

## Wildlife and Countryside Act 1981 Map to Accompany Definitive Map Modification Order Application

Application Route For Sinfin Moor marked on the map below by the  
red dots and labelled A - B and C - D  
Applicant's Reference: DER-0353 and DER-0354

Date 28/03/2022

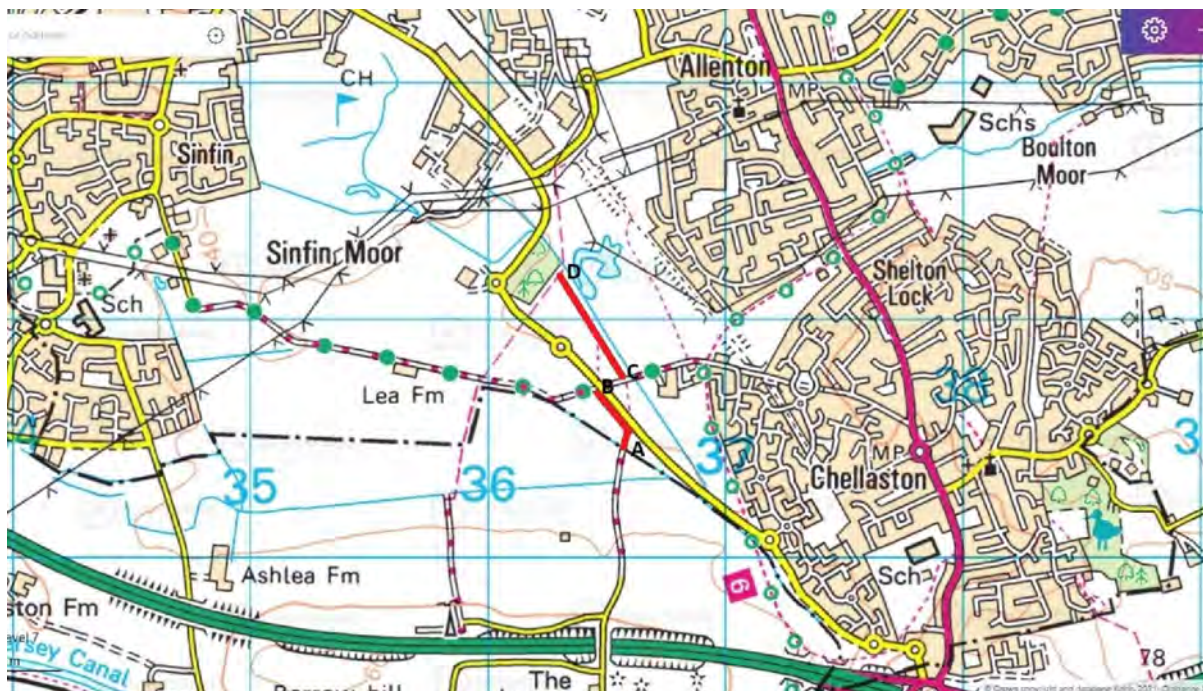


Map produced from extract of Ordnance Survey 1:25,000 scale mapping. When printed on A4 paper, the scale will be not less than 1:25,000 and thus meets the requirement of regulation 2 and regulation 8(2) of The Wildlife and Countryside (Definitive Maps and Statements) Regulations

1993. **Bingmaps**

## Definitive Map Modification Order Application

For the routes in the Parish of Sinfin Moor to be shown as Public Bridleways on the definitive map by upgrading Sinfin Moor footpath 4 marked A-B and upgrading footpath 5 marked on the map C-D.



Extract from Ordnance Survey 1:25000  
Applicant's References: DER-0353 and DER-0354

Date 28/03/2022

Quick reference path facts to assist the Surveying Authority in its investigation

Grid references of ends of route SK3655 3046 To SK3646 3069 and SK3657 3075  
to SK3630 3120 (Approximately)

1. My name is Vanessa Kettle. I am the applicant for the order, for and on behalf of the British Horse Society (BHS). I am a volunteer researcher for the BHS with a key objective to support and progress Project 2026 in the region.

2. This application is made because, on the cut off day, 01 st January 2026, the effect of s.53(1) and (2) Countryside and Rights of Way Act 2000 on a public path that existed prior to 1949, still exists on the cut-off date, and hasn't been a highway of a different description in between and is not shown in the definitive map and statement at all is to extinguish all rights on that route. (This applies if the route is determined to be a footpath or bridleway.)

3. I believe this application will pass the planned Preliminary Assessment Test required by para 2 Sch 13A Wildlife and Countryside Act 1981, when introduced, because:

a. This application statement includes explanations as to how the evidence applies to the application route, and

b. The application contains one or more of the following forms of supporting evidence:

(1) Legal document(s) relating specifically to the right of way that is the subject of the application (such as Railway Act, Inclosure Act and Award, Finance Act, Court Order or Main Roads Order evidence).

(2) Evidence of reputation in legal document(s), even though not written specifically about the right of way that is the subject of the application (such as Tithe Awards and Maps).

(3) Documentary evidence of expenditure that would be unlawful unless the way was a public highway, for example Highway Board records.

(4) Documentary evidence of reputation, for example an Ordnance Survey map, coupled with public scrutiny, or evidence of highway status in a landowner produced document.

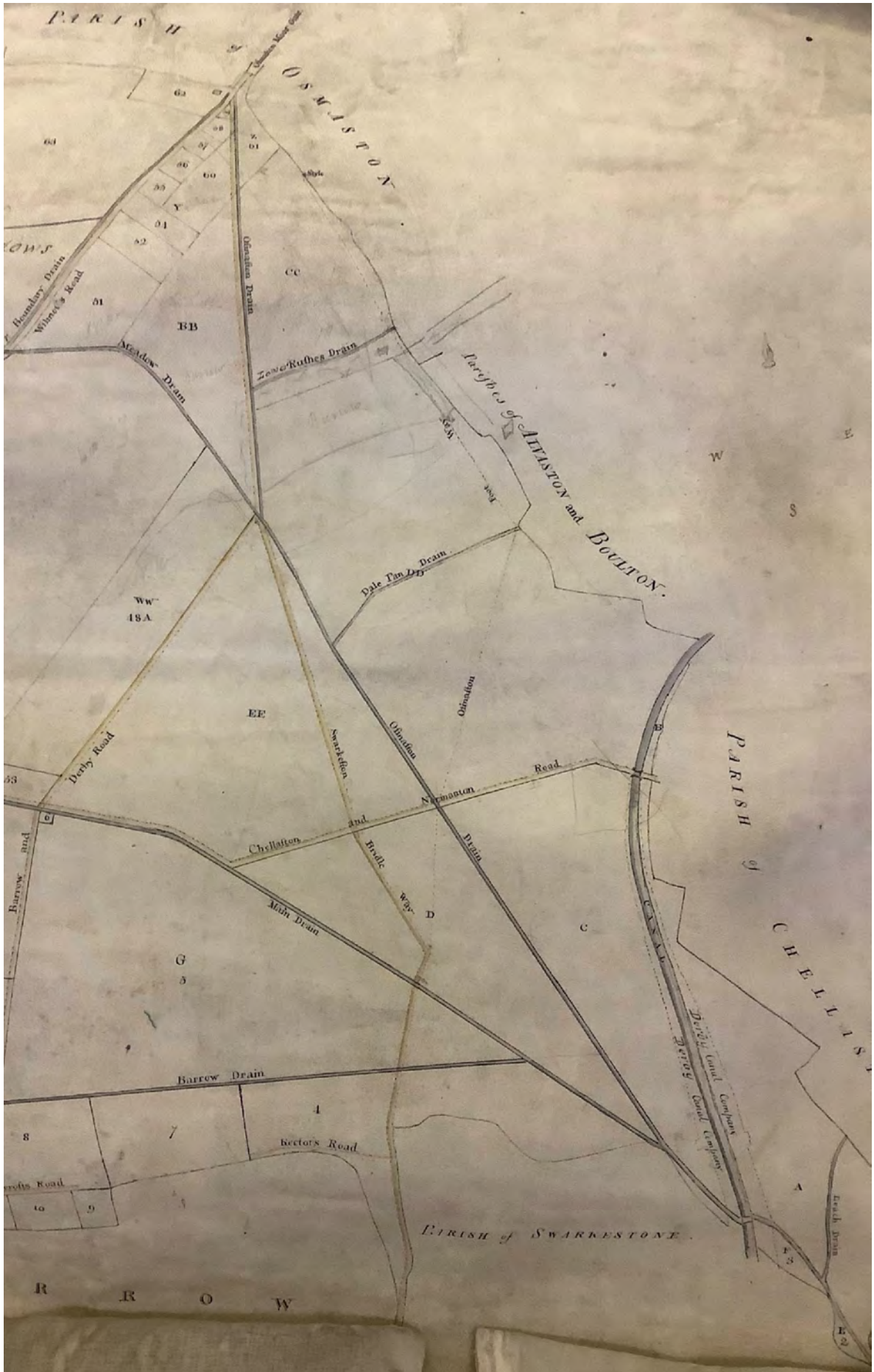
(5) Maps and other documents, which, over a period of time and taken together provide evidence of reputation that the order route is part of the public highway network.

### **Inclosure Map for Sinfin Moor**

Inclosure was an act of Parliament. The landowners would apply to Parliament for an Inclosure Act to be passed, after which Commissioners were appointed to carry out their survey, prepare the map(s), set out the new road network and make the distribution/award and land ownership allocations.

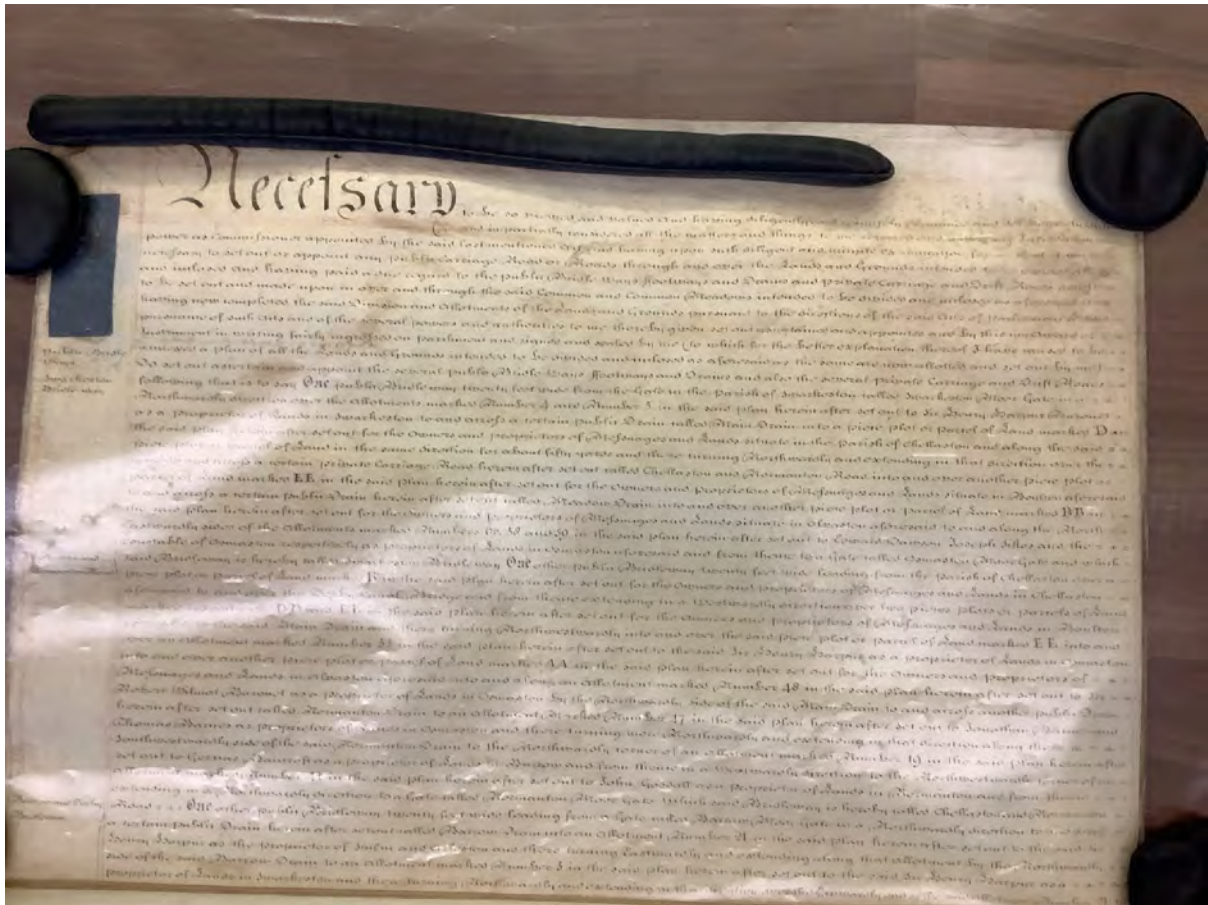
The Sinfin Moor Inclosure Map from 03 July 1804 is shown below. This shows the full route and is named as Swarkestone Bridleway. It shows where it starts at Swarkestone Moor Gate and finishes at Osmaston Moor Gate on Wilmot's Road. The southern part of the route (outside the City Council boundary) is now an adopted highway and is called Lowes Lane.

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## Manuscript from the Sinfin Moor Inclosure Award

Below is the manuscript from the Sinfin Moor 1804 Inclosure Awards setting out the Swarkestone Bridleway.



**Transcript from the Manuscript of the Sinfin Moor 1804 Inclosure Awards**

NECESSARY One Public Bridleway twenty feet wide from the gate in the parish of Swarkestone called Swarkestone Moor Gate in a Northwardly direction over the allotment marked number 4 and number 5 in the said plan, hereinafter set out to Sir Henry Harpur Baronet as a proprietor of lands in Swarkestone, to and across a certain public drain called main drain into a piece plot or parcel of land marked D in the said plan herein after set out for the owners and proprietors of messuages and lands situate in the parish of Chellaston and along the said piece plot or parcel of land in the direction for about 50 yards and there turning Northwardly and extending in that direction over the route to and across a private carriage road hereinafter set out and called Chellaston and Normanton Road into and over another piece plot or parcel of land marked EE in the said plan hereinafter set out for the owners and proprietors of messuages and land situate in Boulton aforesaid to and across a public drain called meadow drain into and over a piece plot or parcel of land marked BB in the said plan hereinafter set out for the owners and proprietors of massuages and lands situate in Alvaston aforesaid to and along North Eastwardly sides of the allotments marked numbers 60, 58 and 50 in the said plan, hereinafter set out to Edward Dawson, Joseph Sikes and the constable of Osmaston respectively as proprietors of land in Osamaston aforesaid and from there to a gate called Osmaston Moor Gate and which said bridleway is hereby called Swarkestone Bridleway.

Below is the transcript from the Sinfin Moor Inclosure Awards for the Barrow and Derby Bridleway which can be seen on the Inclosure Map above and sets out that this bridleway meets with the said Swarkestone Bridleway

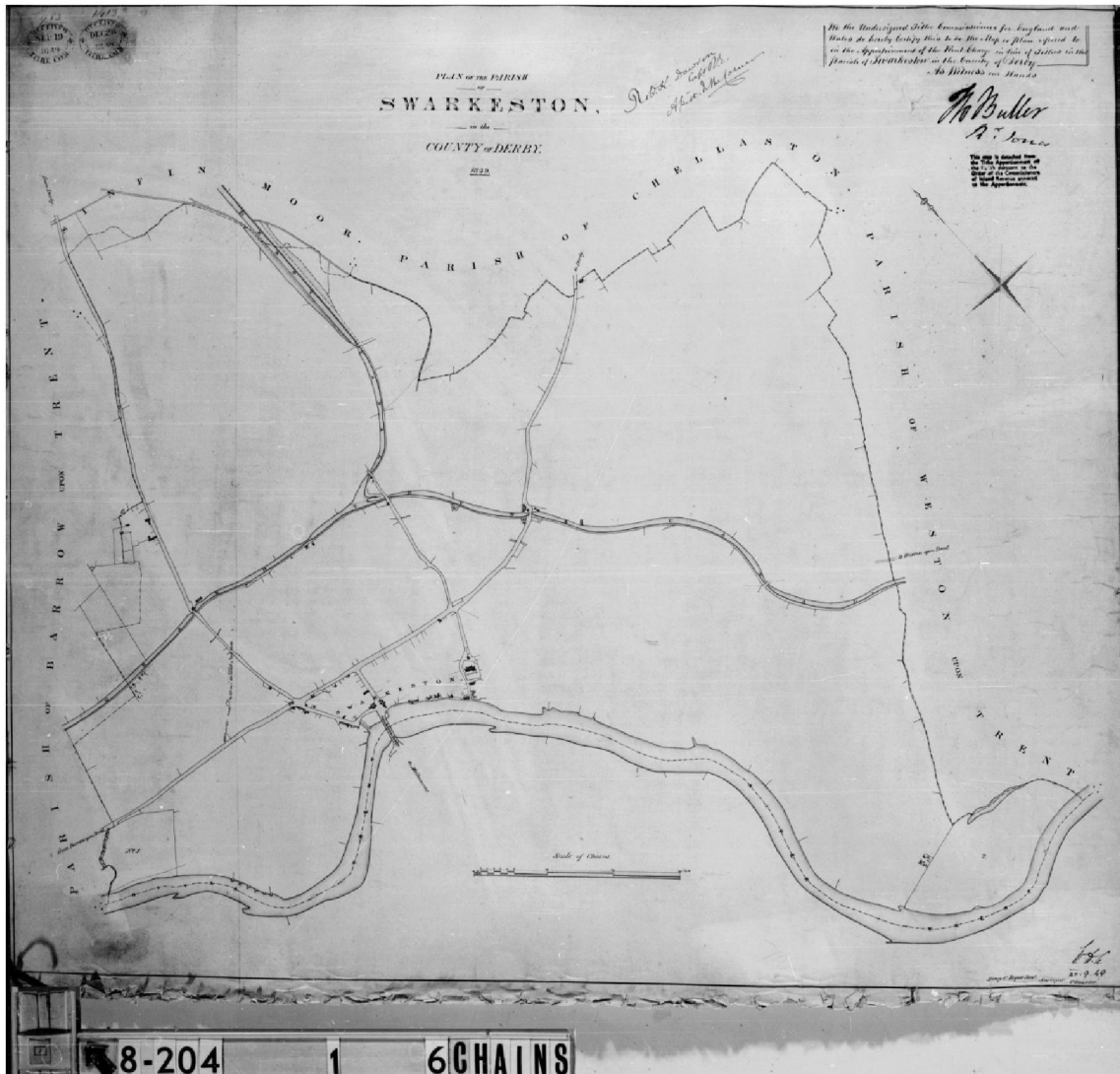
**Transcript from the Sinfin Moor Inclosure Awards for Barrow and Derby Bridleway**

One other public bridleway twenty feet wide leading from a gate called Barrow Moor Gate in a Northwardly direction to and across a certain public drain hereinafter set out called Barrow Drain in to an allotment numbered 21 in the said plan hereinafter set out to the said Sir Henry Harpur as the proprietor of Sinfin and Osmaston and there turning Eastwardly and extending along that allotment by the Northwardly side of the said Barrow drain to an allotment marked number 5 in the said plan hereinafter set out to the said Sir Henry Harpur as a proprietor of lands in Swarkestone and then turning Northwardly and extending in this direction over the Eastwardly end of the said allotment number 21 and along the Eastwardly end of the allotment marked number 1 in the said plan hereinafter set out to the said Earl of Moira as Lord of the Manor of Sinfin Moor to and across the said main drain and there turning more Northwardly and extending in that direction over the said piece plot or parcel of land marked EE in the said plan hereinafter set out for the owners and proprietors of messuages and land in Boulton aforesaid to and in to the said Swarkestone Bridleway which said road is hereby called Barrow and Derby Bridleway.



## Swarkestone Tithe Map 1849

Below is the image of the Swarkestone Tithe Map shows the route to the parish boundary and states the route is "from Derby" therefore indicating that the public were able to use the route.




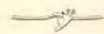


### Sanderson's Map 1836 (Reprinted Jan 1881)

Sanderson's map shows part of the Swarkestone bridleyway (ie from the Chellaston and Normanton Road across plot EE to cross Meadow Drain) as an unenclosed cross road, on an alignment running north to Meadow Drain and then north-west along Meadow Drain, to meet another cross road (now Sinfin Moor BW2) at the point B marked in red on the map. This alignment is not exactly the same as that shown in the 1804 inclosure award plan for this section of the public bridleyway but this discrepancy does not invalidate the identification of the awarded public bridleyway with the cross road shown by Sanderson. This is because the inclosure award does not say that the public bridleyway followed a specific alignment, e.g the alignment marked on the inclosure plan, only that the public bridleyway crossed plot EE from the Normanton and Chellaston Road to and then across Meadow Drain.



*Now revised & corrected to date, with the addition of*  
**RAILWAYS, COLLIERIES &c. BY**  
*Pennicose & Sons, Publishers,*  
**LONDON & DERBY.**  
**PROPRIETORS OF THE ORIGINAL PLATES & COPYRIGHT.**  
**JAN. 1881.**

Sanderson's Legend

<i>Explanation</i>	
<i>Boundaries of Counties</i>	
<i>Boundaries of Parliamentary Divisions</i>	+++++
<i>Boundaries of Hundreds</i>	-----
<i>Boundaries of Parishes</i>	-----
<i>Boundaries of Townships and Hamlets</i>	-----
<i>Market Towns</i>	WILKINSWORTH
<i>Parishes</i>	Matlock
<i>Townships and Hamlets</i>	Bolton
<i>Old Turnpike Roads and Toll Bars</i>	
<i>Cross Roads</i>	
<i>Water Meadows</i>	
<i>Rivers Brooks and Drains</i>	
<i>Navigable Canals and Locks</i>	
<i>Railways and Stations</i>	WILSON STATION
<i>Hills and Windmills</i>	
<i>Churches</i>	
<i>Collieries and Ironworks</i>	• •

## Shardlow RDC Handover Map, Awards and Legend 1930

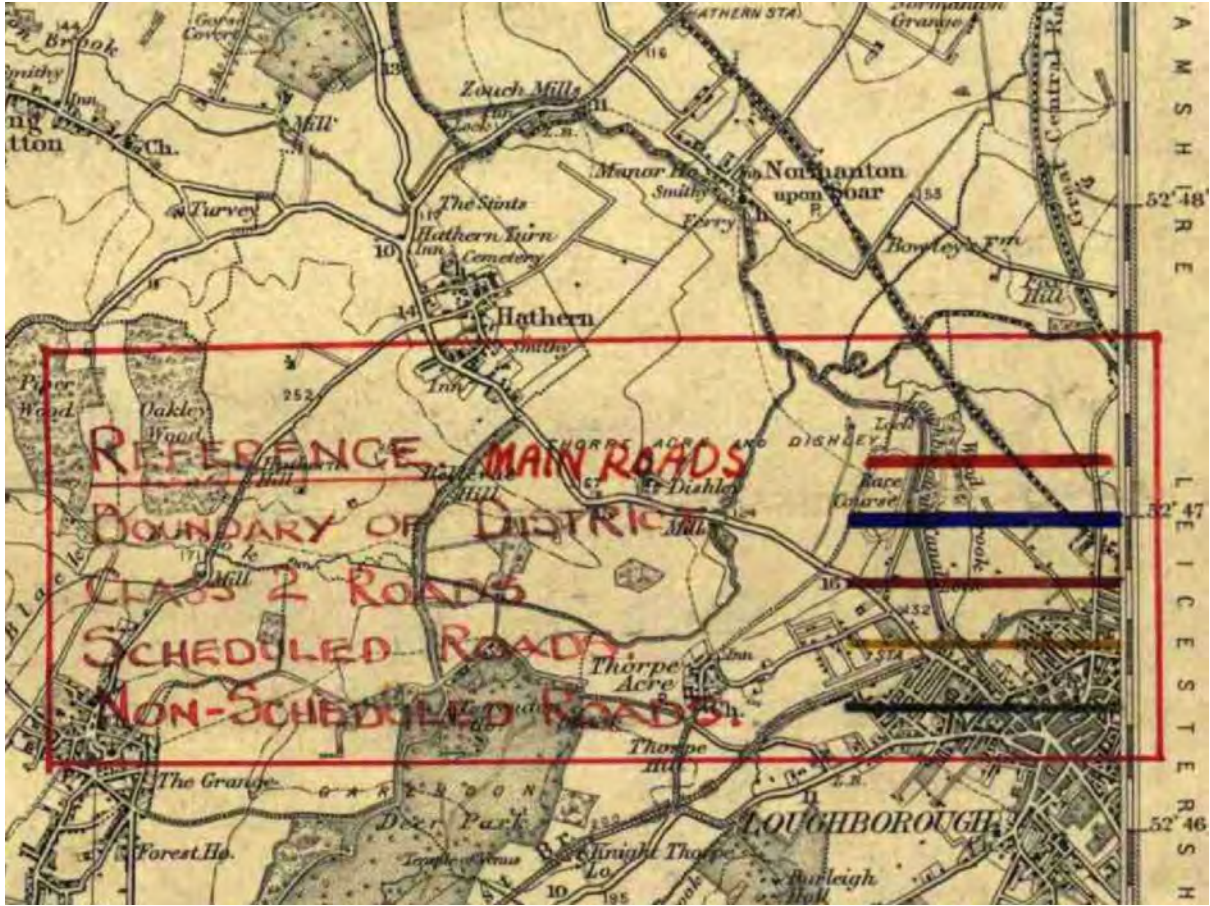
The map and awards show that in 1930 Lowes Lane was seen as a Bridleroad only, number 31 of the awards and as a non scheduled road in the reference.



Done

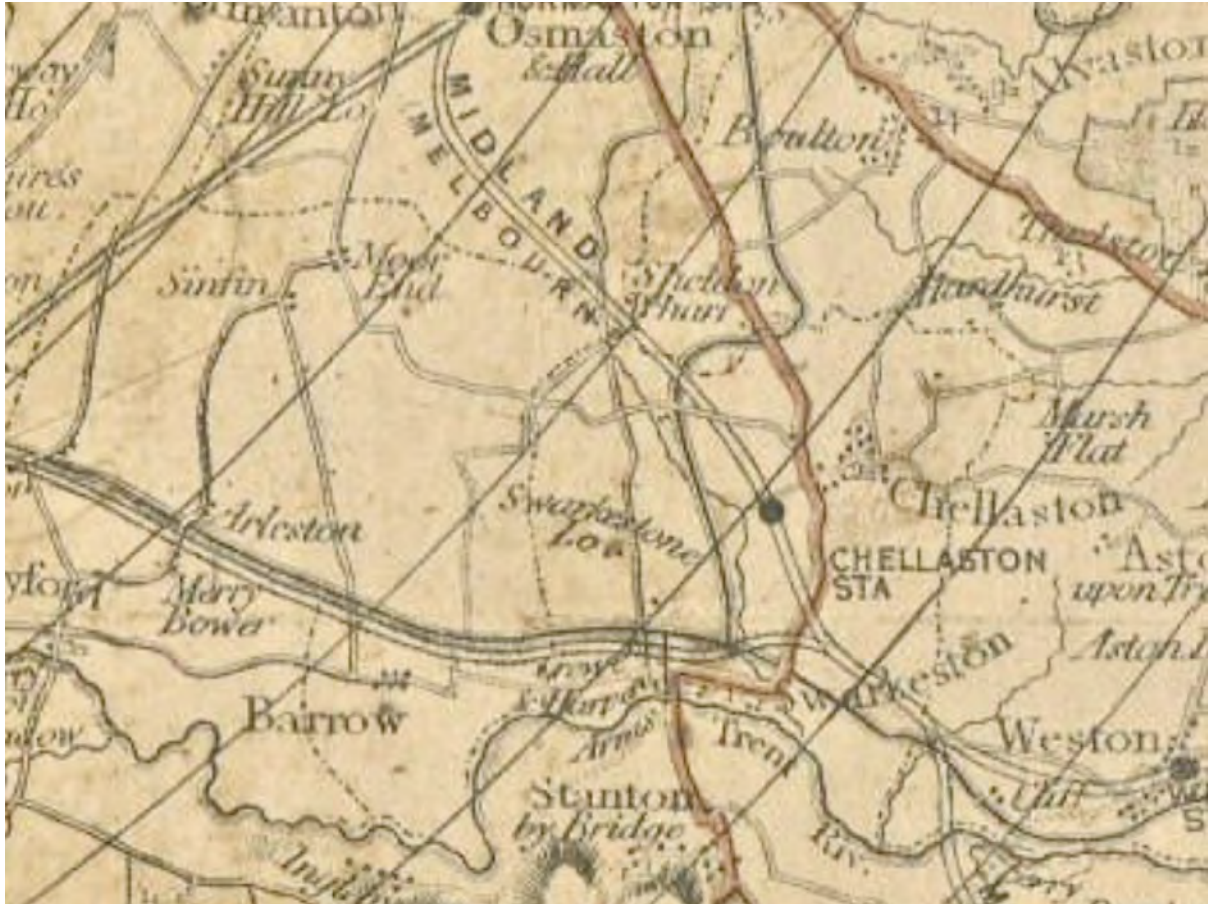
Shardlow Paperwork

No.	Name of Road.	Average width.		Length.	Remarks.
		Total.	Metalled.		
31.	Loves Lane, <sup>W</sup> warkestone.	26'0"	12'0"	1.20.	Part B. Rd. only.
32.	Canal Road, ,,	22'0"	10'0"	.20.	Quarry traffic. Cul de Sac. Weak.
33.	Station Road, Chellaston.	26'0"	19'0"	.13.	Tarmac. Badly damaged by sewer & Building.
34.	Housing <sup>W</sup> ite road. ,, Open.		10'0"	.10.	Weak. Waterbound M.
35.	Goodsmoor & Smeasmoor Lane, <sup>S</sup> infin. Enclosed portion.	15'0"	11'0"	.62.	The unenclosed part is awarded 40 Ft. This point requires watching.
	Unenclosed ,,		13'0"		
36.	Barrow - <sup>S</sup> infin Road. Part open.	33'0"	12'0"	2.25.	Waterbound. Weak.
37.	Merrybower Road. Mostly unenclosed.		11'0"	1.00	.. ..
38.	Arleston Road. Connecting 36 & 37. Open.		11'0"	.70.	.. ..
40.	Moor Lane, Barrow. Culde-Sac.	36'0"	12'0"	.85.	Farm traffic only. Poor condition.
41.	Church Lane. ,, ,, ,,	24'0"	13'0"	.50.	.. ..
42.	Green Lane. ,, ,, ,,	30'0"	10'0"	.30	Occupation Rd only.
43.	Chapel Lane ,, ,, ,,	32'0"	20'0"	.12.	Waterbound Macadam.
44.	Woodshop Lane, <sup>W</sup> warkestone.	29'0"	14'0"	.10.	.. ..
45.	Stenson Lane, <sup>N</sup> ormanton.	37'0"	18'0"	.30.	Tarmacadam.
46.	Blagreaves' Lane, Littleover.	40'0"	17'0"	1.37.	Part tarmac. Part T.S. Waterbound. Fair.
47.	Moorway Lane, or <sup>W</sup> indgarn Lane.	38'0"	13'0"	.87.	Bad condition.
48.	Waterhouse Lane	22'0"	18'0"	.50	Recently coated with



### Henstock's New Cycling, Touring and Driving Road Map Forty Miles About Ashbourne

This early 20<sup>th</sup> century map was on sale to the travelling public and shows Lowes Lane as a through route.



These 19<sup>th</sup> century 1:2,500 Ordnance Survey plans show the same alignment as Sanderson. This alignment was recorded on the definitive map and statement as part of Public Footpath No. 4 Sinfin Moor and part of Public Footpath No. 5 Sinfin Moor until 2017 when the former part was extinguished under section 118 Highways Act 1980. This extinguishment took place because Derby City Council considered that this part of Public Footpath No. 4 Sinfin Moor was not needed for public use, following the construction of the new Road, Infinity Park Way, which intersected the public footpath. The plan attached to extinguishment order show that the public could use part of Sinfin Moor Lane (an adopted highway) and another part of Public Footpath No. 5 Sinfin Moor instead of the extinguished part of Public Footpath No. 4 Sinfin Moor.

### Derbyshire LV.SW 6" Surveyed 1879 to 1881, Published 1885 from National Library Scotland





## Derbyshire LV.9 25" Surveyed 1880 Published 1882, National Library Scotland

National Library  
of Scotland  
Lìbràraidh Nàiseanta  
na h-Alba

Derbyshire LV.9

Surveyed: 1880, Published: 1882

Size: map 64.4 cm x 96.6 cm (25.344 x 38.016 inches), on sheet ca. 76 x 104 cm (ca. 30 x 41 inches)

[ps home](#) > [Ordnance Survey](#) > [OS 25 inch England and Wales, 1841-1952](#)



## Google Earth Images

This image is a Google Aerial View with the routes indicated by red lines from A to B Sinfin Moor Footpath 4 and C to D Sinfin Moor Footpath 5.



## **Conclusion**

This document presents evidence from the last 218 years, taken as a whole it consistently indicates that the application route was part of the wider highway network. The applicant requests the surveying authority to add the route to the definitive map as a Bridleway which was set out in the 1804 Sinfin Moor Enclosure Awards.