
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 SJ5005 2237) to Point B (OSGR SJ5010 2237) and from
Point C (OSGR SJ 5054 2231) to Point D (OSGR SJ 5064 2232) and to upgrade the footpath which runs from Point B
to Point C to a bridleway 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/130/003 BHS which contains copies of the following documents or extracts thereof:**
- Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS (...)" dated 1808
- Ordnance Survey Surveyors Drawings, BL 209, dated 1817
- 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 Surveyors Drawings, SHR 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Turnpike Plan, SHR DP 222, entitled "Plan of the proposed line of road", dated 1830
- Turnpike Plan, HLRO HL/CL/PB/6/plan1831/36, dated 1831
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835
- Estate Map, SHR 4133/7, entitled "Black Birches Estate in the County of Salop", dated 1870
- Ordnance Survey 25" 1st Edition, BL Vol 691 (23), entitled "Shropshire (Northern Division) Sheet XXVIII.3 - Hadnall, Grinshill, Clive, Broughton & Preston Gubbals Parishes", dated 1881
- Ordnance Survey 25" 2nd Edition, BL 1602 (32), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXVIII.3", dated 1900
- Finance Act Survey Map, TNA IR 132/4/292, entitled "SHROPSHIRE SHEET XXVIII.3 - SECOND EDITION 1901", dated 1909-1910
- Railway Plan, SHR DP/335, entitled "Shrewsbury and Wem Railway"
- Railway Book of Reference, SHR DP/335, entitled "Shrewsbury and Wem Railway"

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

Signed:



Date: 03/09/2020

Wildlife and Countryside Act 1981

Map to Accompany Definitive Map Modification Order Application

For a route at Yorton Heath in the Parish of Myddle and Broughton, Shropshire to
be shown as a Public Bridleway

Applicant's Reference: DLW SH/130/003



03/09 / 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/130/003
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Myddle and Broughton
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	Footpath 2R Myddle and Broughton
Other Designation(s) Ref. No.	None
Route Length	591 metres
OS 1:10,000 Sheet(s)	SJ52SW
Grid Ref (start)	SJ5005 2237
Grid Ref (end)	SJ5064 2232
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown excluded from the hereditaments on the Finance Act Survey map and described as 3rd class metalled road on the OS 1" New Series

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case file SH/130/003 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 over lengths A – B and C – D and that there is evidence of under-recording over an existing public footpath (length B – C).

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. Greenwood's Non-Ordnance Survey Commercial map shows the route described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways 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 Deposited Railway Records demonstrate evidence for part of the route. The length B – C of the case file route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a "Township Road". Given that the route is not shown gated at point B it can be reasonably alleged that the evidence applies to length A – B also. The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The length A – C is described under the heading "Main Roads" in the 25" Ordnance Survey Characteristics Sheet.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is described in the map key under the heading "3rd class metalled road". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd and 3rd class metalled roads on Ordnance Survey 1" New Series maps will be taken as evidence 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. The class of public carriageway is therefore considered to be appropriate.

The evidence found for length B – C meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that on the balance of probability, the way ought to be shown on the definitive map as a highway of a different description to that already recorded. The case has therefore been categorised as "Strong", supporting the

making of a definitive map modification order application to record the existence of carriageway rights over the route currently shown on the Definitive Map. The evidence found for lengths A – B & C – D meet 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 therefore been categorised as “Strong”, supporting the making of a definitive map modification order application to add the route to the definitive map.

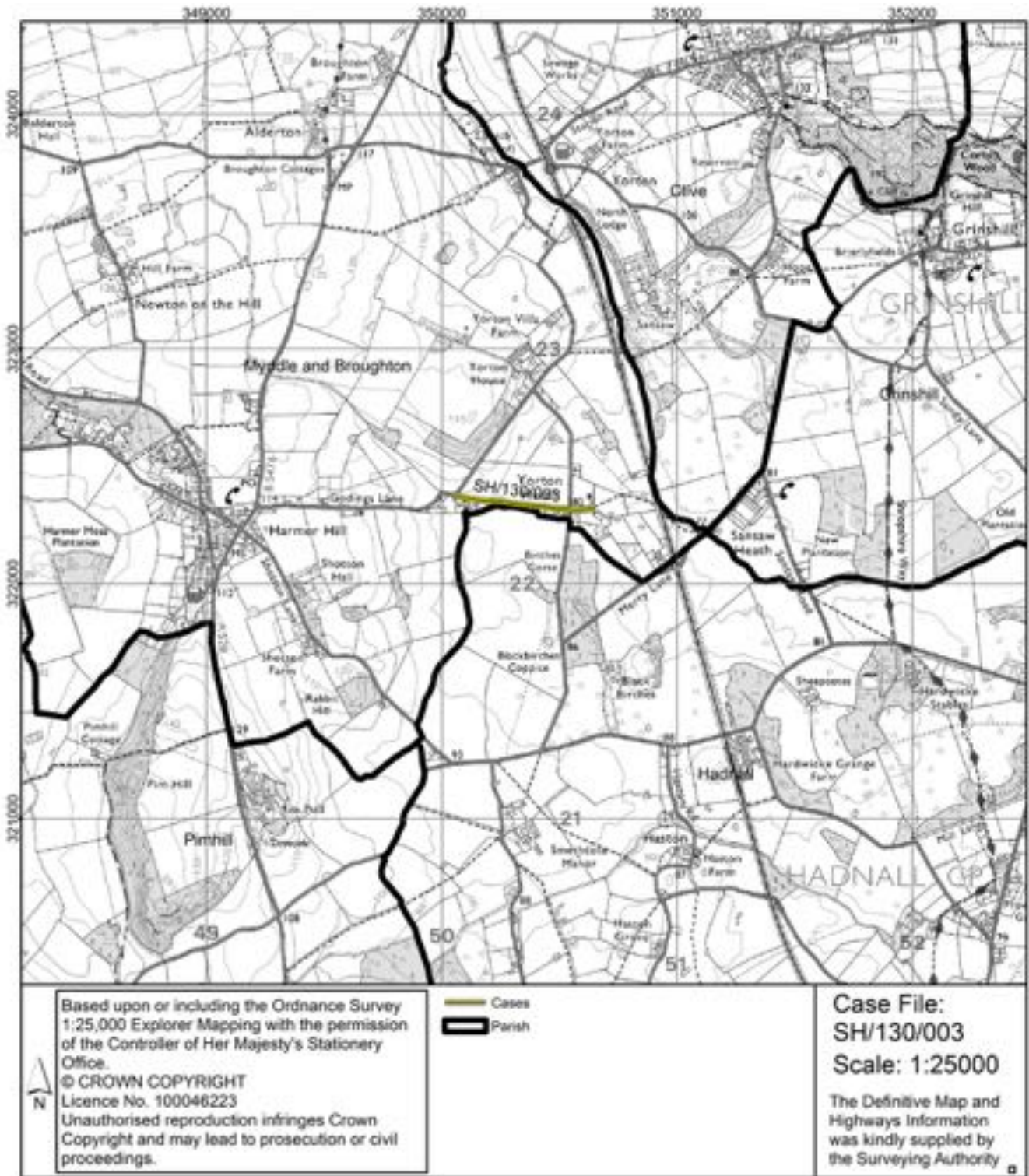
2. Description of Route

The route begins at the junction with Godings Lane (which has been given the reference U2510/20 on Shropshire County Council's List of Streets) and Church Road (which has been given the reference U2509/10 on Shropshire County Council's List of Streets) at coordinate SJ5005 2237 (point A on the Case File Route Map). The route heads in an easterly direction to the junction with public footpaths 0221/2R-0/FP & 0221/2Y/FP (the references given on Shropshire County Council's definitive map and statement) at coordinate SJ5009 2236 (point B on the Case File Route Map) where this part of the route terminates. The route continues along the length of public footpath 0221/2R-0/FP to where it eventually meets a junction with U2506/10 (the reference given on Shropshire County Council's List of Streets) at coordinate SJ5054 2231 (point C on the Case File Route Map). The route then heads in an easterly direction, to where it terminates at a junction with a public footpath 0221/1Y-0/FP at coordinate SJ5064 2232 (point D on the Case File Route Map).

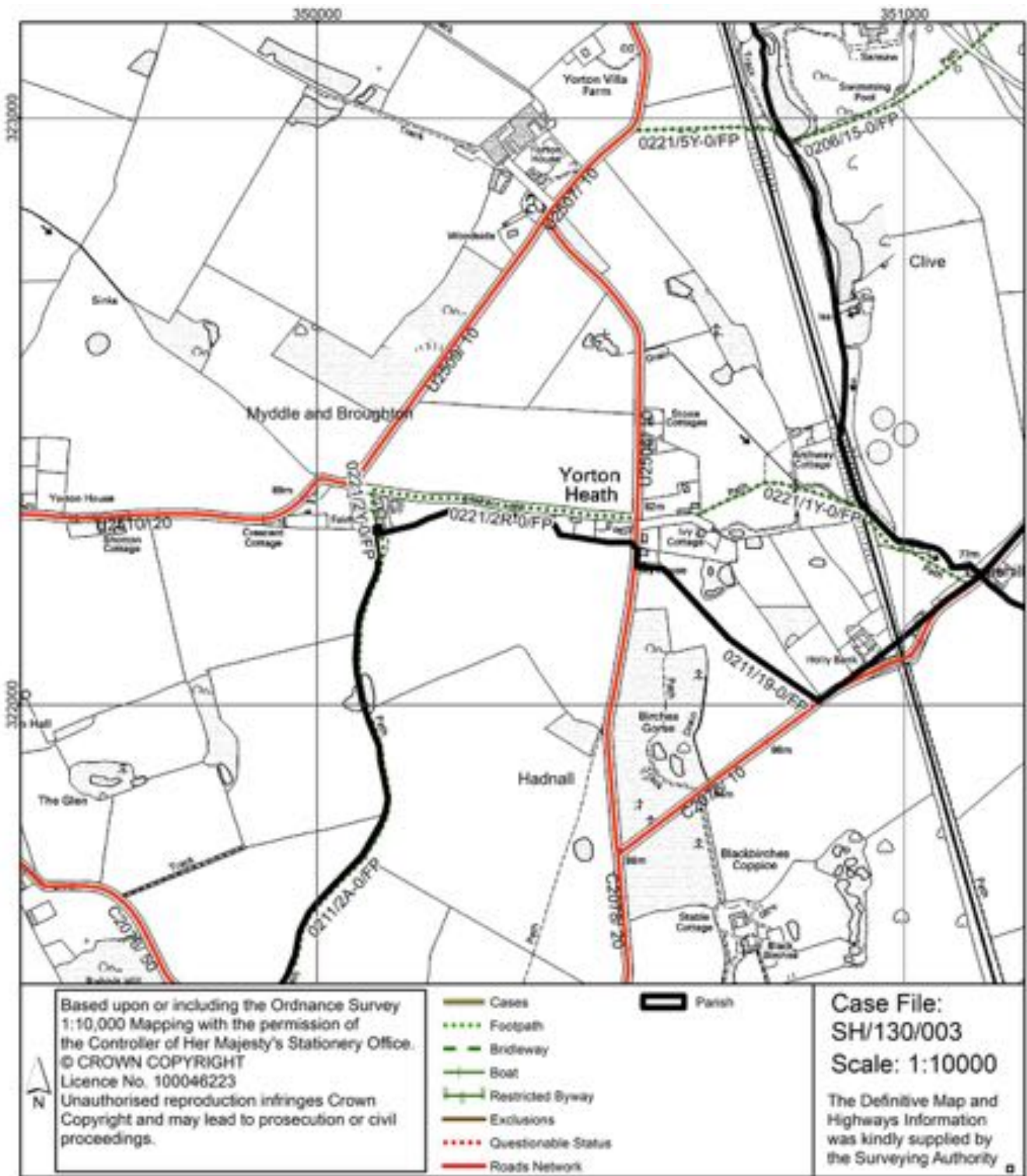
The route has a length of 591 metres.

During the research process, the whole of the case file reference number SH/130/003 was identified with the case route number MAB1 (A – B), T000912 (B-C) and T000686 (C – D). All three 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).

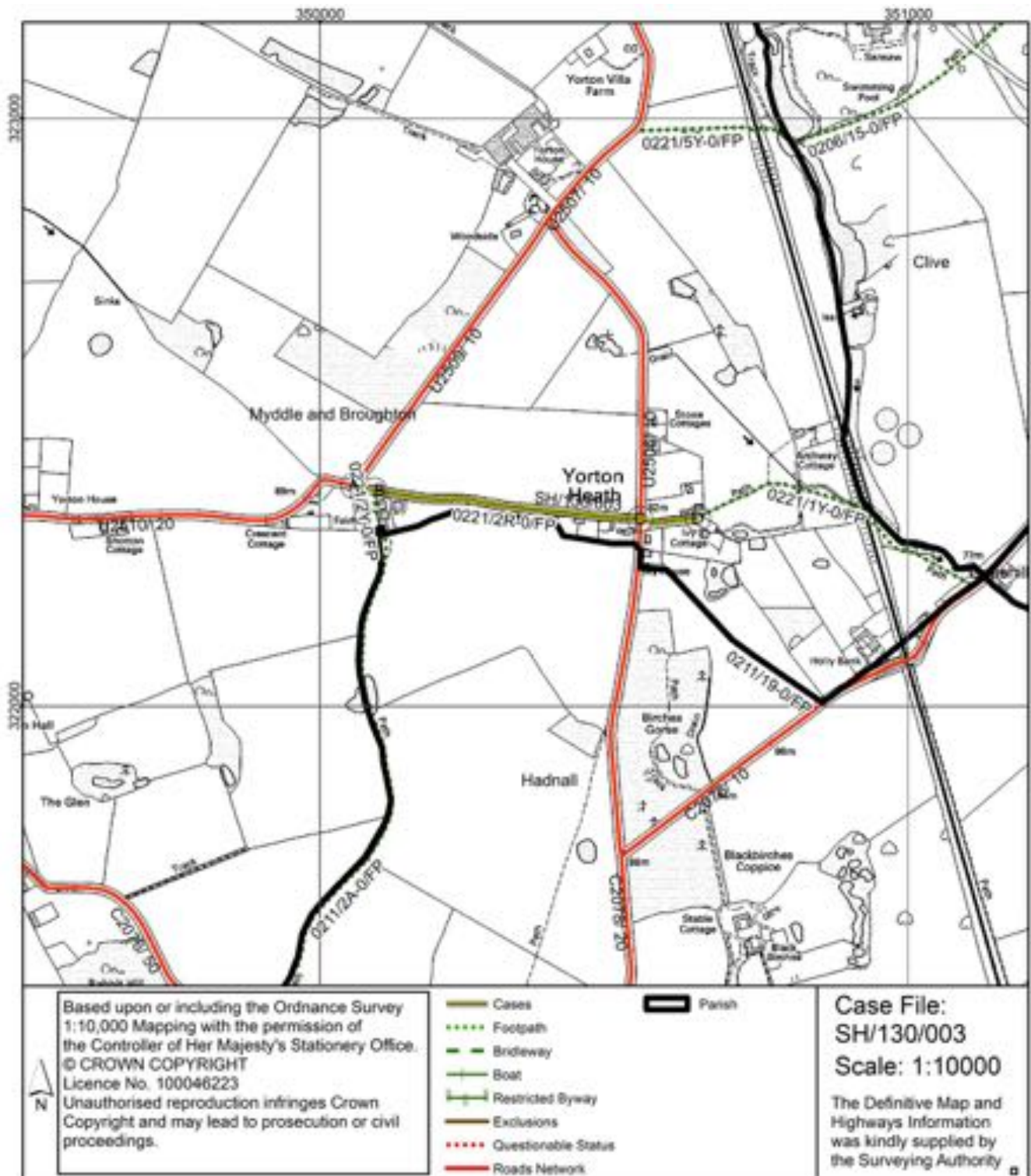
3. Location Plan



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/130/003 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

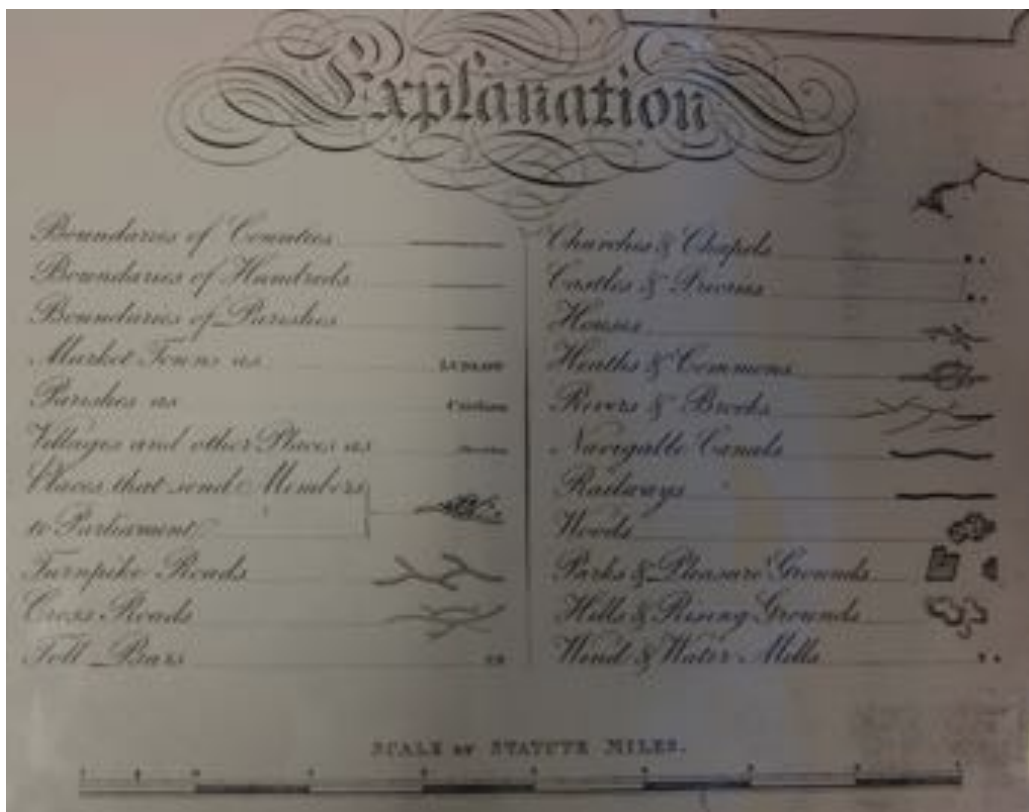
provided by Landmark. The image tiles can therefore only be used as a guide as to what the original document held at the British Library depicted. If the reader of the case files wishes to qualify any statements that have been in the file then they should consult versions held at the British Library.

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, demonstrates evidence for all of route MAB1 (A – B) and route T000912 (B – C). The route is observed to commence at a junction with another route north of the "h" of "Shotton" on the map. The route is shown on the map and described under the heading "By-roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate west of "Yorton" on the map.





2. 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 MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The route is located on the east side of the map south of "Broughton". The length A - C is observed to commence at a junction with another route west of the "Y" of "Yoreton" on the map. The route is shown on map and described under the heading "Cross Roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a junction with another route south of the "e" of "Yoreton" on the map. The length C - D of the route is observed to commence at a junction with another route south of the "t" of "Yoreton" on the map. The route is shown on map and described under the heading "Cross Roads" in the map key. The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate south of the second "o" of "Yoreton" on the map.



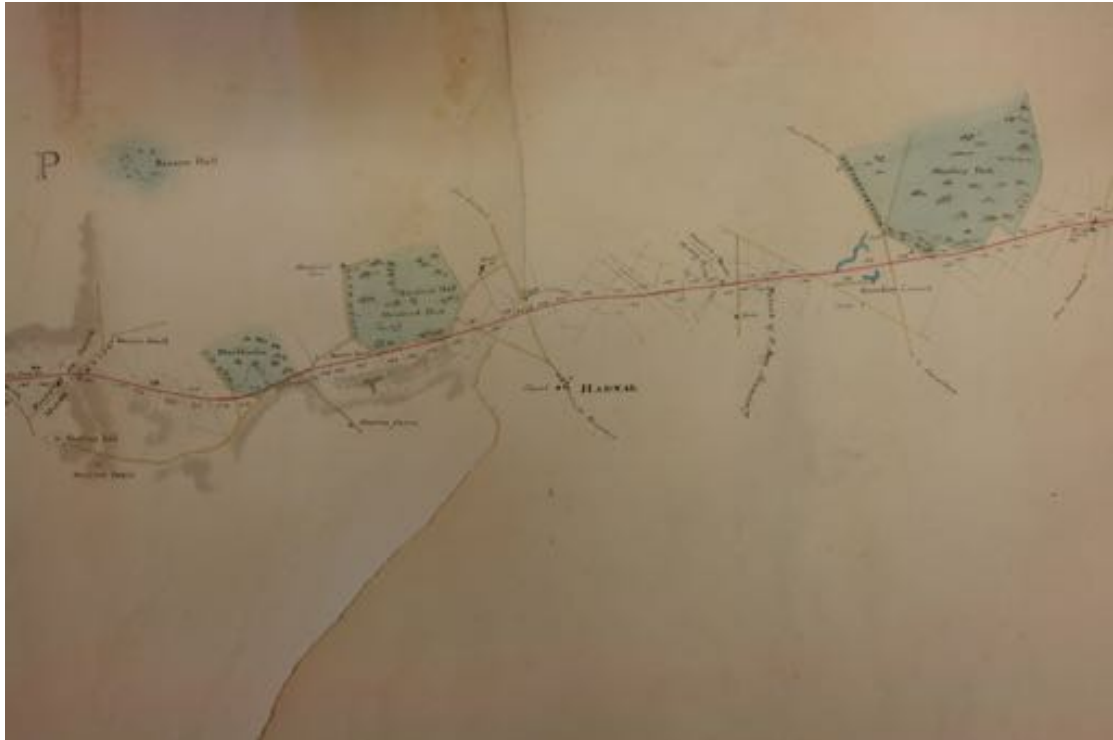
3. Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of routes MAB1 (A –

B), T000912 (B – C) and part of route T000686 (C – D). The length A – C is observed to commence south east of "Broughton" on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is shown un-named on the Ordnance Surveyor's Drawing. The route is observed to terminate south east of "Broughton" on the map. The length C - D is observed to commence south east of "Broughton" on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is shown un-named on the Ordnance Surveyor's Drawing. The route is observed to terminate immediately east of its commencement point on the map.



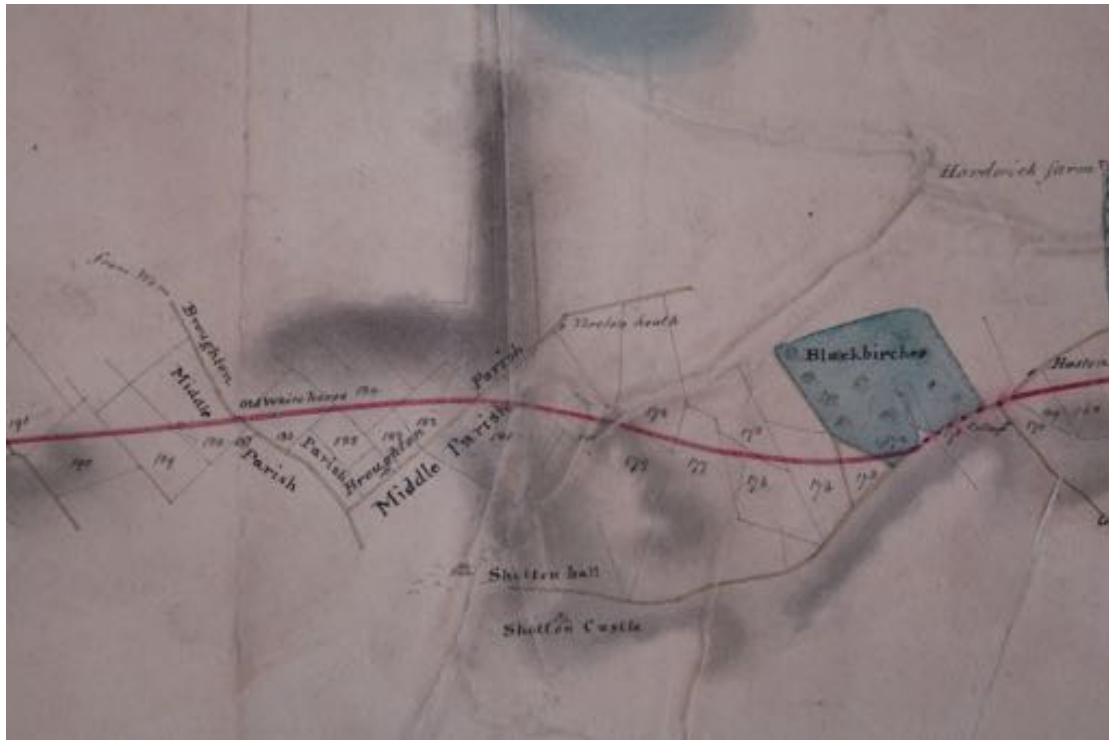
4. Turnpike Plan, SHR DP 222, entitled "Plan of the proposed line of road", dated 1830, demonstrates evidence for all of route MAB1 (A – B) and part of route T000912 (B – C). The route is observed to commence north of the "Y" of "Yoreton heath" on the map. The route is shown un-numbered on the plan and

is depicted as consisting of two parallel solid black lines (in-filled). The Limits of Deviation are not shown on the plan. The route is observed to terminate north of the second "h" of "Yoreton heath" on the map.



5. Turnpike Book of Reference, SHR DP222, entitled "Reference to the proposed line of Road", covers the area but demonstrates no evidence for case SH/130/003.

6. Turnpike Plan, HLRO HL/CL/PB/6/plan1831/36, dated 1831, demonstrates evidence for all of route MAB1 (A – B) and part of route T000912 (B – C). The route is observed to commence north of the "Y" of "Yoreton heath" on the map. The route is shown un-numbered on the plan and is depicted as consisting of two parallel solid black lines (in-filled). The Limits of Deviation are not shown on the plan. The route is observed to terminate north east of the second "h" of "Yoreton heath" on the map.

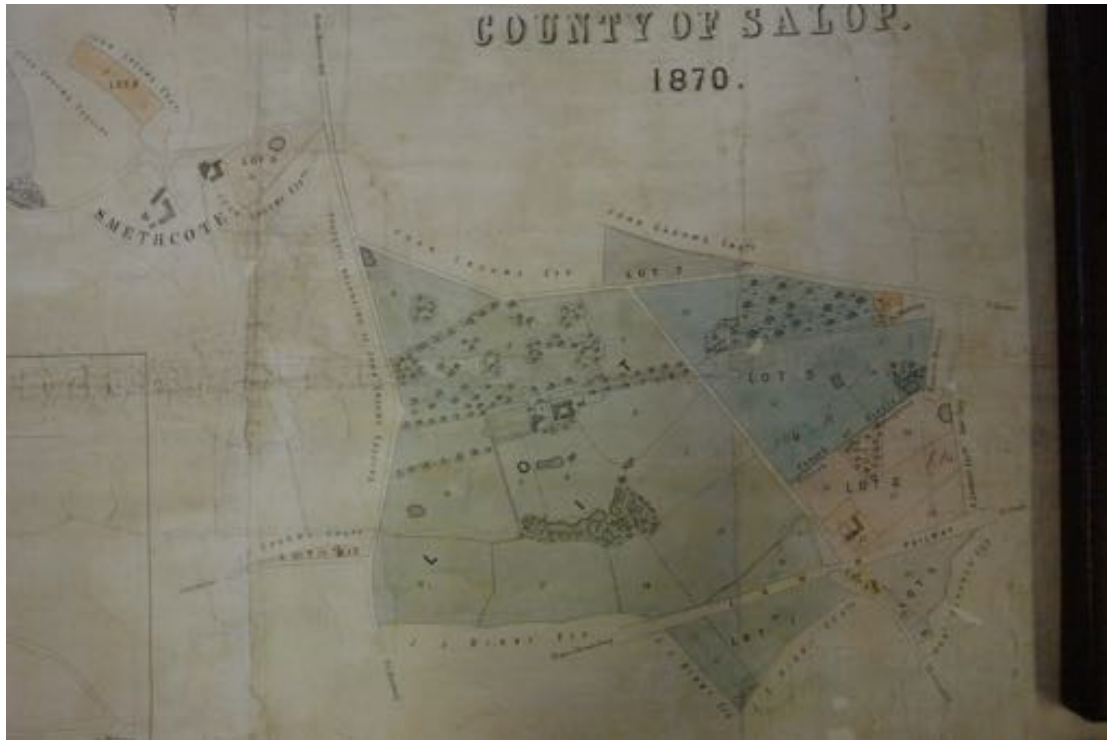


7. Turnpike Book of Reference, HLRO HC/CL/PB/6/plan1831/1836, entitled "Reference to the Plan of the proposed Line of Road from the Northern end of the New Turnpike Road at or near Ketley in the County of Salop to the junction of the Turnpike Road leading from Ellesmere towards Chirk with the Holyhead Turnpike Road... ", dated 1831, covers the area but demonstrates no evidence for case SH/130/003.

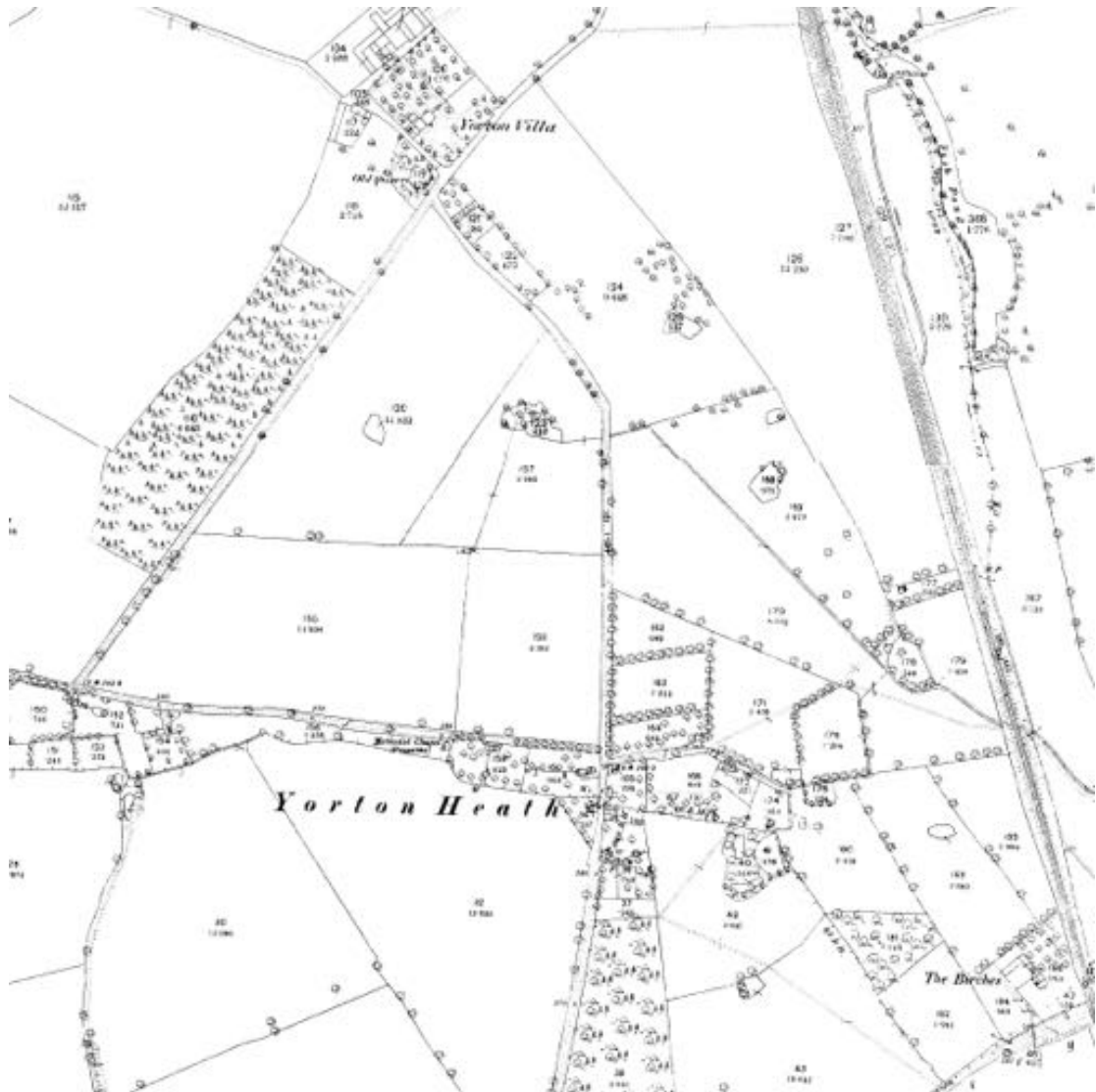
8. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for all of routes MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The length A - C is observed to commence south of "Yarton Heath" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown on the map and named as part of "Godings Lane". The route is observed to terminate south east of "Yarton Heath" on the map. The length C - D is observed to commence east of "Godings Lane" 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 north west of the "M" of "Merry Lane" on the map.



9. Estate Map, SHR 4133/7, entitled "Black Birches Estate in the County of Salop", dated 1870, demonstrates evidence for all of route T000686 (C – D). The route is observed to commence north west of the “y” of "Robert Hawley" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is observed to terminate north of the "w" of "Robert Hawley" on the map.



10. Ordnance Survey 25" 1st Edition, BL Vol 691 (23), entitled "Shropshire (Northern Division) Sheet XXVIII.3 - Hadnall, Grinshill, Clive, Broughton & Preston Gubbals Parishes", dated 1881, demonstrates evidence for all of route MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The length A - C is observed to commence at a junction with another route at the south west corner of parcel "155" on the map. The route is shown on the map un-numbered and is depicted as consisting of two parallel solid black lines with two dashed black lines along the centre. The route is observed to terminate at a junction with another route at the south east corner of parcel "158" on the map. The length C – D is observed to commence at a junction with another route at the south west corner of parcel "164" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines with two dashed black lines along the centre. The route is observed to change physical character adjacent to the property in the south east corner of parcel "164" on the map. The route is shown specifically numbered on the plan as "172" and is depicted as consisting of two parallel solid black lines with a single black dashed line along the centre. The route is observed to terminate at the south west corner of parcel "171" on the map.



11. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Broughton, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/130/003.

12. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Clive, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/130/003.

13. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Grinshill, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/130/003.

14. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Hadnall, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/130/003.

15. Ordnance Survey 25" 2nd Edition, BL 1602 (32), entitled "SECOND EDITION 1901 SHROPSHIRE SHEET XXVIII.3", dated 1900, demonstrates evidence for all of route MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The length A - C is observed to commence at a junction with another route at the south west corner of parcel "130" on the map. The route is depicted by one bold and one fine parallel black lines on map and is described under the heading "Main Roads" in the 25" Ordnance Survey Characteristics Sheet. The route is shown on the map but is un-named. The route is observed to terminate at a junction with another route at the south east corner of parcel "131" on the map. The length C - D is observed to commence at a junction with another route at the south west corner of parcel "155" on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is shown on the map but is un-named. The route is observed to terminate at the south west corner of parcel "136" on the map.

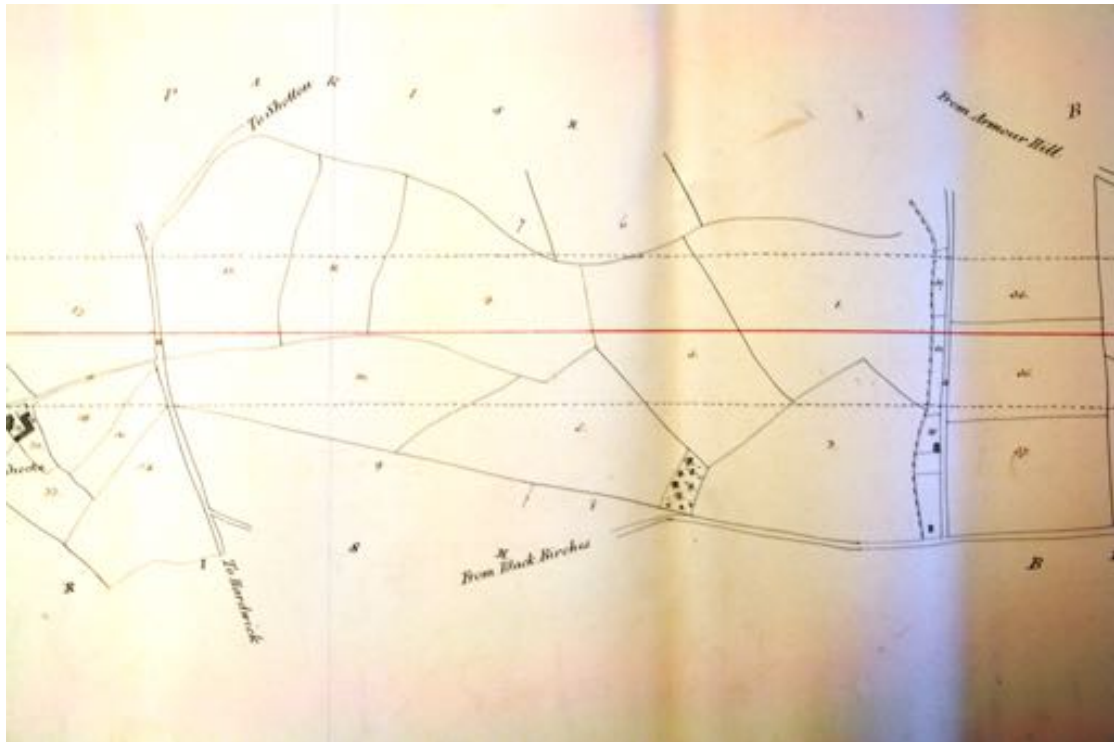


16. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The length A - C is observed to commence north of "Yorton Heath" on the map. The route is shown on the map but is un-named. The route is shown on the map un-coloured. The route is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key under the heading "3rd class metalled road". The route is observed to terminate north of the "h" of "Yorton Heath" on the map. The length C - D is observed to commence north of the "h" of "Yorton Heath" on the map. The route is shown on the map but is un-named. The route is shown on the map un-coloured. The route is shown on the map consisting of two solid or pecked fine parallel black lines and is described in the key under the heading "3rd class metalled road". The route is observed to terminate north of the "h" of "Birches" on the map.

17. Finance Act Survey Map, TNA IR 132/4/292, entitled "SHROPSHIRE SHEET XXVIII.3 - SECOND EDITION 1901", dated 1909-1910, demonstrates evidence for all of route MAB1 (A – B), T000912 (B – C) and T000686 (C – D). The length A - C is observed to commence at a junction with another route at the south west corner of OS parcel "130" on the map. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at a junction with another route at the south east corner of OS parcel "131" on the map. The length C - D is observed to commence at a junction with another route at the south west corner of OS parcel "155" on the map. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the south west corner of OS parcel "136" on the map.



18. Railway Plan, SHR DP/335, entitled "Shrewsbury and Wem Railway", demonstrates evidence for part of route T000912 (B – C). The route is observed to commence to the south east of "From Armour Hill" on the plan. The route is shown specifically numbered on the plan, in this case as "38". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south east corner of parcel "37" on the plan.



19. Railway Book of Reference, SHR DP/335, entitled "Shrewsbury and Wem Railway", demonstrates evidence for part of route T000912 (B – C). The route is described as a "Township Road" in parcel "38" on page "7".



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
Non-OS Commercial Mapping	C	SHR Map R BAUGH 1808 sheet 2 - 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	1808	6.1	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend

Non-OS Commercial Mapping	B(ii) part	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	6.2	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Ordnance Survey Records Surveyors Drawings	C	BL 320 (E) - PART of SHROPSHIRE	1827	6.3	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
Turnpike Records	C	SHR Plan DP 222 - Plan of the proposed line of road	1830	6.4	TP14	Route shown un-numbered on Plan
					TP12	LOD not shown on plan
Turnpike Records	C	HLRO Plan HL/CL/PB/6/plan1831/36	1831	6.6	TP14	Route shown un-numbered on Plan
					TP12	LOD not shown on plan
Ordnance Survey Records 1" Old Series	C	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.8	OSM5	Route shown on OS 1" Old Series map
					OSM15	Route named on map Route named on map Route named on map
					OSM5	Route shown on OS 1" Old Series map
Estate Records	C	SHR Map 4133/7 - Black Birches Estate in the	1870	6.9	EM2	Shown on map un-numbered and not

		County of Salop				contained within numbered parcel
Ordnance Survey Records 25" 1st Edition	C	BL Vol 691 (23) - Shropshire (Northern Division) Sheet XXVIII.3 - Hadnall, Grinshill, Clive, Broughton & Preston Gubbals Parishes	1881	6.10	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM2	Route un-named on map
					OSM6	Route Shown on OS 1st Edition 25" Map
					OSM23	Route specifically numbered on plan
					OSM2	Route un-named on map
					OSM1	Route named on map
Ordnance Survey Records 25" 2nd Edition	C	BL 1602 (32) - SECOND EDITION 1901 SHROPSHIRE SHEET XXVIII.3.	1900	6.15	OSM10	Route described as 'Main Roads' on 25" Ordnance Survey Characteristics Sheet
					OSM9	Route un-named on map
					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	6.16	OSM13	Route shown on OS 1" New Series
					OSM20	Route un-named on map
					OSM14	Route shown un-coloured on OS 1" New Series
					OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM13	Route shown on OS 1" New Series
					OSM20	Route un-named on map
					OSM14	Route shown un-coloured on OS 1" New Series
					OSM26	Route described as '3rd class metalled road' on key or

						Characteristics Sheet
Finance Act Survey Records	B(i)	TNA Map IR 132/4/292 - SHROPSHIRE SHEET XXVIII.3 - SECOND EDITION 1901	1909-1910	6.17	FA1	Route excluded from Hdtmt
					FA1	Route excluded from Hdtmt
Deposited Railway Records	C	SHR DP/335 Plan Shrewsbury and Wem Railway	Not given	6.18	RP1	Route specifically numbered on plan
		SHR DP/335 Book Shrewsbury and Wem Railway	Not given	6.19	RB1	Described as non-status specific i.e. 'occupation road', 'footpath' etc

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
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	1827	RC12	Road

	Mall....			
Ordnance Survey Records Surveyors Drawings	BL 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Turnpike Records	SHR Plan DP 222 - Plan of the proposed line of road	1830	RC14	Unspecified
Turnpike Records	HLRO Plan HL/CL/PB/6/plan183 1/36	1831	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Estate Records	SHR Map 4133/7 - Black Birches Estate in the County of Salop	1870	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Vol 691 (23) - Shropshire (Northern Division) Sheet XXVIII.3 - Hadnall, Grinshill, Clive, Broughton & Preston Gubbals Parishes	1881	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1602 (32) - SECOND EDITION 1901 SHROPSHIRE SHEET XXVIII.3.	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 132/4/292 - SHROPSHIRE SHEET XXVIII.3 - SECOND EDITION 1901	1909-1910	RC14	Unspecified

Deposited Railway Records	SHR DP/335 Plan Shrewsbury and Wem Railway	Not given	RC14	Unspecified
	SHR DP/335 Book Shrewsbury and Wem Railway	Not given	RC12	Road

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
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 Surveyors Drawings	BL 320 (E) - PART of SHROPSHIRE	1827	PA1	two parallel solid black lines
Turnpike Records	SHR Plan DP 222 - Plan of the proposed line of road	1830	PA3	two parallel solid black lines (in-filled)
Turnpike Records	HLRO Plan HL/CL/PB/6/plan183 1/36	1831	PA3	two parallel solid black lines (in-filled)
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	two parallel solid black lines
Estate Records	SHR Map 4133/7 - Black Birches Estate in the County of Salop	1870	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Vol 691 (23) - Shropshire (Northern Division) Sheet XXVIII.3 - Hadnall, Grinshill, Clive, Broughton & Preston Gubbals Parishes	1881	PA14	two parallel solid black lines with two dashed black lines along the centre
			PA9	two parallel solid black lines with a single black dashed line along the centre
Ordnance Survey Records 25" 2nd Edition	BL 1602 (32) - SECOND EDITION 1901 SHROPSHIRE SHEET XXVIII.3.	1900	PA11	one bold and one fine solid parallel black lines
			PA1	two parallel solid black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	PA1	two parallel solid black lines
Deposited Railway Records	SHR DP/335 Plan Shrewsbury and Wem Railway	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 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. Deposited Railway Records

The Deposited Railway Records demonstrate evidence for part of the route. The length B – C of the case file route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a "Township Road". Given that the route is not shown gated at point B it can be reasonably alleged that the evidence applies to length A – B also.

3. Deposited Turnpike Records

The Deposited Turnpike plans demonstrate evidence for part of the route as a physical feature only.

4. Estate Records

The Estate map examined demonstrates evidence for part of the route (C – D) as a physical feature only.

5. Non-Ordnance Survey Commercial Mapping

Two Non-Ordnance Survey Commercial maps demonstrate evidence for the route. On Baugh's map part of the route is described under the heading "By-roads" in the map key. On Greenwood's map the route is described under the heading "Cross Roads" in the map key.

6. Ordnance Survey Records

a. Ordnance Survey Surveyor's Drawings

The Ordnance Survey Surveyor's Drawings 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. Length A – C is shown on the map named as "Gedings Lane".

c. Ordnance Survey 25" 1st Edition

The Ordnance Survey 25" 1st Edition map demonstrates evidence for the route as a physical feature only. Part of the route is shown on the map specifically numbered but 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. The length A – C is described under the heading "Main Roads" in the 25" Ordnance Survey Characteristics Sheet.

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 road". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st 2nd and 3rd class metalled roads on OS 1" New Series maps will be taken as evidence 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 early Ordnance Survey maps and modern Ordnance Survey maps the route does not appear to have changed alignment.

Evidence of Width:

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

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case file SH/130/003 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 over lengths A – B and C – D and that there is evidence of under-recording over an existing public footpath (length B – C).

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. Greenwood's Non-Ordnance Survey Commercial map shows the route described under the heading "Cross Roads" in the map key. For the purposes of Discovering Lost Ways 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 Deposited Railway Records demonstrate evidence for part of the route. The length B – C of the case file route is shown on the plan specifically numbered with the corresponding entry in the book of reference describing the route as a "Township Road". Given that the route is not shown gated at point B it can be reasonably alleged that the evidence applies to length A – B also. The Ordnance Survey 25" 2nd Edition demonstrates evidence for the route. The length A – C is described under the heading "Main Roads" in the 25" Ordnance Survey Characteristics Sheet.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the route. The route is described in the map key under the heading "3rd class metalled road". For the purpose of the Discovering Lost Ways Project research it has been agreed that the showing of routes as 1st, 2nd and 3rd class metalled roads on Ordnance Survey 1" New Series maps will be taken as evidence 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. The class of public carriageway is therefore considered to be appropriate.

The evidence found for length B – C meets the standards set out in Section 53 of the Wildlife & Countryside Act, 1981 that on the balance of probability, the way ought to be shown on the definitive map as a highway of a different description to that already recorded. The case has therefore been categorised as "Strong", supporting the

making of a definitive map modification order application to record the existence of carriageway rights over the route currently shown on the Definitive Map. The evidence found for lengths A – B & C – D meet 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 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 3.4: Deposited Railway Records
Discovering Lost Ways Research Standard 3.6: Turnpike 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 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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