Mr Ball’s property, stating that the angle of the path has altered by approximately 2.5 degrees compared to the 1957 Definitive Map. Also, that the base mapping used on Preliminary Consultation Plan Number 2575(P) is unreliable and inaccurate.*

This is incorrect, whilst we commented on the thickness of the lines depicting the route of the footpath which cover surrounding boundaries and features at the scale produced, we did not dispute the accuracy of the definitive line on the 1957 version and furthermore we stated the 1:10000 extract from the Definitive Map is an accurate copy of the 1957 map (SI 24/6/25) and as such we have utilised the details that are available on this map in conjunction with the extract.

The drawing 2575(P) is the drawing we are contesting as inaccurate, on the drawing 2575(P) the angle at the change in direction of the footpath at number 200 has been calculated to be 155.5 degrees when measured with a digital angle rule.

However, the 1957 definitive map and the 1958 OS map show this angle to be 153 degrees, a substantial difference, the angle of 155.5 degrees has the effect of rotating the legal line of the P12 footpath anti-clockwise (eastward), away from the rear boundary fence of properties Brecon to Whitegates and closer to the property at number 116. This is a significant distortion of the line of the footpath shown in the definitive and 1957 maps.



Conclusions.

The definitive map is not in dispute; it is the line of the footpath shown on drawing 2575(P) which is inaccurate and is not comparable with the definitive map. The line of path on drawing 2575(P) is at a different angle to the line on the definitive map which moves the path further into the property of 116 Butt Lane. When corrected the route of the path will be along the boundary of 116 Butt Lane as shown on the definitive map



R B Sunderland
BSc (Hons) MRICS
For and on behalf of Platt White Partnership

Euan.

The Jarvis's at number 200 Butt lane are claiming that they own all of the land over which the diverted footpath will travel and this is reflected in the authorities submission.

We have previously submitted information to the highways department and Mr Jarvis which shows that we own part of this land.

The application submitted requires at item 10 that confirmation is required that the applicant owns all of the land needed for the diversion and requires the written agreement of any owner /occupier or tenants of the land.

Given the circumstances we wish to submit the attached for consideration in this matter as we think that it demonstrates that we do own part of the land and certainly that Mr and Mrs Jarvis do not.

I will attach some associated drawings under separate cover.

Kind regards

Malcolm Ball.

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17th June 2026

**PUBLIC FOOTPATH REF P12 BLACKFORDBY – DIVERSION AT REAR BOUNDARY
OF 200 BUTT LANE, BLACKFORDBY**

Description

The plan shows the area of land depicted by a red broken line transferred to 200 Butt Lane using the dimensions stated on the plan.

This area has been overlaid onto the GP survey plan prepared in September 2024, the 1.8m wide public footpath is shown by a black broken line.

Observations.

The plan demonstrates there is only a 600mm wide strip of land available to connect the diverted footpath to the retained footpath without encroachment onto land at 116 Butt Lane,



R B Sunderland
BSc (Hons) MRICS
For and on behalf of Platt White Partnership

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Euan Walters

From: malcolm ball [REDACTED]
Sent: 17 June 2026 11:23
To: Euan Walters
Subject: Fwd: P12

Euan good morning.

As you can see below this communication from Samantha Ireson has only been recently received and we would like this note and the exchanges between us and Samantha to be considered as part of our submission apposing the diversion application.

This note enables us to establish an approximate time line for when public footpath P 12 was obstructed which we think is important.

We had previously asked for this information but it was not forthcoming.

It also contains what we consider I are conflicting statements in regards to when the obstruction was first known about by the authority.

Kind regards
Malcolm Ball.

Sent from my iPad

Begin forwarded message:

From: Samantha Ireson <Samantha.Ireson@leics.gov.uk>
Date: June 2, 2026 at 2:37:45 PM GMT+1
To: malcolm ball [REDACTED]
Subject: RE: P12

Good afternoon,

Thank you for your email regarding Public Footpath P12 at Blackfordby. Apologies for the delay in responding I was on leave for most of last week.

We have customer records relating to Public Footpath P12 dating from 2012. The records show that the obstruction of the footpath in the vicinity of 200 Butt Lane was first brought to our attention in January 2018.

Our records show that works were undertaken on public footpath P12, where it runs to the rear of the properties on Butt Lane, in January 2016. There is a record of a waymark post being installed and a stile being removed but the exact location of the works is not recorded.

Kind Regards

Samantha Ireson
Senior Access and Development Officer
Public Rights of Way
Sustainable Travel Team

Growth, Environment and Transport Department
Leicestershire County Council

0116 305 0001

you can report issues direct to customer services to ensure they reach the correct person, click the link - Report It form, scan the QR code below or call 0116 305 0001

-----Original Message-----

From: malcolm ball [REDACTED]
Sent: 25 May 2026 17:35
To: Samantha Ireson <Samantha.Ireson@leics.gov.uk>
Subject: P12

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CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe
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Samantha good afternoon.
As you are aware P12 was blocked some time ago and I want to establish a date, even approximately, when this happened.
I have enquired about this matter previously but no time scale has been forthcoming. Having also spoken with Mr Jarvis previously on the subject and asking him the direct question he said that he couldn't remember.
As such I am left in the dark to try to figure it out myself.
If then the date for what ever reason is not forthcoming I must look at a different approach and will begin with a request for information which should be available to the public as a matter of record.
At some point following the obstruction of the footpath way markers were changed directing walkers around what was the original route along with a stile and direction post.
This was installed by the authority and as such there would or should have been some sort of official paperwork issued at the time in the form of a job specification and order. This would also have created a cost center for the project as the necessary expenditure involved such as materials and labour would need to be accounted for.
As such this information will provide a date at which point this work was carried out and this will help pin down a date when the route was blocked or at least identify an approximate date.

Your assistance with this request will be appreciated.

Kind regards

Malcolm.

Sent from my iPad

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From:HANNAH EXLEY
Sent:Thu, 7 Mar 2019 12:10:37 +0000
To:DEVELOPMENT CONTROL
Subject:FW: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

County footpaths response

Kind regards,

Hannah Exley

Senior Planning Officer (Northern Parishes Area), Planning and Development

01530 454671 | hannah.exley@nwleicestershire.gov.uk

www.nwleics.gov.uk | Twitter @NWLeics | Facebook This Is NWLeics

Please note that I work Tuesdays, Wednesdays and Thursdays only.



Please note that the contents of this email are offered as my officer opinion and will not prejudice any future decision made by the Authority.

From: Samantha Ireson [<mailto:Samantha.Ireson@leics.gov.uk>]
Sent: 05 March 2019 14:08
To: HANNAH EXLEY <HANNAH.EXLEY@NWLeicestershire.gov.uk>

Subject: RE: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Hi Hannah,

Thanks for the plan.

The developer should link the new route of the Public Footpath with the existing Public Footpath which exists on the ground. The irregularity between the Definitive Map and the walked route can then be resolved in due course.

Hope the above clarifies the situation.

Kind Regards

Sam

Samantha Ireson

Senior Access and Development Officer

Leicestershire County Council

Samantha.ireson@leics.gov.uk

0116 305 0001

From: HANNAH EXLEY [<mailto:HANNAH.EXLEY@NWLeicestershire.gov.uk>]

Sent: 05 March 2019 09:56

To: Samantha Ireson

Subject: RE: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Plan attached as requested.

Hannah

Kind regards,

Hannah Exley

Senior Planning Officer (Northern Parishes Area), Planning and Development

01530 454671 | hannah.exley@nwleicestershire.gov.uk

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Please note that the contents of this email are offered as my officer opinion and will not prejudice any future decision made by the Authority.

From: Samantha Ireson [<mailto:Samantha.Ireson@leics.gov.uk>]
Sent: 01 March 2019 08:58
To: HANNAH EXLEY <HANNAH.EXLEY@NWLeicestershire.gov.uk>
Subject: RE: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Can you send me through an up to date plan of the proposed layout including the proposed footpath provision please.

I will then be able to provide you with a response.

Thanks

Sam

Samantha Ireson
Senior Access and Development Officer
Leicestershire County Council
Samantha.ireson@leics.gov.uk
0116 305 0001

From: HANNAH EXLEY [<mailto:HANNAH.EXLEY@NWLeicestershire.gov.uk>]
Sent: 28 February 2019 14:43
To: Samantha Ireson
Subject: RE: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Thanks Sam, I'm not sure why those comments didn't reach me either.

Does it matter that the footpath link to be provided from the proposed site wouldn't link up with the route on the definitive map?

Kind regards,

Hannah Exley

Senior Planning Officer (Northern Parishes Area), Planning and Development

01530 454671 | hannah.exley@nwleicestershire.gov.uk

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Please note that I work Tuesdays, Wednesdays and Thursdays only.



Please note that the contents of this email are offered as my officer opinion and will not prejudice any future decision made by the Authority.

From: Samantha Ireson [<mailto:Samantha.Ireson@leics.gov.uk>]

Sent: 28 February 2019 14:39

To: HANNAH EXLEY <HANNAH.EXLEY@NWLeicestershire.gov.uk>

Subject: RE: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Hi Hannah,

I submitted Comments on the Planning Application on 30th August 2018, so I am not sure why you did not receive them.

The Legal Line of the Public Footpath is that shown on the attached extract of the Definitive Map. Over time people may have become accustomed to walking a different line but the legal route remains as that shown on the Definitive Map, and it is this route which should remain unobstructed by the proposed development as per my attached planning comments.

The County Council is aware of the issue regarding 200 Butt Lane and have had discussions with the landowner recently.

Kind Regards

Samantha Ireson

Senior Access and Development Officer

Leicestershire County Council

Samantha.Ireson@leics.gov.uk

0116 305 0001

From: HANNAH EXLEY [<mailto:HANNAH.EXLEY@NWLeicestershire.gov.uk>]
Sent: 27 February 2019 16:00
To: Stephen Tipping
Subject: PLANNING CONSULTATION 18/01006/REMM - Land East of Hepworth Road/North Side of Butt Lane, Blackfordby

Dear Stephen,

I email with respect to a consultation that was sent to County Footpaths on 21 August 2018 for the above planning application. I haven't received any comments but a neighbour has raised concern about how the proposed layout ties in with the existing public footpath network, specifically Footpath P12. I have checked this against the Council's records and the footpath out of the site does not align with the line of the footpath on our mapping system. Can you advise whether the County Council has any comments to make on this matter or the application as a whole so that I can address the concerns of the neighbour in my report.

In addition, he has advised that the line on the ground no longer takes the definitive route as it has been diverted around the garden for No.200 Butt Lane. I am unable to confirm whether this is the case but thought that I should pass this information on.

Kind regards,

Hannah Exley

Senior Planning Officer (Northern Parishes Area), Planning and Development

01530 454671 | hannah.exley@nwleicestershire.gov.uk

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Please note that I work Tuesdays, Wednesdays and Thursdays only.

Title plan.

H.M. LAND REGISTRY		TITLE NUMBER	
		LT134383	
ORDNANCE SURVEY PLAN REFERENCE	SK 2218	SECTION	B
		Scale 1:1250 Enlarged from 1:2500	
COUNTY	LEICESTERSHIRE	DISTRICT	FOURTH WEST LEICESTERSHIRE
		© Crown Copyright 1982	





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HERM LAND REGISTRY
LAND REGISTRATION ACTS 1925 - 1971

TRANSFER OF WHOLE

(Freehold)
Rule 72 of the Land Registration Rules 1925
(First Registration)

County and District: Leicester - North West Leicestershire

Property: Land at Butt Lane, Blackfordby

Dated 7th October 1981.

1. IN consideration of the sum of TWO HUNDRED POUNDS (£200.00.) the receipt whereof is hereby acknowledged GEORGE HALLAM of The Bungalow Butt Lane Woodville in the County of Derby hereinafter called "the Transferor") as Beneficial Owner hereby transfer to MARILYN JOY WHEATLEY of 4 London Road Hinckley in the County of Leicester (hereinafter called "The transferee") the land comprised in the plan annexed hereto being part of a larger piece of land conveyed in fee simple to Joseph Edmund Hallam by a Deed of Conveyance dated the Third day of November One thousand nine hundred and twenty two and made between Frank Winfield of the one part and the said Joseph Edmund Hallam of the other part TOGETHER WITH all the rights easements agreements and declarations to the said property now appertaining or belonging and RESERVING unto the Transferor or other the owner or owners and occupiers for the time being of the Transferor's retained property of:

(1) the free passage of water soil gas electricity and other matters from and to the Transferor's retained property as now used and enjoyed through any drains pipes cables or conduits now existing or hereafter to be substituted therefor in respect of any such property hereby transferred.

(2) the free passage of all effluents from the Transferor's retained property to the public sewer or to any other sewer or to any ditch or drain or to any other place to which the effluents are now or hereafter allowed by the owner or owners of the property to which the effluents are now or hereafter allowed to be conveyed.

IT IS HEREBY DECLARED as follows

(1) all eaves spouts down-rainwater-spouts cisterns drains pipes canals
or conduits and other matters and things now used and enjoyed or intended to be
used and enjoyed in common by the owners and occupiers for the time being of
the property hereby transferred and the Transferor's retained property shall
hereafter to be so used and enjoyed and shall be repaired and maintained at the
fair and proportionate expense of the owners of the properties entitled to use
the same

(2) the walls and fences dividing the property hereby transferred from
the Transferor's retained property are party walls and fences and shall
henceforth be repairable and maintainable as such

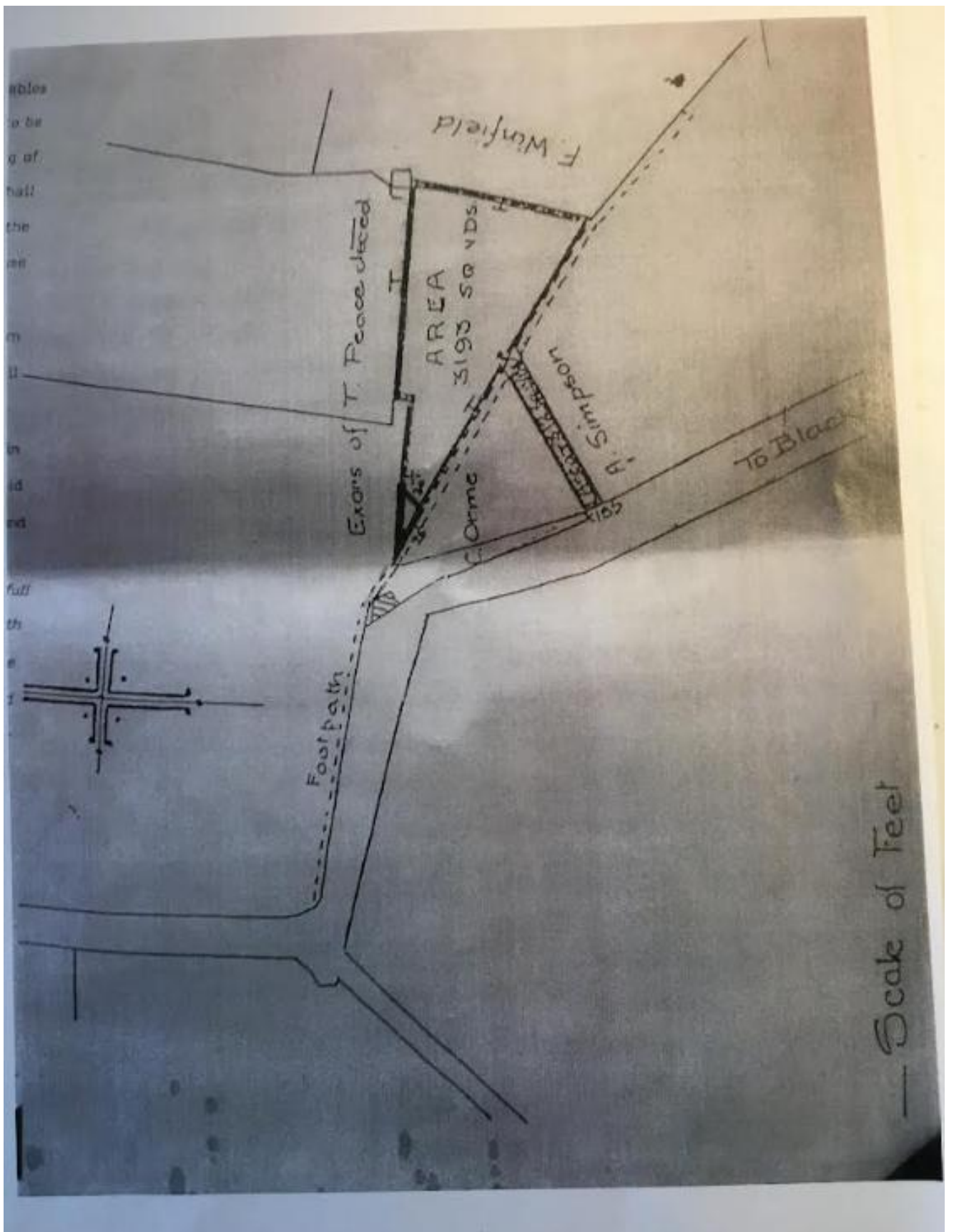
(3) The Transferor's retained land is the remainder of the land now in
the ownership of the Transferor being originally comprised in the said
conveyance dated the Third day of November One thousand nine hundred and
twenty-two

The Transferee (with the object and intent of affording to the Transferor a full
and sufficient indemnity but not further or otherwise) hereby covenants with
the Transferor that the Transferee and the persons deriving title under the
Transferee will at all times hereafter observe and perform the covenants and
conditions contained or referred to in the Deed hereinbefore referred to so far
as the same relate to or affect the land hereby transferred and are still
subsisting and capable of being enforced and will indemnify and keep
indemnified the Transferor and the estate and effects of the Transferor from
and against all claims costs liabilities and demands in respect of any future
breach non-observance or non-performance thereof so far as aforesaid

IT IS HEREBY CERTIFIED that the transaction hereby effected does not form
part of a larger transaction or of a series of transactions in respect of which
the amount or value or the aggregate amount or value of the consideration
exceeds Twenty-five thousand pounds

SIGNED as the said Transferee by the said
George Hall

George Hall



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HERM LAND REGISTRY
LAND REGISTRATION ACTS 1925 - 1971

TRANSFER OF WHOLE

(Freehold)
Rule 72 of the Land Registration Rules 1925
(First Registration)

County and District: Leicester - North West Leicestershire

Property: Land at Butt Lane, Blackfordby

Dated 7th October 1982.

1. IN consideration of the sum of TWO HUNDRED POUNDS (£200.00.) the receipt whereof is hereby acknowledged GEORGE HALLAM of The Bungalow Butt Lane Woodville in the County of Derby hereinafter called "the Transferor") as Beneficial Owner hereby transfer to MARILYN JOY WHEATLEY of 4 London Road Hinckley in the County of Leicester (hereinafter called "The transferee") the land comprised in the plan annexed hereto being part of a larger piece of land conveyed in fee simple to Joseph Edmund Hallam by a Deed of Conveyance dated the Third day of November One thousand nine hundred and twenty two and made between Frank Winfield of the one part and the said Joseph Edmund Hallam of the other part TOGETHER WITH all the rights easements agreements and declarations to the said property now appertaining or belonging and RESERVING unto the Transferor or other the owner or owners and occupiers for the time being of the Transferor's retained property of:

(1) the free passage of water soil gas electricity and other matters from and to the Transferor's retained property as now used and enjoyed through any drains pipes cables or conduits now existing or hereafter to be substituted therefor in respect of any such property hereby transferred.

(2) the free passage of all rights of way over any part of the Transferor's retained property for the purpose of the drainage of the land hereby transferred and for the purpose of the drainage of the land hereby transferred.

(3) the free passage of all rights of way over any part of the Transferor's retained property for the purpose of the drainage of the land hereby transferred and for the purpose of the drainage of the land hereby transferred.

IT IS HEREBY DECLARED as follows

(1) all eaves spouts down-rainwater-spouts cisterns drains pipes canals
or conduits and other matters and things now used and enjoyed or intended to be
used and enjoyed in common by the owners and occupiers for the time being of
the property hereby transferred and the Transferor's retained property shall
hereafter to be so used and enjoyed and shall be repaired and maintained at the
fair and proportionate expense of the owners of the properties entitled to use
the same

(2) the walls and fences dividing the property hereby transferred from
the Transferor's retained property are party walls and fences and shall
henceforth be repairable and maintainable as such

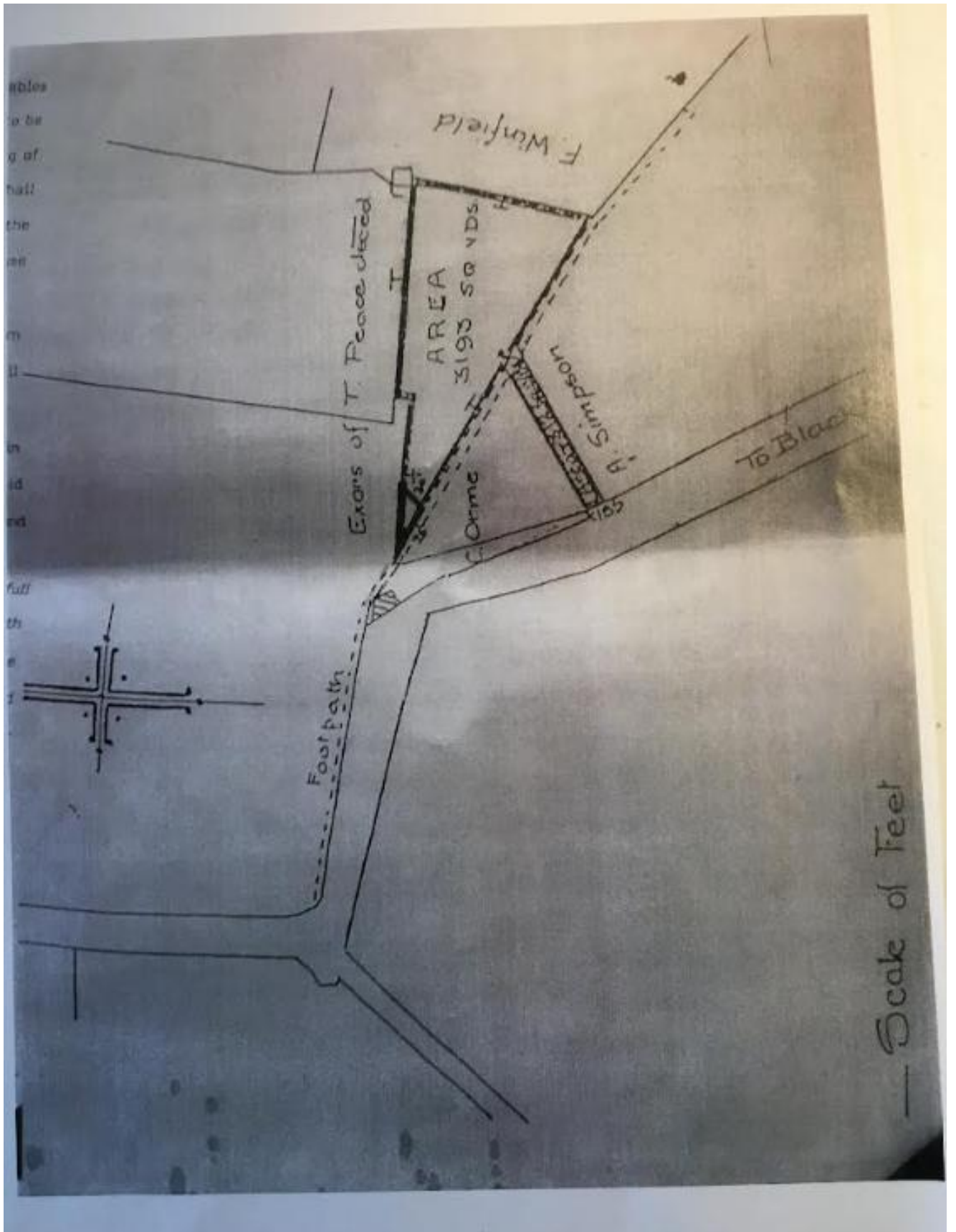
(3) The Transferor's retained land is the remainder of the land now in
the ownership of the Transferor being originally comprised in the said
conveyance dated the Third day of November One thousand nine hundred and
twenty-two

The Transferee (with the object and intent of affording to the Transferor a full
and sufficient indemnity but not further or otherwise) hereby covenants with
the Transferor that the Transferee and the persons deriving title under the
Transferee will at all times hereafter observe and perform the covenants and
conditions contained or referred to in the Deed hereinbefore referred to so far
as the same relate to or affect the land hereby transferred and are still
subsisting and capable of being enforced and will indemnify and keep
indemnified the Transferor and the estate and effects of the Transferor from
and against all claims costs liabilities and demands in respect of any future
breach non-observance or non-performance thereof so far as aforesaid

IT IS HEREBY CERTIFIED that the transaction hereby effected does not form
part of a larger transaction or of a series of transactions in respect of which
the amount or value or the aggregate amount or value of the consideration
exceeds Twenty-five thousand pounds

SIGNED as the said Transferee by the said
George Hall

George Hall



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