
APPLICATION FORM

FOR A MODIFICATION TO THE DEFINITIVE MAP AND STATEMENT WILDLIFE AND COUNTRYSIDE ACT 1981

To: The Outdoor Recreation Manager, Outdoor Recreation, Shropshire Council, Shirehall,
Abbey Foregate, Shrewsbury. SY2 6ND

I, **Will Steel**, for and on behalf of the **British Horse Society**, of Abbey Park, Stareton, Kenilworth,
Warwickshire. CV8 2XZ.

**hereby apply for an order under Section 53(2) of the Wildlife and Countryside Act 1981
modifying the Definitive Map and Statement for the area by:-**

Adding the *bridleway* which runs from Point A (OSGR SJ6665 3165) to Point B (OSGR SJ6673 3179)
and shown on the map accompanying this application.

I attach copies of the following documentary evidence [including statement of witnesses] in support of this
application:-

- **Natural England Discovering Lost Ways Case File SH/176/002 BHS which contains copies of the following documents or extracts thereof:**
- Ordnance Survey Surveyor's Drawings, entitled "Market Drayton," BL 209, dated 1815
- Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 1827 (...)", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Ordnance Survey 25" 2nd Edition, BL, entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XVI. 10", dated 1900
- Finance Act Survey Map, TNA IR 132/4/156, entitled "Shropshire Sheet XVI.10, Staffordshire Sheet XXVIII.5 (Part of) - Second Edition 1902", dated 1910
- Ordnance Survey 25" 1st Edition, BL VOL 688, entitled "SHROPSHIRE Sheet XVI.10",

I/We understand that the information I/we have provided may be imparted to third parties.

Signed:



Date: 23/09/2020

Wildlife and Countryside Act 1981

**Map to Accompany
Definitive Map Modification Order Application**

For a route at Sutton Grange in the Parish of Sutton upon Tern, Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/176/002



23 / 09 / 2020

Map produced from extract of Ordnance Survey 1:25,000 scale mapping. When printed on A4 paper, the scale will be not less than 1:25,000 and thus meets the requirement of regulation 2 and regulation 8(2) of The Wildlife and Countryside (Definitive Maps and Statements)



Client:

**Natural England
Discovering Lost Ways Project**

Case File Ref. No.	SH/176/002
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Sutton upon Tern
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	None
Route Length	225 metres
OS 1:10,000 Sheet(s)	SJ63SE
Grid Ref (start)	SJ6665 3165
Grid Ref (end)	SJ6673 3179
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown uncoloured and excluded in the hereditaments on the Finance Act Survey map. Described as a 3rd Class Metalled Road on the 1" New Series Map.

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

Table of Contents

1. Summary of Findings	5
2. Description of Route	6
3. Location Plan	7
4. Current Definitive Paths	8
5. Case File Route Map	9
6. Details of Documentary Evidence	10
7. Interpretation of Evidence from Individual Records	17
8. Overall Evaluation of Evidence	22
Appendix A - Methodological Statement	25
Appendix B - Acknowledgements	26

1. Summary of Findings

Case SH/176/002 was included in the research scope by the Discovering Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act survey, but does not in itself provide evidence about the class of rights that existed over it. One Non-Ordnance Survey Commercial map (Greenwood's) described the route under the heading "Cross Roads" in the map key. For the purposes of DLW research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway. The route is also shown as a physical feature on the supporting Ordnance Survey Records.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the key under the heading "3rd Class Metalled Roads". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" Revised New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey. In the absence of stopping up these rights are assumed to exist today.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the Definitive Map.

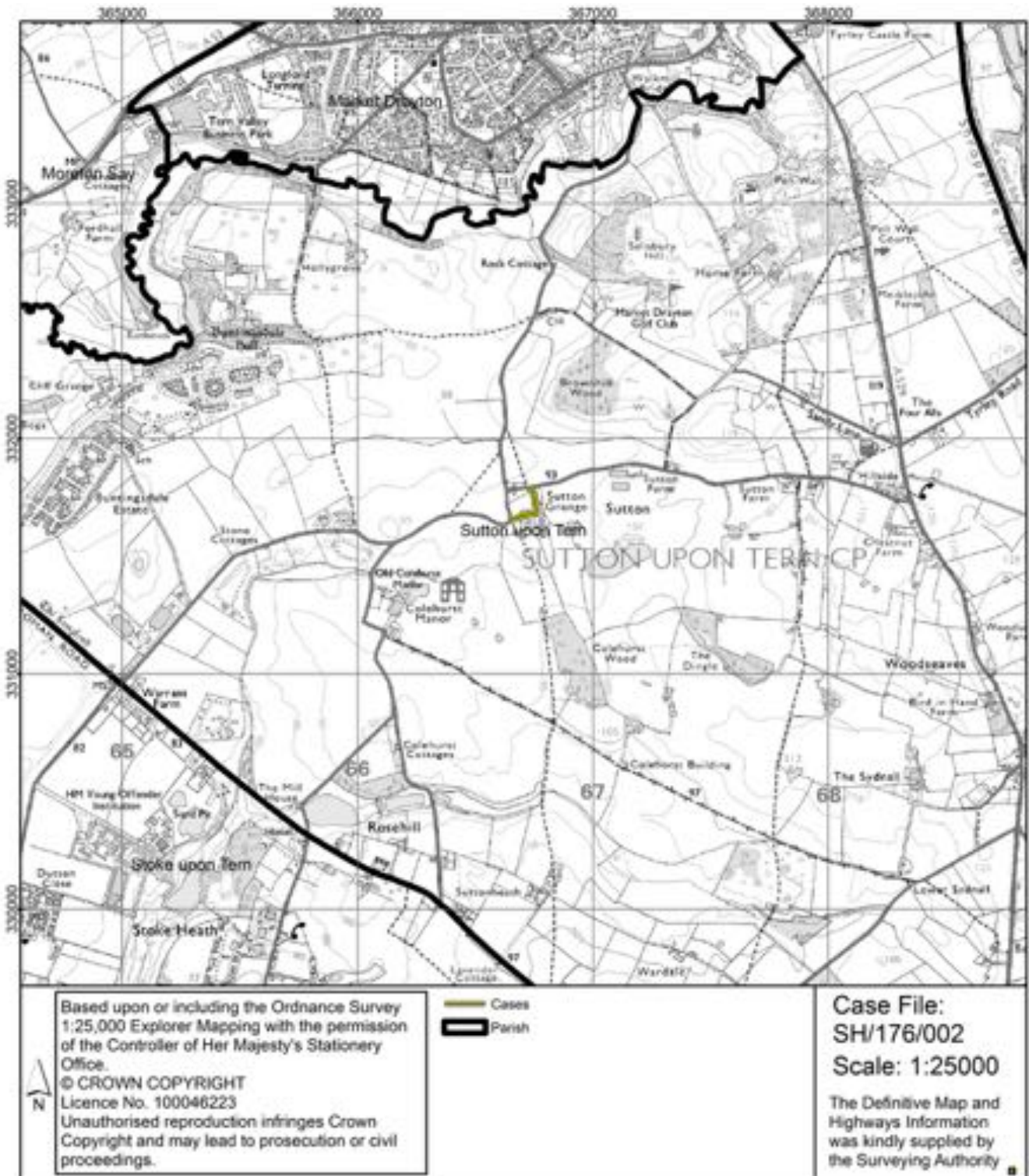
2. Description of Route

The route begins at coordinate SJ6665 3165 (point A on the Case File Route Map). The route then heads in a north easterly direction to where it terminates at coordinate SJ6673 3179 (point B on the Case File Route Map).

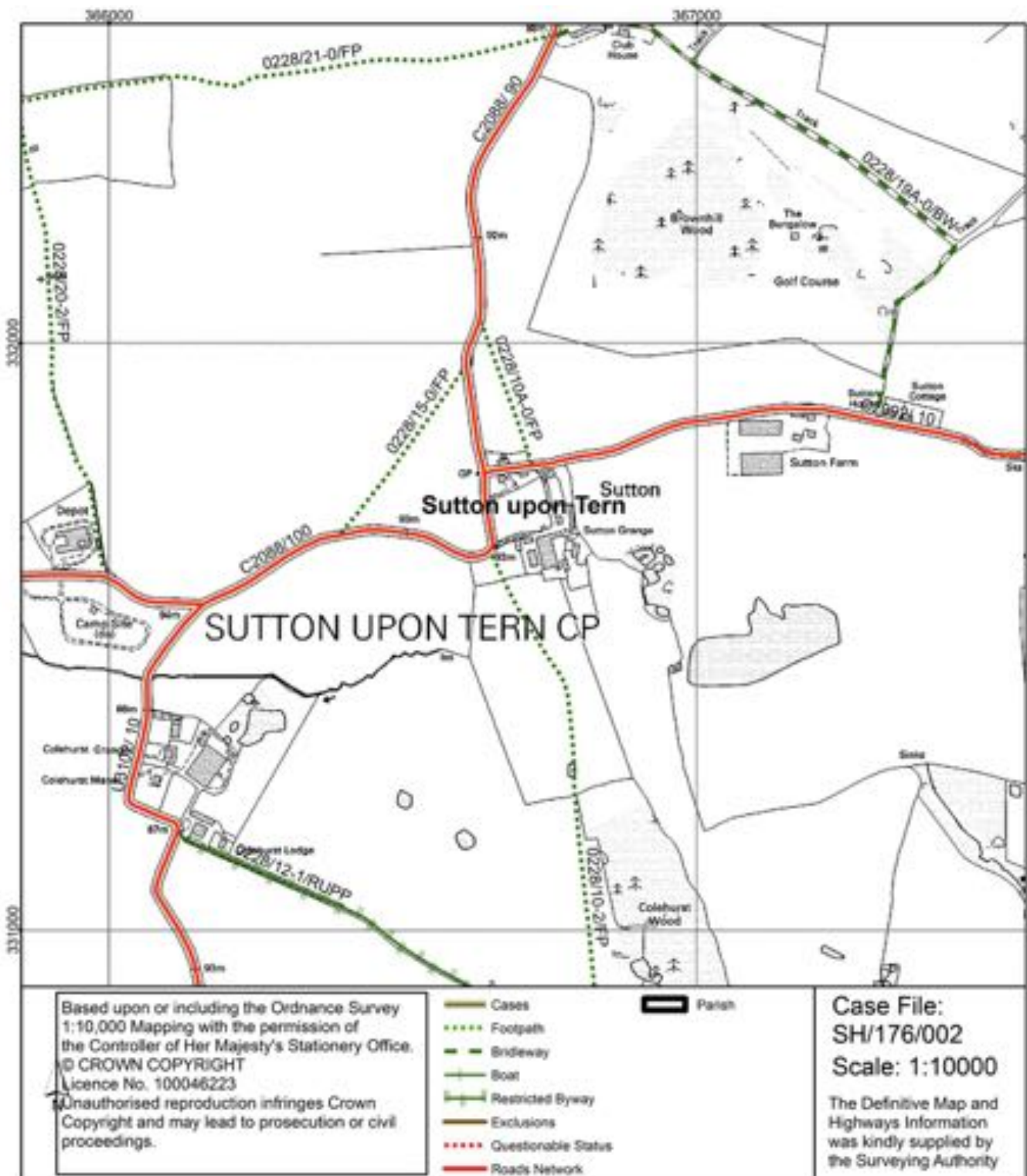
The route has a length of 225 metres

During the research process, the whole of the case file reference number SH/176/002 was identified with the case route number SUTT1. Both references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text).

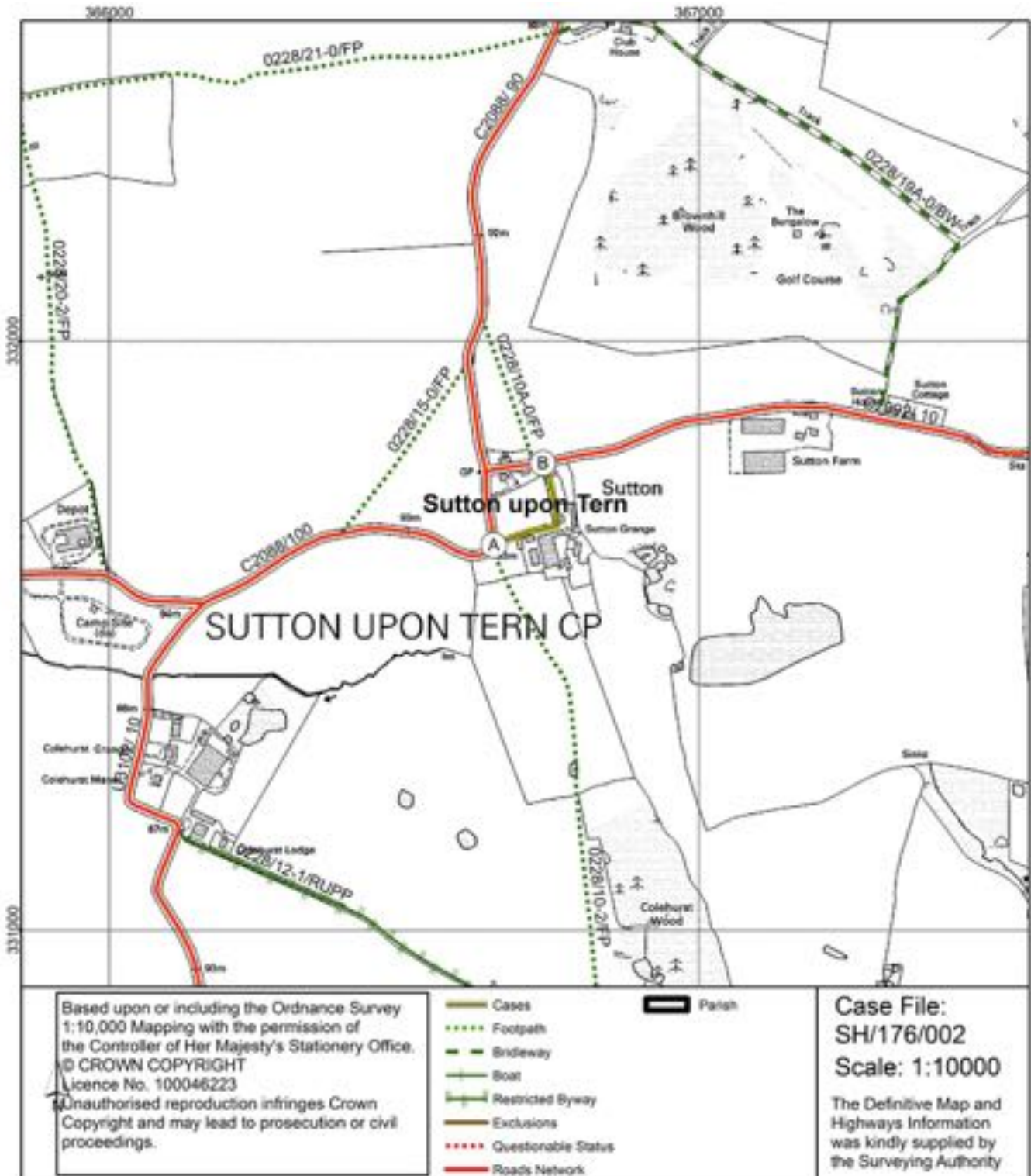
3. Location Plan



4. Current Definitive Paths



5. Case File Route Map



6. Details of Documentary Evidence

Records were examined at the locations detailed in the following table. A reference code has been allocated to each archive.

Archive	Address	Reference code
British Library	The British Library, St Pancras, 96 Euston Road, London, NW1 2DB	BL
Shropshire Record Office	Castle Gates, Shrewsbury, SY1 2AQ.	SHR
House of Lords Records Office	Parliamentary Archives, HLRO, London, SW1A 0PW, United Kingdom	HLRO
LandAspects	LandAspects, Rowan House, Lloyd Drive. Ellesmere Port, Cheshire, CH65 9HQ	LA
The National Archives	The National Archives, Kew, Richmond, Surrey, TW9 4DU	TNA

The following records were examined as part of the research programme. The documents are listed in chronological order. Those documents that are considered to contain relevant evidence for case SH/176/002 are shown in **bold**. This information is arranged in a standard format as follows:

Document Type, the Archive Reference Code, followed by the Document Reference Code, the Title and Date.

Where a document was researched at the British Library (with an archive reference code BL) no digital image was captured.

The Ordnance Survey 25" 1st and 2nd Edition image tiles (© And database right "Crown copyright and Landmark Information Group Ltd" all rights reserved 2007) included within each case file may not, on occasions, exactly reflect the original versions that have been used for research purposes. The original maps held at the British Library may not always be identical in extent and content to the image tiles

provided by Landmark. The image tiles can therefore only be used as a guide as to what the original document held at the British Library depicted. If the reader of the case files wishes to qualify any statements that have been in the file then they should consult versions held at the British Library.

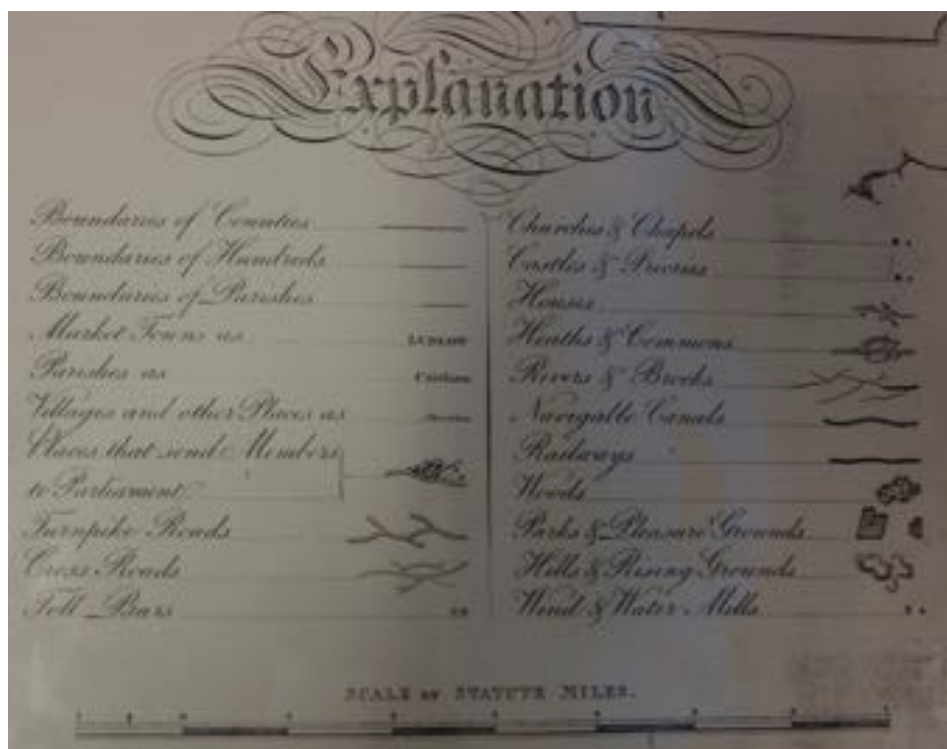
1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, covers the area but demonstrates no evidence for case SH/176/002.

2. Ordnance Survey Surveyor's Drawings, entitled "Market Drayton," BL 209, dated 1815, demonstrates evidence for all of route SUTT1. The route is observed to commence to the south west of the "S" of "Sutton" marked on the map. It is shown uncoloured on the Ordnance Surveyor's Drawing and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route, north east of the commencement point on the map.



3. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "MAP OF THE COUNTY of SALOP, FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827. BY C. & J. GREENWOOD, Most Respectfully Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall, ", dated 1827, demonstrates evidence for all of route SUTT1. The route is observed to

commence north of the letter "h" of "Colehurst" marked on the map. The route is described under the heading "Cross Roads" in the map key and is depicted as consisting of two parallel solid black lines. The route is observed to terminate north of the letter "s" of "Colehurst" marked on the map.



4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1" : 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for all of route SUTT1. The route is observed to commence to the north of the letter "u" of "Colehurst" marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate to the west of "Sutton" marked on the map.



5. Tithe Map, TNA IR 30/29/112, entitled "Part 2 of the Plan of the PARISH of DRAYTON in HALES Comprising the Townships OF WOODSEAVES and SUTTON in the County of Salop", dated 1839, covers the area but demonstrates no evidence for case SH/176/002.

6. Ordnance Survey 25" 2nd Edition, BL, entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XVI. 10", dated 1900, demonstrates evidence for all of route SUTT1. The route is observed to commence at the south west corner of parcel number "1214" on the map. The route is shown on the map un-named and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the north east corner of parcel number "1215" on the map.



7. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route SUTT1. The route is observed to commence to the south west of the "S" of "Sutton" on the map. The route is shown on the map and is described in the map key under the heading "3rd Class Metalled Road". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a point north west of the "S" of "Sutton" marked map.

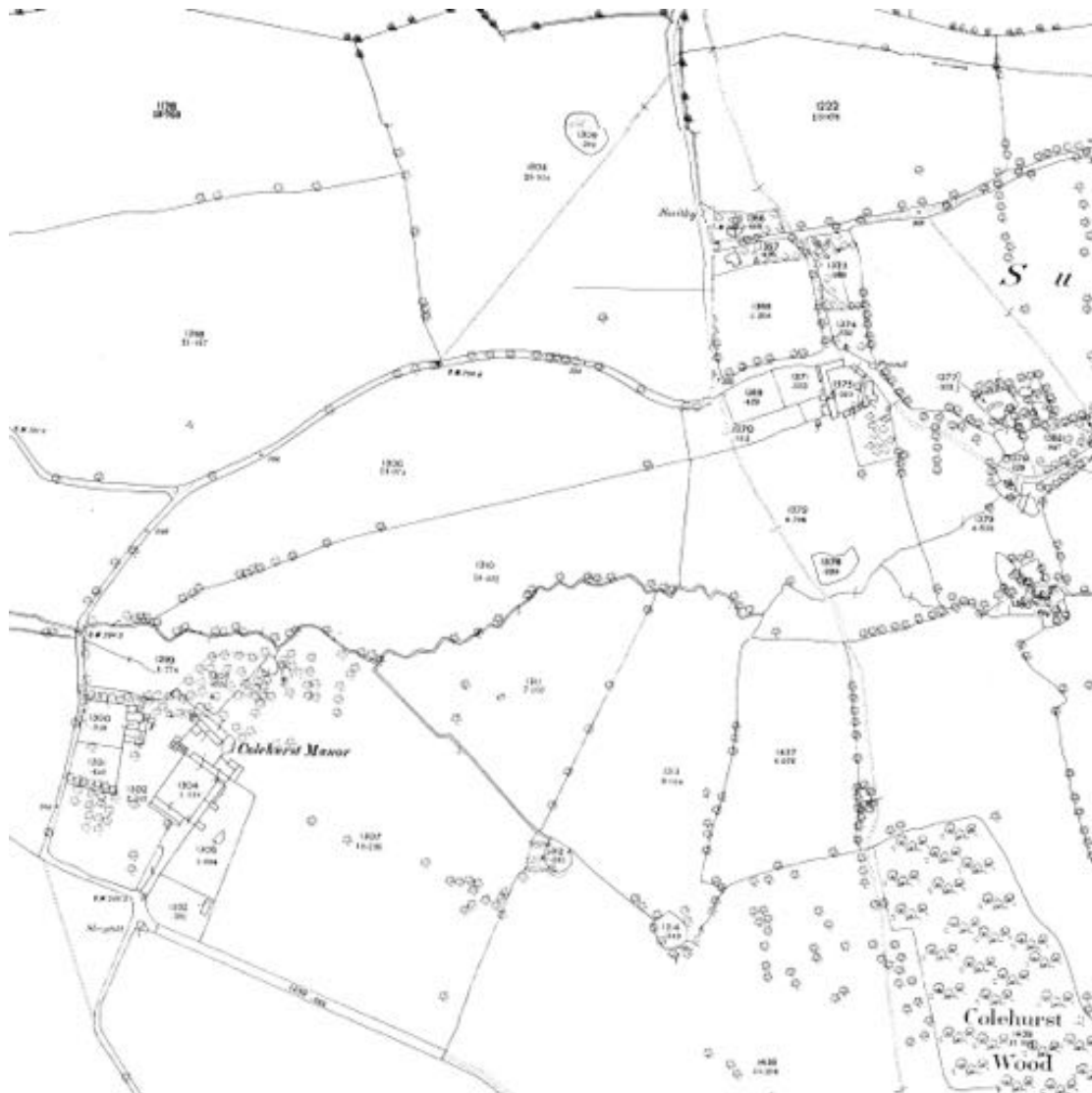
8. Finance Act Survey Map, TNA IR 132/4/156, entitled "Shropshire Sheet XVI.10, Staffordshire Sheet XXVIII.5 (Part of) - Second Edition 1902", dated 1910, demonstrates evidence for all of route SUTT1. The route is observed to commence at the south west corner of OS parcel number "1214" on the map. The route is shown uncoloured and excluded from hereditaments. The route is

observed to terminate at the north east corner of OS parcel number “1215” on the map.



9. Ordnance Survey 25" 1st Edition, BL VOL 688, entitled "SHROPSHIRE Sheet XVI.10", demonstrates evidence for all of route SUTT1. The route is observed to commence at the south west corner of parcel number “1368” on the map. The route is shown to be un-numbered and is depicted as consisting of two

parallel solid black lines. The route is observed to terminate at the north east corner of parcel number “1367” on the map.



7. Interpretation of Evidence from Individual Records

Evidence of status:

This evidence concerns the existence of a public right of way. The ARU's research establishes whether a way is described as "public" or "private" and whether public rights can be inferred from other information provided within the documentary source.

Evidence of status is categorised as follows:

Category	Name	Significance
A	Express Dedication	Supporting evidence
B(i)	Surveyor's Opinion / Strong Reputation	
B(ii)	Inferred Dedication / Reputation	
C	Neutral	Status neutral
D	Private	Contradictory evidence
E	Stopping Up	

The individual pieces of evidence which singly or together lead to a particular categorisation vary depending on the particular source being considered and are described in detail in Section 5 of the relevant Research Standard for that source.

The following items of evidence were found to relate to the status of the case file route:

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Ordnance Survey Records Surveyors Drawings	C	BL Map 209	1817	6.2	OSD1	Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
					OSD4	Route un-named on Ordnance Surveyor's Drawing
Non-OS Commercial Mapping	B(ii)	SHR Map GREENWOODS 1827 - MAP OF THE COUNTY of SALOP, FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827. BY C.	1827	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key

		& J. GREENWOOD, Most Respectfully Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall,				
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.4	OSM5	Route shown on OS 1" Old Series map
Ordnance Survey Records 25" 2nd Edition	C	BL Map - SECOND EDITION 1901 SHROPSHIRE SHEET XVI. 10.	1900	6.6	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.7	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/156 - Shropshire Sheet XVI.10, Staffordshire Sheet XXVIII.5 (Part of) - Second Edition 1902	1910	6.8	FA1	Route excluded from Hdtmt
Ordnance Survey Records 25" 1st Edition	C	BL Map VOL 688 - SHROPSHIRE Sheet XVI.10	Not given	6.9	OSM24	Route un-numbered specifically, within numbered parcel
					OSM2	Route un-named on map

Evidence of class:

This evidence refers to the type of rights enjoyed over the case file route. Evidence is recorded according to the traditional classes of public right of way recorded in documentary evidence: i.e. footpath, bridleway or carriageway. The status and class together may be identified clearly in a document (e.g. public footpath, private carriageway, etc.), but in other cases information on class may not be specified (e.g. "highway").

The following items of evidence were found to relate to the class of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records Surveyors Drawings	BL Map 209	1817	RC14	Unspecified
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - MAP OF THE COUNTY of SALOP, FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827. BY C. & J. GREENWOOD, Most Respectfully Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall,	1827	RC12	Road
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map - SECOND EDITION 1901 SHROPSHIRE SHEET XVI. 10.	1900	RC14	Unspecified
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/156 - Shropshire Sheet XVI.10, Staffordshire Sheet XXVIII.5 (Part of) - Second Edition 1902	1910	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Map VOL 688 - SHROPSHIRE Sheet XVI.10	Not given	RC14	Unspecified

Evidence of physical characteristics:

This evidence relates to the physical appearance of the case file route as recorded in documentary sources, even if these sources do not themselves contain evidence of the route's status or class.

Items of evidence relating to physical characteristics are recorded using a series of 'physical appearance' codes.

The following items of evidence were found to relate to the physical characteristics of the case file route:

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records Surveyors Drawings	BL Map 209	1817	PA1	two parallel solid black lines
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - MAP OF THE COUNTY of SALOP, FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827. BY C. & J. GREENWOOD, Most Respectfully Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall,	1827	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL Map - SECOND EDITION 1901 SHROPSHIRE SHEET XVI. 10.	1900	PA1	two parallel solid black lines
Ordnance Survey Records 1" New	BL Maps 1175 (134.) sheet 138 -	1902	PA1	two parallel solid black lines

Series	OS of England WEM			
Finance Act Survey Records	TNA Map IR 132/4/156 - Shropshire Sheet XVI.10, Staffordshire Sheet XXVIII.5 (Part of) - Second Edition 1902	1910	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Map VOL 688 - SHROPSHIRE Sheet XVI.10	Not given	PA1	two parallel solid black lines

Evidence of width:

This evidence relates to the legal width of the case file route – for example, legally defined widths (e.g. in Inclosure Awards).

There is no evidence to support a specific legal width for the route.

8. Overall Evaluation of Evidence

The evaluation of the evidence has been carried out in accordance with the Discovering Lost Ways Project's series of Research Standards (for specific references see Appendix A below).

Findings from the main documentary sources:

1. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for the route. The route is shown uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act survey, but does not in itself provide evidence about the class of rights that existed over it.

2. Non-Ordnance Survey Commercial Mapping

One Non-Ordnance Survey Commercial Map (Greenwood's) demonstrates evidence for the route. The route is shown on the map and is described under the heading "Cross Roads" in the map key. For the purposes of DLW research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway.

3. Ordnance Survey Records

a. Ordnance Survey Surveyor's Drawings

The Ordnance Survey Surveyors Drawing demonstrates evidence for the route as a physical feature only.

b. Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for the route as a physical feature only.

c. Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition map demonstrates evidence for the route as a physical feature. The route is shown unnumbered on the map therefore there is no evidence for the route in the associated book of reference.

d. Ordnance Survey 25" 2nd Edition

The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route as a physical feature. The route is shown on the map un-named therefore the associated object name book has not been checked.

e. Ordnance Survey 1" Revised New Series

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the key under the heading "3rd Class Metalled Roads". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" Revised New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

Alignment of the case file route:

From the analysis of the early Non-OS Commercial map and modern Ordnance Survey maps the route does not appear to have changed alignment.

Evidence of Width:

There is no evidence to support a specific legal width for the route.

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case SH/176/002 was included in the research scope by the Discovering Lost Ways Project during the course of research due to the discovery of evidence suggesting the existence of a public right of way.

From the documents examined it is possible to establish that the case file route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments. This suggests that the route was considered to be a public highway at the time of the Finance Act survey, but does not in itself provide evidence about the class of rights that existed over it. One Non-Ordnance Survey Commercial map (Greenwood's) described the route under the heading "Cross Roads" in the map key. For the

purposes of DLW research, the identification of a route as a cross road is taken as evidence of reputation of the route as a highway, but is not taken in itself to provide evidence of the class of these rights above that of a bridleway. The route is also shown as a physical feature on the supporting Ordnance Survey Records.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is shown on the map and is described in the key under the heading "3rd Class Metalled Roads". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd or 3rd class metalled roads on OS 1" Revised New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey. In the absence of stopping up these rights are assumed to exist today.

The evidence found meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that a public right of way subsists or is reasonably alleged to subsist and has therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the Definitive Map.

Appendix A - Methodological Statement

A series of technical papers describing the standard for research carried out by the Archive Research Unit have been developed. The DLW Research Standards provide a basis for quality assurance of evidence reports produced by the ARU and the accreditation of any lost ways claims made by Natural England.

The following Research Standard technical papers were used to develop this evidence report:

Technical paper
Discovering Lost Ways Research Standard 2.0: Research Scope
Discovering Lost Ways Research Standard 3.3: Finance Act Survey Records
Discovering Lost Ways Research Standard 3.7: Ordnance Survey Records
Discovering Lost Ways Research Standard 3.8: Non-OS Commercial Mapping
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

In reproducing certain images from historic documents contained within this report the following copyright terms and conditions apply:

The National Archives

Images reproduced by courtesy of The National Archives, London, England.

www.nationalarchives.gov.uk

The National Archives gives no warranty as to the accuracy, completeness or fitness for the purpose of the information provided.

Images may be used only for purposes of research, private study or education. Applications for any other use should be made to The National Archives Image Library, Kew, Richmond, Surrey, TW9 4DU. Infringement of the above condition may result in legal action.

Landmark Information Group

© And database right "Crown copyright and Landmark Information Group Ltd" (all rights reserved 2007).

Historic Ordnance Survey

Where out of copyright images are reproduced from historic Ordnance Survey material the appropriate catalogue reference number and date of publication are indicated.