
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 SJ5472 2712) to Point B (OSGR SJ5482
2736) **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/125/006 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
- Estate Map, SHR 4620/2, entitled "Lee Parish 1819", dated 1819
- 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, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 – 1835
- Estate Map, SHR 2965/1, entitled "ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM", dated 1835
- Tithe Map, TNA IR 30/29/194, entitled "MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP", dated 1847
- Estate Map, SHR 4620/1, entitled "PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE, CALLED ASTON HALL ESTATE (...)", dated 1866
- Ordnance Survey 25" 1st Edition, BL Vol 689 (44), entitled "Shropshire (Northern Division) Sheet XXII.5 - Stanton Upon Hine Heath, Lee Brockhurst, (...)", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII.5", dated 1900
- Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII.1", dated 1900
- Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902
- Finance Act Survey Map, TNA IR 132/4/227, entitled "SHROPSHIRE SHEET XXII.5 - SECOND EDITION 1901", dated 1909/1910
- Finance Act Survey Map, TNA IR 132/4/223, entitled "SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901", dated 1909/1910

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 Lee Halt Farm in the Parish of Moreton Corbet & Lee Brockhurst,
Shropshire to be shown as a Public Bridleway

Applicant's Reference: DLW SH/125/006



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/125/006
Name	Twitchy Lane
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Moreton Corbet & Lee Brockhurst
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	None
Other Designation(s) Ref. No.	List of Streets (U2415/10)
Route Length	256 metres
OS 1:10,000 Sheet(s)	SJ52NW
Grid Ref (start)	SJ5472 2712
Grid Ref (end)	SJ5482 2736
ARU ASSESSMENT OUTCOME	
Status/Class	Public bridleway
Strength	Strong
Comment	Shown uncoloured and excluded from hereditaments on the Finance Act Survey map and described as "Cross Road" on Greenwood's map.

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

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1. Summary of Findings

Case SH/125/006 was included in the research scope by the Discovering of Lost Ways Project as the route is shown on the Ordnance Survey Explorer Mapping as an "Other Route with Public Access". The route is not currently recorded on the Definitive Map and Statement, but is part adopted by Shropshire County Council and recorded on the List of Streets with the reference U2415/10.

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. The route is also shown as a through route on all three maps. One Non-Ordnance Survey Commercial map (Greenwood's) shows the route 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. The route is also shown as a physical feature on the supporting Ordnance Survey records and on an Estate map.

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 "Unmetalled Roads". 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" Revised New Series maps will be taken as evidence of public vehicular rights. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have existed over the route at that time. The default class of public bridleway is therefore suggested as being appropriate. In the absence of evidence of stopping up, these rights can be 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 therefore been categorised as "Strong", supporting the making of a definitive map modification order application to add the route to the definitive map.

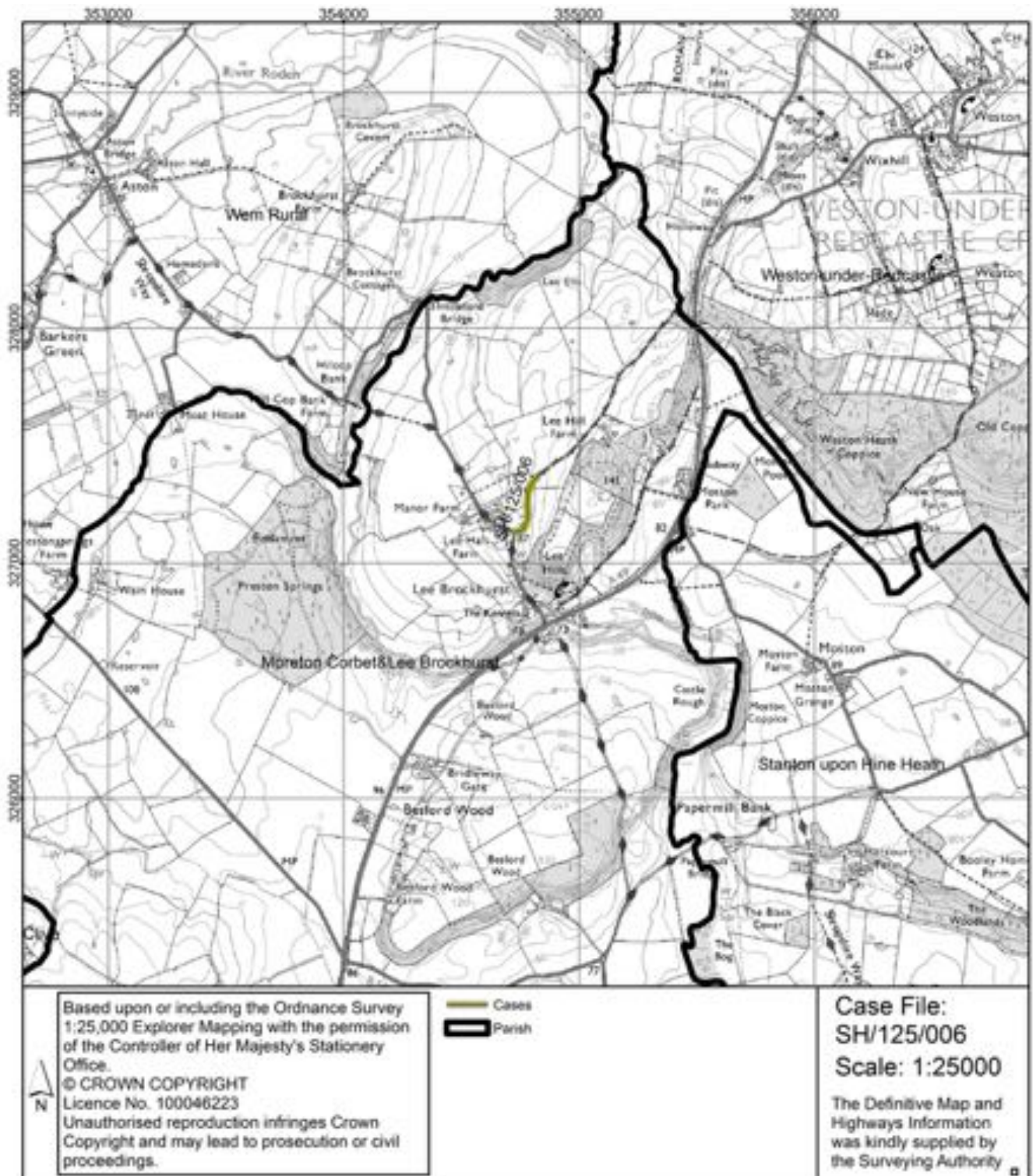
2. Description of Route

The route begins at a junction with public road C2051/110 at coordinate SJ5472 2712 (point A on the Case File Route Map). The route then heads in a north easterly direction along Twitchy Lane (U2415/10), to where it terminates at a junction with public footpath, 0219/5-0/FP, and RUPP, 0219/1-0/RUPP at coordinate SJ5482 2736 (point B on the Case File Route Map).

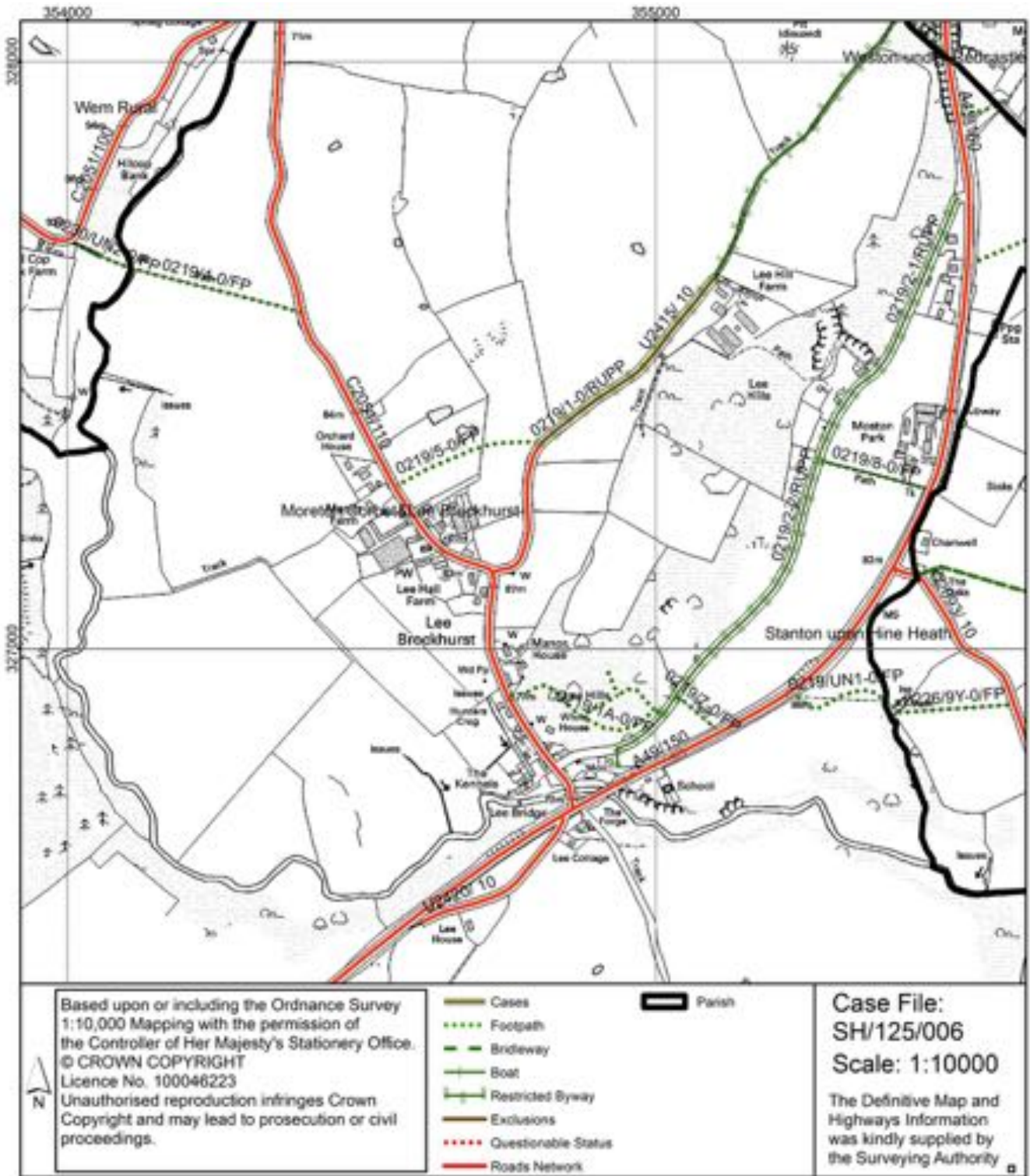
The route has a length of 256 metres.

During the research process, the whole of the case file reference number SH/125/006 was identified with the case route number T000695. Both references are used in section 6 of this report. Where supporting evidence or conflicting evidence is being described, the case route number is used (in bold). Where there is no evidence, the case file reference number is used (plain text).

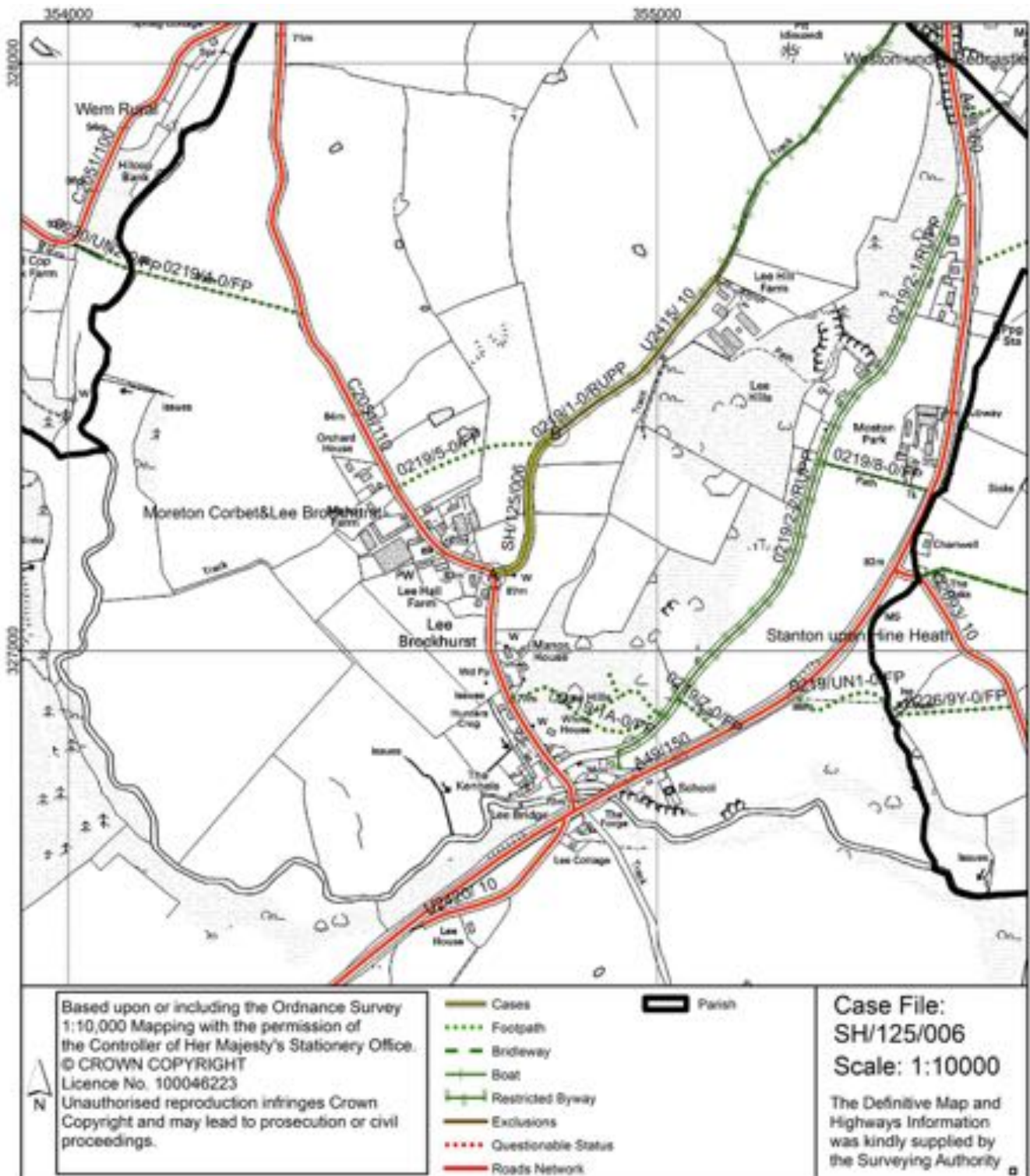
3. Location Plan



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/125/006 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 T000695. The route is observed to commence at a road junction north east of the third letter "e" of "Lee Bridge" marked on the map. The route is shown on map and is 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 the number "10" marked on the map.

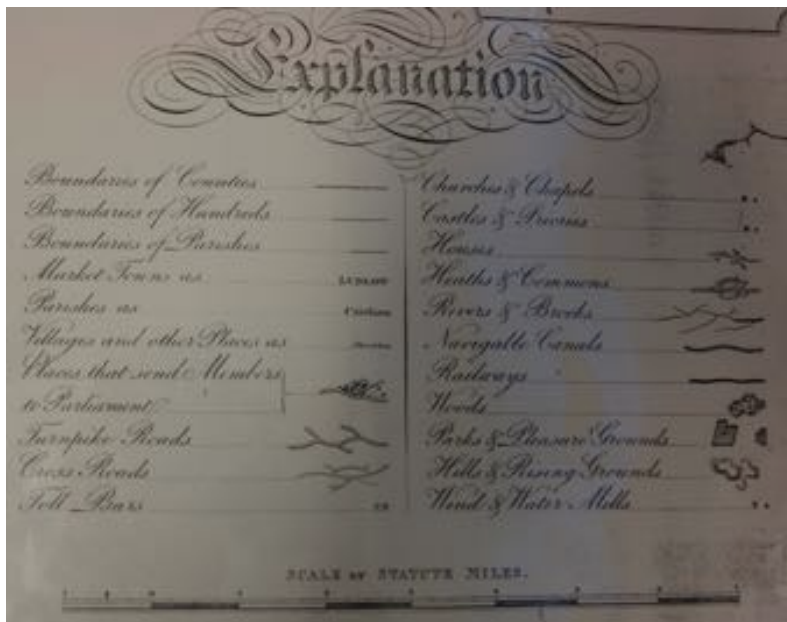


EXPLANATION	
...	HUNDREDS
A	A
B	B
CC	CC
D	D
E	E
FF	FF
G	G
H	H
II	II
KK	KK
LL	LL
MM	MM
N	N
OO	OO
P	P
QQ	QQ
DROVER	
A	B
C	D

2. Estate Map, SHR 4620/2, entitled "Lee Parish 1819", dated 1819, demonstrates evidence for all of route T000695. The route is observed to commence at the south east corner of parcel number "76" 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 shown as a through route and is labelled on the map as "To Prees". The route is observed to terminate to the south east of parcel number "57" 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 1816 & 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 T000695. The route is observed to commence at a road junction south of the letter "h" of the label "Lee Brockhurst" marked on the map. The route is shown on the map and is 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 to the east of the second letter "e" of "Lee Brockhurst" marked on the map.



4. Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for all of route T000695. The route is observed to commence at "Lee Brockhurst" marked on the map. The route is shown uncoloured and un-named on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a point north of the "c" of "Brockhurst" marked on the map.

5. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for

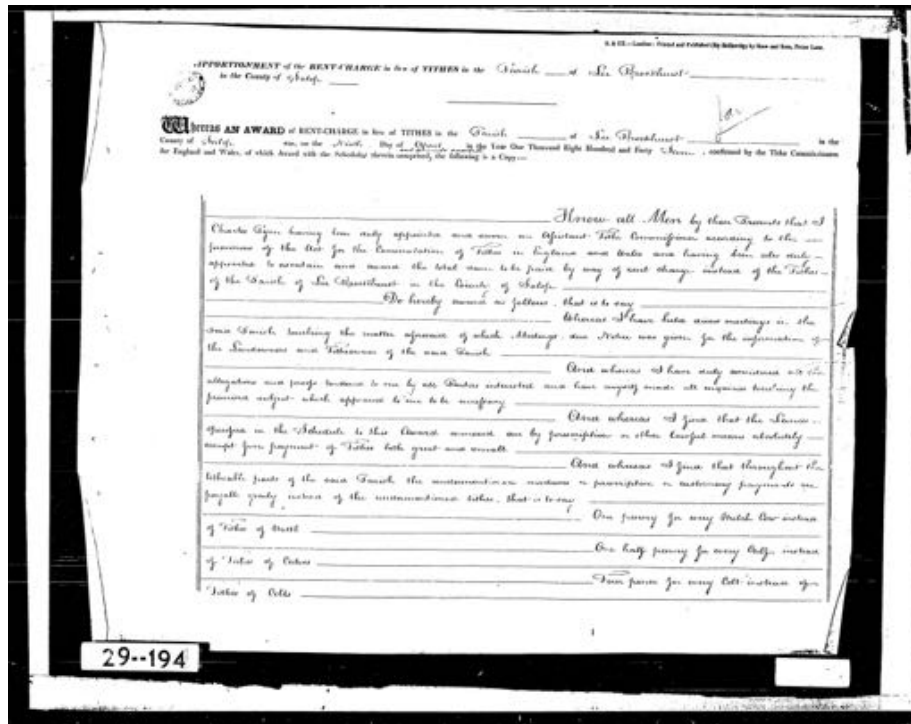
all of route T000695. The route is observed to commence at a road junction north east of the letter “t” of the label "Lee Brockhurst" marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate east of the second letter “e” of "Lee Brockhurst" marked on the map.



6. Estate Map, SHR 2965/1, entitled "ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM", dated 1835, demonstrates evidence for all of route T000695. The route is observed to commence at a road junction to the south of the letter “L” of “LEE BROCKHURST” on the map. The route is shown on the map un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines (in-filled). The route is shown as a through route and is labelled on the map as "To Whitchurch". The route is observed to terminate at the south east corner of parcel number "23" on the map.



7. Tithe Apportionment, TNA IR 29/29/194, entitled "APPORTIONMENT of the RENT-CHARGE in lieu of TITHES in the Parish of Lee Brockhurst in the County of Salop", dated 1847, covers the area but demonstrates no evidence for case SH/125/006.



8. Tithe Map, TNA IR 30/29/194, entitled "MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP", dated 1847, demonstrates evidence for all of route T00695. The route is observed to commence at a road junction to the south of parcel number "5" on the map. The route is shown on the map un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is shown as a through-route or named and is labelled on the map as "to Whitchurch". The route is observed to terminate at the south west corner of parcel number "44" on the map.



9. Estate Map, SHR 4620/1, entitled "PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE, CALLED ASTON HALL ESTATE" , IN THE [...]EM, in the County of Salop; ALSO AN [...]TATE SITUATE IN THE...[...] e Brockhurst in the said County... ", dated 1866, demonstrates evidence for part of route T000695. The route is observed to commence at a road junction to the east of the letter "F" of the label "VILLAGE OF LEE BROCKHURST" marked on the map. The route is shown on the map un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines. The route is shown as a through route and is labelled on the map as "From Whitchurch". The route

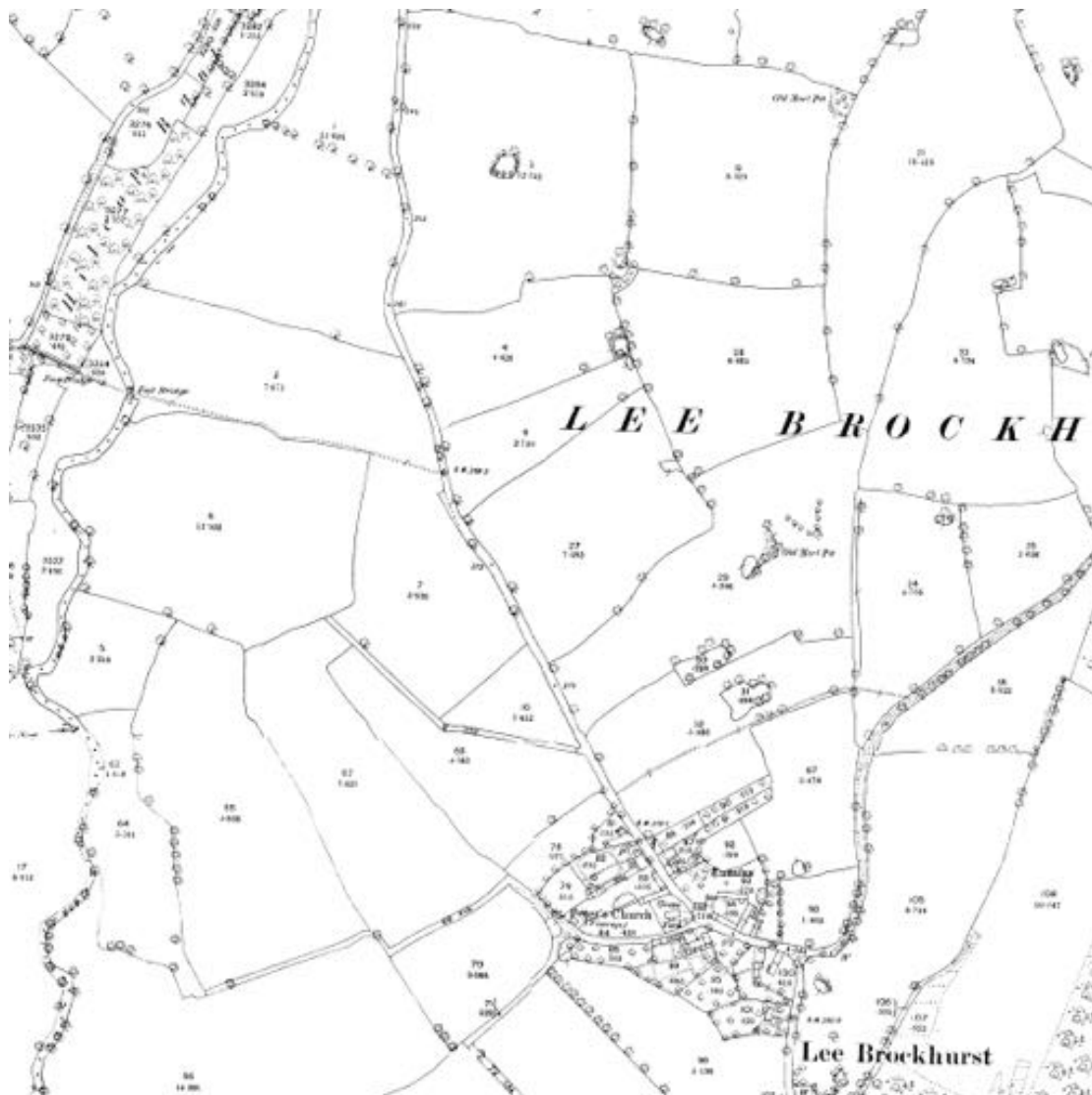
is observed to terminate at the letter “h” of the label “From Whitchurch” marked on the map.



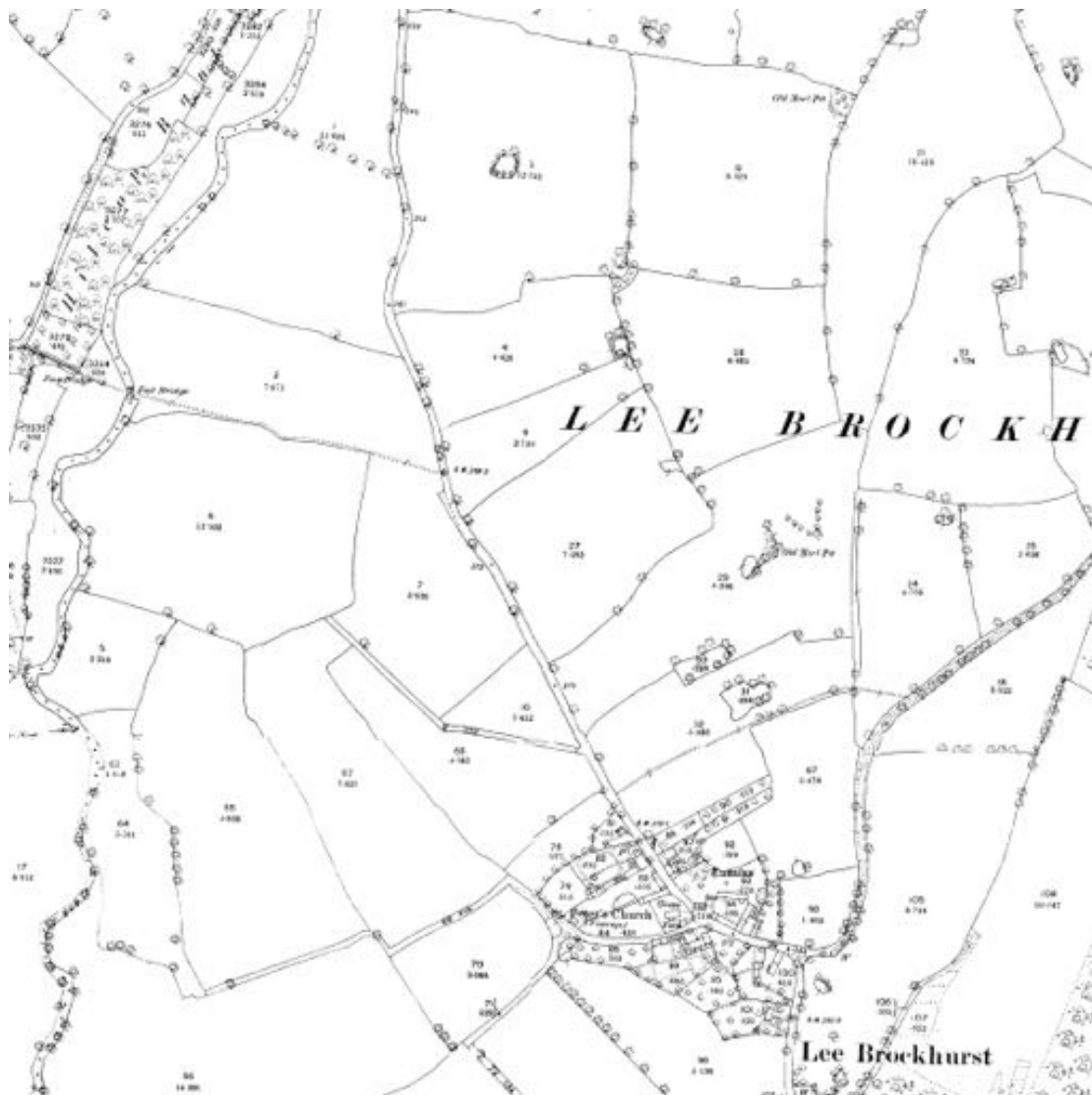
10. Estate Schedule, SHR 4620/1, entitled "PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE CALLED ASTON HALL ESTATE", IN THE ...[...]EM, in the County of SALOP; ALSO AN [...]TATE SITUATE IN THE ...[...]E BROCKHURST, in the said County...", dated 1866, covers the area but demonstrates no evidence for case SH/125/006.



11. Ordnance Survey 25" 1st Edition, BL Vol 689 (44), entitled "Shropshire (Northern Division) Sheet XXII.5 - Stanton Upon Hine Heath, Lee Brockhurst, Weston and Wixhill under Redcastle & Moreton Corbet Parishes & Shawbury Parish (Det)", dated 1880, demonstrates evidence for part of route T000695. The route is observed to commence at a road junction to the south of parcel number "98" 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 specifically numbered on the map as "99". The route is observed to change physical characteristics at the south east corner of parcel number "98" on the map. From here the route 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 the north west corner of parcel number "105" on the map where it is observed to continue onto map sheet XXII.1.



12. Ordnance Survey 25" 1st Edition, BL Vol 689 (40), entitled "Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes", dated 1880, demonstrates evidence for part of route T000695. The route is observed to commence at the north west corner of parcel number "105" on the map where it continues on from map sheet XXII.5. 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 terminate at a junction with another route to the south of parcel "34" on the map.

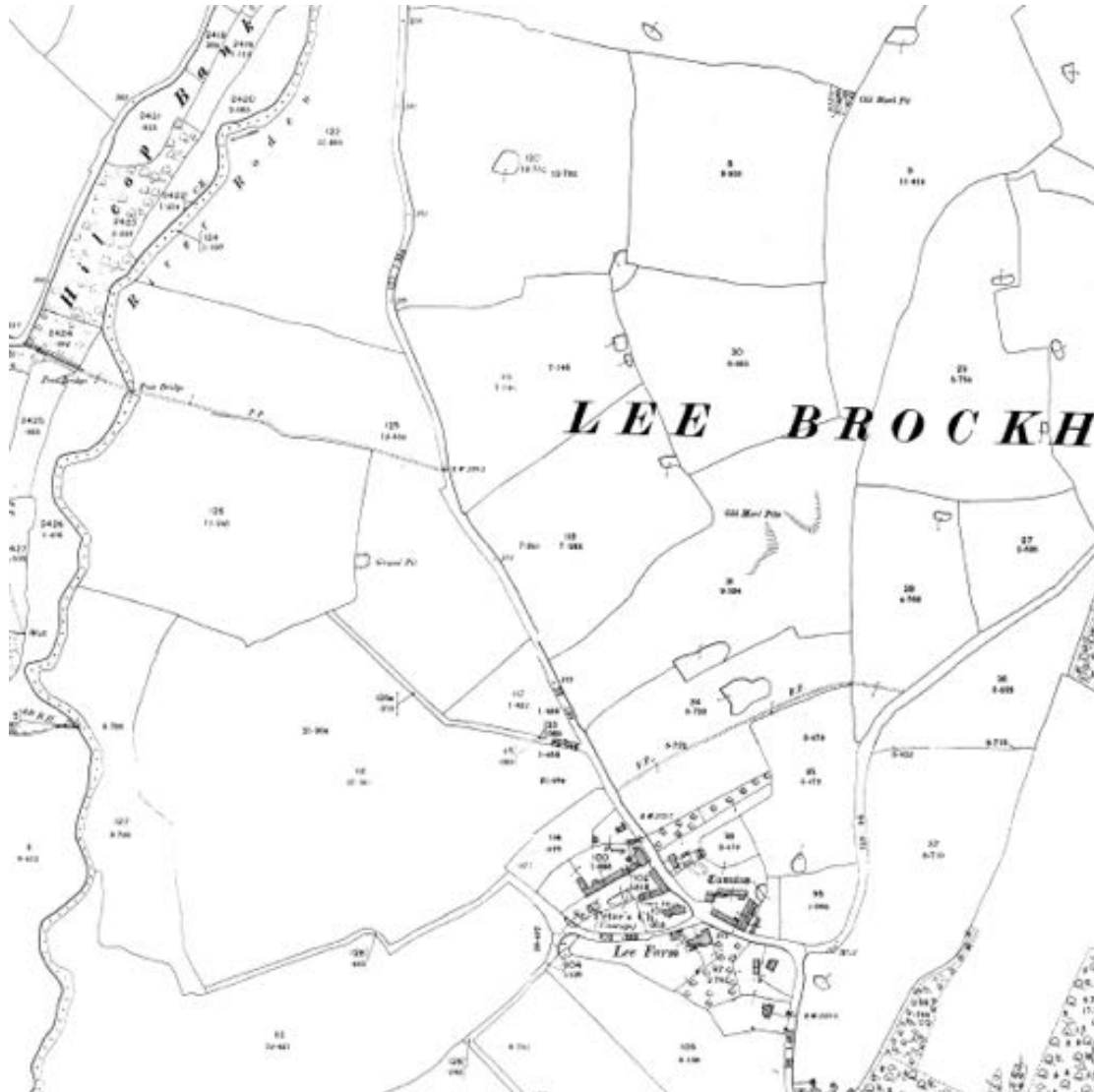


13. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Lee Brockhurst, Shropshire (Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/125/006.

14. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Moreton Corbet, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/125/006.

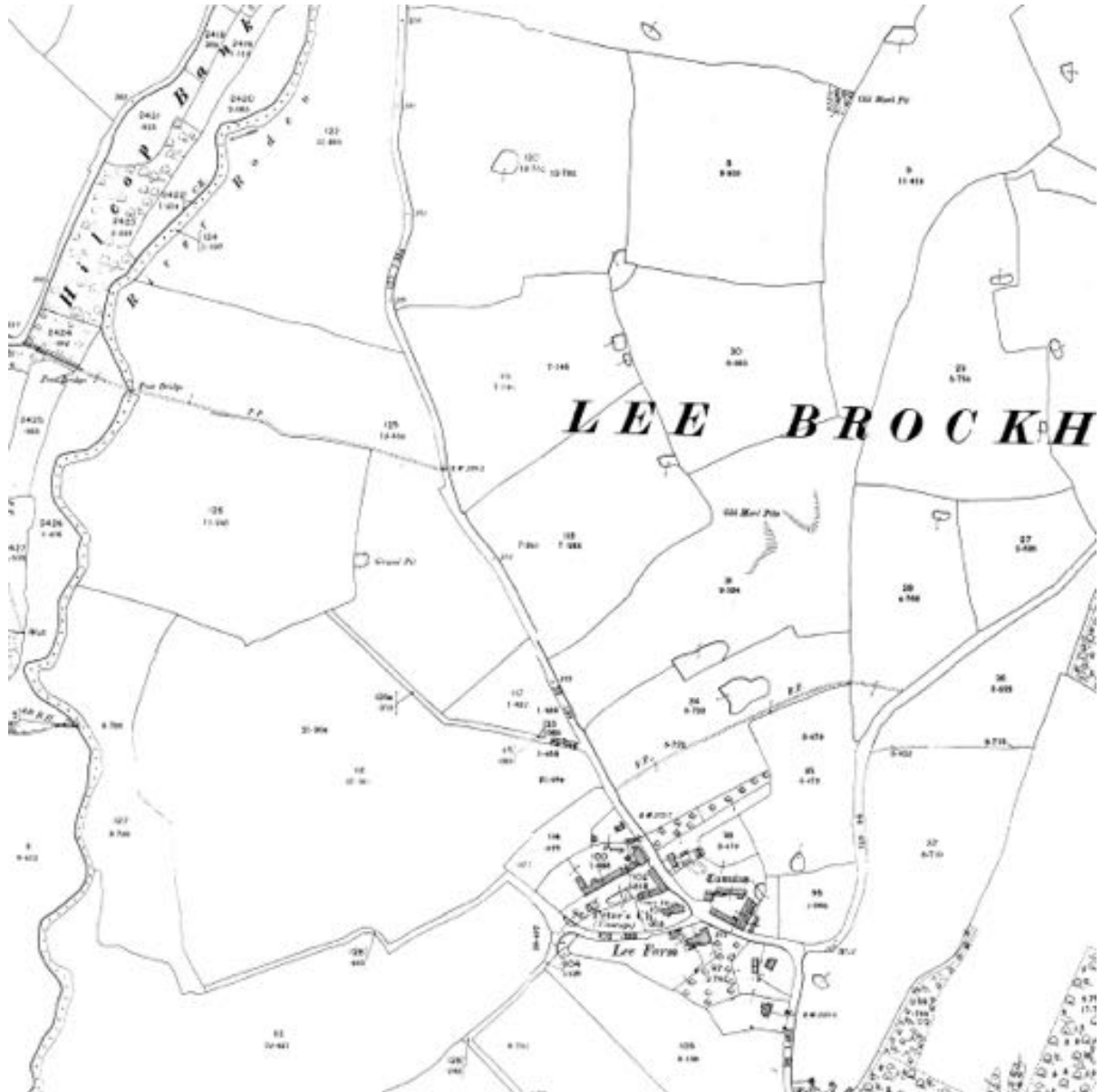
15. Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII.5", dated 1900, demonstrates evidence for part of route T000695. The route is observed to commence at a

junction with another route to the south parcel number "95" 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 west corner of parcel number "37" on the map where it continues on to map sheet XXII.1.

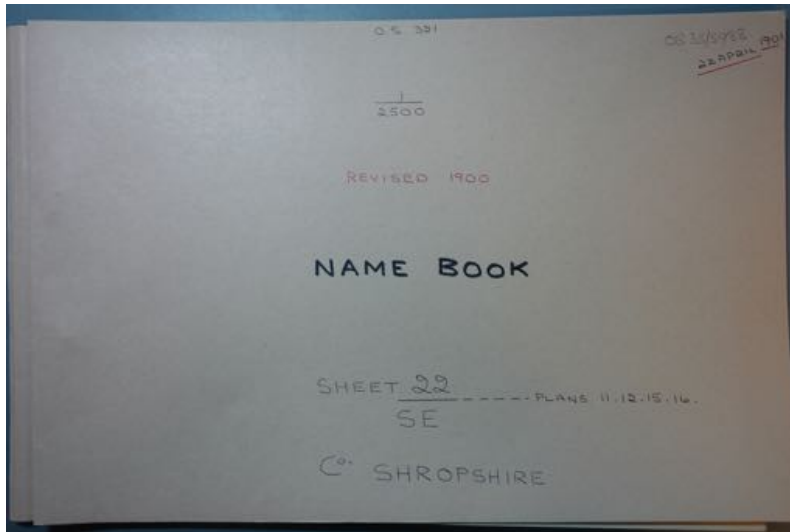


16. Ordnance Survey 25" 2nd Edition, BL 1601 (17-32), entitled "SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII.1", dated 1900, demonstrates evidence for part of route T00695. The route is observed to commence at the north west corner of parcel number "37" on the map where it continues on

from map sheet XXII.5. 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 a junction with another route to the south of parcel number "28" on the map.

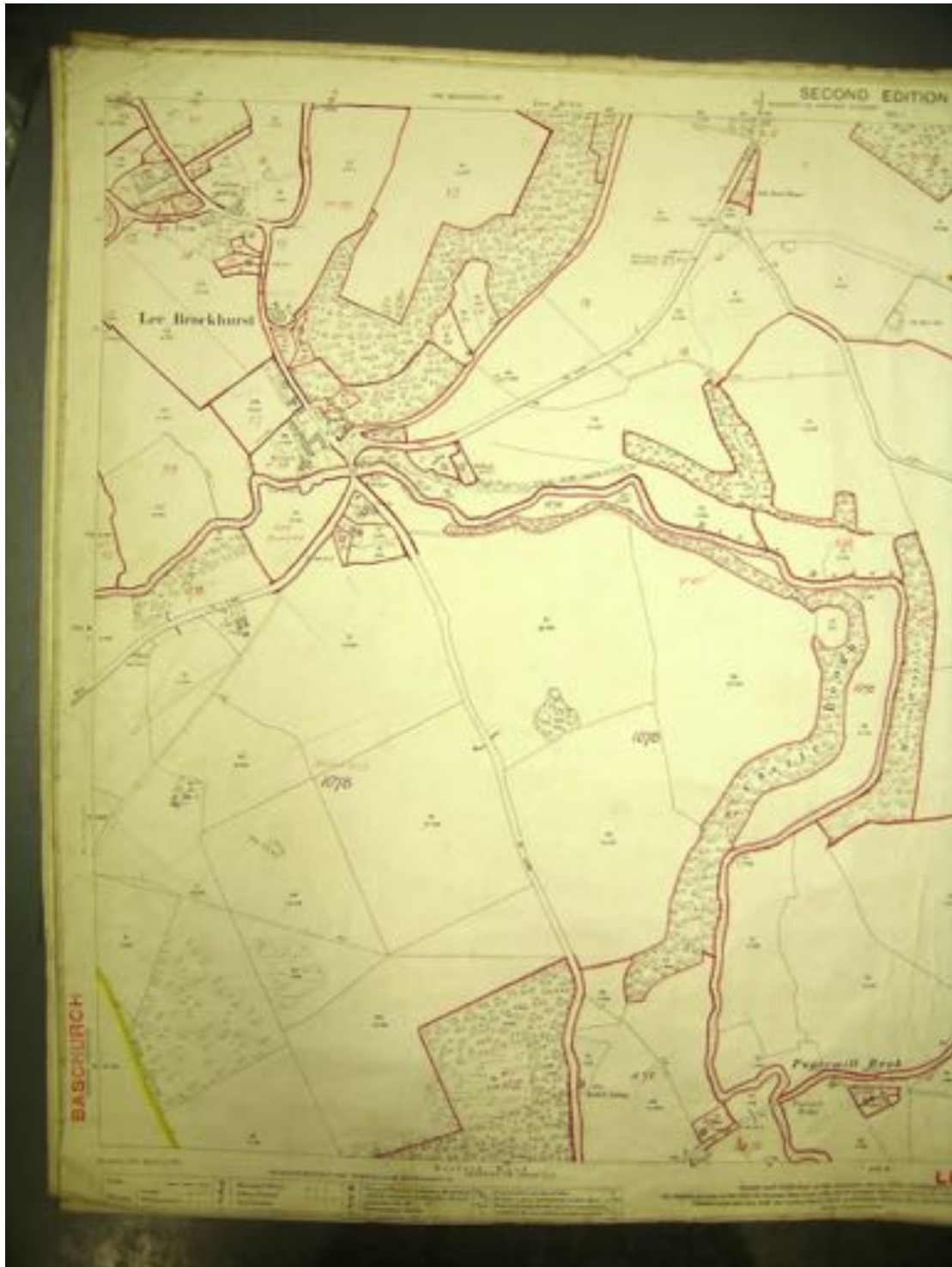


16. Ordnance Survey 25" 2nd Edition ONB, TNA OS/35/5988, entitled "NAME BOOK SHEET 22 SE - PLANS 11,12,15,16", dated 22/04/1901, covers the area but demonstrates no evidence for case SH/125/006.



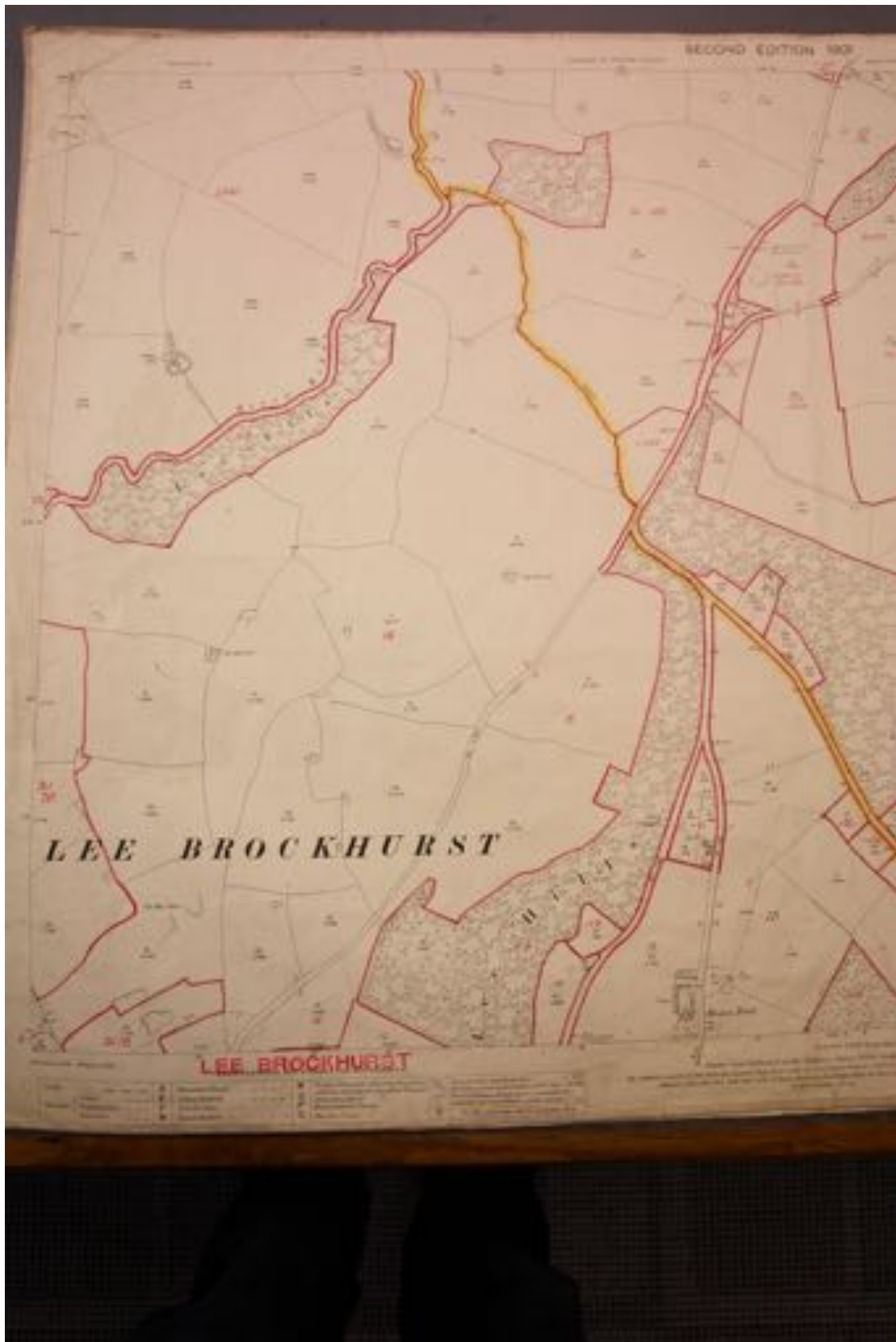
21. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for all of route T000695. The route is observed to commence at a road junction west of "LEE BROCKHURST" marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines and is described in the key under the heading "Unmetalled Roads". The route is observed to terminate at the letter "I" in the label "Tumulus", located north of "LEE BROCKHURST" marked on the map.

22. Finance Act Survey Map, TNA IR 132/4/227, entitled "SHROPSHIRE SHEET XXII.5 - SECOND EDITION 1901", dated 1909/1910, demonstrates evidence for part of route T000695. The route is observed to commence at a junction with another route to the south of OS parcel number "95" 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 "35" on the map where it continues onto map sheet XXII.1.



23. Finance Act Survey Map, TNA IR 132/4/223, entitled "SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901", dated 1909/1910, demonstrates evidence for part of route T000695. The route is observed to commence at the south west corner of OS parcel number "36" on the map where it continues on from map

sheet XXII.5. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at a junction with another route to the south of OS parcel number "28" 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
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	NOS1o	Shown on map and depicted or described as status neutral in map key

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Estate Records	B(ii)	SHR Map 4620/2 - Lee Parish 1819	1819	6.2	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e High Street
Non-OS Commercial Mapping	B(ii)	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 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	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Ordnance Survey Records Surveyors Drawings	C	BL Map 320 (E) - PART of SHROPSHIRE	1827	6.4	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
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.5	OSM5	Route shown on OS 1" Old Series map
Estate Records	B(ii)	SHR Map 2965/1 - ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE	1835	6.6	EM2	Shown on map un-numbered and not contained within numbered parcel

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
		TOWNSHIP OF ASTON IN THE PARISH OF WEM			EM5	Annotated as 'to' or 'from' or named i.e High Street
Tithe Survey Records	C	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	6.8	TM3	Route shown on map not numbered specifically or within numbered parcel
					TM6	Annotated 'to', 'from' or named, 'High St'
Estate Records	B(ii)	SHR Map 4620/1 - PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE, CALLED ASTON HALL ESTATE", IN THE [...]EM, in the County of Salop; ALSO AN [...]TATE SITUATE IN THE...[...] e Brockhurst in the said County...	1866	6.9	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e High Street
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 689 (44) - Shropshire (Northern Division) Sheet XXII.5 - Stanton Upon Hine Heath, Lee Brockhurst, Weston and Wixhill under Redcastle & Moreton Corbet Parishes & Shawbury Parish (Det)	1880	6.11	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM23	Route specifically numbered on plan
					OSM2	Route un-named on map
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	6.12	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM2	Route un-named on map
					OSM23	Route specifically numbered on plan

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Ordnance Survey Records 25" 2nd Edition	C	BL Map 1601 (17-32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	6.19	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 1" New Series	C	BL Maps 1175(134.) - OS of England WEM	1902	6.21	OSM20	Route un-named on map
					OSM27	Route described as 'Unmetalled Roads' on key or Characteristics Sheet
Finance Act Survey Records	B(i)	TNA Map IR 132/4/227 - SHROPSHIRE SHEET XXII.5 - SECOND EDITION 1901	1909/1910	6.22	FA1	Route excluded from Hdtmt
Finance Act Survey Records	B(i)	TNA Map IR 132/4/223 - SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901	1909/1910	6.23	FA1	Route excluded from Hdtmt

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
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Document Group	Document	Date	Code	Code Description
Non-OS Commercial Mapping	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	RC12	Road
Estate Records	SHR Map 4620/2 - Lee Parish 1819	1819	RC14	Unspecified
Non-OS Commercial Mapping	SHR Map GREENWOODS 1827 - Map of the County of SALOP FROM AN ACTUAL SURVEY Made in the Years 1816 & 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 Surveyors Drawings	BL Map 320 (E) - PART of SHROPSHIRE	1827	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified

Document Group	Document	Date	Code	Code Description
Estate Records	SHR Map 2965/1 - ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM	1835	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	RC14	Unspecified
Estate Records	SHR Map 4620/1 - PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE, CALLED ASTON HALL ESTATE", IN THE [...]EM, in the County of Salop; ALSO AN [...]TATE SITUATE IN THE...[...] e Brockhurst in the said County...	1866	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (44) - Shropshire (Northern Division) Sheet XXII.5 - Stanton Upon Hine Heath, Lee Brockhurst, Weston and Wixhill under Redcastle & Moreton Corbet Parishes & Shawbury Parish (Det)	1880	RC14	Unspecified

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (17-32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	RC14	Unspecified
Ordnance Survey Records 1" New Series	BL Maps 1175(134.) - OS of England WEM	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/227 - SHROPSHIRE SHEET XXII.5 - SECOND EDITION 1901	1909/1910	RC14	Unspecified
Finance Act Survey Records	TNA Map IR 132/4/223 - SHROPSHIRE SHEET XXII.1 - SECOND EDITION 1901	1909/1910	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
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Document Group	Document	Date	Code	Code Description
Non-OS Commercial Mapping	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	PA1	two parallel solid black lines
Estate Records	SHR Map 4620/2 - Lee Parish 1819	1819	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 1816 & 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 Map 320 (E) - PART of SHROPSHIRE	1827	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	two parallel solid black lines

Document Group	Document	Date	Code	Code Description
Estate Records	SHR Map 2965/1 - ESTATE in the PARISH of LEE BROCKHURST WITH LAND IN THE TOWNSHIP OF ASTON IN THE PARISH OF WEM	1835	PA3	two parallel solid black lines (in-filled)
Tithe Survey Records	TNA Map IR/30/29/194 - MAP of the PARISH of LEE BROCKHURST in the COUNTY OF SALOP	1847	PA1	two parallel solid black lines
Estate Records	SHR Map 4620/1 - PLAN AND PARTICULARS OF A VERY VALUABLE ESTATE, CALLED ASTON HALL ESTATE", IN THE [...]EM, in the County of Salop; ALSO AN [...]TATE SITUATE IN THE...[...] e Brockhurst in the said County...	1866	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (44) - Shropshire (Northern Division) Sheet XXII.5 - Stanton Upon Hine Heath, Lee Brockhurst, Weston and Wixhill under Redcastle & Moreton Corbet Parishes & Shawbury Parish (Det)	1880	PA1	two parallel solid black lines
			PA14	two parallel solid black lines with two dashed black lines along the centre

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (40) - Shropshire Sheet (Northern Division) Sheet XXII.1 - Weston and Wixhill under Redcastle, Stanton Upon Hine Heath, Lee Brockhurst and Wem Parishes	1880	PA14	two parallel solid black lines with two dashed black lines along the centre
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (17- 32) - SECOND EDITION 1901/1902 SHROPSHIRE SHEETS XXII. 1.-16.	1900	PA1	two parallel solid black lines
Ordnance Survey Records 1" New Series	BL Maps 1175(134.) - OS of England WEM	1902	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. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route as a through-route. The route is shown un-numbered and not within a numbered parcel therefore there is no evidence for the route in associated apportionment.

2. 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.

3. Estate Records

The route is shown on three separate Estate Records. The route is shown un-numbered and not within a numbered parcel but has been shown as a through route on all three maps. This is interpreted as the inference of public status over the route.

4. Non-Ordnance Survey Commercial Mapping

Two Non-OS Commercial maps demonstrate evidence for the route. Greenwood's map describes 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. Baugh's map shows the route described under the heading "By-roads" in the map key, which provides neutral evidence of both status and class.

5. Ordnance Survey Records

a. Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawings demonstrate 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. 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 map demonstrates evidence for the route. The route is shown on the map un-named therefore there is no evidence for the route in the associated object name book.

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 "Unmetalled Roads". 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" Revised New Series maps will be taken as evidence of public vehicular rights. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have existed over the route at that time.

Alignment of the case file route:

From the analysis of the Tithe Survey 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 legal width for the route.

Contradictory evidence:

No contradictory evidence was found for the route.

Outcome of the evaluation:

Case SH/125/006 was included in the research scope by the Discovering of Lost Ways Project as the route is shown on the Ordnance Survey Explorer Mapping as an "Other Route with Public Access". The route is not currently recorded on the Definitive Map and Statement, but is part adopted by Shropshire County Council and recorded on the List of Streets with the reference U2415/10.

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. The route is also shown as a through route on all three maps. One Non-OS Commercial map (Greenwood's) shows the route 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. The route is also shown as a physical feature on the supporting Ordnance Survey records and on an Estate map.

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 "Unmetalled Roads". 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" Revised New Series maps will be taken as evidence of public vehicular rights. The case file route is not shown in this way and it is considered therefore that a public vehicular right of way cannot be shown to have existed over the route at that time. The default class of public bridleway is therefore suggested as being appropriate. In the absence of evidence of stopping up, these rights can be 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 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 3.2: Tithe Survey Records
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 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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