

COVERING LIST OF OBJECTORS

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
FOR THE COUNTY OF LANCASHIRE**

**THE LANCASHIRE COUNTY COUNCIL
ADDITION AND DELETION OF FOOTPATH AT WHITECROFT BARN, MELLOR
DEFINITVE MAP MODIFICATION ORDER 2025**

No.	OBJECTIONS STILL OUTSTANDING	ADDRESS
1	Tazamul Imtiaz Sarodia	Whitecroft Barn Whitecroft Lane Mellor Blackburn BB2 7HA taz.sarodia@gmail.com
2	Peter Williams	33 Whitecroft Lane Mellor Blackburn BB2 7HA petewilliams33@hotmail.com
3	Dr and Mrs David Andrews	Whitecroft Farmhouse Mellor BB2
4	Barry Thornber	barry.thornber@gmail.com
5	Geoffrey Thornley	thornley.geoff@gmail.com

Lancashire County Council
Legal Services Group
PO Box 100
County Hall
Preston
PR1 0LD

29th December 2025

SENT BY POST AND EMAIL (francesca.jackson1@lancashire.gov.uk)

Dear Ms Jackson,

RE: Formal Objection to Modification Order – REF: LSG4/FJ4/888.4340

I write to submit a formal objection to the Modification Order dated 12 November 2025 concerning Footpath FP0325049 and its alleged passage through my property, Whitecroft Barn.

I strongly object to the proposed modification for the reasons set out below.

1. The Definitive Map is unclear and does not show any route through Whitecroft Barn

Under **section 53(2)(b)** and **section 53(3)(c)(i)** of the *Wildlife and Countryside Act 1981 (WCA 1981)*, a Modification Order may only be made where new evidence shows that the Definitive Map as *originally recorded* was wrong. I have attached within Appendix 1 the current definitive map, this has a relevance date of 1st September 1966.

The Definitive Map is ambiguous and does not clearly indicate any public footpath running:

- through the building,
- through the garden,
- across the driveway,

The Council therefore cannot rely on “correction” powers under WCA 1981 when the map does not clearly establish the alleged original route.

The evidential standard set out in *Todd v Secretary of State for the Environment [1983]* requires that rights of way modifications must be based on clear, cogent, and credible evidence, not inference. Such evidence has not been provided.

2. The proposed modification assumes the existence of a route never evidenced

The Order describes the change as deleting a section of the supposed footpath through my building and garden and adding a different section across my driveway and former farmyard.

For such a modification to be lawful under the WCA 1981, the Council must show:

1. historic evidence that the path originally existed on that route;
2. user evidence indicating uninterrupted use "as of right"; and
3. that such use or evidence existed before the Definitive Map was originally drawn.

No such evidence has been presented to me.

The proposal appears to construct a route retrospectively, rather than correct an established one.

3. Legal advice confirms we are within our rights to close and fence the permissive path

We have taken independent legal advice from a solicitor, their advice states:

- the Definitive Map is unclear and does not show a path through our property,
- no historic or user evidence has been exhibited to prove the route, and
- the previous owner openly prohibited public access for more than 25 years without any challenge.

In light of the above, we are well within our rights to:

- remove the permissive footpath we constructed,
- reinstate fencing on our land, and
- restrict access, pending any conclusive evidence of a legally established public right of way.

This is consistent with **section 31(1) of the Highways Act 1980**: where public use has been interrupted or permission has been withdrawn, this prevents a presumption of dedication.

The uninterrupted 25-year period during which the previous owner forbade any access is a clear "interruption" that defeats any attempt to claim a right of way by use. This can be supported by each neighbour that has been living on Whitecroft Lane.

4. For over 25 years the previous owner prohibited access and faced no challenge

Neighbours with decades of residence on Whitecroft Lane confirm that the former owner:

- kept the driveway closed,
- did not permit public access through the driveway, garden, or yard, and

- was never challenged or confronted by the Council or any member of the public.

This long, uncontested period is strong evidence against the existence of a right of way.

If a public footpath genuinely existed, the Council had ample opportunity to enforce it. It never did.

5. I spent thousands of pounds creating a safe, dedicated public footpath

Because the map was unclear and I wished to support the community, I personally invested several thousand pounds to create a segregated, fenced, safe path, well away from the house and driveway.

This path has been widely praised by villagers and provides a much safer, clearer, and more respectful route than forcing pedestrians through private residential space.

6. The entire village supports the current safe path I created

Many residents who have lived here since the 1960s have expressed to me:

- gratitude for the investment I made voluntarily,
- a clear preference for the fenced-off path,
- objections to the proposed Order; and
- willingness to provide written statements.

They also point out that walking through someone's driveway and garden is neither safe nor desirable.

7. My treatment compared with the previous owner raises concerns within the community

Since moving to Whitecroft Barn, I have faced repeated challenges regarding this alleged footpath despite taking considerable steps to support the public and improve safety.

More than one neighbour has raised with me their view that the difference in treatment between myself and the previous (non-Asian) owner, who faced no scrutiny over 25 years, is troubling.

While I sincerely hope there is no unfairness in play, I cannot ignore the fact that this perception is widespread and has caused considerable distress to me and my family.

I ask the Council to reflect carefully on the impact of its actions and the message this sends to the community.

8. Request for full disclosure of all evidence relied upon

Under **section 53(5)** of the WCA 1981, and consistent with principles of natural justice, I formally request copies of:

- historical maps
- user evidence forms

- documentary evidence
- internal reports
- legal assessments
- officer recommendations relied upon when drafting this Order.

Given the serious implications for my home, privacy, and property rights, full transparency is essential.

For all the reasons outlined above, legal, evidential, historical, community-supported, and practical, I strongly object to the proposed Modification Order and request that Lancashire County Council does not confirm it.

Given the long and uncontested period during which access was prevented by the previous owner, combined with the legal advice we have obtained, I am well within my rights to close the permissive access route that I voluntarily created at considerable personal expense. The public access I provided was an act of goodwill, not recognition of a legal right of way an access which would not have existed at all had I not generously installed it for the benefit and safety of the village.

However, I will not make any decision about closing or removing this voluntary path until the outcome of this Order is clear. Any such decision will be taken following full transparency, proper evidence, and a fair and lawful resolution of this matter.

I respectfully request written confirmation that my objection has been received and will be considered in full

Yours sincerely,



Tazamul Sarodia

Appendix 1:

Current Definitive map, relevance date of 1st September 1966.



Lancashire County Council
Legal Services Group
PO Box 100
County Hall
Preston
PR1 0LD

Peter Williams
33 Whitecroft Lane
Mellor
Blackburn
BB2 7HA
30 December 2025

Email: - francesca.jackson1@lancashire.gov.uk

FAO: - Francesca Jackson

RE: - Support of Objection to the Modification Order for Footpath FP0325049

Dear Ms Jackson,

I have lived at the above address which is directly across from Whitecroft Barn since December 1985, and I am writing to make a formal Objection to the above Order dated 12 November 2025 relating to Footpath FP0325049.

I wasn't notified directly by the County Council of this proposed modification to Footpath FP0325049, which I thought I might have been since my property is approximately 20m across from the commencement of this Footpath. However I did by chance see this Notice recently, which was simply stapled around 3 sides of the post of the footpath sign which didn't make for easy reading!

Firstly, I would like to say that this line of the footpath through Mr and Mrs Sarodia's property is the first time that any member of the public wishing to use the footpath has been able to use a dedicated passage through the property. Prior to that anyone wishing to use the PROW could effectively walk anywhere through the private gardens/driveway of the property. It makes no sense at all to return to that situation.

As well as a clear defined line of access through the property, the footpath in its present form also addresses a major potential risk to Health and Safety. The footpath, as formed now, separates members of the public from vehicle movements which reduces the risk to danger. This wasn't the case previously when foot traffic and vehicles had to share the same space.

The previous owner of the property, Mrs Baldwin, whose husband had sadly passed away in the late 1990's lived there with her two sons until both were married and moved away. After that Mrs Baldwin decided to restrict access to her property by installing secure lockable steel gates across the entrance to the property. Mrs Baldwin was also dog owner and as well as the gates acting as a deterrent to any potential intruder, the secure gates also allowed her dogs to roam freely. For several years prior to Mr and Mrs Sarodia becoming the new owners, Mrs Baldwin owned two quite vicious Newfoundland dogs which were the subject of many complaints to Mellor Parish Council and some I believe directly to Lancashire County Council.

These complaints were mainly associated with the continuous barking of the dogs behind the gates which over the years caused many issues with other dog walkers as they passed by, even on the other side of the road. Also horse riders who walked their animals along Whitecroft Lane and Nickey Lane (and still do), often had to prevent their horses from bolting.

Also, on a number of occasions, one of the dogs would escape and cause real problems along Whitecroft Lane until caught and returned to Mrs Baldwin. I was party to two instances when one of the dogs managed to escape from behind the gates. On one occasion a dog walker sought refuge in my house as protection for herself and her dog until Mrs Baldwin's dog had been retrieved. On a second occasion two horses passing by were spooked by the dogs and one of the horses became very nervous and strayed onto my property causing damage to parts of the lawn.

In all the many years that the restrictive access through Mrs Baldwin's property existed and despite the numerous complaints to the Parish Council, both by local villagers and walkers wanting to use the footpath, there was no attempt by Ribble Valley or Lancashire County Council to resolve this issue and re-establish the PROW.

Could this mean that because of lack of access over many years the PROW no longer exists?

I can see no merit in the Council's proposal to modify the current line of the footpath and would add that Mr and Mrs Sarodia have created this footpath to a high standard and is much appreciated by villagers and walkers alike.

The Council appears to want to resolve a problem that doesn't exist, and it begs the question why is this being done now with such scrutiny? No attempt was ever made to reinstate the PROW when access to it was denied over so many years by the previous owner. Villagers and other users of the footpath are very happy now that it has now been restored by the current owners.

I fully support the Objection to the Modification Order submitted by the owners of Whitecroft Barn and respectfully urge the Council not to confirm this Order. In my view, as expressed above, I believe that the existence of a much safer and clearly defined route through Mr and Mrs Sadonia's property outweighs any reason to modify it as proposed.

Please confirm that this letter and its contents will be taken into account when considering the Objections to the Modification Order.

Yours sincerely

Peter Williams BSc (Hons) Civil Engineering

Formal Objection Order to the Modification Order REF : LSG\$/FJ4/888.4340

Dear Mrs Jackson

We would like our OBJECTION to the Modification Order to be noted

We write in relation to the proposed Modification Order(reference above) regarding the footpath from Whitecroft Lane which runs between our property, Whitecroft Farmhouse, and our neighbour's property, Whitecroft Barn.

Our reasons for our objection are explained below:.

The footpath, runs straight alongside the two properties, our house, Whitecroft Farmhouse and next door, Whitecroft Barn. These two properties were once upon a time all one working, rented farm and when we bought the Farmhouse over 42 years ago it was sold SEPARATELY to the barn. The barn became known as Whitecroft Barn and our house became known as Whitecroft Farm (later amended to Whitecroft Farmhouse).

We renovated the Farmhouse which has been our family home ever since. Bernard and Sandra Baldwin bought and renovated the Barn next door to us and lived there for over 35 years as their family home. Both properties were improved instead of empty partly derelict farm buildings as they were.

Mrs Baldwin, after the death of her husband, sold the Barn to the current owners Mr and Mrs Sarodia a few years ago, and they spent considerable time and commendable effort in further improving Whitecroft Barn to make it their family home.

Mr and Mrs Sarodia are incredibly respectful and pleasant neighbours and have been welcomed into our vicinity and by all the neighbours.

We are completely aghast that anyone would suggest there is any reasonable purpose, in suggesting that a footpath/right of way should be changed in such a way to promote the public walking across Mr and Mrs Sarodia's private garden (designated areas behind both of our properties were allocated to form gardens behind the newly separated domestic properties when they were sold). Full planning permissions have been always followed and granted for the changes of use of these properties from working farm to two independent domestic houses. Furthermore, on studying the old maps which are available in your records, it is not clear the exact route of the footpath, once it passes by the original barn as the pen drawings on the maps are not clear. Also, we remember that there were at least **two more outbuildings between farmhouse & the barn, belonging to the original farm, the position of which necessitated the curve in the direction of the footpath (as seen on the maps) in order to be able to pass by these buildings. Then immediately after that curve, the footpath returns** to the straight line that was started in the first 30 metres or so of the path. So there is a reason why there was a curve in the route, **but that reason no longer exists as these out-buildings were demolished** when the farm was divided and sold as two separate dwellings. Historically, going back further, it seems that there was a straight ancient 'road' between the two properties from which presumably formed the template from which the footpath was originally planned.

In all the years we have lived here we have only seen a handful of walkers accessing this footpath. Also it is of note that for many years, Mrs Baldwin had huge locked gates preventing people accessing the

footpath (which runs down the drive of the Barn) but yet there was never any formal objection to this! These locked gates prevented the footpath from being used for at least 25 years!

Mr and Mrs Sarodia have gone to great trouble and expense to provide a safe and well surfaced footpath which at the start of it, immediately leaving Whitecroft Lane, follows the EXACT route of the historical pathway so that walkers can access the continuation length of the footpath which continues down the field behind both properties.

We do not have detailed knowledge of all the council history of this pathway other than stated above , but surely appropriate and absolutely reasonable adjustments and allowances should be made when a farm (with several buildings) is sold in such a way to be divided and put to alternative use. Also in essence, from studying the maps and ancient road history, **a straight path/road** seems to have existed at least over 150-200 years ago.

As the function of these two properties was changed over 40 years ago....and they were officially divided and sold as new separate domestic properties (...they were originally collectively ONE FARM), it would seem totally acceptable to make sure that the public access to footpaths and rights of way are of course, respected and maintained. However, if a slight modification was required to ensure the privacy and security of each property, surely that makes total sense and the pathway that Mr Sarodia has preserved, (whilst it **may or may not** be ever so slightly different to ancient records), makes every sense & is commensurate with the current use of the buildings.

We also totally support Mr Sarodia's objection to the Modification Order proposed

Please please consider our comments here that we are totally opposed to the Modification Order of the footpath (referenced above) and cannot understand why it would now, in the current day, be supported.

We are so sorry that public money is being repeatedly spent on this issue.

One has to ask the question, WHY WAS THE PREVIOUS OWNER NOT PUT TO THE SAME SCRUTINY THAT MR AND MRS SARODIA ARE HAVING TO ENDURE. ???

We are mindful that other residents in the wider area, for example at Osbaldeston have been able to achieve much more significant changes in public access footpaths which cross their land, with total re-alignment.....so it is difficult to understand why this small (a few metres of a pathway) improvement that has been provided by Mr Sarodia is causing so much concern and taking so much of the council's time and funds. This pathway is enhanced in so many ways as it looks today....it is safer, more clearly marked, and more accessible and leads in a straight line to the continuation of the straight path down the field

We look forward to hearing progress on this issue. We understand this has been going on for over a year.

Regards

Dr and Mrs David Andrews

Whitecroft Farmhouse Mellor BB2

Re: Order relating to FP0325049



Barry Thornber <barry.thornber@gmail.com>

To francesca.jackson@lancashire.gov.uk; Jackson, Francesca

[Reply](#) [Reply All](#) [Forward](#)

Mon 22/12/2025 21:47

This sender barry.thornber@gmail.com is from outside your organisation.

You replied to this message on 23/12/2025 09:55.

You don't often get email from barry.thornber@gmail.com. [Learn why this is important](#)

I am writing with regard to the notice posted on the footpath sign outside Whitecroft Barn on Whitecroft Lane, Mellor.

I have been aware of this footpath for about 10 years, and did contact the Rambler's Association about 5 years ago alerting them to the fact that the sign had been removed and the footpath was effectively blocked because the owner kept 2 large dogs in the yard behind a locked 5 bar gate.

I have noticed the property has been sold and renovated and the footpath defined by a fence at the boundary of the property. Thus the footpath can now be used freely by all (though it rarely is in my experience). This in my opinion is a sensible solution and avoids disruption to the new residents of Whitecroft Barn.

I have no 'axe to grind' in this issue. I have no relationship to the new residents. It seems a sensible solution which improves public access. I am not sure if there has been an objection to the change by a local resident which has exercised the Council's interest, but if so I feel it is unhelpful, perhaps mischievous in it's motives.

In conclusion I support the changes.

Yours sincerely, Barry Thornber.

Lancashire County Council,
Legal Services Group,
PO Box 100,
County Hall,
Preston,
PR1 0LD

Attn: Francesca Jackson

Email: francesca.jackson1@lancashire.gov.uk

**SUBJECT: Representation in Support of Objection to Modification Order – Footpath
FP0325049**

Date: 24 December 2025

Dear Ms Jackson,

I am writing to make a formal representation in relation to the Definitive Map Modification Order dated 12 November 2025 concerning Footpath FP0325049 at Whitecroft Barn.

I reside at Barn Owl Cottage, 12 Whitecroft Lane Mellor, which is next door to Whitecroft Barn and have lived here for six and a half years. During that time, including throughout the ownership of the previous owner of Whitecroft Barn, there was no public access through the driveway, garden, or buildings. Access was prohibited with locked gates and two large Newfoundland dogs which barked a lot were used to deter any outside pedestrians, and it was widely understood by local residents not to attempt access unless you wanted to incur the wrath of the female resident who was extremely unsociable.

The previous occupier of my property, who resided here for 19 years, had affixed a sign, which is still there, to the rear garden gate stating no access is allowed through and it was private property. This proves that this situation had gone on for many years.

I recall only a few occasions when walkers have stopped me while I was working at the front and rear of my property to ask where the path was to connect Whitecroft Lane to the field beyond as there was no signage and all gates to properties were locked. This shows that the path is very infrequently enquired about. I informed them there was no access through my property. The walkers had to traverse a barbed wire fence further down Whitecroft Lane in order to access/exit the field. To my knowledge, this position was never challenged by the public nor enforced by the Council.

My neighbours who have resided here for many decades have passed on their historical knowledge of the fact that my property and those around me were agricultural buildings that many years ago, originally formed part of one farm which have subsequently been sold off separately and granted change of use. A footpath may have possibly been created originally through the farm but was altered to allow for safety of the public and privacy for the occupiers once the buildings became private residences, the route of which has never been clearly defined nor mapped.

Since the current owners moved to Whitecroft Barn, they have acted extremely affably, responsibly, constructively and in good faith. Despite the Definitive Map being unclear, they voluntarily invested significant personal funds to create a safe, segregated, and clearly defined permissive footpath on their own land, deliberately routed to favour the community and any walkers.

This route is extremely satisfactory, is widely valued by residents and regarded as safer, more sensible, and more respectful for everyone than the alignment proposed in the Order. The owners have been thanked by the local community, some who have lived in the village for decades as this is the first time they have been able to use a safe path on Whitecroft Lane given the previous access being blocked. No one has had to ask me about how to access the field since the creation of the new footpath as it is no longer a cause for concern.

There is widespread local concern that the Council's current stance fails to reflect long-standing community understanding, historical practice, and more importantly, common sense. Many residents find it troubling that a situation left entirely unchallenged for over 25 years under the previous owner is now being pursued against the current owners, despite their constructive and community-minded actions.

Myself and my neighbours strongly disagree with the Council's stance on the alleged footpath, support the objection submitted by the owners of Whitecroft Barn, and appreciate the considerable effort and expense the owners have voluntarily undertaken to provide a safe and practical route for public use.

This perceived inconsistency in approach has caused unease within the community, with some residents questioning whether the current owners are being treated differently or unfairly.

Why would anyone wish to create a pathway that was unsafe and which totally destroys a family's privacy? In my opinion, this is a very important and equally disturbing question!

While I do not speculate on the Council's intentions, I believe it is important that decision-makers are aware of the depth of community concern and the distress this situation is causing, particularly given the goodwill shown by the current owners.

To conclude, I fully support the objection submitted by the owners of Whitecroft Barn and respectfully urge the Council not to confirm this Order. In my view, the long-standing prohibition of access, lack of historic enforcement, clear community opposition, and existence of a safer alternative route weigh strongly against the proposed modification. Please confirm that this representation will be taken into account when considering the Order.

Yours faithfully,

Mr Geoffrey Thornley (thornley.geoff@gmail.com)

Dear Mr Sarodia and Ms Patel,

We are writing to all the objectors to the Lancashire County Council Addition and Deletion of Footpath at Whitecroft Barn, Mellor, Definitive Map Modification Order 2025.

The different points which have been raised by different objectors are all connected and we address each of them below, not only the particular point(s) which you raised as it may provide background and clarification. Please note that references to 'Whitecroft Barn' below refer to the current property including garden, driveway, buildings unless otherwise specified.

- 1. The Definitive Map and Statement does show a route through Whitecroft Barn but it is unclear.** Whilst there is no room for doubt that the line on the Definitive Map shows a public footpath passing through the property, the precise line cannot be seen on the Definitive Map because it is drawn with too broad and blurred strokes on a map of insufficient scale. The First Definitive Map dates from the 1950s, following the National Parks and Access to the Countryside Act 1949, and this was reviewed in 1966. The digitised line on the website does not have the legal force of the Definitive Map and Statement but should reflect it. The Committee Report containing extracts from the Definitive Map process can be found online by clicking [here](#).
- 2. The route is shown on the Definitive Map and Statement but also by the available historical mapping.** The 20th Century date of the Definitive Map and Statement does not mean that the public footpaths came into being at that time, most are many decades or centuries older and this one can be seen on the earliest Ordnance Survey maps available in the 1840s. The Committee Report containing extracts from some of these historical maps can be found online by clicking [here](#).
- 3. The previous owner is alleged to have prohibited access for more than 25 years without challenge.** Although we have a statutory duty to keep every public right of way free from obstruction we have limited resources so we prioritise those footpaths which are most affecting the public and one indicator of this is the number of reports we receive from the public. On our database there are only 3 reports of a problem with the footpath at Whitecroft Barn between 1992 and 2022, which is an average of 1 per decade, we then received 8 in one year from April 2022-April 2023 following the change in ownership. As for much of this time the public rights of way in Ribble Valley were managed by RVBC we do not have the documentation relating to any action taken and it may well be that none was. Google Streetview photos from 2009 and 2011 show that the footpath was accessible from the road and the signpost was clearly visible.

In 2018 we were in contact with the previous owner about improving the gate at the rear of the property and our site inspection found the footpath was accessible through Whitecroft Barn, albeit not quite on the Definitive Map line. The owners also indicated that they wished to divert the footpath so we provided the relevant form and guidance.

After the ownership changed the signpost was removed, locked gates erected and we served Notice for removal of the obstructions. Contrary to suggestions it is strenuously denied that this is anything to do with ethnicity - as it was some time before the Land Registry was updated and the property was unoccupied for a while we had not met the new owners nor were able to find out their name for several months. We are unable to deduce ethnicity from the illegal obstructions and were acting, and continue to act, purely on the basis of what we find on the ground. The new owner, as the previous one, has been given information about diverting the footpath legally.

Even if no access had been available for 25 years, or any other length of time, public footpath rights are not lost. Nor can they be diverted or narrowed by some mechanism of default or prescription.

- 4. The new owner spent a lot of money providing a permissive route which could be closed at any time.** The permissive route surface was changed from setts to tarmac which was done at the same time as the driveway resurfacing. The fencing was erected for the benefit of Whitecroft Barn not the permissive path and was erected without consultation with the Public Rights of Way team. However, this is not pertinent to the Definitive Map Modification Order which is solely about recording the existing legal line. The permissive path could be closed at any time except where it overlaps with the public footpath. It is still open to the landowner to apply for a diversion off Whitecroft Barn altogether or along the edge of the property subject to increasing the width currently fenced. This could be done before or after the Definitive Map Modification Order process is complete.
- 5. Many residents support the new path and the new residents are popular in the neighbourhood.** Walking through the private garden is not desirable for the residents or the public, however the footpath cannot simply be diverted at the owner's whim. Whilst we would support a legal diversion of the footpath to a suitable line and width away from or separated from the garden we have not had any an application to do so and therefore the public rights remain unchanged. How popular the owners are cannot be a consideration into the legal line or particulars of the public right of way. The Definitive Map Modification Order is to record the legal line and cannot achieve a diversion to a more suitable line, which is a different process.
- 6. Request for disclosure of evidence.** See Definitive Map Modification Order register [here](#) for more information. We have complied with the statutory requirements of this process which includes public notice but does not include a mailshot to neighbouring properties. We have been in communication with the owner since 2022. We are happy to provide any further requests for evidence.
- 7. Danger from shared space with vehicles.** Many public footpaths share space with private vehicles and in this case a very short drive/parking area where speeds must be low and visibility good. It comes out onto a road with no footway on that side – any perceived danger would surely be on Whitecroft Lane not the footpath through the private parking area.

8. Other paths are worse/narrower/obstructed. No public right of way should be obstructed but some are, some of which we are aware and some are unknown to us. This has no bearing on whether this footpath is obstructed and whether or not this one is has no bearing on the legal line which should be recorded.

In summary, this Order is not about choosing the best line of the footpath (that requires a public path order to divert the existing legal line of the footpath); it is not about whether the footpath is obstructed or not (that is addressed by communication and if necessary, enforcement). This Order is solely about correcting the Definitive Map and Statement which currently is imprecise and appears to show the footpath passing through the building. This correction or clarification has to be based on map and documentary evidence, together with witness evidence from people who knew the layout of the land from a few decades ago. This may seem bureaucratic or even anachronistic when the owners, local residents and public at large want the footpath established on the best line for all concerned but to avoid future problems, keeping within our statutory powers and acting consistently in our management of public rights of way we need to work through this process. Unless there is agreement where the current line of the public footpath runs or the Definitive Map Modification Order process is complete, it is not feasible to divert it to a long-term alignment and width but that is the aim and expectation.

Having considered the above please could you let us know whether you wish to sustain or withdraw your objection within the next 3 weeks. Thank you.

The process now is that if any of the objections are sustained the Order will be submitted to the Planning Inspectorate for a decision on whether or not to confirm the Order. If the objections are withdrawn Lancashire County Council will confirm the Order. Once the Order is confirmed then the landowner is required to remove obstructions from the recorded line of the footpath but where they have made an application for an acceptable diversion and a permissive path remains available we would normally postpone any enforcement until the outcome of the diversion order. Any Public Path Diversion Order is publicised in a similar way to the Definitive Map Modification Order and any member of the public will have their views considered as part of the process.

Yours faithfully

A handwritten signature in black ink that reads "F. Jackson". The signature is written in a cursive, slightly slanted style.

Francesca Jackson
Paralegal Officer

Dear Ms Jackson,

Thank you for your detailed response to the objections in respect of the Lancashire County Council Addition and Deletion of Footpath at Whitecroft Barn, Mellor, Definitive Map Modification Order 2025.

Having considered the matters raised, we confirm that we wish to maintain our objection.

For clarity, our objection now relates specifically to the precision and evidential basis of the alleged alignment through Whitecroft Barn, rather than to the broader question of whether a public footpath exists in the vicinity.

Whilst the Council states that there is no room for doubt that the Definitive Map shows a footpath passing through the property, it is also accepted that the line is drawn with broad and blurred strokes on a map of limited scale, such that the precise route cannot be identified on the ground from the Definitive Map alone. In circumstances where the recorded line is not capable of precise interpretation, any proposed modification must, in our view, be supported by clear and cogent documentary and/or witness evidence sufficient to establish the exact alignment on the balance of probabilities.

In particular:

- The Definitive Map is acknowledged to be imprecise within the curtilage of the property.
- Ordnance Survey mapping may show physical features but does not, of itself, determine highway status or the precise legal alignment.
- The 2018 site inspection recorded that the path was accessible, albeit not on the Definitive Map line, which suggests historic deviation from the alignment now asserted.
- We have not yet been provided with full copies of the documentary and witness evidence relied upon to establish the specific route through the building and residential curtilage.

Given the obvious implications for a private dwelling and its immediate surroundings, we consider that particular care must be taken before confirming a precise alignment through residential curtilage.

Separately, and without prejudice to our objection, we intend to submit an application for a Public Path Diversion Order pursuant to section 119 of the Highways Act 1980. Our aim is to regularise a safe and clearly defined route which avoids the residential curtilage and reflects the alignment currently used and supported locally. We would be grateful if you can indicate the process, procedure and the required documentation to submit the application.

We are keen to deal with this matter in a constructive and practical way. If it would assist the Council, we would be very willing to facilitate a site meeting at Whitecroft Barn so that the alignment and layout can be viewed on the ground. We consider that seeing the physical context may assist in clarifying both the evidential issues and the practical considerations relevant to any future diversion.

Please let us know if you would find this helpful and we will make ourselves available at a mutually convenient time.

We would be grateful for confirmation that our objection will be forwarded to the Planning Inspectorate should it remain outstanding at the close of the objection period, together with an indication of the anticipated timetable.

Yours sincerely,

Taz Sarodia and Sadia Patel

RE: Objection to Modification order REF: LSG4/FJ4/888.4340 Public Footpath Whitecroft Lane



Gail Andrews <gail.andrews@healthbusiness.co.uk>
To Jackson, Francesca



Tue 24/02/2026 09:27

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Dear Ms Jackson

We sustain our objection.

We sincerely hope that the footpath is adapted sensibly in line with the change of use of the property from farm & farm buildings, to the domestic house that it is now..... and therefore allows for the privacy & security of the people who live in Whitecroft Barn. There is MINIMAL change to the original footpath layout (which, historically, is vague in the first place.)

As immediate neighbours, we have witnessed only a handful of people (over the 40+ years that we have been here) use that footpath!

We look forward to hearing the outcome asap.

Best regards

David & Gail Andrews
Whitecroft Farmhouse.

From: Jackson, Francesca <francesca.jackson1@lancashire.gov.uk>

Sent: Tuesday, February 17, 2026 4:02 PM

To: Gail Andrews <gail.andrews@healthbusiness.co.uk>

Subject: RE: Objection to Modification order REF: LSG4/FJ4/888.4340 Public Footpath Whitecroft Lane

Dear Mr David & Mrs Gail Andrews,

Please see the attached letter. Please kindly note the 3-week timescale to respond.

Re: Document shared with you: "Formal Objection to Modification Order REF LSG4 FJ4 888 - Whitecroft Lane (1)"



Geoffrey Thornley <thornley.geoff@gmail.com>
To Jackson, Francesca



Wed 25/02/2026 17:20

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This sender thornley.geoff@gmail.com is from outside your organisation.

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Dear Miss Jackson,

Thank you for your email and attached letter. Having considered its contents, I hereby inform you , as requested, that I wish to sustain my objection.

Please confirm receipt of this instruction at your earliest convenience .

Regards

Mr Geoffrey Thornley

Sent from my iPhone

On 17 Feb 2026, at 16:03, Jackson, Francesca <francesca.jackson1@lancashire.gov.uk> wrote:

Dear Mr Thornley,

Please see the attached letter. Please kindly note the 3-week timescale to respond.

Many thanks,

Kind regards

Francesca Jackson
Paralegal
Highways, Planning & Environment