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## APPLICATION FORM

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

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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 SJ 4740 2727) to Point D (OSGR SJ 4817 2769) 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/ 111/001/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 320 (E), entitled "PART of SHROPSHIRE", dated 1827
- 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": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 – 1835
- Tithe Map, TNA IR 30/29/239, entitled "Township of Noneley in the parish of Loppington in the County of Salop", dated 1838
- Railway Plan, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c", dated 1844
- Railway Book of Reference, SHR DP/316, entitled "Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c Book of Reference", dated 1844
- Railway Plan, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.", dated 1861-2
- Ordnance Survey 25" 1st Edition, BL Vol 689 (25), entitled "Shropshire (Northern Division) Sheet XXI.2 - Loppington & Wem Parish", dated 1880
- Ordnance Survey 25" 1st Edition, BL Vol 689 (29), entitled "Shropshire (Northern Division) Sheet XXI.6", dated 1880
- Ordnance Survey 25" 2nd Edition, BL 1601 (2), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI.2", dated 1900

- Ordnance Survey 25" 2nd Edition, BL 1601 (6), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI.6", 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 132/4/208, entitled "Shropshire Sheet XXI.2 -Second Edition 1902", dated 1909/1910
- Finance Act Survey Map, TNA IR 132/4/212, entitled "Shropshire Sheet XXI.6 - Second Edition 1902", dated 1909/1910

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

Signed: 

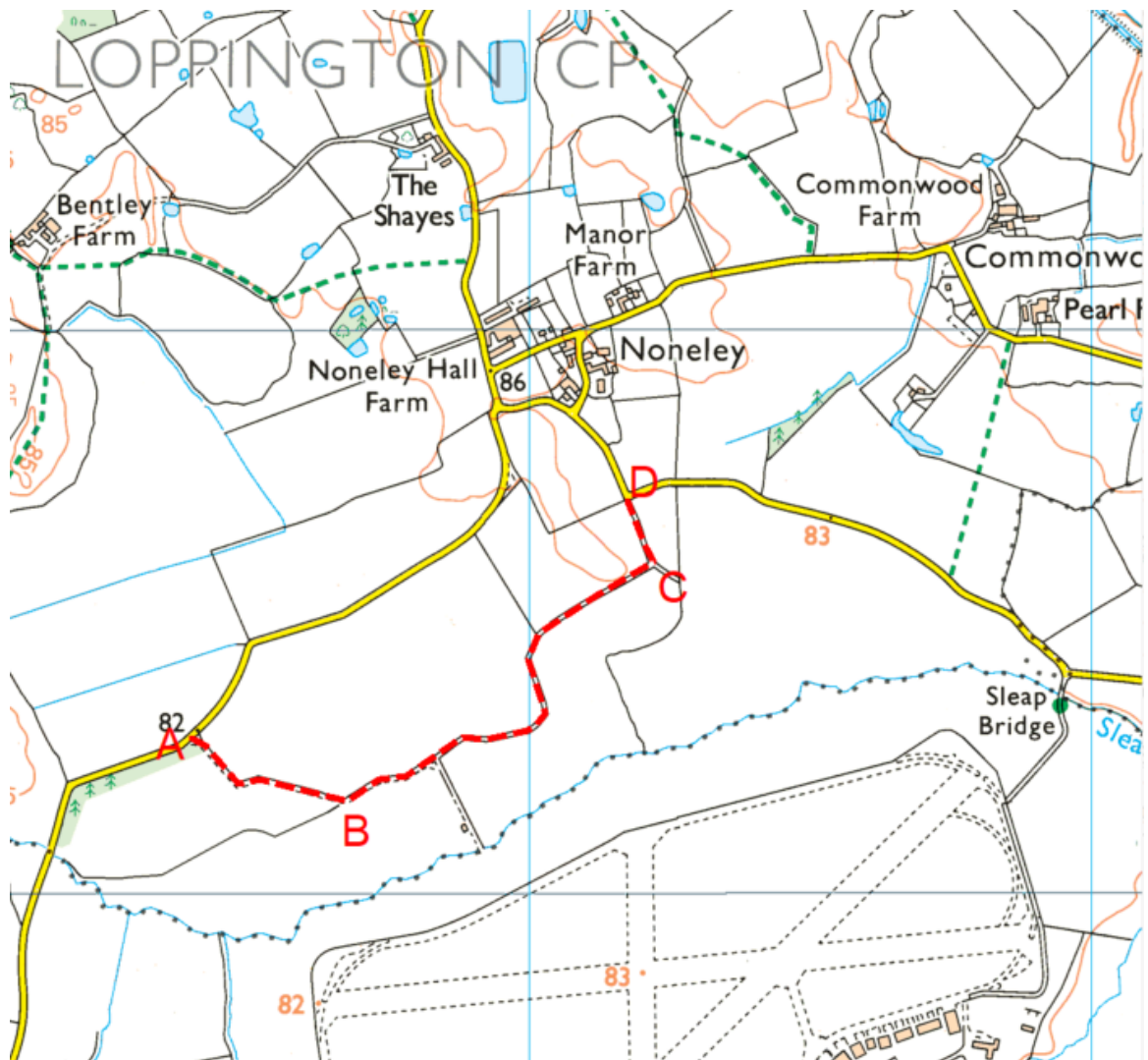
Date: 03/09/2020

Wildlife and Countryside Act 1981

## Map to Accompany Definitive Map Modification Order Application

For a route at Noneley in the Parish of Loppington, Shropshire to be shown as a  
Public Bridleway

*Applicant's Reference: DLW SH/111/001*



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**

<b>Case File Ref. No.</b>	SH/111/001
<b>Name</b>	Un-named
<b>Historic County</b>	Shropshire
<b>Sub-Unit</b>	Shropshire Sub-unit 1
<b>Parish(es)</b>	Loppington
<b>Surveying Authority</b>	Shropshire County Council
<b>Definitive Map Ref. No.</b>	None
<b>Other Designation(s) Ref. No.</b>	None
<b>Route Length</b>	1235 metres
<b>OS 1:10,000 Sheet(s)</b>	SJ42NE
<b>Grid Ref (start)</b>	SJ4740 2727
<b>Grid Ref (end)</b>	SJ4817 2769
<b>ARU ASSESSMENT OUTCOME</b>	
<b>Status/Class</b>	B – C: Public footpath C – D: Public carriageway
<b>Strength</b>	B – C: Strong C – D: Strong
<b>Comment</b>	B – C: shown uncoloured and excluded from the hereditaments on the Finance Act Map and part 'Un-metalled road' on OS New Series map C – D: shown uncoloured and excluded from the hereditaments on the Finance Act Map and part '3 <sup>rd</sup> class metalled road' on OS New Series 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/111/001 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 length B – D of the case file route is shown on the Finance Act Survey map. This length is shown uncoloured and excluded from hereditaments. This suggests that part of 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 shows part of length B – D 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. Length B – D is also shown as a physical feature on the supporting Ordnance Survey Records.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for length B – D of the case file route. The length B – C is described under the heading "Unmetalled Roads" and while length C – D is described under the heading "3rd Class Metalled Roads" in the map key. 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 length C – D of the case file route at the time of the survey. No evidence of class for the full length of B – C has been identified therefore the default class of public footpath is suggested as being appropriate. In absence of evidence of the stopping up of these rights they are assumed to still exist today.

The evidence found for lengths B – C and C – D of the case file route 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 these lengths of the case file route to the definitive map. There is no evidence for length A – B of the case file route therefore this length has been categorised as "Insufficient evidence for further action".

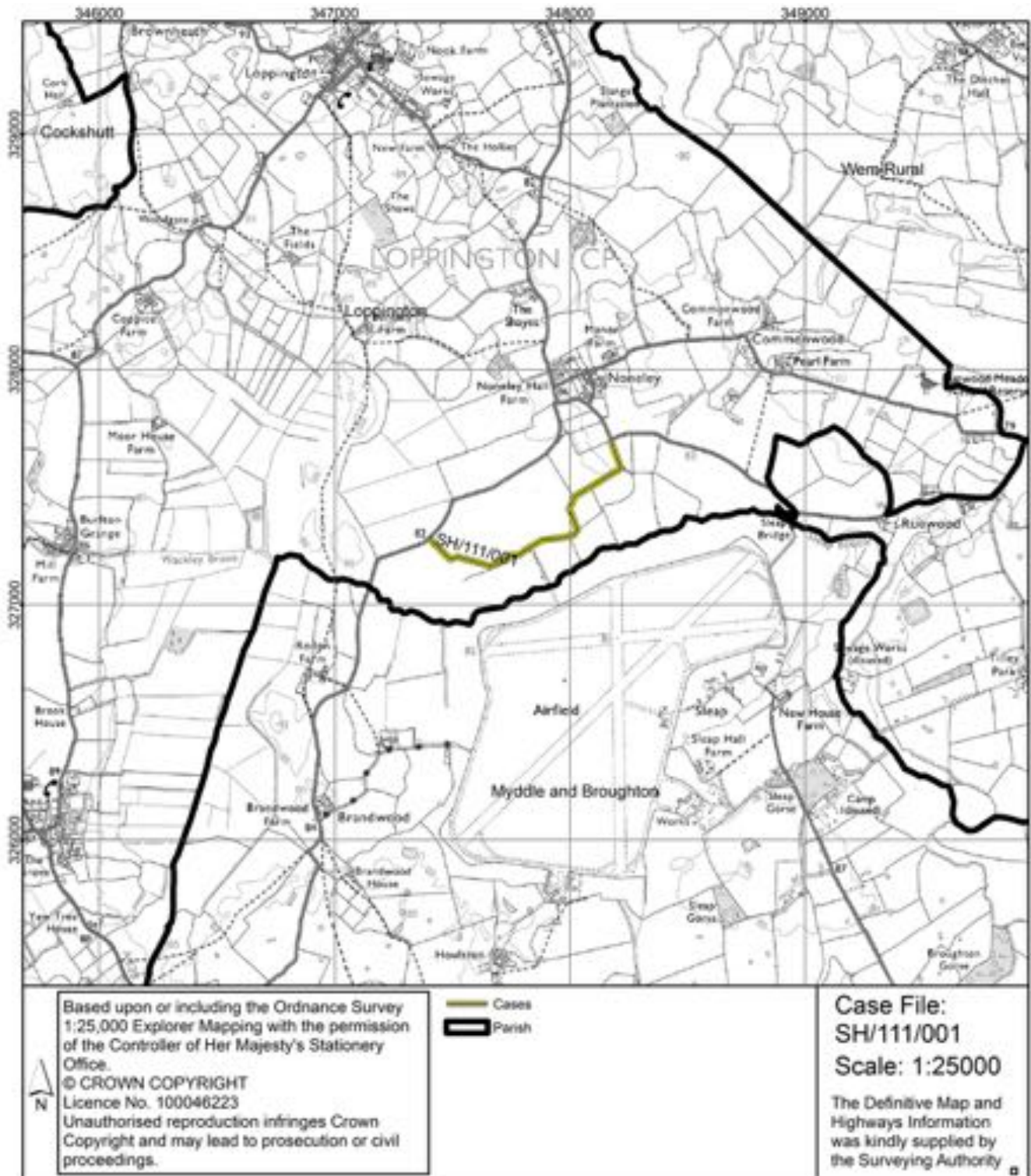
## 2. Description of Route

The route begins at a junction with a public road (which has been given the reference U1610/20 on Shropshire County Council's List of Streets) at coordinate SJ4740 2727 (point A on the Case File Route Map). The route then heads in a south easterly direction to coordinate SJ4748 2719 (point B on the Case File Route Map). From here the route heads in an easterly direction to coordinate SJ4821 2758 (point C on the Case File Route Map). From here the route heads in a north easterly direction to where it terminates at a junction with a public road (which has been given the reference C2051/40 on Shropshire County Council's List of Streets) at coordinate SJ4817 2769 (point D on the Case File Route Map).

The route has a length of 1235 metres.

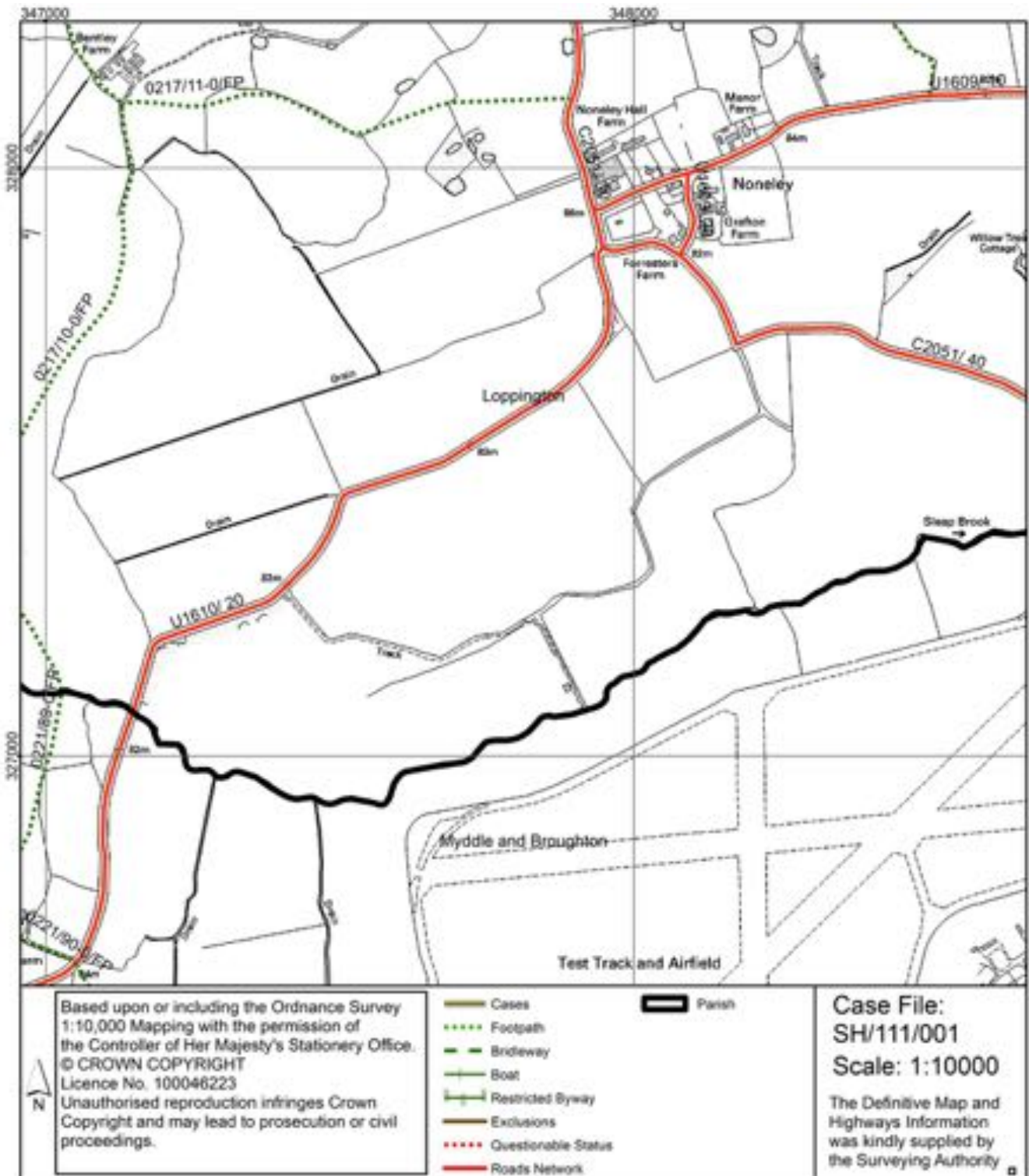
During the research process, the whole of the case file reference number SH/111/001 was identified with the case route number T000906. Both references are used in section 6 of this report. Where documents are considered to contain relevant evidence the case route number is used (in bold). Where there is no evidence the case file reference number is used (plain text).

### 3. Location Plan

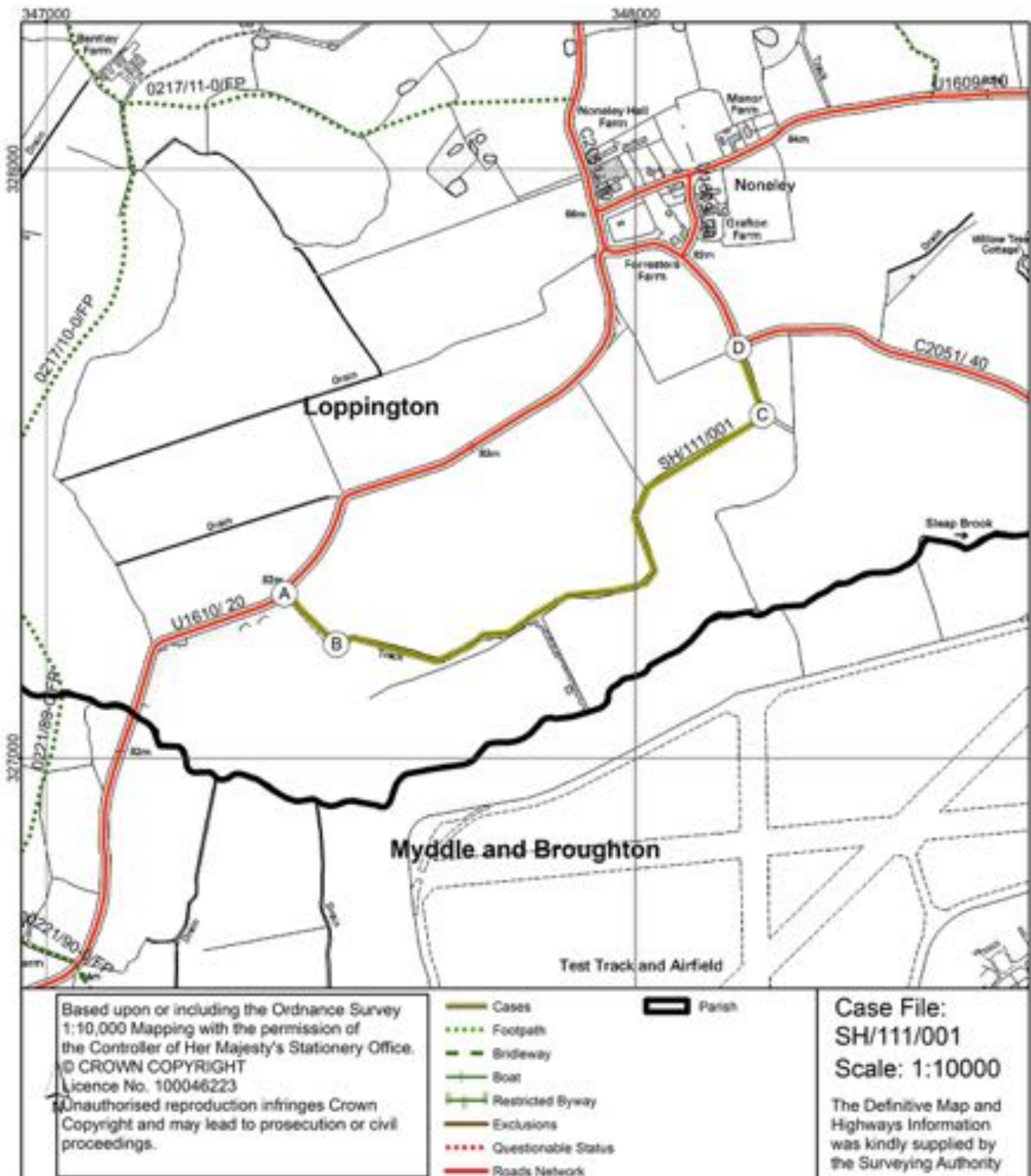




#### 4. Current Definitive Paths



## 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/111/001 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" 1<sup>st</sup> and 2<sup>nd</sup> 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 part of route T000906 (C – D). The route is observed to commence east of "Burlton Mill" marked on the map (to the west of "Wem" on the map). The route is shown on the 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 at a road junction immediately west of "Tilley" marked on the map.**



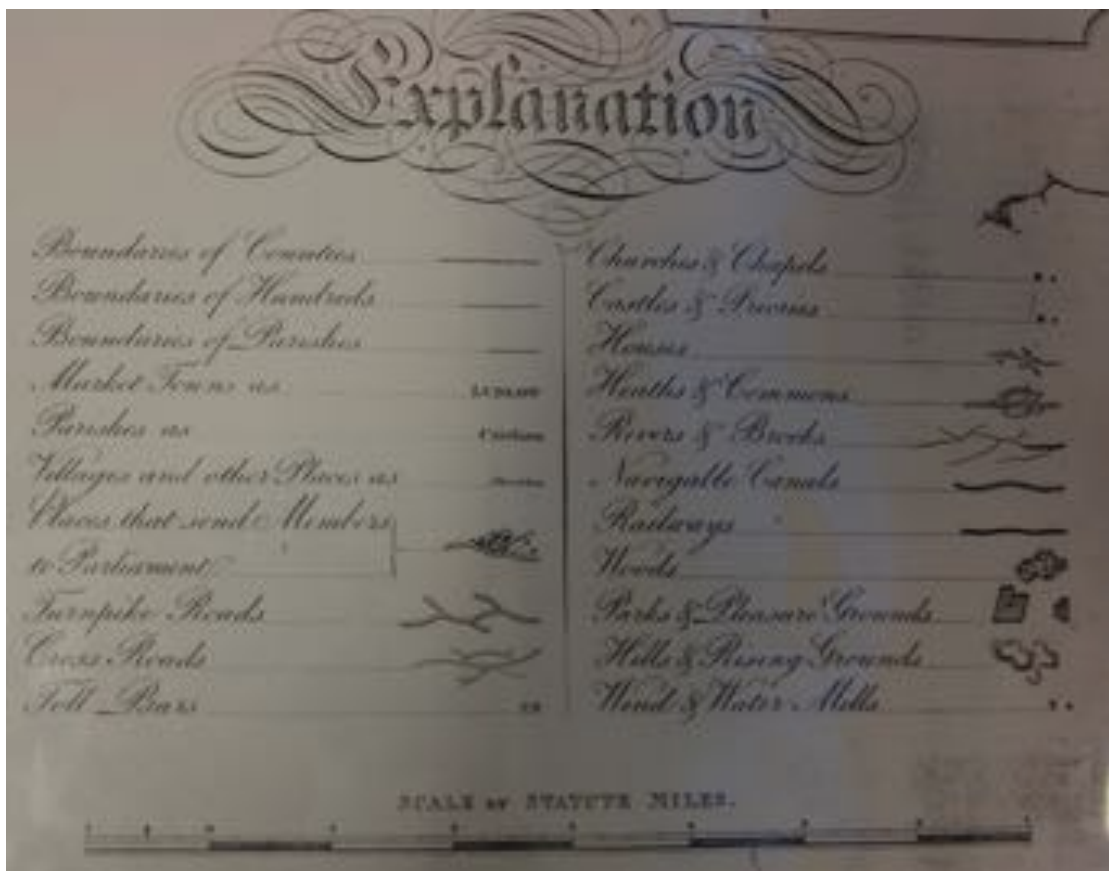


2. Ordnance Survey Surveyors Drawings, BL 320 (E), entitled "PART of SHROPSHIRE", dated 1827, demonstrates evidence for part of route T000906 (B - D). The route is observed to commence at a point south east of "Loppington" marked on the map. The route is shown uncoloured on the Ordnance Surveyor's Drawing and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a position north east of the commencement point at a road junction shown on the map.

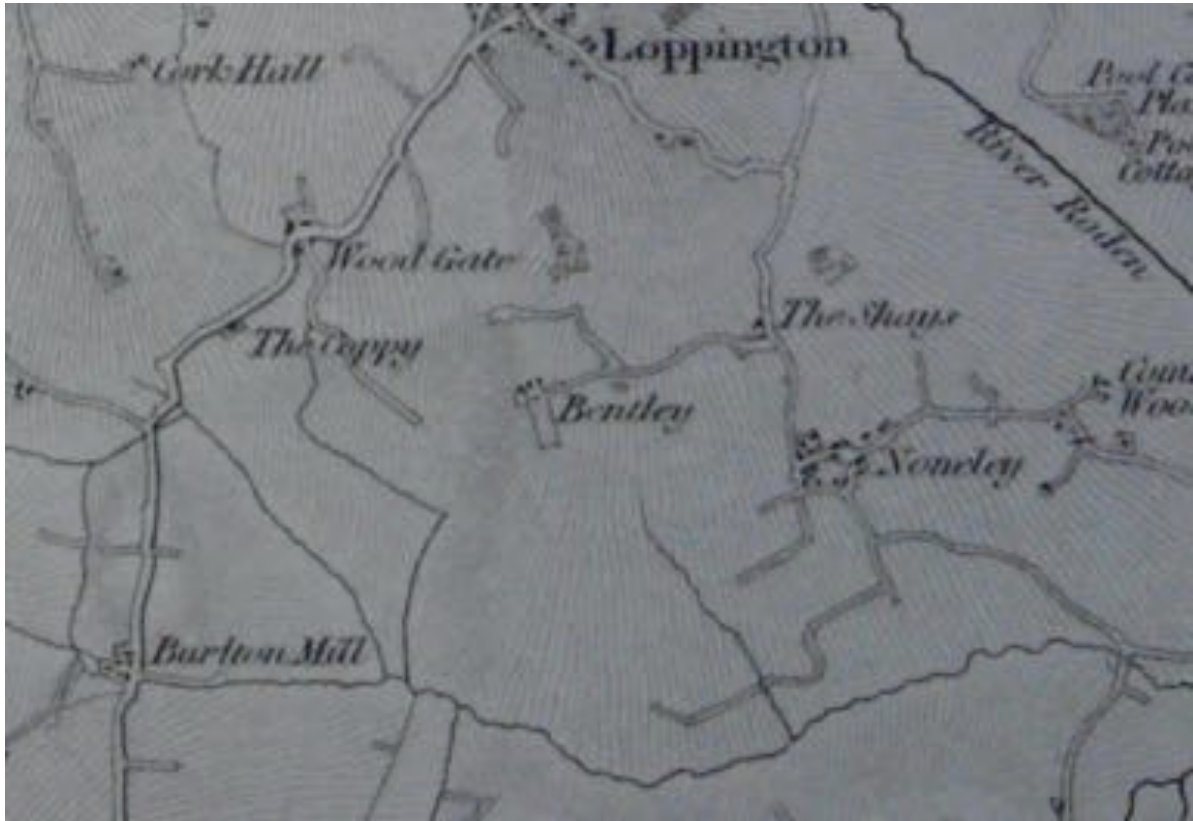


3. Non-Ordnance Survey Commercial Map, SHR GREENWOODS 1827, entitled "MAP OF THE COUNTY of SALOP, FROM AN ACTUAL SURVEY Made in the Years 1826 & 1827. BY C. & J. GREENWOOD, Most Respectfully Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall", dated 1827, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence to the north east of "Branwood" marked 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 road junction to the north west of "Sleep" marked on the map.



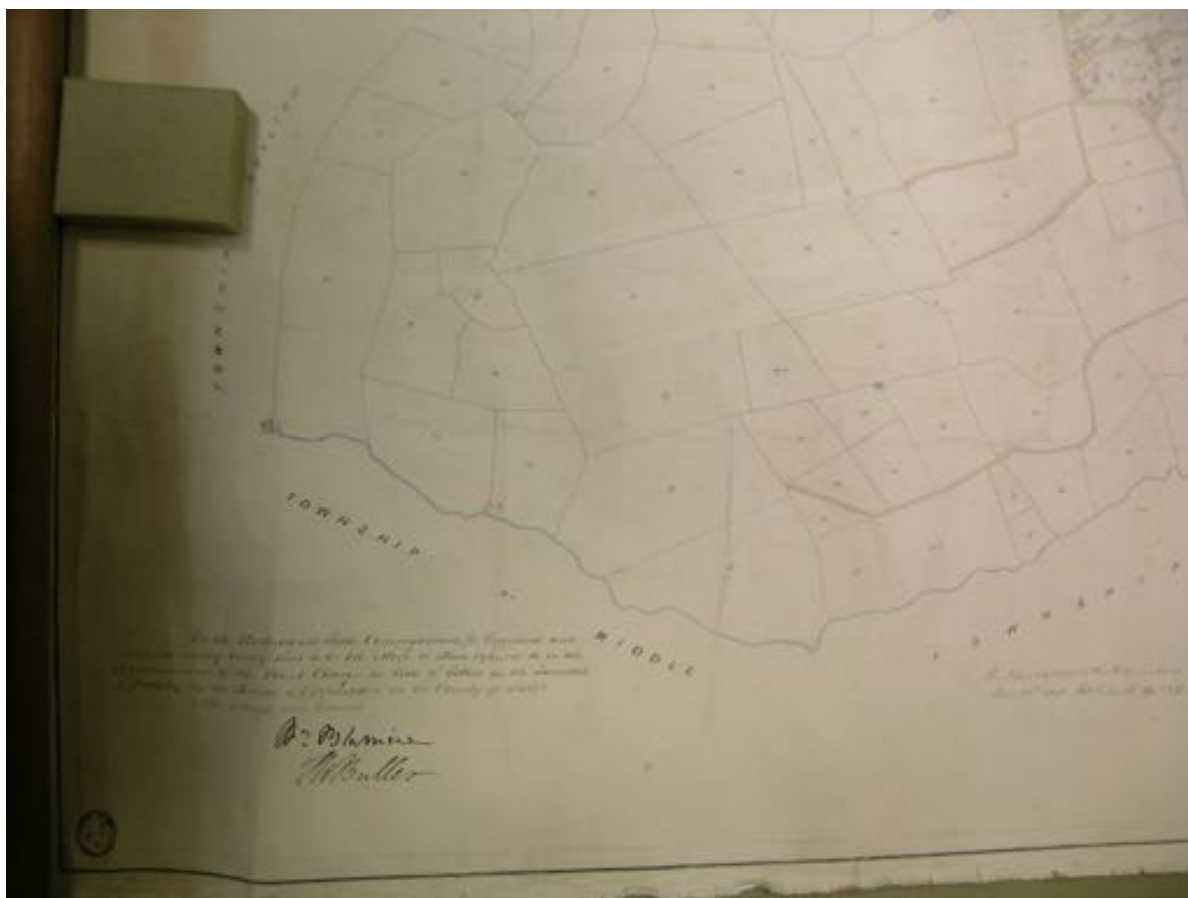
4. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1mile, entitled "Folder 1 1833 - 1835", dated 1833 - 1835, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence to the south east of "Burlton Mill marked on the map. The route is shown on the map and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a road junction to the south of "Nonelay" marked on the map.

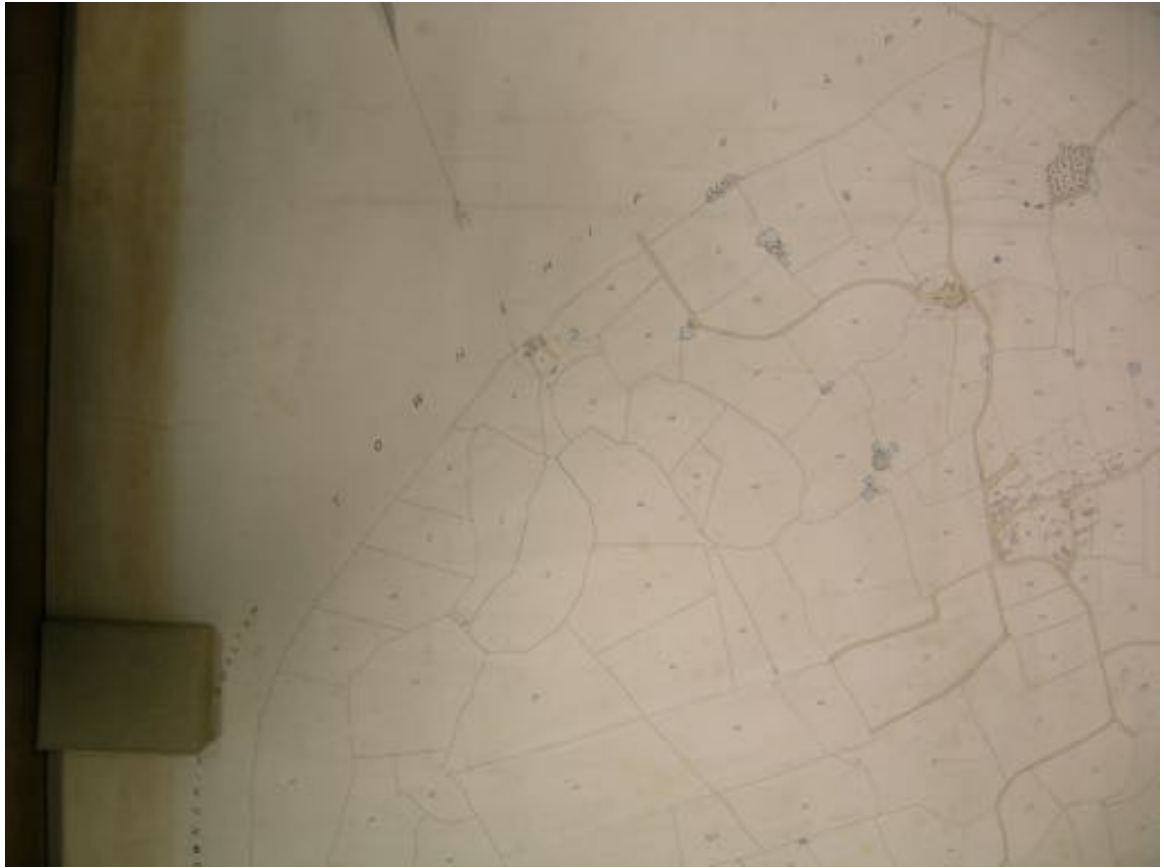




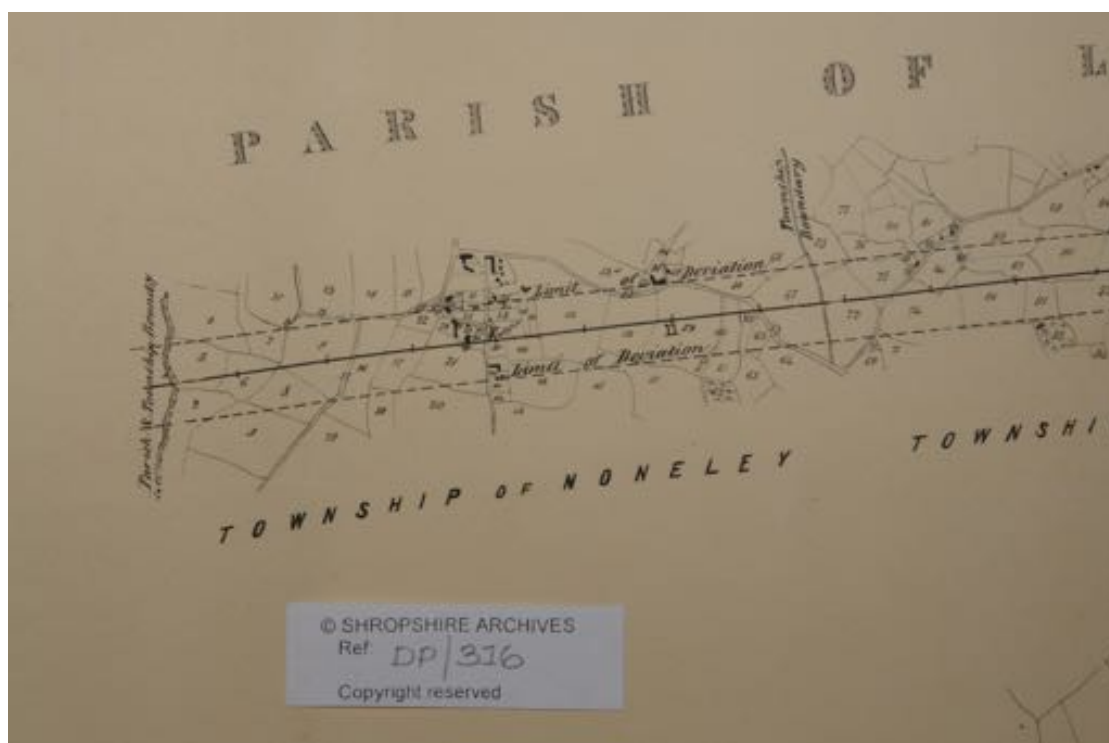


6. Tithe Map, TNA IR 30/29/239, entitled "Township of Noneley in the parish of Loppington in the County of Salop", dated 1838, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at the north west corner of parcel number "21" on the map. The route is shown but is unnumbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the north east corner of parcel number "71" on the map..

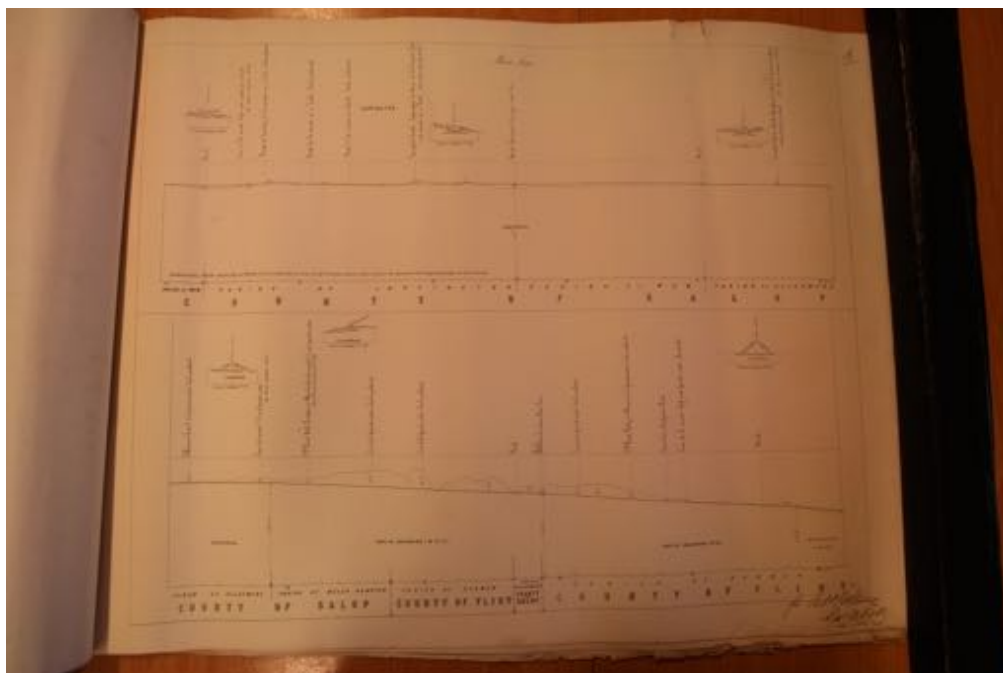
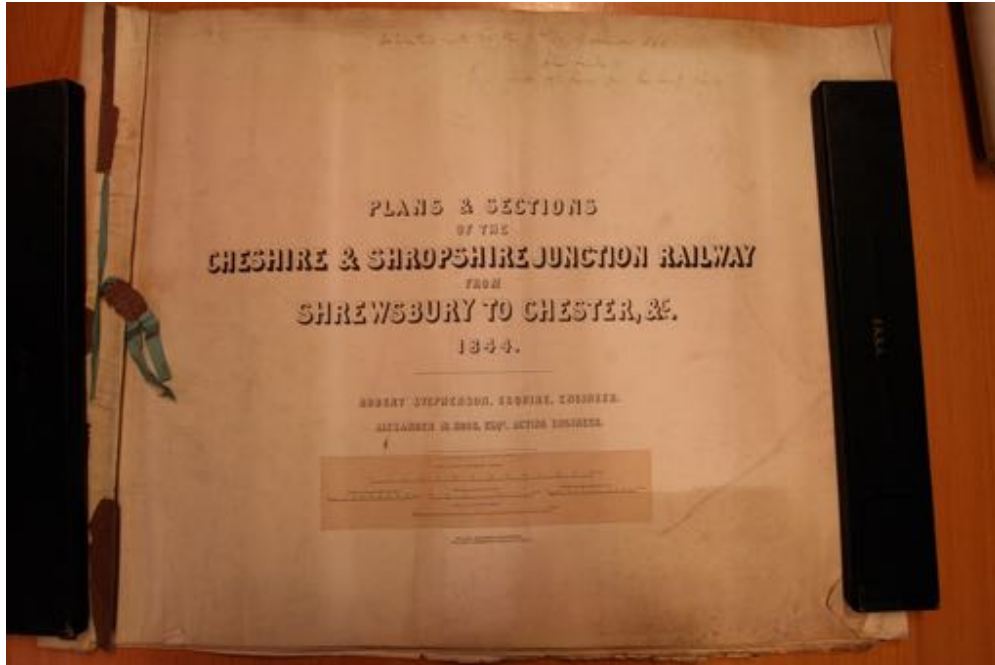




7. Railway Plan, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c", dated 1844, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at the north west corner of parcel number "10" on the plan. This shows the route specifically numbered on the plan, in this case "11" and is depicted as consisting of two parallel solid black lines. The plan shows the route outside the Limits of Deviation. The route is observed to terminate at the north east corner of parcel number "13" on the plan.



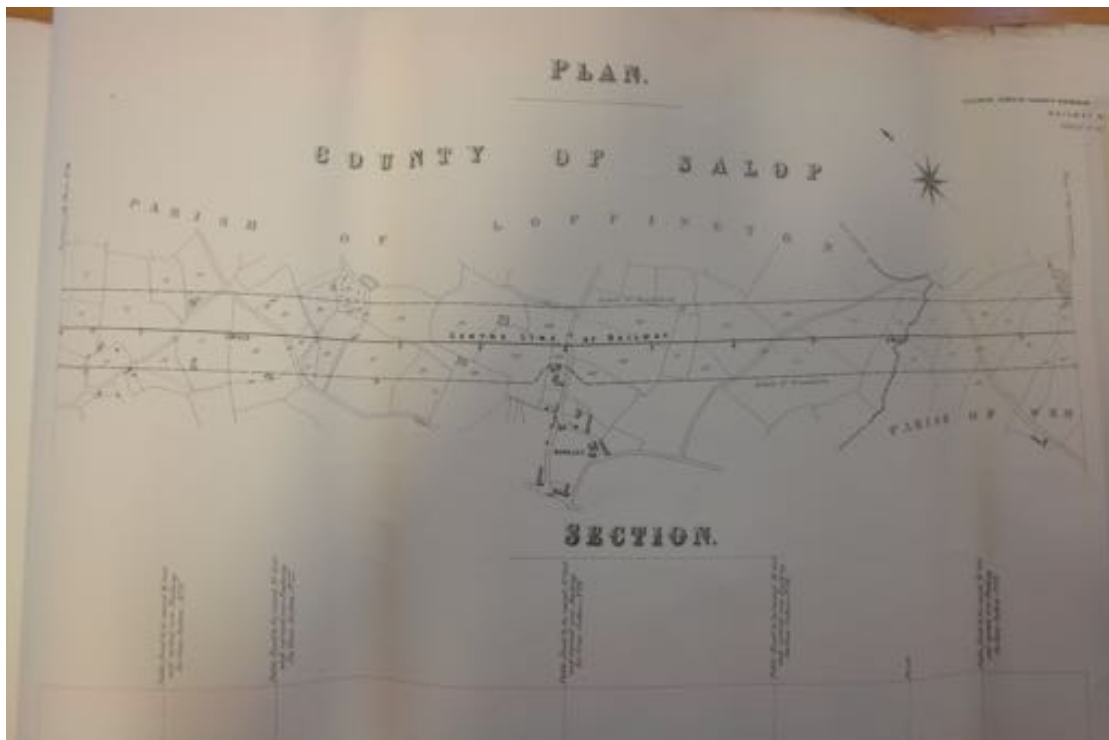
8. Railway Section, SHR DP/316, entitled "Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c", dated 1844, covers the area but demonstrates no evidence for case SH/111/001.



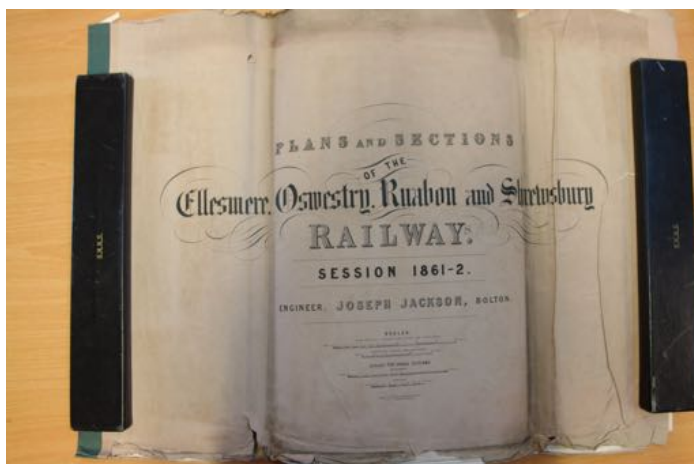
9. Railway Book of Reference, SHR DP/316, entitled "Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c Book of Reference", dated 1844, demonstrates evidence for part of route T000906 (B – D). The route is described as an "Occupation Road" on page number XX in parcel number "11".



10. Railway Plan, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.", dated 1861-2, demonstrates evidence for part of route T000906 (C – D). The route is observed to commence east of the letter "N" in the word "SECTION" on the plan. The plan shows the route but it is un-numbered and is depicted as consisting of two parallel solid black lines. The plan shows the route outside the Limits of Deviation. The route is observed to terminate at the second road junction to the south of "Noneley" marked on the plan.



11. Railway Section, SHR DP/401, entitled "PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAY. SESSION 1861-2", dated 1861-2, covers the area but demonstrates no evidence for case SH/111/001.



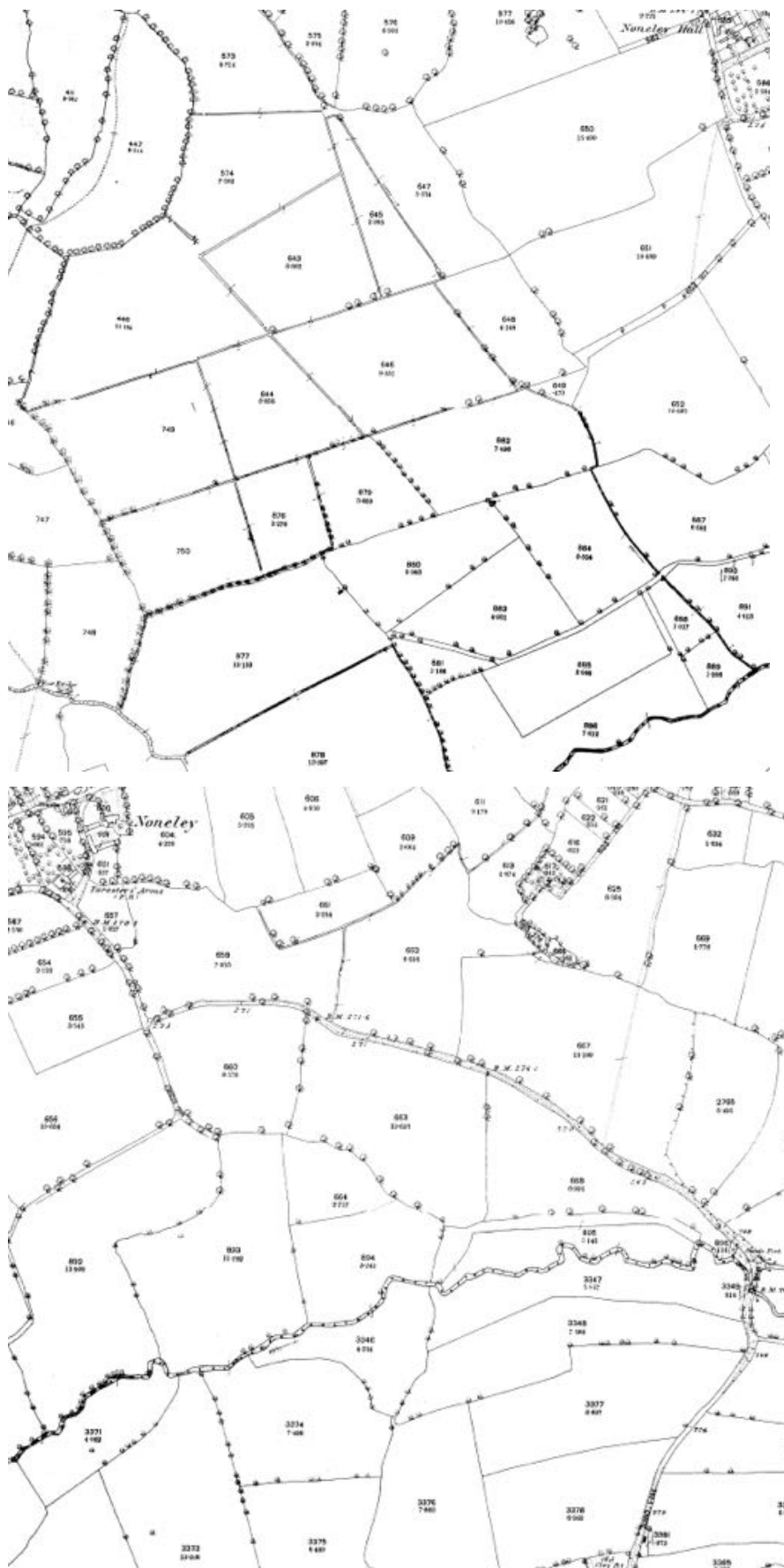
12. Railway Book of Reference, SHR DP/401, entitled "Ellesmere, Oswestry, Ruabon and Shrewsbury Railways Book of Reference", dated not given, covers the area but demonstrates no evidence for case SH/111/001.



13. Ordnance Survey 25" 1st Edition, BL Vol 689 (25), entitled "Shropshire (Northern Division) Sheet XXI.2 - Loppington & Wem Parish", dated 1880, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at the south west corner of parcel number "656" on the map where it continues on from map sheet XXI.6. The route is depicted as consisting of two parallel solid black lines and is specifically numbered as "659" on the map. The route is observed to terminate at the north west corner of parcel number "660" on the map.

14. Ordnance Survey 25" 1st Edition, BL Vol 689 (29), entitled "Shropshire (Northern Division) Sheet XXI.6", dated 1880, demonstrates evidence for part of route T000906 (B – C). This route is observed to commence at the north west corner of parcel "881" on the map (shown on 30SJ4727). The route is shown specifically numbered on the map as "890" and is depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of parcel number "656" on the map where it continues onto map sheet XXI.2 (shown on 30SJ4827).



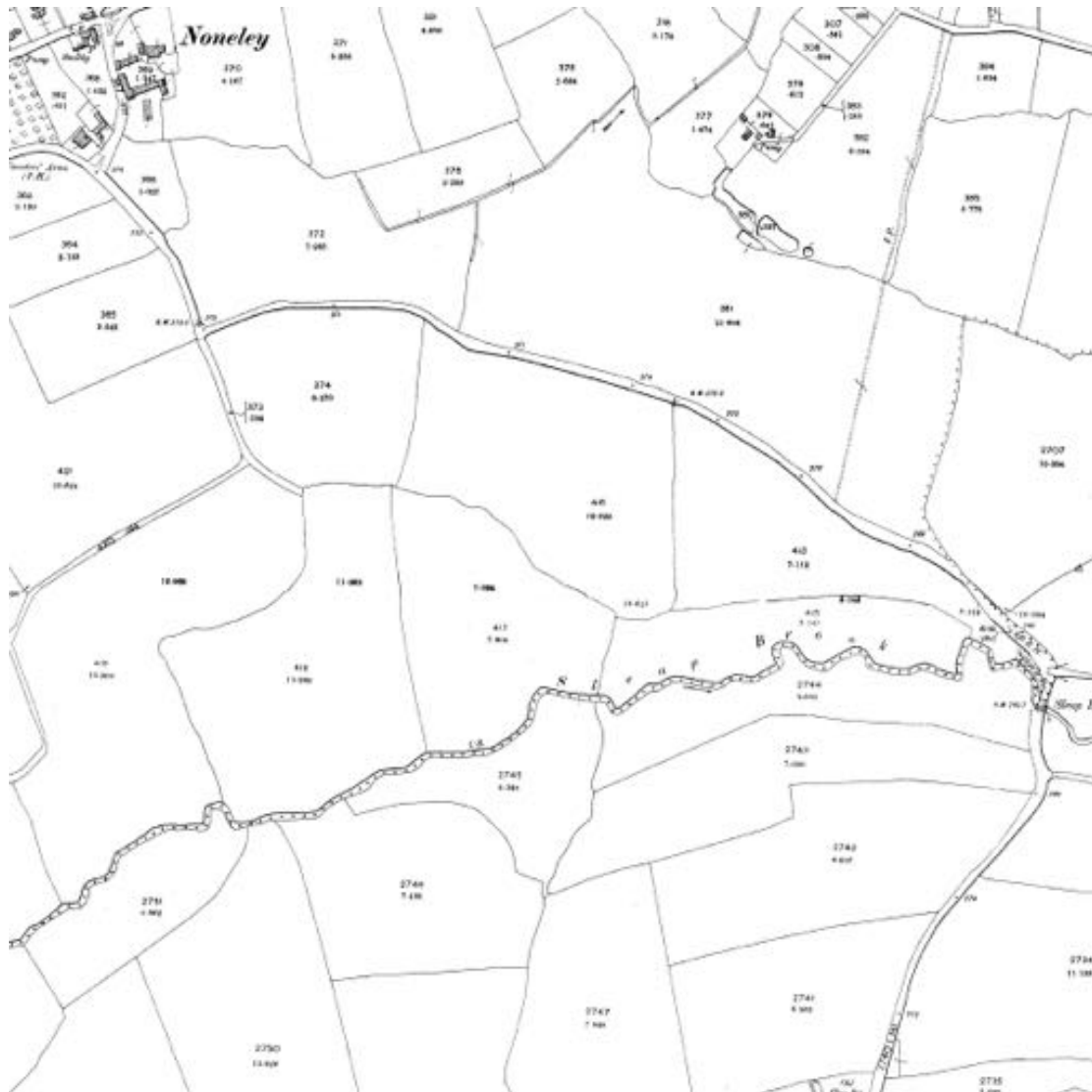


15. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to The Parish of Loppington, Shropshire (Northern Division) ", dated 1881, covers the area but demonstrates no evidence for case SH/111/001.

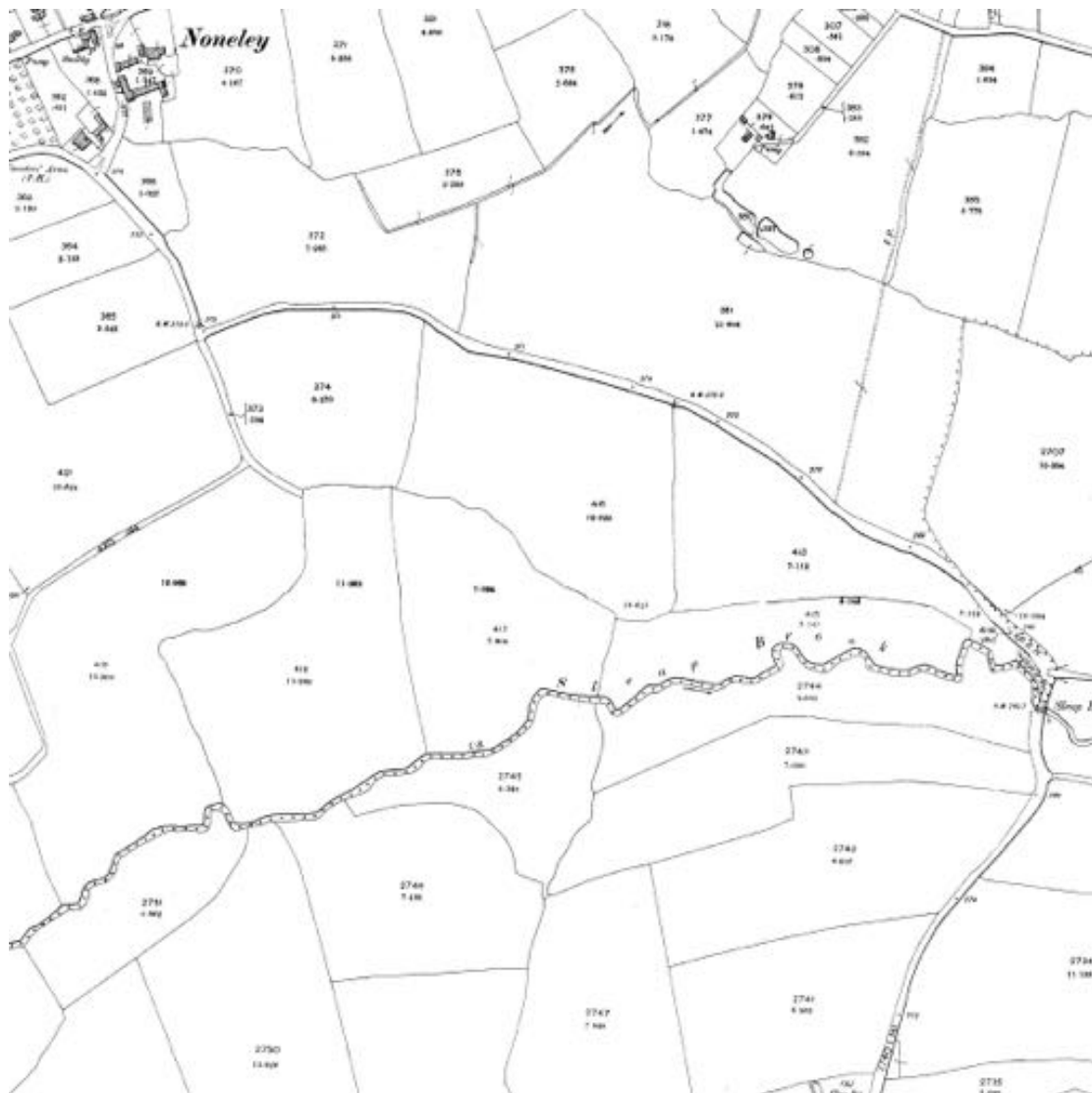
16. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish OF Loppington, Shropshire, Northern Division", dated 1881, covers the area but demonstrates no evidence for case SH/111/001.

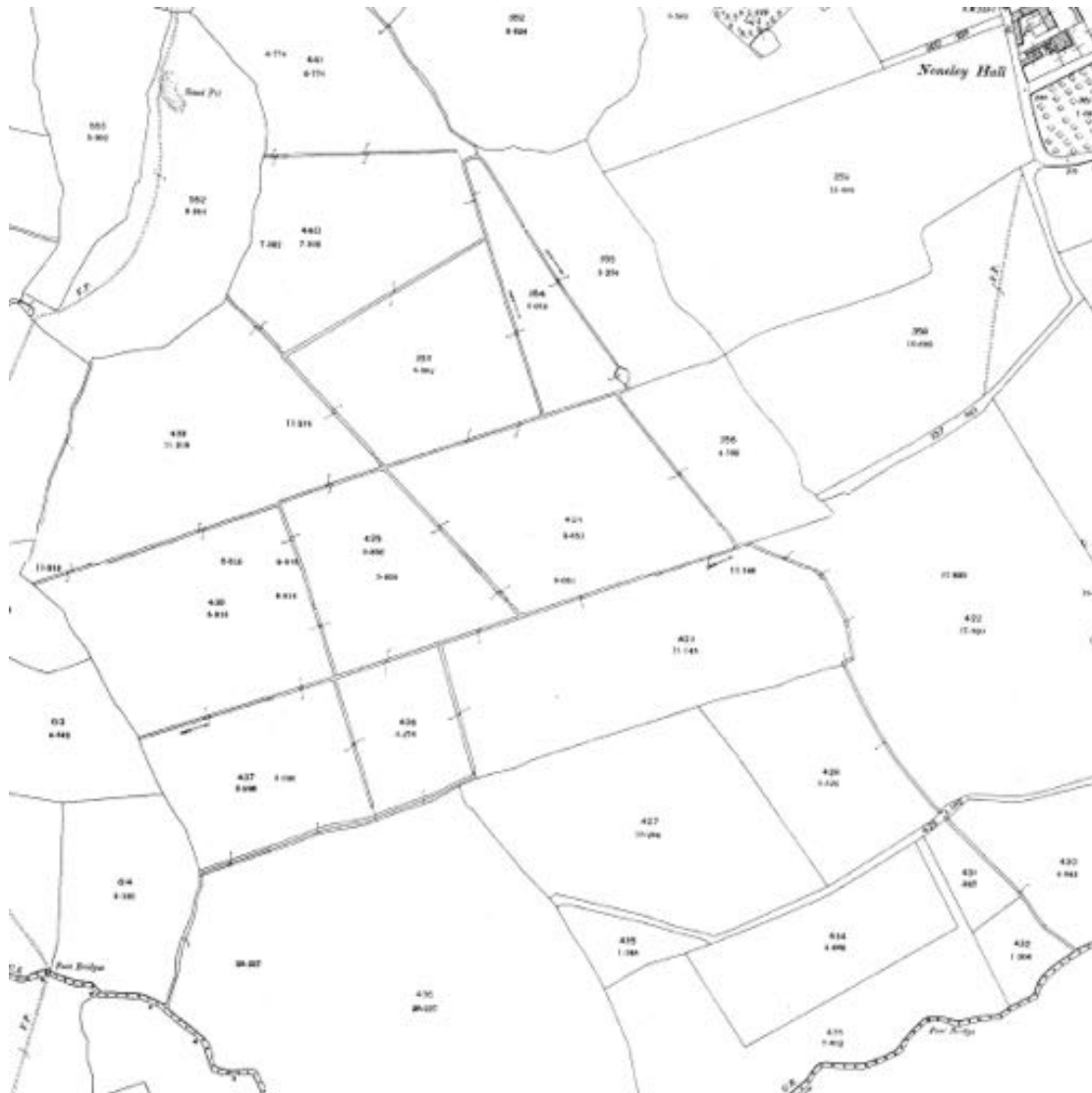
17. Ordnance Survey 25" 1st Edition Book of Reference, BL, entitled "Book of Reference to the Plan of the Parish of Wem, Shropshire-(Northern Division)", dated 1881, covers the area but demonstrates no evidence for case SH/111/001.

18. Ordnance Survey 25" 2nd Edition, BL 1601 (2), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI.2", dated 1900, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at the south west corner of parcel number "421" on the map where it continues on from map sheet XXI.6. 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 "374" on the map.



19. Ordnance Survey 25" 2nd Edition, BL 1601 (6), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XXI.6", dated 1900, demonstrates evidence for part of route T000906 (B – C). The route is observed to commence at the north west corner of parcel number "435" on the map (shown on 30SJ4727). 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 south west corner of parcel number "421" on the map (shown on 30SJ4827) where it continues onto map sheet XXI.2.



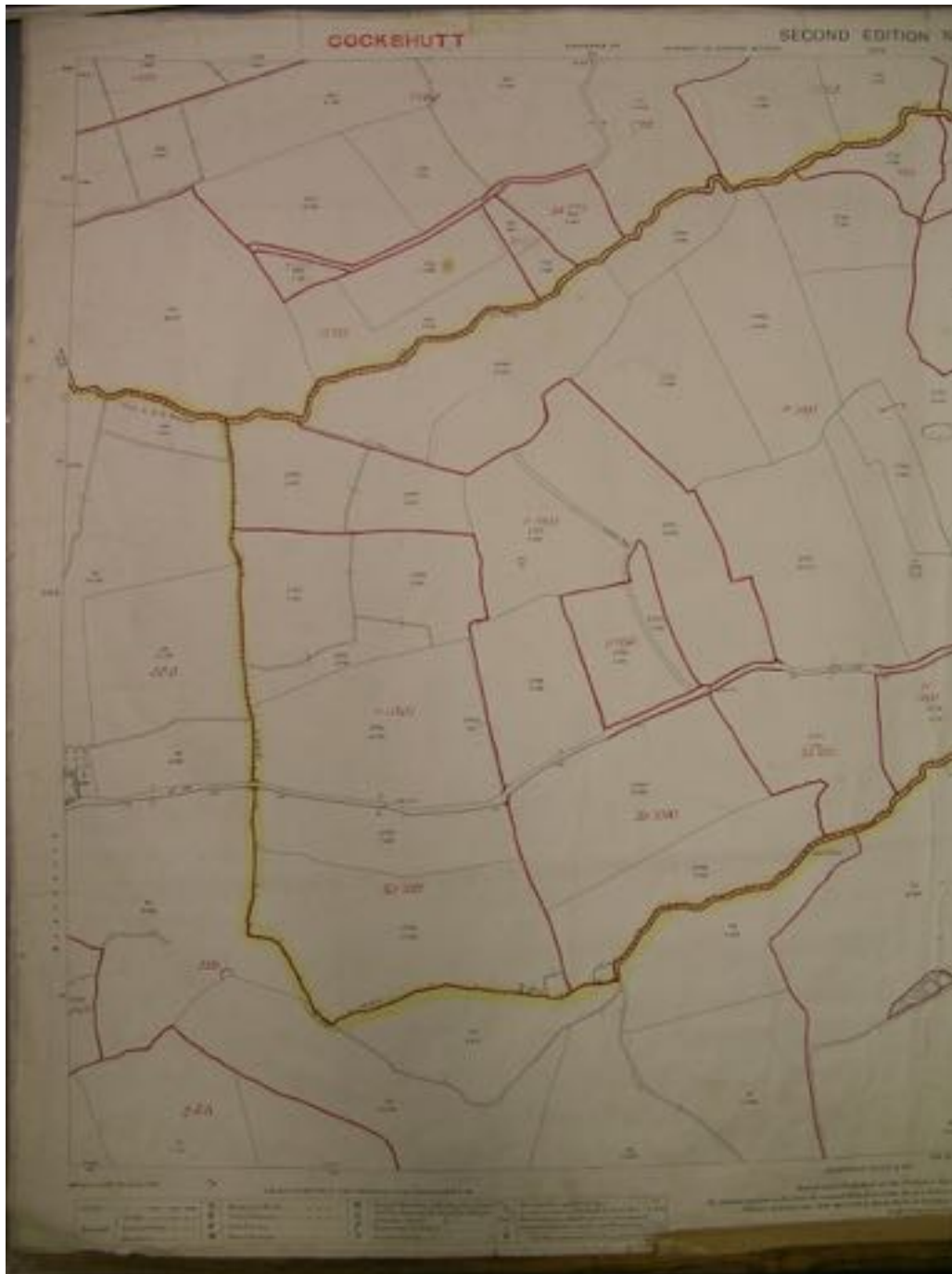


20. Ordnance Survey 1" New Series, BL Maps 1175 (134.) sheet 138, entitled "OS of England WEM", dated 1902, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at a point south of the "n" of "Noneley". The route is shown on the map depicted as consisting of two parallel solid black lines and is described in the key under the heading "Unmetalled Roads". The route is observed to change characteristics at a point south east of the "y" of "Noneley" on the map (point C on Case File Route Map). The route is shown on the map consisting of two solid parallel black lines and is described in the key under the heading "3rd Class Metalled Roads". The route is observed to terminate at a junction with another route south of "Smithy" on the map.

21. Finance Act Survey Map, TNA IR 132/4/208, entitled "Shropshire Sheet XXI.2 -Second Edition 1902", dated 1909/1910, demonstrates evidence for part of route T000906 (B – D). The route is observed to commence at the south west corner of OS parcel number "421" on the map where it continues on from map sheet XXI.6. The route is shown uncoloured and excluded from hereditaments. The route is observed to terminate at the north west corner of OS parcel number "374" on the map.



22. Finance Act Survey Map, TNA IR 132/4/212, entitled "Shropshire Sheet XXI.6 - Second Edition 1902", dated 1909/1910, demonstrates evidence for part of route T000906 (B – C). The route is observed to commence at the north west corner of OS parcel number "435" 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 number "421" on the map where it continues onto map sheet XXI.2.



## 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
<b>A</b>	Express Dedication	Supporting evidence
<b>B(i)</b>	Surveyor's Opinion / Strong Reputation	
<b>B(ii)</b>	Inferred Dedication / Reputation	
<b>C</b>	Neutral	Status neutral
<b>D</b>	Private	Contradictory evidence
<b>E</b>	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	1808	6.1	NOS10	Route shown on map fits generic description of non-status specific routes as described in legend



BAUGH						
Ordnance Survey Records Surveyors Drawings	C	SHR Map 320 (E) - PART of SHROPSHIRE	1827	6.2	OSD1	Route shown un-coloured on Ordnance Surveyors Drawing Route shown un-coloured on Ordnance Surveyors Drawing
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	6.3	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Ordnance Survey Records 1" Old Series	C	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	6.4	OSM5	Route shown on OS 1" Old Series map
Tithe Survey Records	C	TNA Map IR/30/29/239 - Township of Noneley in the parish of Loppington in the County of Salop	1838	6.6	TM3	Route shown on map not numbered specifically or within numbered parcel
Deposited Railway Records	C	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c.	1844	6.7	RP1	Route specifically numbered on plan
					RP5	Route outside LOD
Deposited Railway Records	C	SHR Plan DP/401 - PLANS AND SECTIONS OF THE	1861-2	6.10	RP4	Route un-numbered on plan
					RP5	Route outside LOD

		Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.				
Ordnance Survey Records 25" 1st Edition	C	BL Map Vol 689 (25) - Shropshire (Northern Division) Sheet XX1.2 - Loppington & Wem Parish	1880	6.13	OSM23	Route specifically numbered on plan
					OSM6	Route Shown on OS 1st Edition 25" Map
		BL Map Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	6.14	OSM23	Route specifically numbered on plan
					OSM6	Route Shown on OS 1st Edition 25" Map
Ordnance Survey Records 25" 2nd Edition	C	BL Map 1601 (2) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 2.	1900	6.18	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
		BL Map 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	1900	6.19	OSM12	Route Shown on OS 2nd Edition 25" Map
					OSM9	Route un-named on map
Ordnance Survey Records 1" New Series	B(ii) part	BL Maps 1175 (134.) sheet 138 - OS of England WEM	1902	6.20	OSM27	Route described as 'Unmetalled Roads' on key or Characteristics Sheet
					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) part	TNA Map IR 132/4/208 - Shropshire Sheet XXI.2 - Second Edition 1902	1909/1910	6.21	FA1	Route excluded from Hdtmt
		TNA Map IR 132/4/212 - Shropshire Sheet XXI.6 - Second Edition 1902	1909/1910	6.22	FA1	Route excluded from Hdtmt

**Evidence of class:**

This evidence refers of 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 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
Ordnance Survey Records Surveyors Drawings	SHR Map 320 (E) - PART of SHROPSHIRE	1827	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	1827	RC12	Road

	Dedicated To the NOBILITY, CLERGY & GENTRY of SHROPSHIRE, BY THE PROPRIETORS GREENWOOD, PRINGLE & CO. Regent Street, Pall Mall,			
Ordnance Survey Records 1" Old Series	SHR Map Ordnance Survey Old Series 1": 1mile - Folder 1 1833 - 1835	1833 - 1835	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/239 - Township of Noneley in the parish of Loppington in the County of Salop	1838	RC14	Unspecified
Deposited Railway Records	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	RC14	Unspecified
Deposited Railway Records	SHR Plan DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2.	1861-2	RC14	Unspecified
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (25) - Shropshire (Northern Division) Sheet XX1.2 - Loppington & Wem Parish	1880	RC14	Unspecified
	BL Map Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (2) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 2.	1900	RC14	Unspecified

	BL Map 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	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 132/4/208 - Shropshire Sheet XXI.2 -Second Edition 1902	1909/1910	RC14	Unspecified
	TNA Map IR 132/4/212 - Shropshire Sheet XXI.6 - Second Edition 1902	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
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	1808	PA1	two parallel solid black lines

	LORDSHIPS obliged and obedient Servant ROBERT BAUGH			
Ordnance Survey Records Surveyors Drawings	SHR Map 320 (E) - PART of SHROPSHIRE	1827	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": 1mile - Folder 1 1833 - 1835	1833 - 1835	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR/30/29/239 - Township of Noneley in the parish of Loppington in the County of Salop	1838	PA3	two parallel solid black lines (in-filled)
Deposited Railway Records	SHR Plan DP/316 - Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester & c.	1844	PA1	two parallel solid black lines
Deposited Railway Records	SHR Plan DP/401 - PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon	1861-2	PA1	two parallel solid black lines

	and Shrewsbury RAILWAYS. SESSION 1861-2.			
Ordnance Survey Records 25" 1st Edition	BL Map Vol 689 (25) - Shropshire (Northern Division) Sheet XX1.2 - Loppington & Wem Parish	1880	PA1	two parallel solid black lines
	BL Map Vol (689 (29) - Shropshire (Northern Division) Sheet XXI.6	1880	PA1	two parallel solid black lines
Ordnance Survey Records 25" 2nd Edition	BL Map 1601 (2) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 2.	1900	PA1	two parallel solid black lines
	BL Map 1601 (6) - SECOND EDITION 1902 SHROPSHIRE SHEET XXI. 6.	1900	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
Finance Act Survey Records	TNA Map IR 132/4/208 - Shropshire Sheet XXI.2 -Second Edition 1902	1909/1910	PA1	two parallel solid black lines
	TNA Map IR 132/4/212 - Shropshire Sheet XXI.6 - Second Edition 1902	1909/1910	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 length B - D of the case file route. The route is shown un-numbered and not within a numbered parcel therefore there is no evidence for the route in the associated apportionment.

#### 2. Finance Act Survey Records

The Finance Act Survey map demonstrates evidence for length B - D of the case file route. The route is shown uncoloured and excluded from hereditaments. This suggests that this length of the case file 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. Deposited Railway Records

The Deposited Railway Records demonstrate evidence for part of length B – D of the case file route on two plans. On one Deposited Railway plan (Plans and Sections of the Cheshire & Shropshire Junction Railway from Shrewsbury to Chester &c) the route is shown specifically numbered on the plan but there is no corresponding book of reference therefore the entry cannot be checked for evidence of the route. On the other Deposited Railway plan (PLANS AND SECTIONS OF THE Ellesmere, Oswestry, Ruabon and Shrewsbury RAILWAYS. SESSION 1861-2) the route is shown un-numbered therefore there is no evidence in the book of reference for the route.

#### 4. Non-Ordnance Survey Commercial Mapping

Two Non-Ordnance Survey Commercial maps demonstrate evidence for length B – D of the case file route. One Non-OS Commercial map (Greenwood's) 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. The other Non-OS Commercial map (Baugh's) describes the route under the heading "By-roads" in the map key. This is taken as neutral evidence of both status and class.

## 5. Ordnance Survey Records

### a. Ordnance Survey Surveyors Drawings

The Ordnance Survey Surveyors Drawing demonstrates evidence for the length B – D of the case file route as a physical only.

### b. Ordnance Survey 1" Old Series

The Ordnance Survey 1" Old Series map demonstrates evidence for the length B – D of the case file route as a physical only.

### c. Ordnance Survey 25" 1<sup>st</sup> Edition

The Ordnance Survey 25" 1st Edition demonstrates evidence for the length B – D of the case file route as a physical only. The route is specifically numbered as on the map but there is no evidence in the associated book of reference for the route.

### d. Ordnance Survey 25" 2<sup>nd</sup> Edition

The Ordnance Survey 25" 2<sup>nd</sup> Edition demonstrates evidence for the length B – D of the case file route as a physical only. The route is shown on the map un-named therefore the object name book has not been examined.

### e. Ordnance Survey 1" Revised New Series

The Ordnance Survey 1" Revised New Series map demonstrates evidence for the length B – D of the case file route. Length B - C of the route is described in the key under the heading "Unmetalled Roads". The route is observed to change physical characteristics part way along the route (at point C) and from this point onwards the route 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 length C - D of the route at the time of the survey.

**Alignment of the case file route:**

From the analysis of the Tithe Survey map and modern Ordnance Survey maps the length B – D of the case file route does not appear to have changed alignment. The length A – B is not observed to be present on any of the documents that have been researched.

**No 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/111/001 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 length B – D of the case file route is shown on the Finance Act Survey map. This length is shown uncoloured and excluded from hereditaments. This suggests that part of 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 map shows part of length B – D 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. Length B – D is also shown as a physical feature on the supporting Ordnance Survey Records.

The Ordnance Survey 1" Revised New Series map demonstrates evidence for length B – D of the case file route. The length B – C is described under the heading "Un-metalled Roads" and while length C – D is described under the heading "3rd Class Metalled Roads" in the map key. 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 length C – D of the case file route at the time of the survey. No evidence of class for the full length of B – C has been identified

therefore the default class of public footpath is suggested as being appropriate. In absence of evidence of the stopping up of these rights they are assumed to still exist today.

The evidence found for lengths B – C and C – D of the case file route 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 these lengths of the case file route to the definitive map. There is no evidence for length A – B of the case file route therefore this length has been categorised as “insufficient evidence for further action”.

## 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 3.4: Deposited Railway 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**

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