

Office 37 Main Office
Minerva Avenue
Chester West Employment Park
Chester
CHI 4QL

Tel: 01244 314111

Fax: 01244 314700

E-mail: info@plattwhite.co.uk

www.plattwhite.co.uk

28th August 2025

PUBLIC FOOTPATH REF P12 BLACKFORDBY

Appointment and Brief

Platt White Partnership have been appointed by Mr M Ball of 116 Butt Lane Blackfordby, DE11 8BH to assess the position of the public footpath Ref P12 Blackfordby relative to the south west boundary of 116 Butt Lane.

This report has been prepared by Robert Benjamin Sunderland, Partner in Platt White Partnership, having been a Professional Member of the Royal Institution of Chartered Surveyors since 2002 and holding the post nominals M.R.I.C.S and (Hons), graduated with a Bachelor of Science Degree in Building Surveying in 1993.

Documents used to form opinion on the position of the footpath

1. Proposed Diversion of Public Footpath P12. (part) at Butt Lane, Blackfordby Plan number 2575 (P) scale 1:500 including location map produced by Leicestershire County Council (LCC).
2. Plan number 2575 (P) Proposed Diversion of Public Footpath P12, Blackfordby, published 6th July 2020 scale 1:500 provided by Samantha Ireson (SI) LCC on 22nd April 2024.
3. Extract from Definitive Map of Public Rights of Way for Leicestershire Public Footpath P12 Blackfordby, scale 1:10000 (LCC)
4. 1957 Definitive Map (LCC)
5. 1958 Ordinance Survey Map.
6. Aerial photograph dated 28th February 2014 overlaid with plot and boundary detail lines scale 1:500 (LCC).
7. Aerial photograph dated 12th June 2020 overlaid with plot and boundary detail lines scale 1:500 (LCC).
8. Extracts from topographical survey carried out in September 2024 by GP surveys.
9. Gov.uk. A guide to definitive maps and changes to public rights of way -2008.
10. Highways Act 1980.
11. Copy of the diversion/ extinguishment of public rights of way application for 200 Butt Lane Blackfordby dated 14/7/20.
12. Various correspondence with LCC and exchange of emails with reference to plans.



Observations.

The 1:10000 extract drawing from the definitive map has the direction of P12 marked in black dotted lines. It is noted that these lines are so large that much of the details of boundaries, plots and road formation are hidden at the scale produced. However, it has been confirmed that the 1:10000 extract 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.

We have also utilised the 1958 OS map of the subject area which has assisted in our understanding of how P12 was recorded at the time.

The 1957,1958, 1:10000 and plan number 2575 (P with location plan) all carry Ordinance Survey grid lines which have assisted greatly in providing accurate reference points.

The 2 aerial photographs have also proven to be useful in providing some reference points with the 2014 version being particularly useful since it carries more details than the 2020 version.

The GP topographical survey has also provided accurate locations and dimensions of existing plot positions, boundaries, and road location within the subject area.

Physical measurements have also been taken on the ground which have provided reference points which support the integrity of the exercise, this has enabled us to provide the drawing referenced MBBL-01 which combines properties, boundaries, footpath position etc into one plan.

Critical measurements are also shown on extract from the 1958 OS Plan referenced 1958-1 and 1958-2 and these are used in the drawing of MBBL-01.

The following photographs show the footpath on the rear boundary of number 114 and 114a. The 1st photograph shows the original gate off the footpath into the original bungalow plot of 116, this gate predates the 1957 plan. The gate is positioned approximately 18m from the rear left hand corner of number 114 in an easterly direction. The 2nd photograph shows the gate erected by LCC rear left hand corner of 114, the corner of the timber fence is 49m from the kerb on Butt Lane as referenced on the plans included with this report. These photographs also provide evidence the path is positioned immediately on the fence line. It should also be noted the distance of the gate in the 2nd photograph is 1.8m from the LH metal post to the fence which is the definitive footpath width.



Conclusions.

The line of P12 on drawing number 2575 (P), (there are 2 drawings with this reference), show the path to be curved on the route from Hepworth Road to number 200 Butt Lane and on its route from 200 past Brecon, Thorndale, Whitegates, 114 and 116.

Both the 1957 and extract definitive map and the 1958 OS version do not indicate any such curvature.

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.

The location of plots and boundaries on both 2575(P) drawings differ from drawing MBBL-01, this drawing has been prepared to compare overlays of plot positions and boundaries with the GP survey drawing and other actual measurements taken at the site. There are clear discrepancies in the 2575(P)-drawing relative to the survey drawing and therefore drawing 2575(P) is unreliable and inaccurate for use in confirming the correct position of the footpath.

Drawing MBBL-01 clearly demonstrates the public footpath is positioned along the rear boundary of Brecon, Thorndale, Whitegates, and 114 at a width of 6 feet (1.83m)

We have also considered the application for the diversion/ extinguishment of public rights of way and would make the following observations.

With reference to the declaration part of the application in which the applicant is asked to declare that,

The right of way to be diverted is in no way obstructed and that it is fully available to the public and we undertake that it shall in no way be obstructed before the order is confirmed. Clearly this is at odds with the note of the 4th July.

Our client has also provided us with the attached photographs the first which was presented to Piers Lindley (Rights of Way Officer LCC) in 2017 the second is of recent origin.

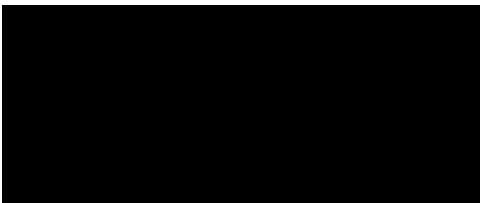


Way marker and stile at rear of No 200.



Way marker along rear fence of Brecon to Whitegates, showing trodden path close to Fence.

Clearly P12 is blocked and has been since at least 2017 and as such the declaration made by the applicant is false.



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

PARCEL NUMBERS AND ACREAGES
The number and acreage of each parcel of land is shown within the parcel. It is important when identifying a parcel to specify the number(s) of the plan(s) in which it falls.
IN PARCELS DIVIDED BY THE SHEET EDGE, THE ACREAGES ARE SHOWN TO SHEET EDGE ONLY.

Revised December 1958
Levelled 1945

ORDNANCE SURVEY

Scale: 1:2500 or 25/344 inches to 1 Mile

Revised April 1959
Levelled 1957/58

The West half of this sheet is Plan SK 3218
The East half of this sheet is Plan SK 3318



Made and published by the Director General of the Ordnance Survey, Chertington, Surrey, 1960.
Revised from former County Series plans. Revised 1958/59.

© Crown Copyright 1960. Price 10/- net.

The West half of this sheet is Plan SK 3218
The East half of this sheet is Plan SK 3318

Antiquities <i>(site of)</i> $\frac{1}{2}$ $\frac{1}{2}$	Change of boundary marking $\frac{1}{2}$	Limit of area within which the acreages of individual parcels are set down $\frac{1}{2}$	Attilages of Bench Marks and Surface Levels are given in feet above the Newlyn Datum.
Base of Bank $\frac{1}{2}$	Centre of Old Centre of Stream $\frac{1}{2}$	Centre of Bank, etc $\frac{1}{2}$	Centre of Drain, etc $\frac{1}{2}$
Centre of Bank, etc $\frac{1}{2}$	Centre of Drain, etc $\frac{1}{2}$	Centre of Current Stream $\frac{1}{2}$	Face of Fence $\frac{1}{2}$
Bench Mark $\frac{1}{2}$	Boundary Marking Abbreviations	Face of Wall $\frac{1}{2}$	Flag $\frac{1}{2}$
Levelled $\frac{1}{2}$	Centre of Old Centre of Stream $\frac{1}{2}$	Side of River, etc $\frac{1}{2}$	Trunk of Stream $\frac{1}{2}$
Parcel lot for acreages $\frac{1}{2}$	Centre of Bank, etc $\frac{1}{2}$	Trunk of Hedge $\frac{1}{2}$	Orchard, Unplanted $\frac{1}{2}$
Leveling Information	Centre of Stream $\frac{1}{2}$	Trunk of Stream $\frac{1}{2}$	Orchard, Unplanted $\frac{1}{2}$
Bench Mark lines, containing fuller and possibly later leveling information, are obtainable from the Director General, Ordnance Survey.	4 feet from Base of Hedge $\frac{1}{2}$	Orchard, Unplanted $\frac{1}{2}$	Orchard, Unplanted $\frac{1}{2}$

REFERENCE

NATIONAL GRID REFERENCE

The lines on the plan form part of the National Grid and are spaced at 100 metre intervals. To give a large scale reference defining the position of a point to the nearest 10 metres proceed as follows—

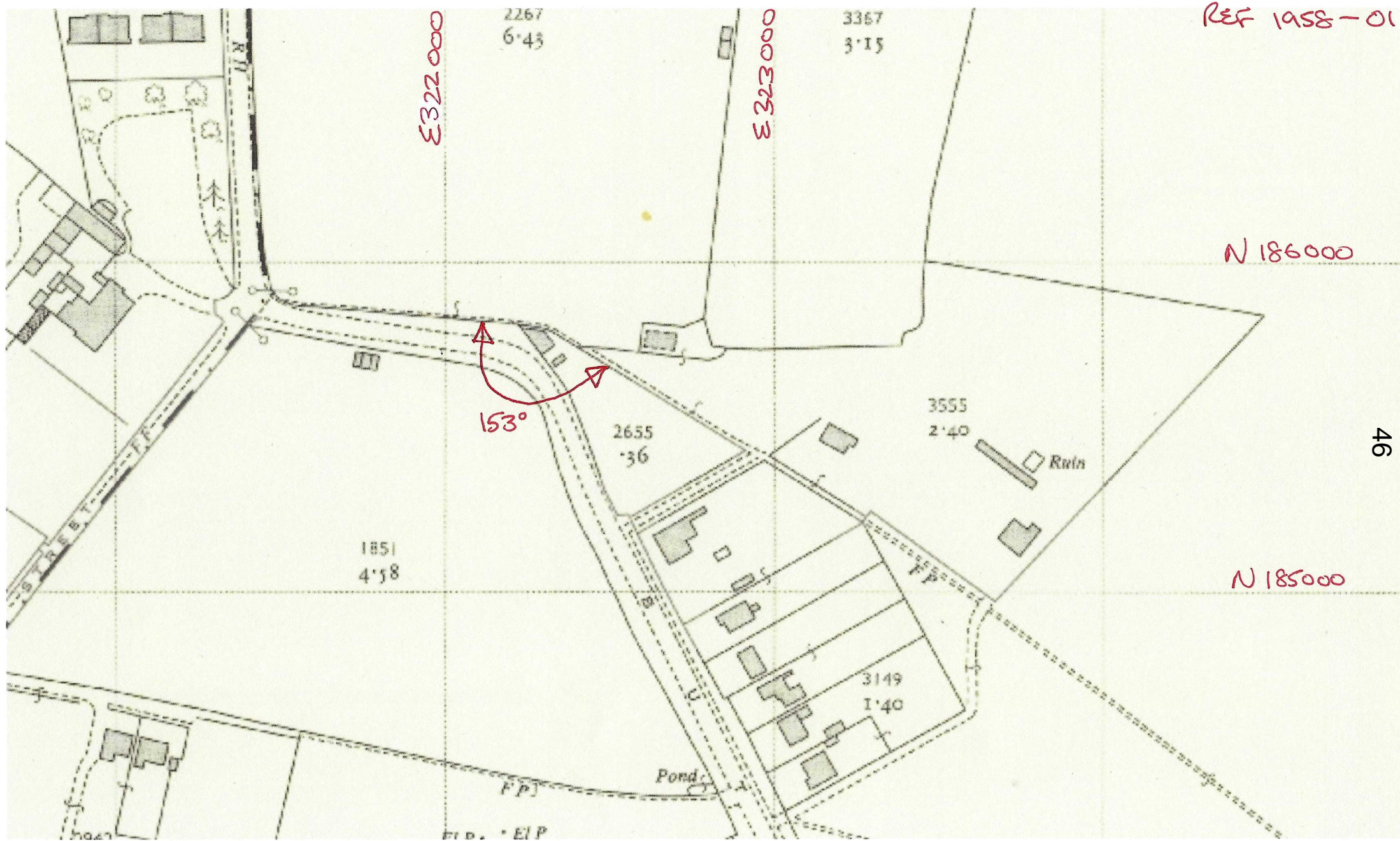
EXAMPLE: L in Lady Wood	
EASTING	NORTHING
Take east side of square in which point lies and read the figures opposite this line on NORTH and SOUTH margins.	Take north side of square in which point lies and read the figures opposite this line on EAST and WEST margins.
Estimate rest of metres from the grid line	Estimate rest of metres from the grid line
3180	180
3181	180
3182	180

For further information see "The Ordnance Survey Map and Plans and the National Reference System". The representation on this plan of a road, track or passage is an evidence of the existence of a right of way. A fence mark on this plan represents 100 feet or more in the field. The alignment of roads shown is approximate.

Beer House $\frac{1}{2}$	Boundary Post $\frac{1}{2}$	Boundary Stone $\frac{1}{2}$	Cart Track $\frac{1}{2}$	Disused Fountain $\frac{1}{2}$	Electric PHN, Post or Pylon $\frac{1}{2}$	Fire Alarm Pillar $\frac{1}{2}$	Flagpole $\frac{1}{2}$	Fountain $\frac{1}{2}$	Foundation Bench Mark $\frac{1}{2}$	Gate Post $\frac{1}{2}$	Letter Box $\frac{1}{2}$	Level Crossing $\frac{1}{2}$	Mile Stone $\frac{1}{2}$	Public Call Box $\frac{1}{2}$	Public Telephone Pillar $\frac{1}{2}$	Public Office $\frac{1}{2}$	Public House $\frac{1}{2}$	Pump $\frac{1}{2}$	Reservoir $\frac{1}{2}$	Signal Box $\frac{1}{2}$	Signal Post $\frac{1}{2}$	Spring $\frac{1}{2}$	Stable $\frac{1}{2}$	Statue $\frac{1}{2}$	Telegraph Call Box $\frac{1}{2}$	Tramway Station $\frac{1}{2}$	Water Point $\frac{1}{2}$	Well $\frac{1}{2}$	Well Pump $\frac{1}{2}$	Windmill $\frac{1}{2}$	Wood $\frac{1}{2}$
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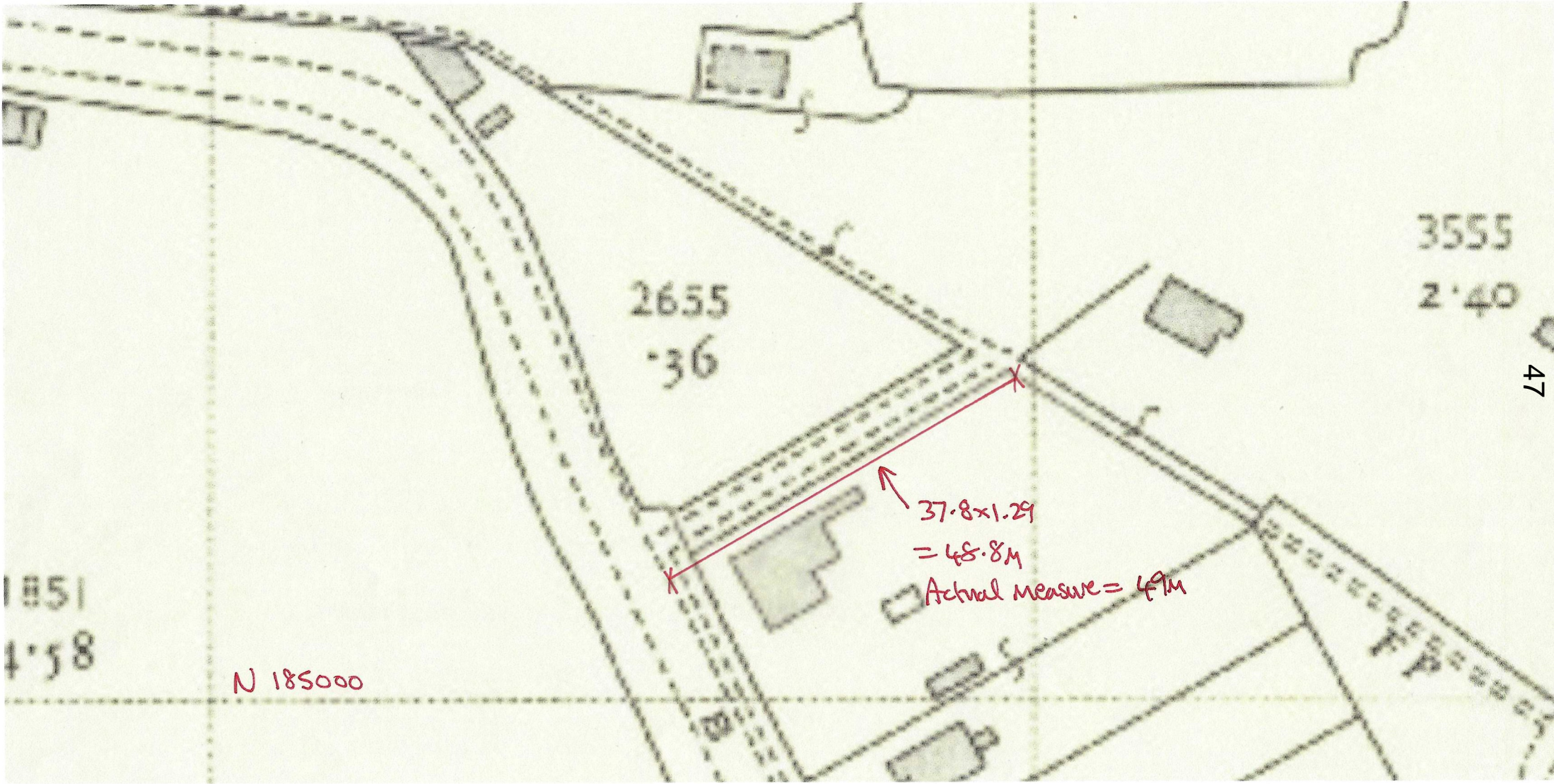
1958 MAP.
REF 1958-01



E 322000

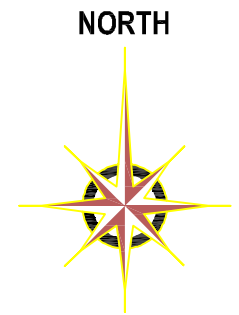
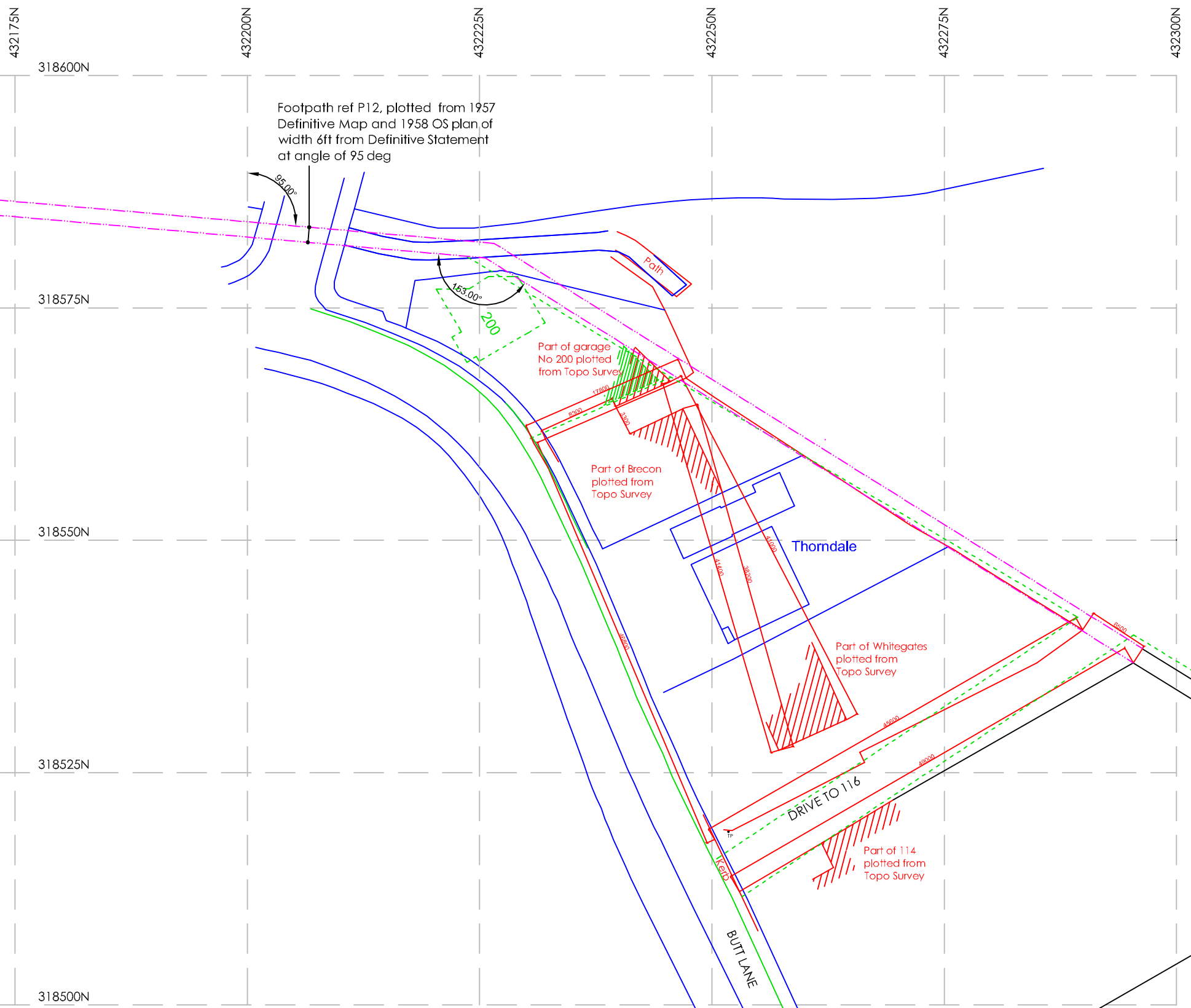
E 323000

1958 MAP.
REF 1958-02



100M GRID LINES (EASTINGS).

Scale at $1/50 \times 1.29$
to obtain true measure.



- Boundaries and properties on Butt Lane and other significant points plotted from topographical survey Sept 24 OR actual site measurements
- Properties, boundaries etc taken from OS Plan
- - - Properties, boundaries etc taken from LCC Plan Ref 2575(P)
- - - Footpath ref P12, plotted from 1957 Definitive Map and 1958 OS Plan of width 6ft from Definitive Statement

This drawing is the copyright of the PLATT WHITE PARTNERSHIP.

All dimensions are to be checked on site prior to commencing work.
DO NOT SCALE FROM THIS DRAWING.

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Rev	Date	Name	Notes

Revisions

PLATT WHITE
Partnership
Nova House, 94 Boughton
Chester, CH3 5AQ.
Tel: 01244 314111, Fax: 01244 314700
e-mail: info@plattwhite.co.uk
Web: www.plattwhite.co.uk

Client
MALCOLM BALL

Project
FOOTPATH P12 OFF
BUTT LANE, BLACKFORDBY

Subject
PLOT OF FOOTPATH P12 FROM
1957 DEFINITIVE MAP

Plan prepared by
R B Sunderland MRICS
Partner at Platt White Partnership
Chartered Surveyors

Drwg. No. MBL - 01
Scale As shown at A3

Drawn by RBS
Checked by DL
Date July 2024

PLAN OF FOOTPATH
Scale 1/500