

NOTICE OF PROPOSAL TO MODIFY DEFINITIVE MAP ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

Notice is hereby given pursuant to paragraph 8(2) of Schedule 15 to the Wildlife and Countryside Act 1981 that the Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs to determine the SUFFOLK COUNTY COUNCIL Definitive Map and Statement for the Parishes of Brent Eleigh, Lavenham and Preston St Mary in the District of Babergh, (Parishes of Brent Eleigh, Lavenham and Preston St Mary) Modification Order 2020 proposes to modify the Order by providing for the following modifications:

Delete all references to "Restricted Byway" in the Order and insert "Bridleway".

Delete the reference to upgrading to Restricted Byway the section of Bridleway shown on the Order Map between points Y and Z.

Include on the Order Map the notation for a bridleway rather than for a "Restricted Byway" and amend the Order Map accordingly.

Correcting the references to Ordnance Survey sheet numbers.

A copy of the Order as submitted and a copy of the Order showing the proposed modifications together with the Inspector's Order decision dated 19 June 2023 have been deposited at Suffolk County Council, Rights of Way, Phoenix House, 3 Goddard Road, Ipswich, IP1 5NP and can be viewed by appointment free of charge during normal working hours. Copies can also be provided by email. Contact is Mr David Last, Definitive Map Officer on Telephone Number: 01473 264770 (Tuesday – Friday) and E-mail Address: david.last@suffolk.gov.uk The documents can also be viewed at Lavenham Library, Lavenham Village Hall, Church Street, Lavenham, CO10 9QT and may be inspected free of charge on Monday (10.00-13.00), Tuesday, Thursday and Friday (10.00 – 13.00) & (14.00 – 17.00), Saturday (10.00

- 14.00) (Closed on Wednesday and Sunday). Contact is Ms Theresa Wright, Manager on Telephone Number: 01787 247729 and E-mail Address: help@suffolklibraries.co.uk

Any representation or objection with respect to the proposed modifications may be sent in writing to Helen Sparks, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel 0303 444 5646, or email helen.sparks@planninginspectorate.gov.uk quoting reference ROW/3287165, between 31 August 2023 and 28 September 2023 and must state the grounds on which it is made. It should be noted that any such representation or objection may be made available for viewing by interested parties at the council offices on request.

Dated: 31 August 2023

ORDER AS MADE

WILDLIFE AND COUNTRYSIDE ACT 1981

**DEFINITIVE MAP AND STATEMENT FOR THE PARISHES OF BRENT ELEIGH,
LAVENHAM AND PRESTON ST MARY**

IN THE DISTRICT OF BABERGH

SUFFOLK COUNTY COUNCIL

**(PARISHES OF BRENT ELEIGH, LAVENHAM AND PRESTON ST MARY)
MODIFICATION ORDER 2020**

This Order is made by Suffolk County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act"), because it appears to that authority that the Definitive Map and Statement for the parishes of Brent Eleigh, Lavenham and Preston St Mary in the district of Babergh require modification in consequence of the occurrence of events specified in sections 53(3)(c)(i), 53(3)(c)(ii) and 53(3)(c)(iii) namely, the discovery by the authority of evidence which shows; that a restricted byway, which is not shown in the map and statement subsists or is reasonably alleged to subsist; that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; that there is no public right of way over land shown in the map and statement as a highway of any description.

The authority has consulted with every local authority whose area includes the land to which the Order relates. The Suffolk County Council hereby order that:

1. For the purpose of this Order the relevant date is 1 December 2020.
2. The Definitive Map and Statement for the parishes of Brent Eleigh, Lavenham and Preston St Mary in the district of Babergh shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Suffolk County Council (Parishes of Brent Eleigh, Lavenham and Preston St Mary) Modification Order 2020.

Date: 23 December 2020

The common seal of
SUFFOLK COUNTY COUNCIL
Was hereunto affixed

In the presence of

S. Maylen - Millard

An authorised Officer of the Council



SCHEDULE

PART 1

Modification of Definitive Map

Description of restricted byways to be added:

There shall be added to the Definitive Map for the parish of Brent Eleigh a restricted byway from a point at Ordnance Survey grid reference 59360,24916 (point Y) to a point at Ordnance Survey grid reference 59262,24914 (point X).

There shall be added to the Definitive Map for the parish of Lavenham a restricted byway from a point at Ordnance Survey grid reference 59279,24918 (point A) to a point at Ordnance Survey grid reference 59262,24914 (point X).

There shall be added to the Definitive Map for the parish of Preston St Mary a restricted byway from a point at Ordnance Survey grid reference 59284,24921 (point W) to a point at Ordnance Survey grid reference 59279,24918 (point A).

There shall be added to the Definitive Map for the parish of Preston St Mary a restricted byway from a point at Ordnance Survey grid reference 59279,24918 (point A) to a point at Ordnance Survey grid reference 59272,24945 (point B) and from a point at Ordnance Survey grid reference 59274,24950 (point C) to a point at Ordnance Survey grid reference 59284,24983 (point D).

Description of bridleway to be deleted:

There shall be deleted from the Definitive Map for the parish of Brent Eleigh a bridleway from a point at Ordnance Survey grid reference 59360,24916 (point Y) to a point at Ordnance Survey grid reference 59259,24913 (point X1).

Description of footpaths to be upgraded to restricted byways:

There shall be upgraded to restricted byway a footpath in the parish of Preston St Mary from a point at Ordnance Survey grid reference 59272,24945 (point B) to a point at Ordnance Survey grid reference 59274,24950 (point C) and from a point at Ordnance Survey grid reference 59284,24983 (point D) to a point at Ordnance Survey grid reference 59314,24988 (point E).

Description of bridleway to be upgraded to restricted byway:

There shall be upgraded to restricted byway in the parish of Brent Eleigh a bridleway from a point at Ordnance Survey Grid Reference 59430,24884 (point Z) to a point at Ordnance Survey grid reference 59360,24916 (point Y).

PART 2

Modification of Definitive Statement

Particulars of restricted byways to be added:

There shall be added to the Definitive Statement for Preston St Mary the following particulars:

Preston St Mary Restricted Byway 26

Commencing at the parish boundary and a junction with Brent Eleigh restricted byway 7, Preston St Mary restricted byway 27 and Lavenham restricted byway 29 at Ordnance Survey Grid Reference (OSGR) 59279,24918 (point A) and proceeding in a north-north-westerly direction for 278 metres to the eastern end of Lavenham footpath 19 at OSGR 59272,24945 (point B); changing to a north-north-easterly direction and continuing for 60 metres to the western end of Preston St Mary footpath 11 at OSGR 59274,24950 (point C); continuing for 348 metres to a junction with Preston St Mary footpath 10 at OSGR 59284,24983 (point D); changing to a generally east north-easterly direction and continuing for 315 metres to a junction with the U8133 road at OSGR 59314,24988 (point E).

Width: Varying between a minimum of 4 metres and a maximum of 10 metres.

As shown between solid boundaries or solid boundary and parish boundary on the Ordnance Survey County Series map of 1884 sheet 64/10.

Preston St Mary Restricted Byway 27

Commencing at the parish boundary with Brent Eleigh and a junction with Brent Eleigh restricted byway 7 at Ordnance Survey Grid Reference (OSGR) 59284,24921 (point W) and continuing in a generally south-westerly direction for 59 metres adjacent to Brent Eleigh restricted byway 7 and terminating at a junction with Preston St Mary restricted byway 26 and Lavenham restricted byway 29 at OSGR 59279,24918 (point A).

Width: Varying between a minimum of 4 metres and a maximum of 5.5 metres.

As shown between solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.

There shall be added to the Definitive Statement for Lavenham the following particulars:

Lavenham Restricted Byway 29

Commencing at a junction with Preston St Mary restricted byway 26 and restricted byway 27 at Ordnance Survey Grid Reference (OSGR) 59279,24918 (point A) and continuing in a generally west south-westerly direction adjacent to Brent Eleigh restricted byway 7 for 180 metres to a junction with the U8138 road at OSGR 59262,24914 (point X).

Width: Varying between a minimum of 5 metres and a maximum of 6.5 metres.

As shown between solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.

Particulars of rights of way to be amended:

There shall be amended on the Definitive Statement for Preston St Mary the following particulars:

Preston St Mary footpath 10

Delete the words from the current statement from “; recommencing” through to “hedge” and replace with “at a junction with the U8133; recommencing at a junction with Restricted Byway 26, at OSGR 59284,24983”. Under width delete “TL 9314 4988” and replace with “OSGR 59284,24983”.

Preston St Mary footpath 11

Delete from the current statement the words “Lavenham Parish Boundary” at the end of the statement and replace with “Restricted Byway 26 at OSGR 59274,24950.”

There shall be amended on the Definitive Statement for Brent Eleigh the following particulars:

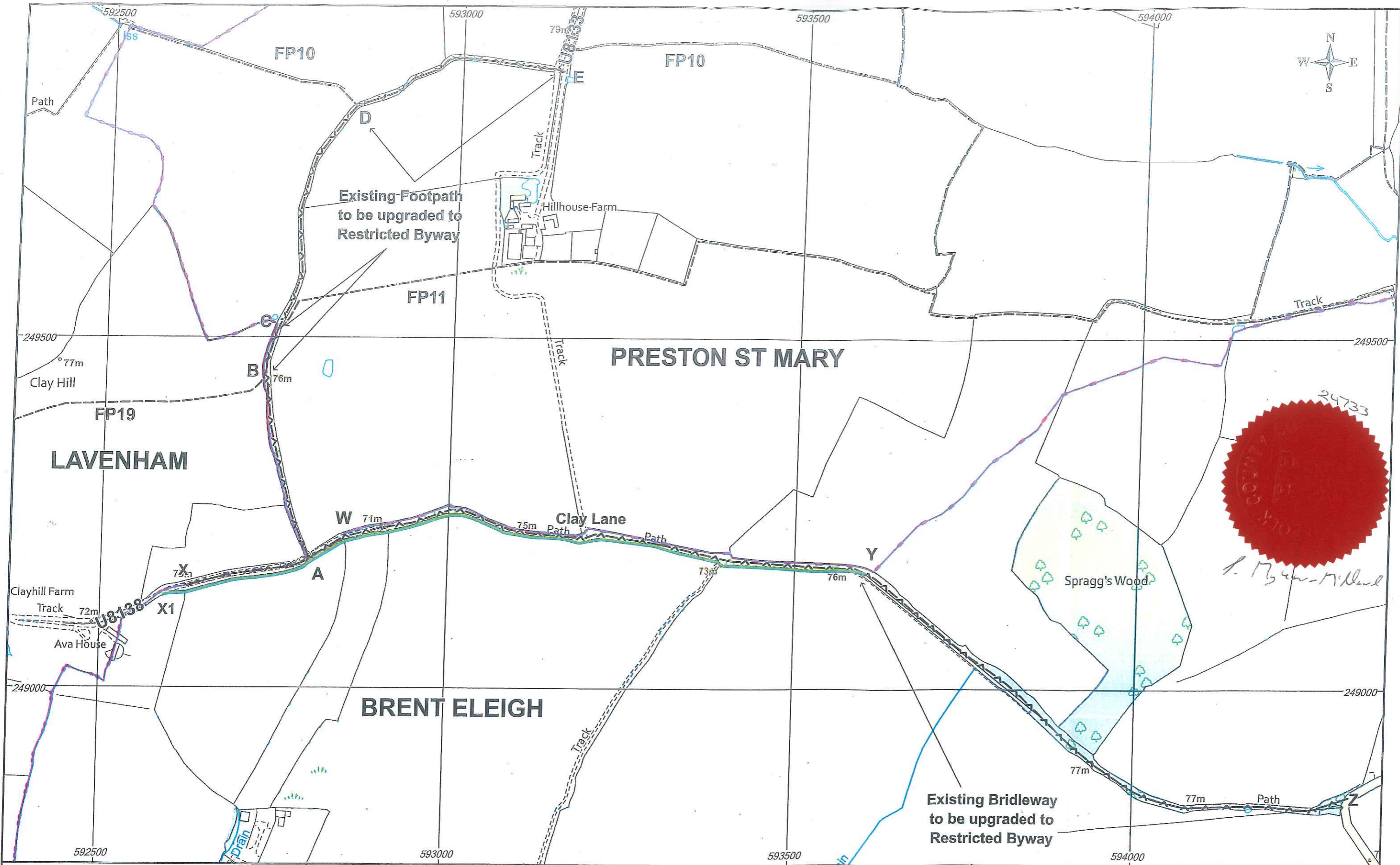
Brent Eleigh bridleway 7

Change the status to restricted byway 7 and add to the definitive statement after “...in a N.W. direction” the words “along Clay Lane”, and add:

“Width: Varying between a minimum of 5 metres and a maximum of 21 metres between OSGR 59430,24884 and OSGR 59284,24921. (Points Z-W)

Varying between a minimum of 3 metres and a maximum of 7 metres between OSGR 59284,24921 and OSGR 59262,24914. (Points W-X)

As shown between solid boundaries or solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.”



MODIFIED ORDER

WILDLIFE AND COUNTRYSIDE ACT 1981

DEFINITIVE MAP AND STATEMENT FOR THE PARISHES OF BRENT ELEIGH, LAVENHAM AND PRESTON ST MARY

IN THE DISTRICT OF BABERGH

SUFFOLK COUNTY COUNCIL

(PARISHES OF BRENT ELEIGH, LAVENHAM AND PRESTON ST MARY) MODIFICATION ORDER 2020

This Order is made by Suffolk County Council under section 53(2)(b) of the Wildlife and Countryside Act 1981 ("the Act"), because it appears to that authority that the Definitive Map and Statement for the parishes of Brent Eleigh, Lavenham and Preston St Mary in the district of Babergh require modification in consequence of the occurrence of events specified in sections 53(3)(c)(i), 53(3)(c)(ii) and 53(3)(c)(iii) namely, the discovery by the authority of evidence which shows; that a restricted byway, which is not shown in the map and statement subsists or is reasonably alleged to subsist; that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description; that there is no public right of way over land shown in the map and statement as a highway of any description.


The authority has consulted with every local authority whose area includes the land to which the Order relates. The Suffolk County Council hereby order that:

1. For the purpose of this Order the relevant date is 1 December 2020.
2. The Definitive Map and Statement for the parishes of Brent Eleigh, Lavenham and Preston St Mary in the district of Babergh shall be modified as described in Part I and Part II of the Schedule and shown on the map attached to the Order.
3. This Order shall take effect on the date it is confirmed and may be cited as the Suffolk County Council (Parishes of Brent Eleigh, Lavenham and Preston St Mary) Modification Order 2020.

Date: 23 December 2020

The common seal of
SUFFOLK COUNTY COUNCIL
Was hereunto affixed

In the presence of



S. Myken-Millard

An authorised Officer of the Council

SCHEDULE

PART 1

Modification of Definitive Map

Description of restricted byways to be added:

There shall be added to the Definitive Map for the parish of Brent Eleigh a ~~restricted byway~~ ^{bridleway} from a point at Ordnance Survey grid reference 59360,24916 (point Y) to a point at Ordnance Survey grid reference 59262,24914 (point X).

There shall be added to the Definitive Map for the parish of Lavenham a ~~restricted byway~~ ^{bridleway} from a point at Ordnance Survey grid reference 59279,24918 (point A) to a point at Ordnance Survey grid reference 59262,24914 (point X).

There shall be added to the Definitive Map for the parish of Preston St Mary a ~~restricted byway~~ ^{bridleway} from a point at Ordnance Survey grid reference 59284,24921 (point W) to a point at Ordnance Survey grid reference 59279,24918 (point A).

There shall be added to the Definitive Map for the parish of Preston St Mary a ~~restricted byway~~ ^{bridleway} from a point at Ordnance Survey grid reference 59279,24918 (point A) to a point at Ordnance Survey grid reference 59272,24945 (point B) and from a point at Ordnance Survey grid reference 59274,24950 (point C) to a point at Ordnance Survey grid reference 59284,24983 (point D).

Description of bridleway to be deleted:

There shall be deleted from the Definitive Map for the parish of Brent Eleigh a bridleway from a point at Ordnance Survey grid reference 59360,24916 (point Y) to a point at Ordnance Survey grid reference 59259,24913 (point X1).

Description of footpaths to be upgraded to ~~restricted byways~~ ^{bridleways}:

There shall be upgraded to ~~restricted byway~~ ^{bridleway} a footpath in the parish of Preston St Mary from a point at Ordnance Survey grid reference 59272,24945 (point B) to a point at Ordnance Survey grid reference 59274,24950 (point C) and from a point at Ordnance Survey grid reference 59284,24983 (point D) to a point at Ordnance Survey grid reference 59314,24988 (point E).

~~Description of bridleway to be upgraded to restricted byway:~~

~~There shall be upgraded to restricted byway in the parish of Brent Eleigh a bridleway from a point at Ordnance Survey Grid Reference 59430,24884 (point Z) to a point at Ordnance Survey grid reference 59360,24916 (point Y).~~

PART 2

Modification of Definitive Statement

Particulars of restricted byways to be added:

There shall be added to the Definitive Statement for Preston St Mary the following particulars:

~~Preston St Mary Restricted Byway 26~~ *Bridleway []*

Commencing at the parish boundary and a junction with Brent Eleigh ~~restricted byway 7~~, Preston St Mary ~~restricted byway 27~~ and Lavenham ~~restricted byway 29~~ at Ordnance Survey Grid Reference (OSGR) 59279,24918 (point A) and proceeding in a north-north-westerly direction for 278 metres to the eastern end of Lavenham footpath 19 at OSGR 59272,24945 (point B); changing to a north-north-easterly direction and continuing for 60 metres to the western end of Preston St Mary footpath 11 at OSGR 59274,24950 (point C); continuing for 348 metres to a junction with Preston St Mary footpath 10 at OSGR 59284,24983 (point D); changing to a generally east north-easterly direction and continuing for 315 metres to a junction with the U8133 road at OSGR 59314,24988 (point E). *bridleway []*

Width: Varying between a minimum of 4 metres and a maximum of 10 metres.

As shown between solid boundaries or solid boundary and parish boundary on the Ordnance Survey County Series maps of 1884 sheet 64/10, and 1885 sheet 64/14

~~Preston St Mary Restricted Byway 27~~ *Bridleway []*

Commencing at the parish boundary with Brent Eleigh and a junction with Brent Eleigh ~~restricted byway 7~~ at Ordnance Survey Grid Reference (OSGR) 59284,24921 (point W) and continuing in a generally south-westerly direction for 59 metres adjacent to Brent Eleigh ~~restricted byway 7~~ and terminating at a junction with Preston St Mary ~~restricted byway 26~~ and Lavenham ~~restricted byway 29~~ at OSGR 59279,24918 (point A). *bridleway []*

Width: Varying between a minimum of 4 metres and a maximum of 5.5 metres.

As shown between solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.4

There shall be added to the Definitive Statement for Lavenham the following particulars:

~~Lavenham Restricted Byway 29~~ *Bridleway []*

Commencing at a junction with Preston St Mary ~~restricted byway 26~~ and ~~restricted byway 27~~ at Ordnance Survey Grid Reference (OSGR) 59279,24918 (point A) and continuing in a generally west south-westerly direction adjacent to Brent Eleigh ~~restricted byway 7~~ for 180 metres to a junction with the U8138 road at OSGR 59262,24914 (point X). *bridleway []*

Width: Varying between a minimum of 5 metres and a maximum of 6.5 metres.

As shown between solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.4

Particulars of rights of way to be amended:

There shall be amended on the Definitive Statement for Preston St Mary the following particulars:

Preston St Mary footpath 10

Delete the words from the current statement from “; recommencing” through to “hedge” and replace with “at a junction with the U8133; recommencing at a junction with ~~Restricted Byway 26~~, at OSGR 59284,24983”. Under width delete “TL 9314 4988” and replace with “OSGR 59284,24983”. Bridleway []

Preston St Mary footpath 11

Delete from the current statement the words “Lavenham Parish Boundary” at the end of the statement and replace with “~~Restricted Byway 26~~ at OSGR 59274,24950.” Bridleway []

There shall be amended on the Definitive Statement for Brent Eleigh the following particulars:

Brent Eleigh bridleway 7

~~Change the status to restricted byway 7 and~~ ^A add to the definitive statement after “...in a N.W. direction” the words “along Clay Lane”, and add:

“Width: Varying between a minimum of 5 metres and a maximum of 21 metres between OSGR 59430,24884 and OSGR 59284,24921. (Points Z-W)

Varying between a minimum of 3 metres and a maximum of 7 metres between OSGR 59284,24921 and OSGR 59262,24914. (Points W-X)

As shown between solid boundaries or solid boundary and parish boundary as depicted on the Ordnance Survey County Series map of 1884 sheet 64/10.” 5 4 and 1886 sheet 64/13

