

25 MILLBROOK COURT
WEST BRADFORD
CLITHEROE
BB7 4TY

Your reference LSG4.SK.5.36666 (804.500)

29 March 2010

Dear Saleha

I note your correspondence in terms of a claimed public footpath from Chapel Lane to Clitheroe Road, West Bradford. Just on a minor point of accuracy I think your correspondence should have made reference to Millbrook Court rather than Close.

I have marked on the map the area which is in our ownership, the proposed footpath if allowed would both run past our kitchen and also past our garden. When we purchased the property we understood this was a fire escape and was for the use of local residents only. We would strongly oppose this proposal on the basis that it would both devalue our property and infringe on our privacy.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'J. Laburne'. The signature is written in a cursive style with a large, looping initial 'J' and a long, sweeping underline.



MAGGIE KEYBOURNE
25 MILLBROOK COURT
WEST BRADFORD
CLITHEROE
BB7 4TY

Your reference LSG4.SK.5.36666 (804.500)

29 March 2010

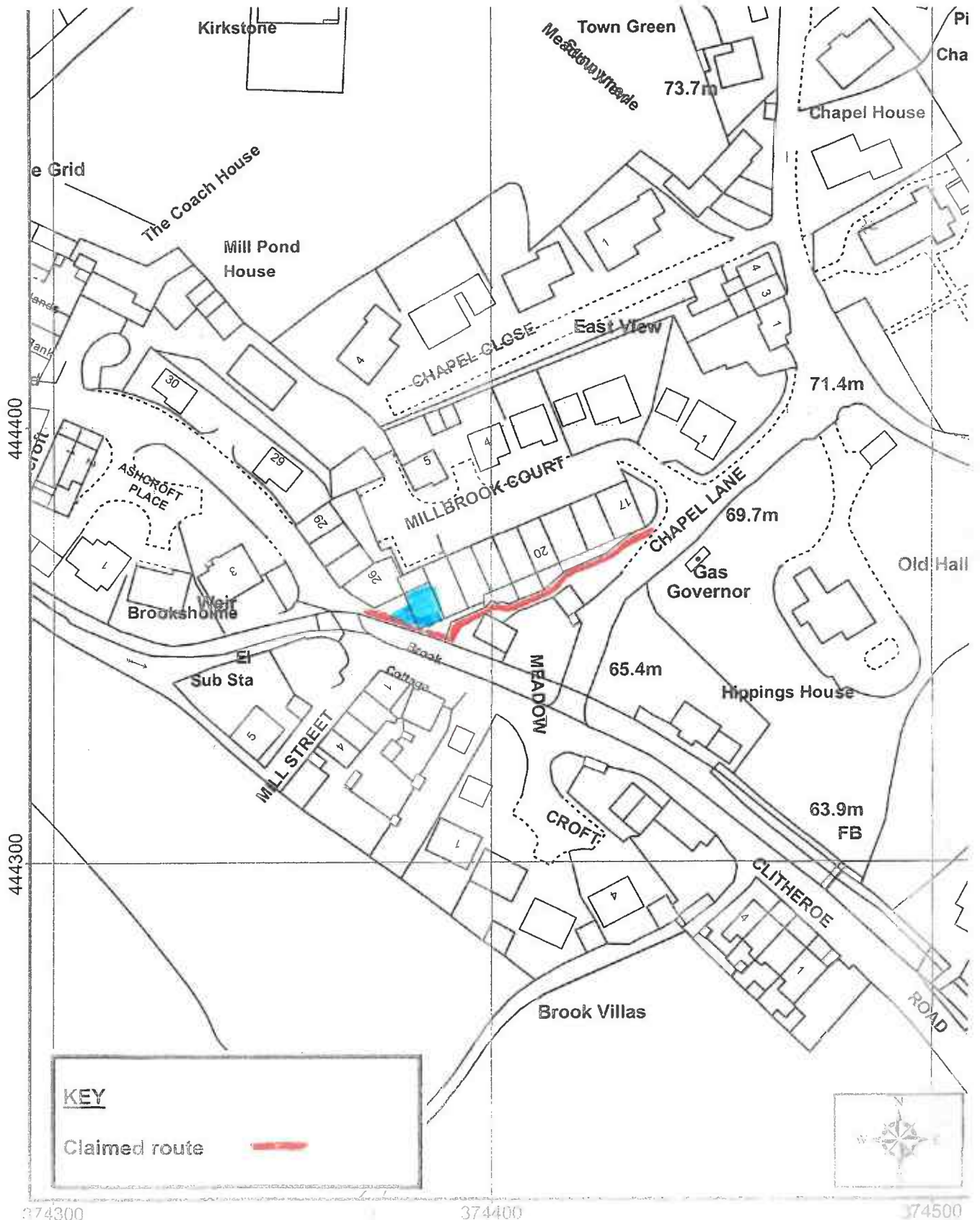
Dear Saleha

I note your correspondence in terms of a claimed public footpath from Chapel Lane to Clitheroe Road, West Bradford. Just on a minor point of accuracy I think your correspondence should have made reference to Millbrook Court rather than Close.

I have marked on the map the area which is in our ownership, the proposed footpath if allowed would both run past our kitchen and also past our garden. When we purchased the property we understood this was a fire escape and was for the use of local residents only. We would strongly oppose this proposal on the basis that it would both devalue our property and infringe on our privacy.

Yours sincerely

M. Keybourne



**14, Far Nook, Whittle-le-Woods,
Chorley, Lancs.
PR6 7NY**

21 April, 2010.

Your Ref: LSG4/SK/5.36666 [804.500]

County Secretary and Solicitor's Group,
PO Box 78,
County Hall,
Preston.
PR1 8XJ

Wildlife and Countryside Act - Claim for Public Footpath West Bradford

Thank you for your letter of 7th April, 2010.

We wish to object most strongly to the application by West Bradford Parish Council for a footpath between Clitheroe Road and Chapel Lane.

We are returning the map of the site you supplied. It has been enlarged for clarity and marked in blue with the outline of the property which we own at Beckside, Clitheroe Road. The area marked in brown is where our kitchen is underground, beneath the rear gardens of the properties in Millbrook Court. It is actually covered by the term 'Flying Freehold'. It should be pointed out, however, that the proposed footpath does not follow the line you have shown on the map. This shows the line before 1996, when the passageway was altered in order for the occupant of No. 23 Millbrook Court to extend the garden there to the limit of its ownership. The proposed footpath would now **pass on top of our kitchen roof**.

We are keen for our objections to be considered at this early stage, since we consider that the Parish Council's application is poorly prepared and presented. It is questionable whether the Council is acting in the interests of the majority of villagers; there has certainly not been any great demand for such a footpath.

In support of our objections we are supplying the following information:

1. Copy of letter of objection written to West Bradford Parish Council. Most of our concerns are outlined in this letter, and it would be appreciated if you would consider this as if it had been written to you.
2. Four photographs of the area in question. These show that the passageway is quite unsuitable for a public footpath, and substantiate the fact that it is not used as such.

We reserve the right to present further information to the County Council's Regulatory Committee.

Unfortunately, the Clerk to West Bradford Parish Council, has not been able to assist in providing information on the weight of support for the proposed footpath; nor has he given any information of the person(s) asking for it. This might have been helpful to us in our

 **01257 270822**

**14, Far Nook, Whittle-le-Woods,
Chorley, Lancs.
PR6 7NY**

considerations. Just as you are seeking information at an early stage, we feel that we also should be allowed access to the full reasons for the application in order that we may consider our objections and course of action further.

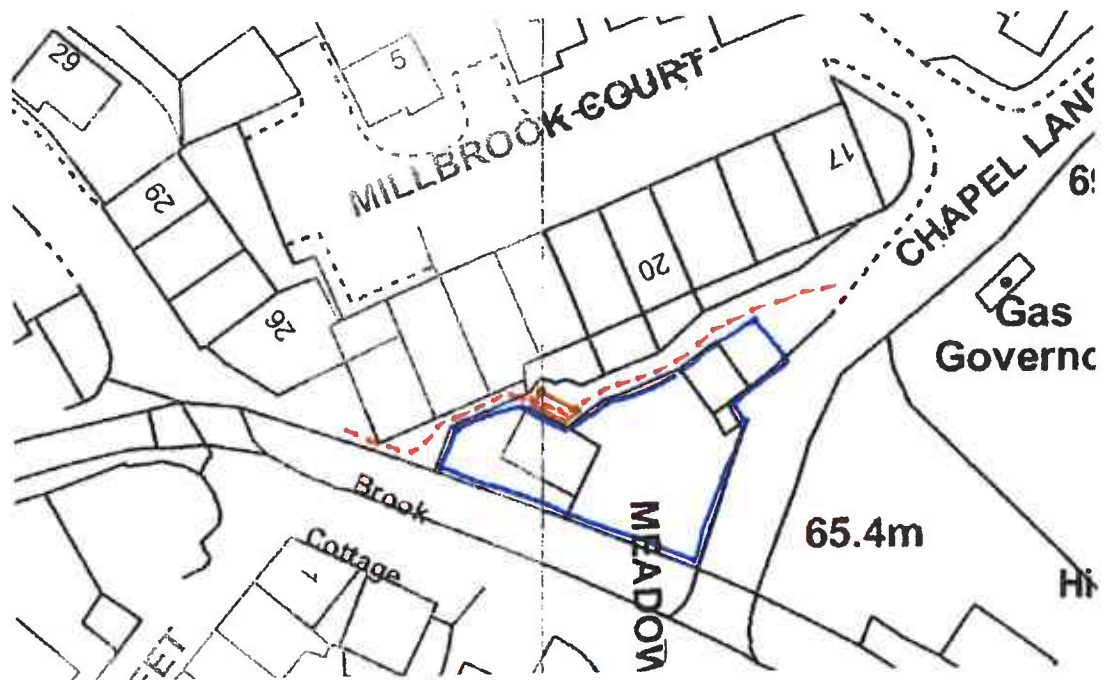
If you are able to supply us with such information, it would be very much appreciated.

Would you please be so kind as to acknowledge receipt of this letter of objection.

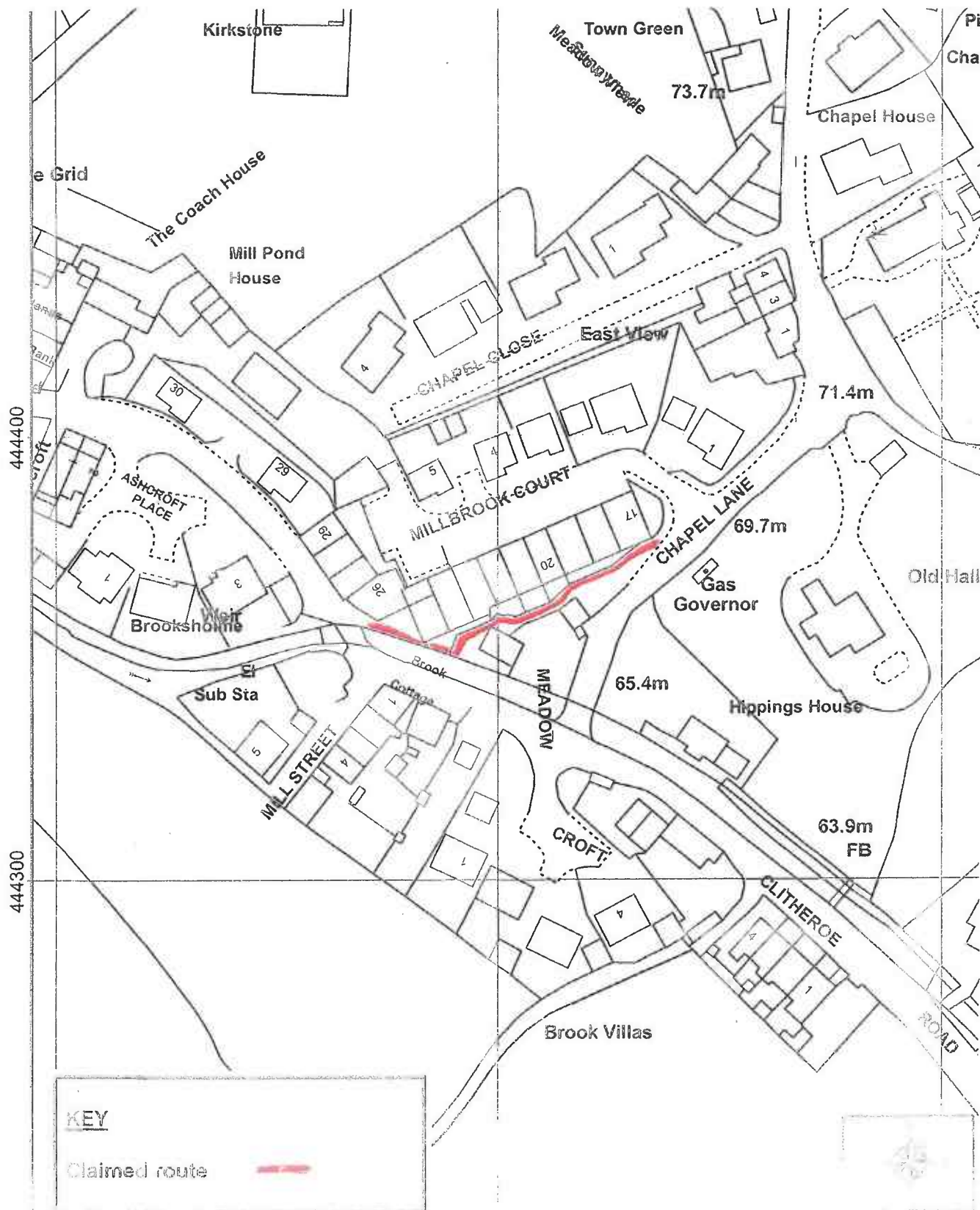
Yours faithfully,

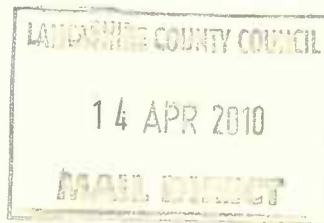


C. A. & M. Sutcliffe.



- Beckside Curtilage
- Beckside Kitchen Under
- - - Proposed Footpath





RIBBLE VALLEY BOROUGH COUNCIL

Please ask for: John Edwards
Contact Centre: 01200 425111
Email: john.edwards@ribblevalley.gov.uk
My ref: JE/JEB/9/27/16
Your ref: LSG4/SK/5.36666(804/500)
Date: 12th April 2010

Council Offices
Church Walk, Clitheroe
Lancashire BB7 2RA

Tel: 01200 425111
Fax: 01200 414488
DX Clitheroe 15157
www.ribblevalley.gov.uk

FAO: SALEHA KHALID

Dear Sirs

RE: CLAIMED PUBLIC FOOTPATH FROM CHAPEL LANE TO CLITHEROE ROAD, WEST BRADFORD

I refer to your letter dated 18th March 2010 concerning the making of a Definitive Map Modification Order with respect to the above path.

I can confirm that this Council holds no supporting evidence either in support of or against the application. I have however passed a copy of your letter to the Council Members who cover the West Bradford area requesting that any information they may have on the matter be brought to your attention.

Yours faithfully

JOHN EDWARDS
ENGINEERING SERVICES MANAGER

Lancashire County Council
County Secretary & Solicitor's Group
PO Box 78
County Hall
Preston
Lancs
PR1 8XJ

**14, Far Nook, Whittle-le-Woods,
Chorley, Lancs.
PR6 7NY**

5th April, 2010

Clerk to West Bradford Parish Council,
5, Grindleton Road,
West Bradford, Clitheroe.
BB7 4TE

Copy for LCC
County Secretary & Solicitor's
Group
Ref. LSG4/SK/5.36666 (804.500)

Dear Mr. Sharp,

Notice of Application for a Modification Order - West Bradford Village - Proposed Footpath between Chapel Lane and Clitheroe Road.

As you know, together with Marian Sutcliffe, I own the property, Beckside, Clitheroe Road.

I have two main concerns about the application for a footpath.

Firstly, the manner in which the application has been presented.

You spoke to me by telephone earlier in 2009, and we discussed the Parish Council's proposals at that stage. You obviously knew then that I was an interested party.

I refer to the notice you have now sent to me about this matter; it indicates that you gave notice on 9 September, 2009 that an application had been made to LCC. If this refers to the notice which you posted on the river wall at the bottom of the steps, and outside my front garden gate, but not on my property, then I believe that notice was inaccurate. It was undated and referred only to the properties 17 to 26 Millbrook Court. It did not identify the Beckside property. The notice also indicated that the footpath was already in existence and that it was being added to the definitive map. It was, therefore, not in accordance with the requirements of the Wildlife and Countryside Act, 1981, Section 53 and Schedule 14, paragraph 2, sub sections 1 and 2.

Your second notice which has now appeared, posted at either end of the proposed footpath, is dated 20th March, 2010. This indicates that a new footpath is to be added, contradicting the original notice. The notice is addressed to the owners and any occupiers of this land outside 1, 2, 3, 4, and 9 Millbrook Court. Is there a No. 9 Millbrook Court? It still does not identify Beckside!

Your application has, I believe, been poorly researched and presented. Over a period of probably nine months it is still not technically correct.

Secondly, but more importantly, the proposed footpath itself, and the impact on my property.

I do not propose, here, to go into great detail of my objection; this would be presented to Lancashire County Council if the Parish Council's application proceeded to that stage.

But I would like the Parish Council to consider some points, at this stage:

The footpath would go over my kitchen roof.

Who would be responsible for the upkeep and any subsequent damaged caused to the roof by persons passing over it?

☎ **01257 270822**

**14, Far Nook, Whittle-le-Woods,
Chorley, Lancs.
PR6 7NY**

But I would like the Parish Council to consider some points, at this stage cont.....

Since the development in 1990/1 of the mill into the houses on Millbrook Court, it has never been a public footpath. It has been gated in two places outside the rear of Beckside. For a period of about seven years these gates were padlocked.

The passage, as I prefer to call it, gives access, for occupiers of property abutting to it, to enable them to reach either Chapel Lane or Clitheroe Road from the rear of their properties. These access rights are included in the deeds of the properties. Therefore, the people that matter don't need it to be designated as a public footpath.

During the time I have been associated with the property at Beckside, that is about fifteen years, I have never seen anybody using this passage as a through route. Coincidentally, I have seen many people walking from both ends but using Clitheroe Road and Chapel Lane. Quite obviously these people are not interested in negotiating past wheelie bins, gates, sharp corners and a flight of steps in order to save a few yards of walking distance.

Has the Parish Council acted for the majority of villagers, or has it acted as a result of a few villagers wishing to identify a footpath which may have been in existence whilst the Mill was in use? Have these people made witness statements in accordance with Schedule 14, paragraph 1(b)?

Has the Parish Council considered the benefit that would be gained by this footpath being recognized, when considered in terms of the lengthy administrative and legal procedures which will have to be followed. I understand that this application could take up to two years to a successful completion. I have to wonder whether the costs of LCC administration, any legal professional representation, right up to the involvement of the Secretary of State in some cases, has been fully considered.

In conclusion, I would respectfully ask that you consider putting my letter before the next meeting of the Parish Council, in order that they may wish to consider withdrawing this particular proposed footpath, from the application. [I understand from our original telephone conversation that this was one of several paths being considered in the village.]

Yours sincerely,

C. A. & M. Sutcliffe.

Your ref LSG4.SK.5.36666
(804.500)



Paul Cowell
24 Millbrook Court
West Bradford
Clitheroe
Lancashire
BB7 4TY

2010-06-07

Dear Saleha,

I note your correspondence in terms of a claimed footpath from Chapel Lane to Clitheroe road, West Bradford.

I have marked on the attached map the area which is in our ownership, the proposed footpath if allowed would run both past a bedroom with an access door and also past our kitchen door.

When we purchased the property we understood this was access only to the rear of our house and a means of escape from fire and was for the sole use of the residents of houses backing onto the path of Millbrook court and the house known as Beckside.

We would strongly oppose this proposal on the basis that it would both devalue our property and infringe on our privacy.

Yours sincerely

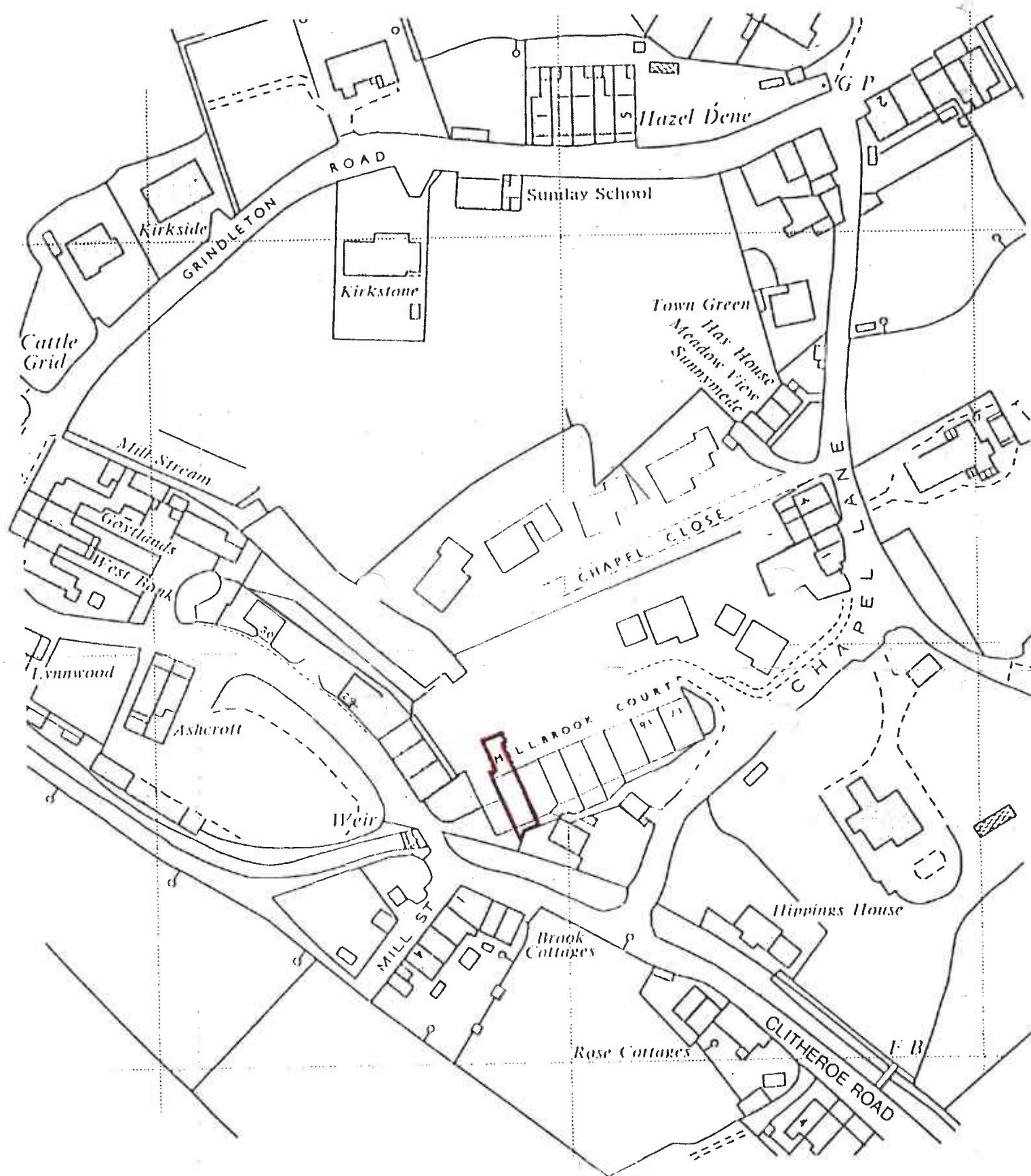
A handwritten signature in blue ink that reads "P. Cowell".

Paul Cowell

H.M. LAND REGISTRY		TITLE NUMBER	
		LA752987	
ORDNANCE SURVEY PLAN REFERENCE	SD7444	SECTION E	Scale 1/1250
COUNTY LANCASHIRE		RIBBLE VALLEY DISTRICT	© Crown Copyright



The boundaries shown have been plotted from Ordnance Survey data. The title plan may be updated from later survey information.



This office copy shows the state of the title plan on **6 February 2003 at 11:17:03**. It may be subject to minor distortions in scale. Under s.113 of the Land Registration Act 1925, this copy is admissible in evidence to the same extent as the original. Issued on 6 February 2003. This title is dealt with by the **District Land Registry for Lancashire**. © Crown copyright. Produced by HMLR. Further reproduction in whole or part is prohibited without the prior written permission of Ordnance Survey. Licence Number GD272728.

LANCASHIRE COUNTY COUNCIL
01 JUL 2010
MAIL DIRECT

Ann Gregory
21 Millbrook Court
West Bradford
Clitheroe
BB7 4TY
27 June 2010

Ms Saleha Khalid
County Secretary and Solicitors Group
PO Box 78
County Hall
Preston
PR1 8XJ

Dear Saleha,

Ref LSG4 SK5 36666 (804.500)

In respect of the application made to Lancashire County Council by West Bradford Parish Council relating to the footpath from Chapel Lane to Clitheroe Rd I am writing to object to the proposal.

When purchasing this property it was understood that the pathway was for access only for the residents of the properties which border the pathway. The purpose of the pathway being to allow for direct access to the rear of the properties for safety reasons, deliveries, gardens and bin collection etc.

For a number of the properties the only outside seating/garden area is at the rear separated from the footpath by fencing which is restricted in height. If the proposed footpath is approved there will be no privacy in the garden areas due to the fencing restrictions. This is extremely detrimental to the residents as there isn't an alternative garden area the result being this significantly reduces the desirability of the properties which impacts on the market value.

It is unnecessary to change the current situation as it is an extremely short distance to walk from Chapel Lane to Clitheroe Rd past the front of Beckside House as an alternative to the proposal

Yours sincerely,


Ann Gregory