
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:-


Upgrading the footpath from Point A (OSGR SJ7361 3241) to Point B (OSGR SJ 7364 3236) to bridleway, and **Adding** the *bridleway* which runs from Point B (OSGR SJ 7364 3236) to Point C (OSGR SJ7362 3224) as 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/042/002 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 ... respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808
- Ordnance Survey Surveyors Drawings, SHR 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 BY C. & J. GREENWOOD, ... By THE PROPRIETORS GREENWOOD, PRINGLE & Co. Regent Street. Pall Mall..." dated 1827
- Estate Map, SHR 3725/B24/23.5, entitled "Map of the Hill Estate in the Parishes of Cheswardine and Drayton in Hales in the counties of Salop and Stafford", dated 1831
- Estate Map, SHR 3725/B24/23.4, entitled "Plan of the Hill Estates in the parishes of Cheswardine and Drayton in Hales, in the counties of Salop and Stafford." dated 1831
- Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35
- Tithe Map, TNA IR/30/29/72, entitled "MAP of the TOWNSHIP OF CHIPNALL in THE PARISH OF CHESWARDINE SALOP in five parts", dated 1838
- Railway Plan, SHR DP/406, entitled "Drayton Junction Railway Plans and Sections ", dated 1861-1862
- Railway Book of Reference, SHR DP/406, entitled "Drayton Junction Railway", dated 1861-1862
- Railway Section, SHR DP/406, dated 1861-1862
- Railway Plan, SHR DP/431, entitled "Drayton Junction Railway Plans and Sections", dated 1863-4
- Railway Book of Reference, SHR DP/431, entitled "Drayton Junction Railway", dated 1861-1862
- Railway Book of Reference, SHR DP/479, entitled "Birkenhead, North Wales and Stafford

- Railway. Book of Reference. November, 1872.", dated November 1872
- Railway Plan, SHR DP/479, entitled "Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873", dated 1873
 - Railway Section, SHR DP/479, entitled "Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873." dated 1873
 - Ordnance Survey 25" 1st Edition, BL VOL 688, entitled "SHROPSHIRE SHEET XVI.8", dated 1899
 - Ordnance Survey 25" 2nd Edition, BL 1600 (5), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XVI. 8", dated 1900
 - Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902
 - Estate Map, SHR 3725/B24/23.2, entitled "Plan of The Settled Part Of The Hill Estate".

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

Signed: 

Date: 20/08/2020

Wildlife and Countryside Act 1981

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

For a route at Chipnall Lees in the Parish of Cheswardine, Shropshire to be shown as
a Public Bridleway

Applicant's Reference: DLW SH/042/002

07 / 01 / 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/042/002
Name	Un-named
Historic County	Shropshire
Sub-Unit	Shropshire Sub-unit 1
Parish(es)	Cheswardine
Surveying Authority	Shropshire County Council
Definitive Map Ref. No.	Part Footpath 14 Cheswardine
Other Designation(s) Ref. No.	None
Route Length	189 metres
OS 1:10,000 Sheet(s)	SJ73SW
Grid Ref (start)	SJ7361 3241
Grid Ref (end)	SJ7362 3224
ARU ASSESSMENT OUTCOME	
Status/Class	Public carriageway
Strength	Strong
Comment	Shown excluded from hereditaments on Finance Act Survey map. Described on the OS 1" New Series map as '3rd Class Metalled Road'

Date:

02 May 2008

LandAspects
Rowan House
Lloyd Drive
Ellesmere Port
Cheshire CH65 9HQ

Table of Contents

1. Summary of Findings	6
2. Description of Route	8
3. Location Plan	9
4. Current Definitive Paths	10
5. Case File Route Map	11
6. Details of Documentary Evidence	12
7. Interpretation of Evidence from Individual Records	30
8. Overall Evaluation of Evidence	39
Appendix A - Methodological Statement	43
Appendix B - Acknowledgements	44

1. Summary of Findings

Case file SH/042/002 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”. Part of the route is currently recorded on the Definitive Map and Statement for Shropshire County Council as Footpath 14 Cheswardine (0204/14-2/FP).

From the documents evidence examined it is possible to establish that the route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments on both. 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 case file route was also shown on three Deposited Railway Record plans, where the route is shown specifically numbered. Two books of reference describe the route as an “Occupation Road” with the owner listed as a public body, with the implied responsibility for the maintenance of public highways. A further book of reference describes the route as a “Public road”. The route is shown on three Estate maps as a through-route, which is implied as providing the inference of public status over 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 describes the route under the heading “By-roads” in the map, which is considered to provide neutral evidence of both status and class.

The Ordnance Survey 1” Revised New Series Map demonstrates evidence for the route. 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” New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

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.

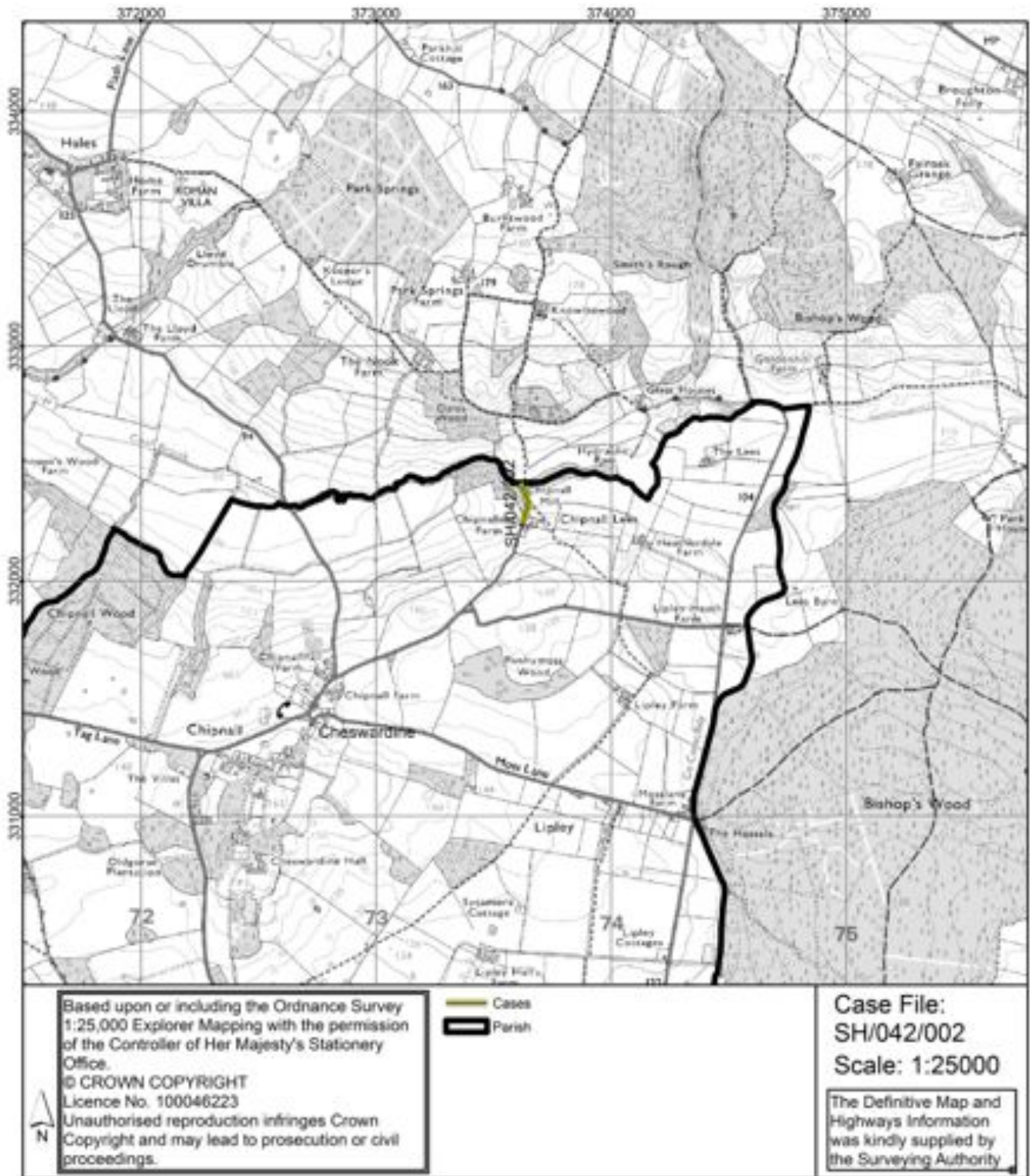
2. Description of Route

The route begins at coordinate SJ7361 3241 (point A on the Case File Route Map) and heads in a southerly direction where it follows the alignment of current public footpath 0204/14-2/FP (point B on the Case File Route Map). From this point (coordinate SJ7365 3231) the route is no longer recorded on the definitive map and continues in a southerly direction where it terminates at a junction with Chipnall Leas (which has been given the reference U3127/10 on Shropshire County Council's list of streets) at coordinate SJ7362 3224 (point C on the Case File Route Map).

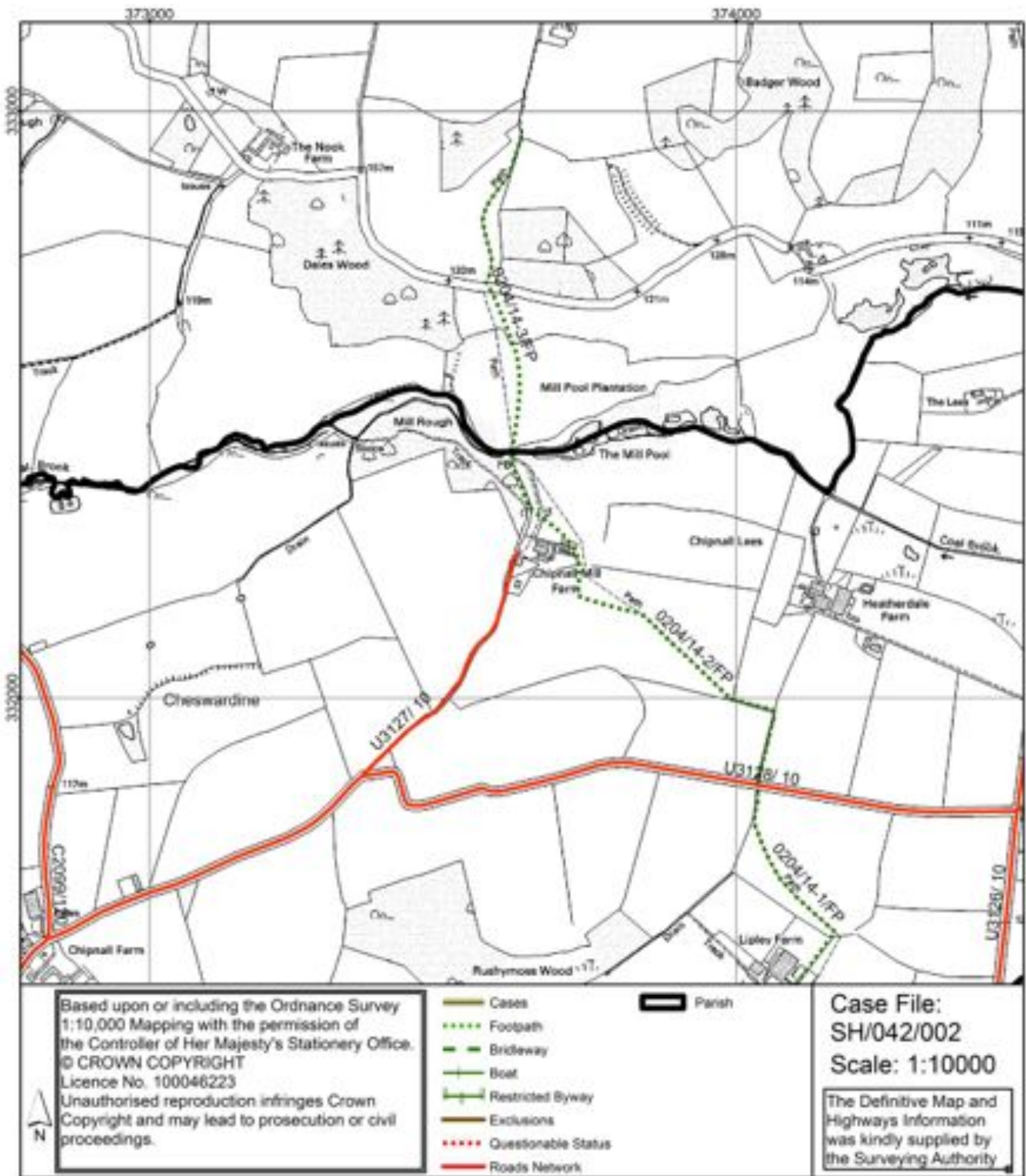
The route has a length of 189 metres.

During the research process, the whole of the case file reference number SH/042/002 was identified with the case route number T000621. 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).

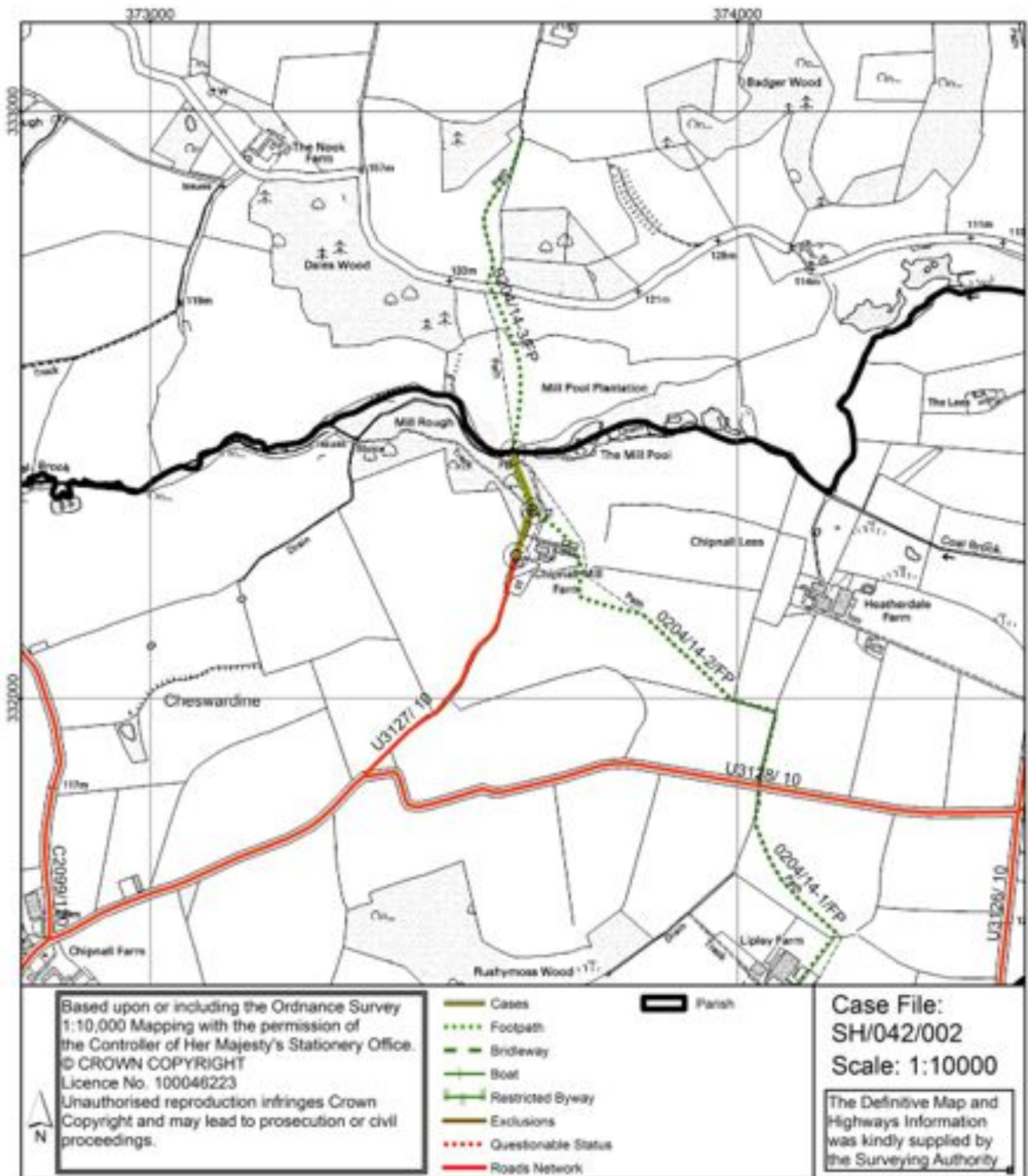
3. Location Plan



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/042/002 are shown in **bold**. This information is arranged in a standard format as follows:

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

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

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

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

1. Non-Ordnance Survey Commercial Map, SHR R BAUGH 1808 sheet 2, entitled "To the Right Honourable EDWARD EARL OF POWIS Lord Lieutenant and Custos Rotulorum of the Counties of SALOP AND MONTGOMERY This MAP of SHROPSHIRE is humbly and respectfully dedicated by his LORDSHIPS obliged and obedient Servant ROBERT BAUGH", dated 1808, demonstrates evidence for all of route T000621. The route is observed to commence to the east of "Chipnall Mill" marked on the map. The route is shown on the map and is described in the map key under the heading "By-roads". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate after a short distance to the south west of the commencement point.

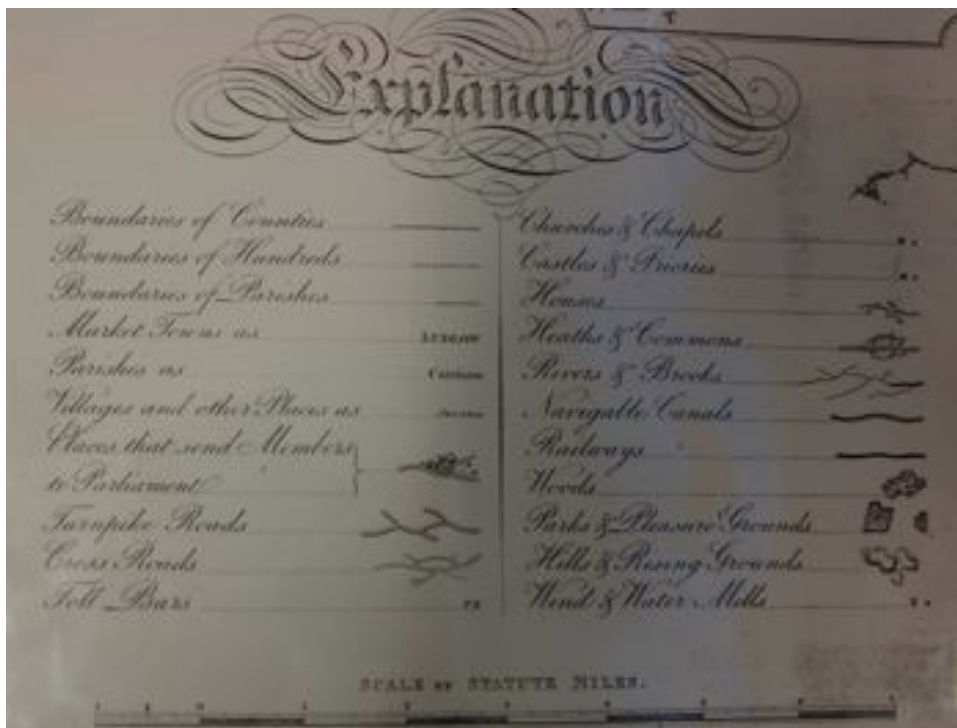




2. Ordnance Survey Surveyors Drawings, SHR 209, dated 1817, demonstrates evidence for all of route T000621. The route is observed to commence north east of "Chipnal Mill" marked on the map. The route is shown uncoloured and un-named on the Ordnance Surveyor's Drawings and is depicted as consisting of two parallel solid black lines. The route is observed to terminate south of "Chipnal Mill" marked 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 T000621. The route is observed to commence south west of "Chippenhall Mill" 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 after a short distance south west of the commencement point.



4. Estate Map, SHR 3725/B24/23.5, entitled "Map of the Hill Estate in the Parishes of Cheswardine and Drayton in Hales in the counties of Salop and Stafford", dated 1831, demonstrates evidence for all of route T000621. The route is observed to commence midway along the eastern boundary of parcel number "1123" 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 "Fm The Knowle Wood". The route is observed to terminate at the south west corner of parcel number "1120" the map.



5. Estate Map, SHR 3725/B24/23.4, entitled "Plan of the Hill Estates in the parishes of Cheswardine and Drayton in Hales, in the counties of Salop and Stafford." dated 1831, demonstrates evidence for all of route T000621. The route is observed to commence midway along the eastern boundary of parcel number "1123" 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 "Fm The Knowle Wood". The route is observed to terminate at the south west corner of parcel number "1120" the map.



6. Ordnance Survey 1" Old Series, SHR Ordnance Survey Old Series 1": 1 mile, entitled "Folder 1 1833-35", dated 1833-35, demonstrates evidence for all of route T000621. The route is observed to commence at the county boundary to the north west of "Chipnal 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 to the south west of "Chipnal Mill" marked on the map.

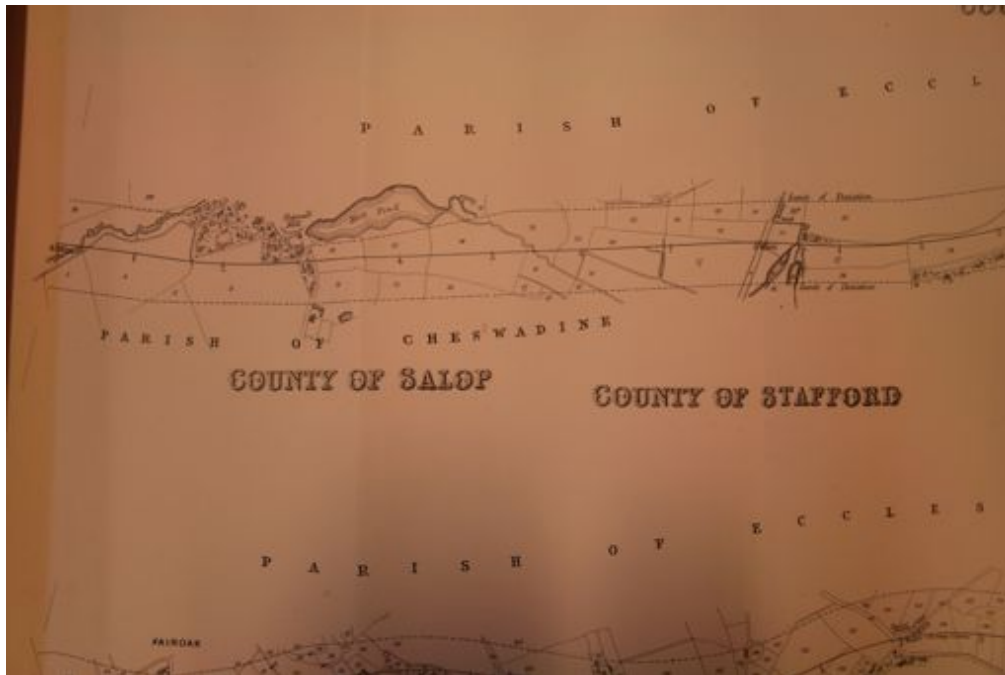


7. Tithe Map, TNA IR/30/29/72, entitled "MAP of the TOWNSHIP OF CHIPNALL in THE PARISH OF CHESWARDINE SALOP in five parts", dated 1838, demonstrates evidence for all of route T000621. The route is observed to commence at the north east corner of parcel number "58" on the map. The route is shown but is un-numbered and not within a numbered parcel and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the south west corner of parcel number "61" on the map.



8. Railway Plan, SHR DP/406, entitled "Drayton Junction Railway Plans and Sections ", dated 1861-1862, demonstrates evidence for all of route T000621. The route is observed to commence to the south of "Chipnall Mill" marked on the plan. The plan shows the route specifically numbered, in this case number

"9" and is depicted as consisting of two parallel solid black lines. Part of the route is shown within the Limits of Deviation. The route is observed to terminate at the south west corner of parcel number "11" on the plan.



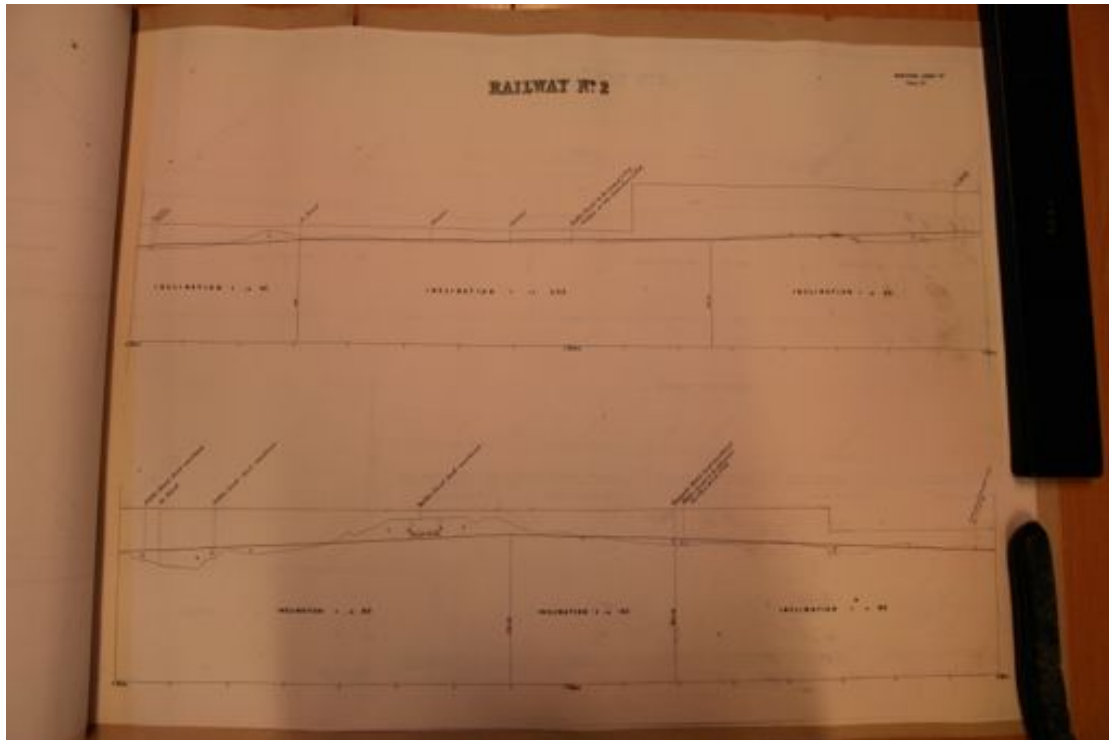
9. Railway Book of Reference, SHR DP/406, entitled "Drayton Junction Railway", dated 1861-1862, demonstrates evidence for all of route T000621. The route is described in a manner which fails to confer any indication of status, i.e. as "Occupation Road" on page "33", in parcel number "9". The route has an occupier described as a public body, in this case a "The Surveyor of the Highways", with the implied responsibility for maintenance of public highways.

*Railway of E
North of Chesham*

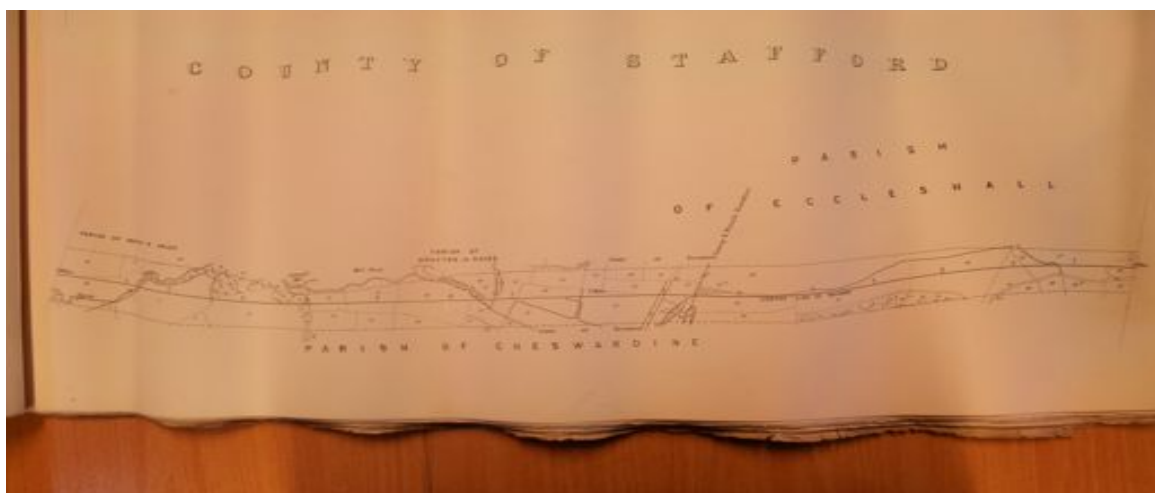
<i>County of North</i>	<i>Original or original Trustee</i>	<i>Original or original Trustee</i>	<i>Original or original Trustee</i>
1 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
2 <i>North and Lane</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
3 <i>North and Lane</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
4 <i>North's north Lane</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
5 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		
6 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
7 <i>North Lane</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>The Trustees of the late Thomas Hudson</i>
8 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
9 <i>Occupation Lane</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>The Trustees of Joseph Hudson</i>
10 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>George Bond</i>
11 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>George Bond</i>
12 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>George Bond</i>
13 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>George Bond</i>
14 <i>North</i>	<i>The Trustees of late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>
15 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>		<i>George Bond</i>
16 <i>North</i>	<i>The Trustees of the late Thomas Hudson</i>	<i>Joseph Hudson</i>	<i>Joseph Hudson</i>

13

10. Railway Section, SHR DP/406, dated 1861-1862, demonstrates evidence for all of route T00621. The route is described in a manner which fails to confer any indication of status, i.e. as "Oc Road".



11. Railway Plan, SHR DP/431, entitled "Drayton Junction Railway Plans and Sections", dated 1863-4, demonstrates evidence for all of route T000621. The route is observed to commence to the south of "Chipnall Mill" marked on the plan. The plan shows the route specifically numbered, in this case number "4" and is depicted as consisting of two parallel solid black lines. Part of the route is shown within the Limits of Deviation. The route is observed to terminate at the south west corner of parcel number "11" on the plan.



12. Railway Book of Reference, SHR DP/431, entitled "Drayton Junction Railway", dated 1861-1862, demonstrates evidence for all of route T000621. The

route is described in a manner which fails to confer any indication of status, i.e. as "Pasture and stream" on page "20", in parcel number "4".

20) PARISH OF CHESTERWARDINE—COUNTY OF SALOP.

No. in Plan	Description of Property	Owner or Required Owners	Name or Names of Lessees	Remarks	Acres
1	Plantation	Charles Donaldson Hudson	Joseph Duckers	Charles D. Hudson Joseph Duckers	25
1A	Pasture	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
2	Pasture and stream	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
2A	Field	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
3	Pasture and stream	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
4	Pasture and stream	Charles Donaldson Hudson	Joseph Duckers	Charles D. Hudson Joseph Duckers	25
5	Pasture and stream	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
6	Pasture	Charles Donaldson Hudson	Joseph Duckers	Joseph Duckers	25
7	Plantation	Charles Donaldson Hudson	Joseph Duckers	The trustees of the late Thomas Hudson Joseph Duckers	25
8	Pasture	The trustees of the late Thomas Hudson	Joseph Duckers	Joseph Duckers	25
9	Highway	Waywardens of the Parish of Chesterwardine or Warren, Clerk to Waywardens			25
10	Pasture	The trustees of the late Thomas Hudson		George Hall	25
11	Pasture	The trustees of the late Thomas Hudson		George Hall	25
12	Arable	The trustees of the late Thomas Hudson		George Hall	25
13	Pasture	The trustees of the late Thomas Hudson		George Hall	25
14	Pasture	The trustees of the late Thomas Hudson	Joseph Duckers	Joseph Duckers	25
15	Arable	The trustees of the late Thomas Hudson	Joseph Duckers	Joseph Duckers	25
16	Pasture	The trustees of the late Thomas Hudson		Matthew Fair	25
17	Pasture and stream	The trustees of the late Thomas Hudson		Matthew Fair	25
18	Pasture and stream	The trustees of the late Thomas Hudson		Matthew Fair	25
19	Pasture	The trustees of the late Thomas Hudson		John Hall	25
20	Pasture	The trustees of the late Thomas Hudson		John Hall	25
21	Pasture	The trustees of the late Thomas Hudson		William Green	25
22	Pasture	The trustees of the late Thomas Hudson		Matthew Fair	25
23	Arable	The trustees of the late Thomas Hudson		William Green	25
24	Arable	The trustees of the late Thomas Hudson		William Green	25
25	Pasture	The trustees of the late Thomas Hudson		Matthew Fair	25
26	Pasture	The trustees of the late Thomas Hudson		Matthew Fair	25
27	Arable	The trustees of the late Thomas Hudson		Matthew Fair	25
28	Arable	The trustees of the late Thomas Hudson		Matthew Fair	25
29	Highway	Waywardens of the parish of Chesterwardine			25
30	Pasture	The trustees of the late Thomas Hudson		John Hall	25
31	Pasture and county boundary				25

H. J. Railway No. 2.

13. Railway Book of Reference, SHR DP/479, entitled "Birkenhead, North Wales and Stafford Railway. Book of Reference. November, 1872.", dated November 1872, demonstrates evidence for all of route T000621. The route is described as

“public” in this case a "Public road and stream". The route is listed with the owner of the route being listed as a public body or officer, "The Market Drayton Highway Board", with the implied responsibility for maintenance of public highways.

Birkenhead, North Wales and Stafford Railway. 87.

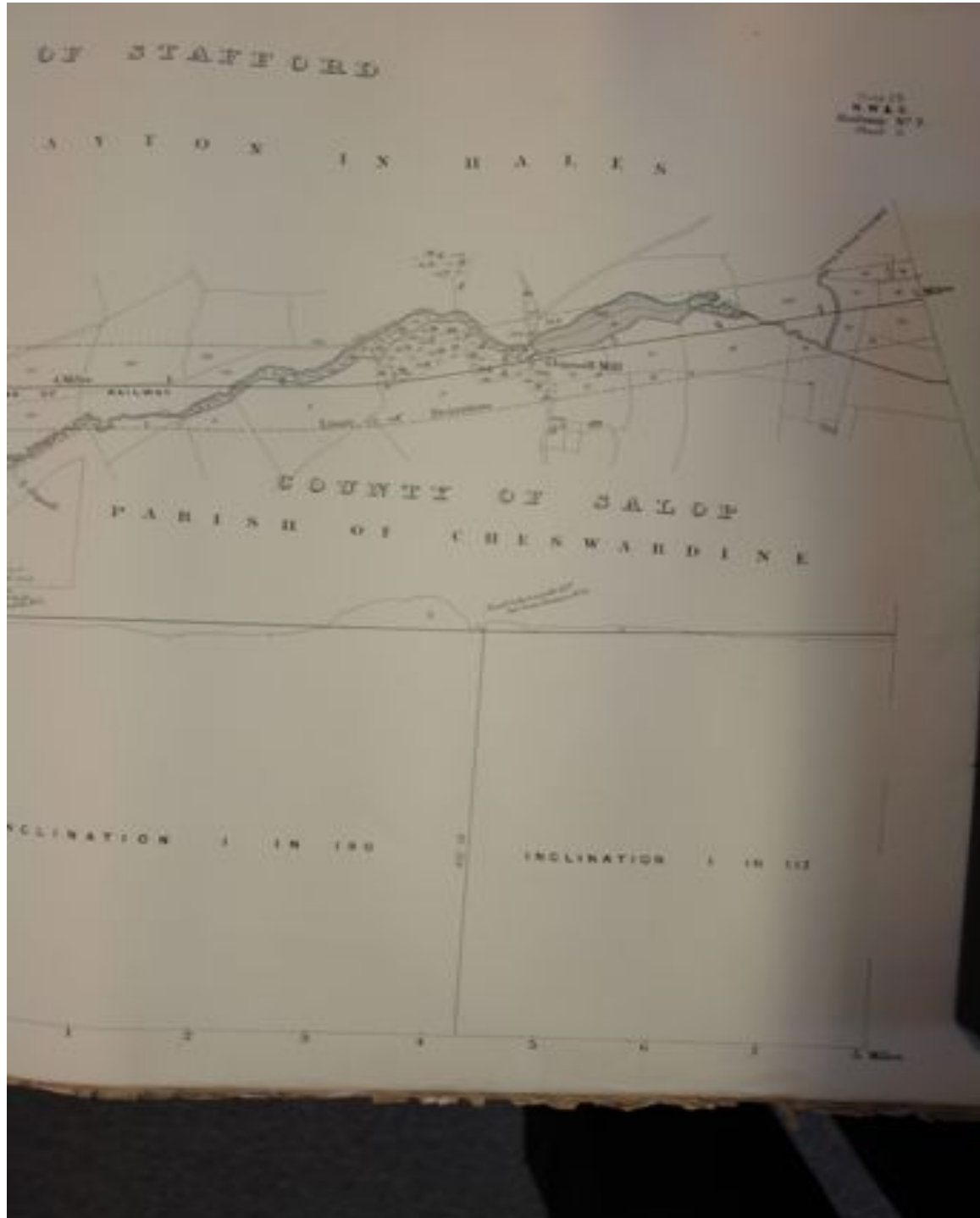
RAILWAY No. 7.

Parish of **CHESWARDINE**, in the County of **SALOP.**

No. in Plan.	Description of Property.	Owner or Supposed Owner.	Leases or Supposed Leases.	Remarks.
1	Plantation and stream	Charles Donaldson Hudson	— —	In hand
2	Field and stream	Charles Donaldson Hudson	— —	Seak Duckers
3	Field	Charles Donaldson Hudson	— —	Seak Duckers
4	Plantation and stream	Charles Donaldson Hudson	— —	In hand
5	Field and stream	Charles Donaldson Hudson	— —	Seak Duckers
6	Field and stream	Charles Donaldson Hudson	— —	Seak Duckers
6*	Field	Charles Donaldson Hudson	— —	Seak Duckers
7	Plantation and stream	Charles Donaldson Hudson	— —	In hand
8	Plantation, stream and occupation road	Charles Donaldson Hudson	In hand
9	Field	Charles Donaldson Hudson	— —	Seak Duckers
10	Public road and stream	The Market Drayton Highway Board	— —	
11	Hill, part and stream	Charles Donaldson Hudson	William Palmer
12	Field	Charles Donaldson Hudson	William Palmer
13	Field	Charles Donaldson Hudson	William Palmer
14	Field	Charles Donaldson Hudson	— —	William Palmer
14	Field	Charles Donaldson Hudson	— —	William Palmer

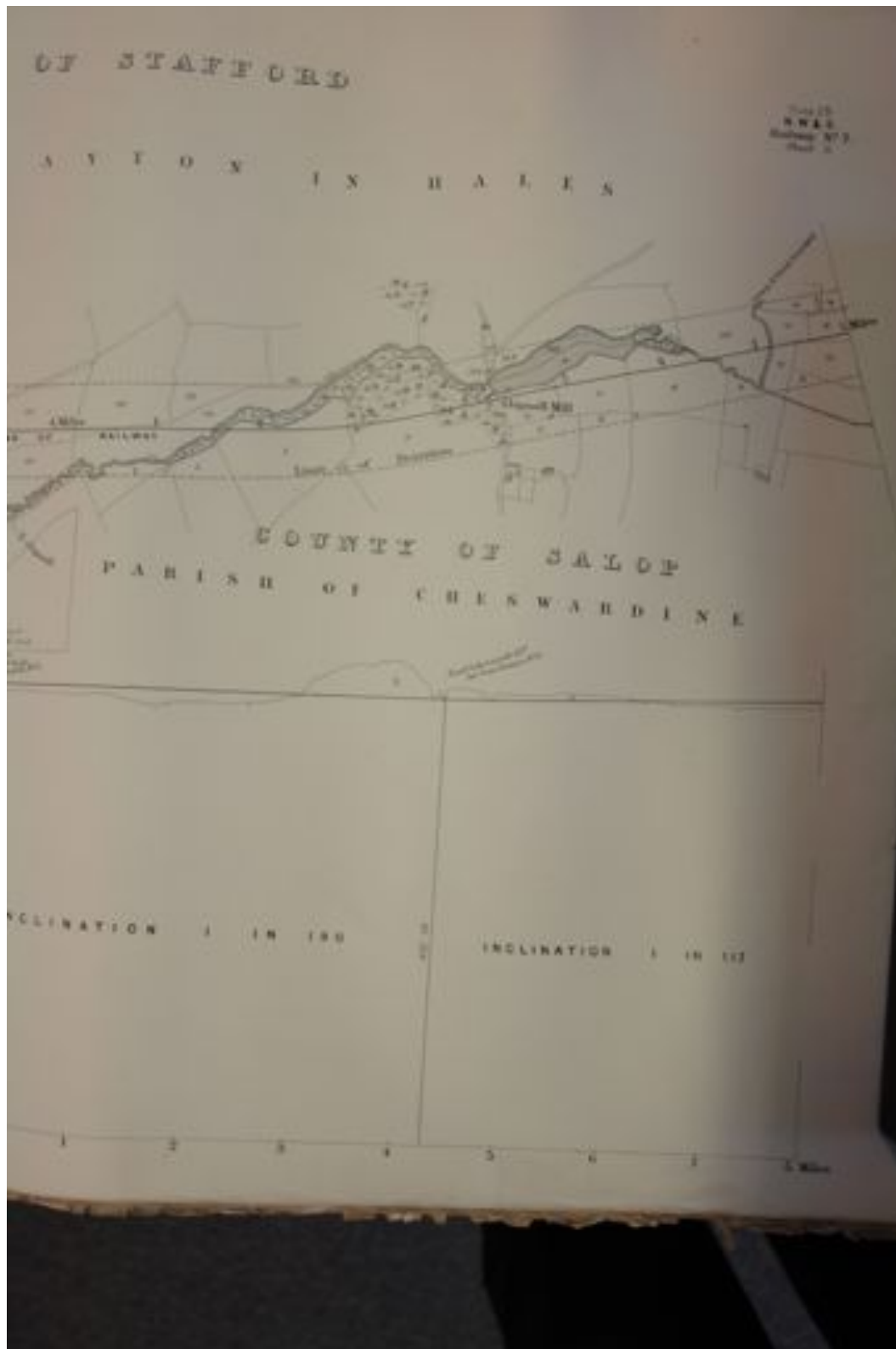
14. Railway Plan, SHR DP/479, entitled "Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873", dated 1873, demonstrates evidence for all of route T000621. The route is observed to commence at the

north east corner of parcel number "11" on the plan. The plan shows the route specifically numbered, in this case number "10" and is depicted as consisting of two parallel solid black lines. The plan also shows the route within the Limits of Deviation. The route is observed to terminate at the south west corner of parcel number "13" on the plan.



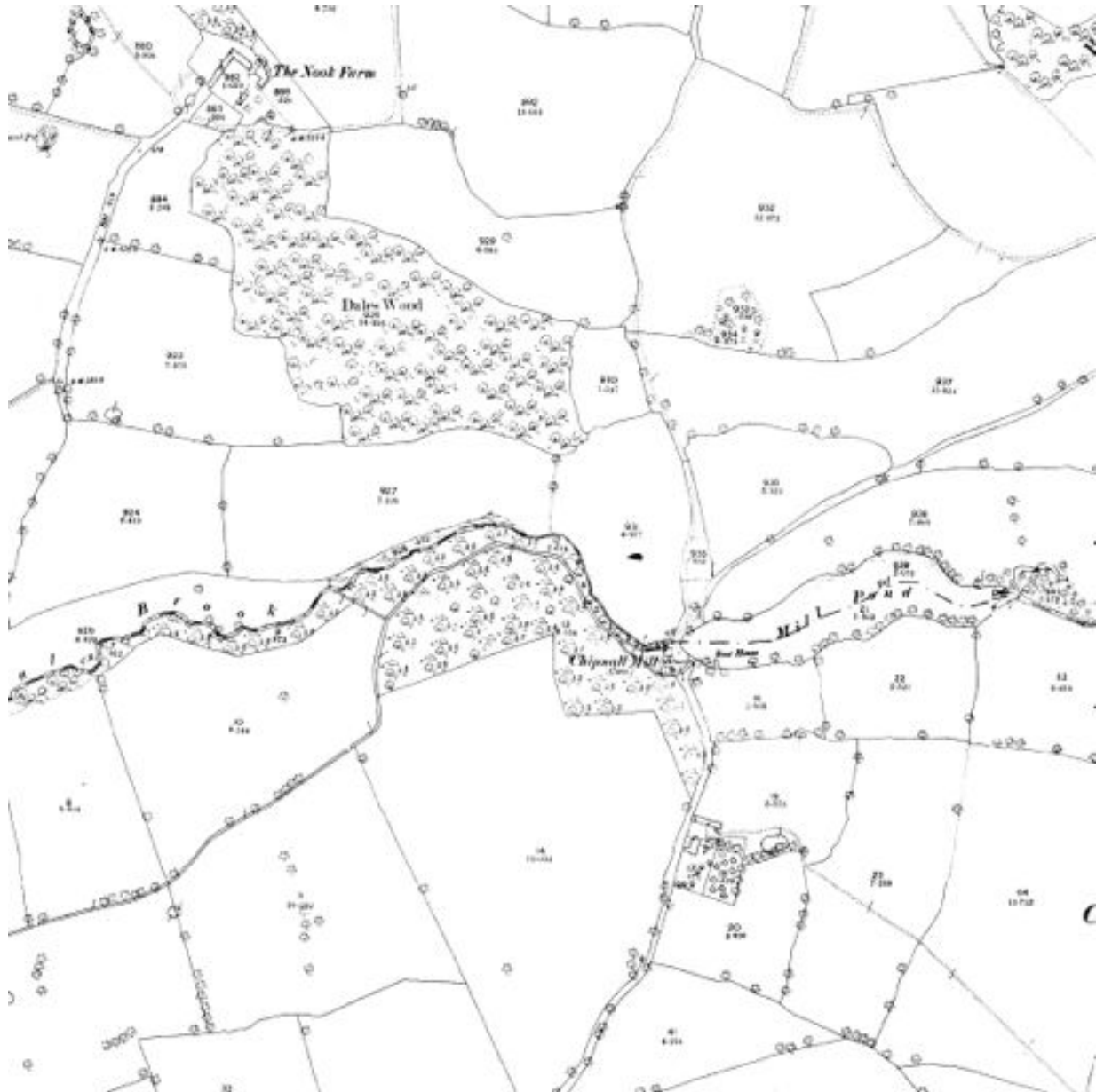
15. Railway Section, SHR DP/479, entitled "Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873." dated 1873, demonstrates evidence for all of route T000621. The route is described in a

manner which fails to confer any indication of status, i.e. as "Road to be raised 13ft" on page "23", in parcel number "10".



16. Ordnance Survey 25" 1st Edition, BL VOL 688, entitled "SHROPSHIRE SHEET XVI.8", dated 1899, demonstrates evidence for all of route T000621. The route is observed to commence to the north west of parcel number "16" on the

map. The route is shown on the map un-numbered and is depicted as consisting of two parallel solid black lines (in-filled). The route is observed to terminate at the south west corner of parcel number “19” on the map.



17. Ordnance Survey 25" 2nd Edition, BL 1600 (5), entitled "SECOND EDITION 1902 SHROPSHIRE SHEET XVI. 8", dated 1900, demonstrates evidence for all of route T00621. The route is observed to commence to north west of parcel number “152” on the map. The route is shown on the map un-named and is

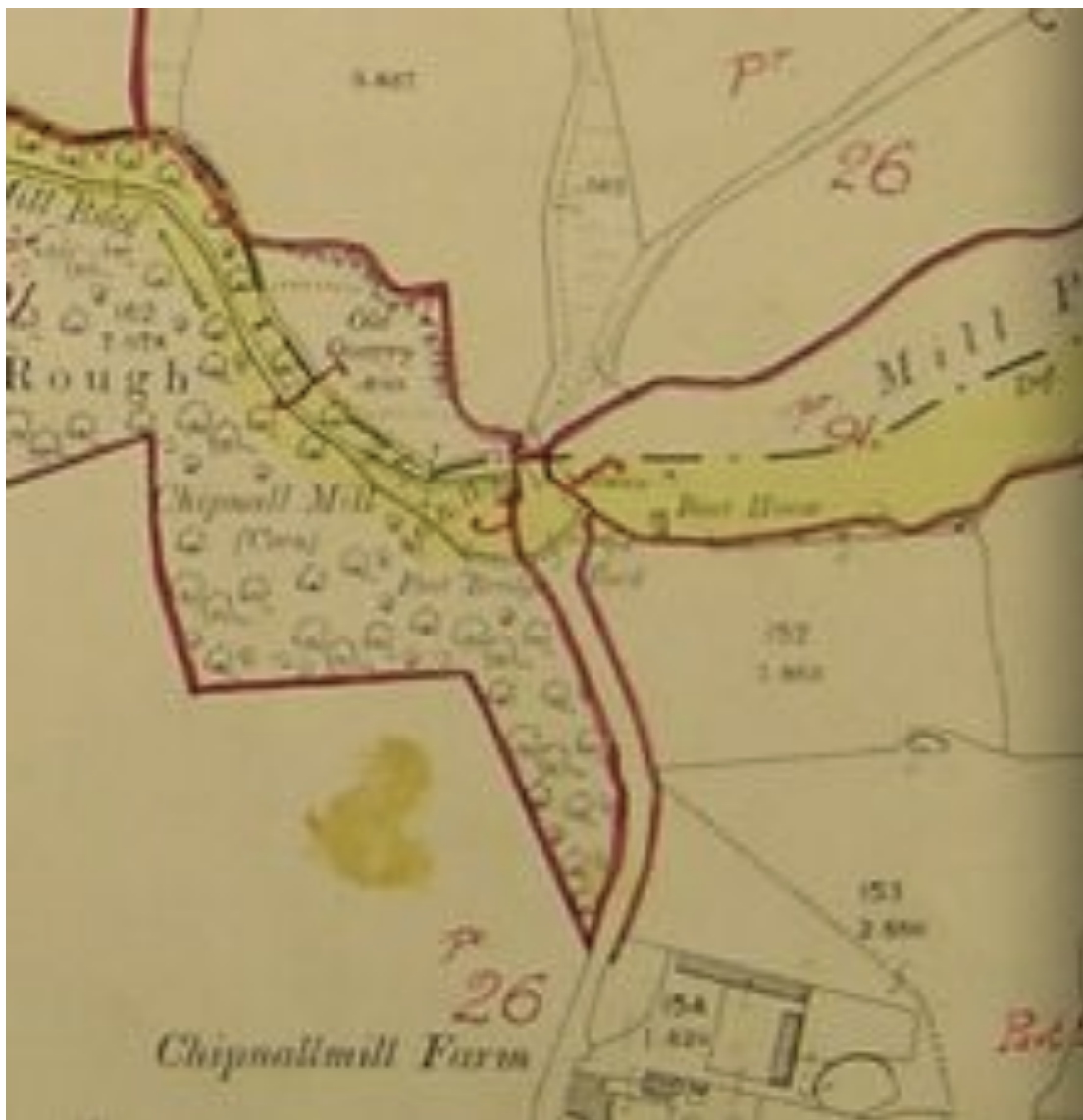
depicted as consisting of two parallel solid black lines. The route is observed to terminate at the south west corner of parcel number "153" on the map.



18. Ordnance Survey 1" New Series, BL Maps 1175 (134.) Sheet 139, entitled "OS of England Stafford", dated 1902, demonstrates evidence for all of route T000621. The route is observed to commence on the county boundary at a point north of the "i" of "Chipnall Lees" on the map. The route is shown on the map and is described in the key under the heading "3rd class metalled road". The route is depicted as consisting of two parallel solid black lines. The route is observed to terminate at a point north of the "p" of "Chipnall Lees" on the map.

19. Finance Act Survey Map, TNA IR 132/4/154, entitled "SHROPSHIRE SHEET XVI.8, STAFFORDSHIRE SHEET 2, 3, 6 & 7 - SECOND EDITION 1902", dated

1909/1910, demonstrates evidence for all of route T000621. The route is observed to commence to north west of OS parcel number "152" 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 "153" on the map.



20. Estate Map, SHR 3725/B24/23.2, entitled "Plan of The Settled Part Of The Hill Estate", demonstrates evidence for all of route T000621. The route is observed to commence to the south of "fm the Knowle Wood" marked on the map. The route is shown 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 as "from the Knowle Wood" on the map. The route is observed to terminate to the south east of parcel number "g19" on the map.



7. Interpretation of Evidence from Individual Records

Evidence of status:

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

Evidence of status is categorised as follows:

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

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

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

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Ordnance Survey Records Surveyors Drawings	C	SHR 209	1817	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

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
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	6.4	NOS16	Shown on map and depicted or described as driving road or crossroads in key
Estate Records	B(ii)	SHR Map 3725/B24/23.5 - Map of the Hill Estate in the Parishes of Cheswardine and Drayton in Hales in the counties of Salop and Stafford	1831	6.5	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named i.e High Street
		SHR Map 3725/B24/23.4 - Plan of the Hill Estates in the parishes of Cheswardine and Drayton in Hales, in the counties of Salop and Stafford.	1831	6.6	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 1" Old Series	C	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	6.7	OSM5	Route shown on OS 1" Old Series map
Tithe Survey Records	C	TNA Map IR/30/29/72 - MAP of the TOWNSHIP OF CHIPNALL in THE PARISH OF CHESWARDINE SALOP in five parts	1838	6.8	TM3	Route shown on map not numbered specifically or within numbered parcel

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
Deposited Railway Records	C	SHR Plan DP/406 - Drayton Junction Railway Plans and Sections	1861-1862	6.9	RP1	Route specifically numbered on plan
					RP3	Route within LOD
		SHR Book Of Reference DP/406 - Drayton Junction Railway	1861-1862	6.10	RB1	Described as non-status specific i.e. 'occupation road', 'footpath' etc
					RB9	Occupier described as a public body
		SHR Plan DP/431 - Drayton Junction Railway Plans and Sections	1863-4	6.11	RP3	Route within LOD
			RP4	Route un-numbered on plan		
		SHR Section DP/406	1863-4	6.18	RS3	Described as non-status specific i.e. 'occupation road', 'footpath' etc
Deposited Railway Records	B(i)	SHR Book Of Reference DP/479 - Birkenhead, North Wales and Stafford Railway. Book of Reference. November, 1872.	November 1872	6.12	RB2	Described as public
					RB5	Owner is a public body
		SHR Plan DP/479 - Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873.	1873	6.13	RP1	Route specifically numbered on plan
					RP3	Route within LOD
		SHR Section DP/479 - Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873.	1873	6.17	RS3	Described as non-status specific i.e. 'occupation road', 'footpath' etc
Ordnance Survey Records 25" 1st Edition	C	BL VOL 688 - SHROPSHIRE SHEET XVI.8	1899	6.1	OSM6	Route Shown on OS 1st Edition 25" Map
					OSM2	Route un-named on map
Ordnance Survey Records 25" 2nd Edition	C	BL 1600 (5) - SECOND EDITION 1902	1900	6.14	OSM12	Route Shown on OS 2nd Edition 25" Map

Document Group	Evidence Cat.	Document	Date	See Section	Code	Code Description
		SHROPSHIRE SHEET XVI. 8.			OSM9	Route un-named on map
Ordnance Survey Records 1" New Series	B(ii)	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	6.15	OSM26	Route described as '3rd class metalled road' on key or Characteristics Sheet
					OSM20	Route un-named on map
Finance Act Survey Records	B(i)	TNA Map IR 132/4/154 - SHROPSHIRE SHEET XVI.8, STAFFORDS HIRE SHEET 2, 3, 6 & 7 - SECOND EDITION 1902	1909/1910	6.16	FA1	Route excluded from Hdtmt
Estate Records	B(ii)	SHR Map 3725/B24/23. 2 - Plan Of The Settled Part Of The Hill Estate	Not given	6.19	EM2	Shown on map un-numbered and not contained within numbered parcel
					EM5	Annotated as 'to' or 'from' or named ie High Street

Evidence of class:

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

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

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records Surveyors Drawings	SHR 209	1817	RC14	Unspecified

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 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
Estate Records	SHR Map 3725/B24/23.5 - Map of the Hill Estate in the Parishes of Cheswardine and Drayton in Hales in the counties of Salop and Stafford	1831	RC14	Unspecified
	SHR Map 3725/B24/23.4 - Plan of the Hill Estates in the parishes of Cheswardine and Drayton in Hales, in the counties of Salop and Stafford.	1831	RC14	Unspecified
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	RC14	Unspecified
Tithe Survey Records	TNA Map IR/30/29/72 - MAP of the TOWNSHIP OF CHIPNALL in THE PARISH OF CHESWARDINE SALOP in five parts	1838	RC14	Unspecified

Document Group	Document	Date	Code	Code Description
Deposited Railway Records Deposited Railway Records	SHR Section DP/406	1861-1862	RC11	Occupation road
	SHR Plan DP/406 - Drayton Junction Railway Plans and Sections	1861-1862	RC14	Unspecified
	SHR Book Of Reference DP/406 - Drayton Junction Railway	1861-1862	RC11	Occupation road
	SHR Plan DP/431 - Drayton Junction Railway Plans and Sections	1863-4	RC14	Unspecified
	SHR BOR DP/431 - Drayton Junction Railway Plans and Sections	1863-4	RC14	Unspecified
	SHR Book Of Reference DP/479 - Birkenhead, North Wales and Stafford Railway. Book of Reference. November, 1872.	November 1872	RC12	Road
	SHR Plan DP/479 - Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873.	1873	RC14	Unspecified
	SHR Section DP/479 - Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873.	1873	RC12	Road
Ordnance Survey Records 25" 1st Edition	BL VOL 688 - SHROPSHIRE SHEET XVI.8	1899	RC14	Unspecified
Ordnance Survey Records 25" 2nd Edition	BL 1600 (5) - SECOND EDITION 1902 SHROPSHIRE SHEET XVI. 8.	1900	RC14	Unspecified

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	RC12	Road
Finance Act Survey Records	TNA Map IR 132/4/154 - SHROPSHIRE SHEET XVI.8, STAFFORDSHIRE SHEET 2, 3, 6 & 7 - SECOND EDITION 1902	1909/1910	RC14	Unspecified
Estate Records	SHR Map 3725/B24/23.2 - Plan Of The Settled Part Of The Hill Estate	Not given	RC14	Unspecified

Evidence of physical characteristics:

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

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

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

Document Group	Document	Date	Code	Code Description
Ordnance Survey Records Surveyors Drawings	SHR 209 - not given	1817	PA1	two parallel solid black lines

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 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
Estate Records	SHR Map 3725/B24/23.5 - Map of the Hill Estate in the Parishes of Cheswardine and Drayton in Hales in the counties of Salop and Stafford	1831	PA3	two parallel solid black lines (in-filled)
	SHR Map 3725/B24/23.4 - Plan of the Hill Estates in the parishes of Cheswardine and Drayton in Hales, in the counties of Salop and Stafford.	1831	PA1	two parallel solid black lines
Ordnance Survey Records 1" Old Series	SHR Ordnance Survey Old Series 1" : 1 mile - Folder 1 1833-35	1833-35	PA1	two parallel solid black lines
Tithe Survey Records	TNA Map IR/30/29/72 - MAP of the TOWNSHIP OF CHIPNALL in THE PARISH OF CHESWARDINE SALOP in five parts	1838	PA3	two parallel solid black lines (in-filled)

Document Group	Document	Date	Code	Code Description
Deposited Railway Records	SHR Plan DP/406 - Drayton Junction Railway Plans and Sections	1861-1862	PA1	two parallel solid black lines
	SHR Plan DP/431 - Drayton Junction Railway Plans and Sections	1863-4	PA1	two parallel solid black lines
Deposited Railway Records	SHR Plan DP/479 - Birkenhead, North Wales and Stafford Railways. Plans and Sections. Session 1873.	1873	PA1	two parallel solid black lines
Ordnance Survey Records 25" 1st Edition	BL VOL 688 - SHROPSHIRE SHEET XVI.8	1899	PA3	two parallel solid black lines (in-filled)
Ordnance Survey Records 25" 2nd Edition	BL 1600 (5) - SECOND EDITION 1902 SHROPSHIRE SHEET XVI. 8.	1900	PA1	two parallel solid black lines
Ordnance Survey Records 1" New Series	BL Maps 1175 (134.) Sheet 139 - OS of England Stafford	1902	PA1	two parallel solid black lines
Finance Act Survey Records	TNA Map IR 132/4/154 - SHROPSHIRE SHEET XVI.8, STAFFORDSHIRE SHEET 2, 3, 6 & 7 - SECOND EDITION 1902	1909/1910	PA1	two parallel solid black lines
Estate Records	SHR Map 3725/B24/23.2 - Plan Of The Settled Part Of The Hill Estate	Not given	PA1	two parallel solid black lines

Evidence of width:

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

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

8. Overall Evaluation of Evidence

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

Findings from the main documentary sources:

1. Tithe Survey Records

The Tithe Survey map demonstrates evidence for the route as a physical feature only. 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 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. Deposited Railway Records

The Deposited Railway Record, Drayton Junction Railway Plans and Sections (1861-1862), demonstrate evidence for the route. The route is shown specifically numbered on the plan with the book of reference describing the route as a "public highway" and the owner of the route is described as a public body. The railway section describes in a manner which fails to confer any indication of status, i.e. as an "Occupation Road".

The Deposited Railway Record, Birkenhead, North Wales and Stafford Railways. Plans and Sections (1873) demonstrate evidence for the route. The route is shown specifically numbered on the plan with the book of reference describing the route as a "public highway" and the owner of the route is listed as a public body. The section describes the route in a manner which fails to confer any indication of status i.e. as "Road to be raised 13ft".

4. Estate Records

The route is shown on three Estate maps. The route is shown but is un-numbered and not within a numbered parcel. However, the route is shown as a through- route and is labelled on each map as “from Knowle Wood”. For DLW purposes this is interpreted as the inference of public status over the route.

5. Non-Ordnance Survey Commercial Mapping

The route is shown on two Non-Ordnance Survey Commercial maps. Greenwood’s map describes the route 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. Baugh’s map describes the route under the heading “By-roads” in the map, which is considered to provide neutral evidence of both status and class.

6. Ordnance Survey Documents

a) Ordnance Survey Surveyors Drawings

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

b) Ordnance Survey 1” Old Series

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

c) Ordnance Survey 25” 1st Edition

The Ordnance Survey 25” 1st Edition demonstrates evidence for the route as a physical feature only. The route is shown un-numbered therefore the book of reference has not been examined.

d) Ordnance Survey 25” 2nd Edition

The Ordnance Survey 25” 2nd Edition demonstrates evidence for the route as a physical feature only. The route is shown 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 route. The route is shown on the map 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" New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

Alignment of the case file route:

From the analysis of the 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 file SH/042/002 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". Part of the route is currently recorded on the Definitive Map and Statement for Shropshire County Council as Footpath 14 Cheswardine (0204/14-2/FP).

From the documents evidence examined it is possible to establish that the route is shown on the Finance Act Survey map uncoloured and excluded from hereditaments on both. 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 case file route was also shown on three Deposited Railway Record plans, where the route is shown specifically numbered. Two books of reference describe the route as an "Occupation Road" with the owner listed as a public body, with the implied responsibility for the maintenance of public highways. A further book of reference describes the route as a "Public road". The route is shown on three Estate maps as a through-route, which is implied as providing the inference of public status over 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 describes the route under the heading "By-roads" in the map, which is considered to provide neutral evidence of both status and class.

The Ordnance Survey 1" Revised New Series Map demonstrates evidence for the route. 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" New Series maps will be taken as evidence of the existence of public vehicular rights. It is considered therefore that a public vehicular right of way existed over the route at the time of the survey.

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 3.4: 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 3.9: Estate Records
Discovering Lost Ways Research Standard 4.0: Combining & Evaluating Evidence

Appendix B - Acknowledgements

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

The National Archives

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

www.nationalarchives.gov.uk

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

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

Landmark Information Group

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

Historic Ordnance Survey

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