

**COVERING LIST OF REPRESENTATIONS, OBJECTORS
AND SUPPORTERS**

**THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY
FOR THE COUNTY OF LANCASHIRE**

**THE LANCASHIRE COUNTY COUNCIL (ALDCLIFFE HALL DRIVE, ALDCLIFFE
WITH STODDAY, LANCASTER) DEFINITIVE MAP MODIFICATION ORDER 2018**

No.	OBJECTIONS STILL OUTSTANDING	ADDRESS
1	Mr Michael Stainton	11 Aldcliffe Hall Drive Aldcliffe Lancaster LA1 5BG M.H.Stainton Limited C/O Frp Advisory Trading Limited Derby House 12 Winckley Square Preston PR1 3JJ michael@mhstainton.co.uk 07885633728
No.	OBJECTIONS WITHDRAWN	
No.	SUPPORTER	
2	Dr M.D.Vinnicombe	'Ashburne' Haverbreaks Road Lancaster LA1 5BJ
No.	OTHER RESPONSES	

Mr M Stainton
11 Aldcliffe Hall Drive
Aldcliffe
Lancaster
LA1 5BG

3 December 2018

Claire Blundell
The Director of Corporate Services
Lancashire County Council
P O Box 78
County Hall
Preston
PR1 8XJ

Your ref: LSG4/CB7/888.1245/804.592

Dear Ms Blundell

I wish to object to the proposed modification of the definitive map and statement on the grounds of the safety of those using it.

I live on Aldcliffe Hall Drive, and have recently completed a development of 6 new properties, three of which are accessed from it and therefore affect the impact of the traffic using it. However, there is no reference to these properties in any of the documentation received. In addition, it states there are footpaths in some sections, where in fact there are no footpaths, making it both inaccurate and misleading. I would like to request a further site meeting in order to demonstrate my concerns.

There is already an adequate road which provides access to Aldcliffe. Indeed, as part of my planning permission, I was asked to contribute £1000 to Lancashire County Council for upgrades to road markings and safety to Aldcliffe Road. This was paid on 23.03.2016, yet nothing appears to have been done, rather it seems you would prefer to divert pedestrians down a private road, which is inadequate with regards to safety, instead.

I look forward to your earliest reply.

Yours sincerely



Michael Stainton

Mr M Stainton
11 Aldcliffe Hall Drive
Aldcliffe
Lancaster
LA1 5BG

Phone: 01772 533196
Email: claire.blundell@lancashire.gov.uk

Your ref:

Our ref: LSG4/CB7/888.1245/804.592

Date: 7 December 2018

Dear Mr Stainton,

Lancashire County Council does
not accept service by e-mail.

**RE: THE LANCASHIRE COUNTY COUNCIL (ALDCLIFFE HALL DRIVE,
ALDCLIFFE WITH STODDAY, LANCASTER) DEFINITIVE MAP
MODIFICATION ORDER 2018**

Thank you for your letter dated 3 December 2018 in which you object to the Order to record Aldcliffe Hall Drive (the Order route) as a Restricted Byway. A copy of your letter has been passed onto the right of way officer dealing with this matter.

This Order recognises the public rights that the authority has concluded exist already: the Order does not create any public rights and as such questions of suitability of the way for horses, people on foot or bicycles or of the possible effects of use by the public are not relevant to the decision the authority has to make. Other issues, such as privacy, security or amenity are unlikely to be relevant also.

That said the county council understands that you may have concerns about the safety of the public using the route but cannot decide to withdraw support for the confirmation of the Order on the grounds that the route may (or may not) be considered to be unsuitable to be used jointly by pedestrians, horse riders, cyclists and by vehicles. Many public routes exist in Lancashire and elsewhere where there is joint public and private use of a route and this is the situation which would have been the case historically. This is generally not a problem in practice as long as it is in keeping with the nature of the route, which is the case here.

A potential increase in private vehicular use as a result of the recent construction of further houses accessing the drive was not specifically referred to in the Regulatory Committee report because it is not relevant to the investigation into whether the drive is already an unrecorded public right of way. It would, however have been relevant if the county council were looking to create new public rights along the driveway.

We are aware that Aldcliffe Road, running parallel to Aldcliffe Hall Drive (the Order route) also provides access to Aldcliffe Village but the existence of an alternative route –

whether adequate or not – is not likely to be relevant to the confirmation of the Order recording public rights along Aldcliffe Hall Drive. It would, however be relevant if the county council were seeking to create new public rights and it could be argued that it was unnecessary to do so because adequate public access was already available along Aldcliffe Road.

Whilst we appreciate that you have suggested a site visit we do not think it necessarily appropriate at this stage of the process. Should the Order be confirmed, any issues regarding public safety can then be addressed – most probably in the first instance by appropriate signage - which can be discussed with the Public Rights of Way Officer responsible for the Lancaster area.

With regards to the planning permission you obtained for the construction of the houses and payment made towards improvements to Aldcliffe Road this is a separate issue to the confirmation of this Order but my colleagues in the Public Rights of Way Team will make enquiries and ask the relevant Highways or Planning Officer to make contact with you.

In the light of the above explanation please can you let me know whether you wish to sustain or withdraw your objection.

Yours faithfully



Claire Blundell
Paralegal

Please quote our full reference number on all correspondence

DR M.D. VINNICOMBE
'ASHBURN'
HAVERBREAKS RD
LANCASTER
LA1 5BT

Dear Sir,

I write with reference to your planning application concerning Aldcliffe Hall Lane., adjacent to Aldcliffe Road, Lancaster.

As a very local resident of almost forty years standing, I am very familiar with the dangers associated with using the only alternative to the pedestrian right-of-way. The increasing number of houses in the area, with their attendant vehicles constantly add to the dangers to pedestrians using the main route.

In all the years we have lived in this area, we have never heard of any problem with pedestrian use of the lane. Clearly we object strongly to any limitation of use to the lane.

Yours Sincerely

DR & MRS M.D. Vinnicombe

Dr M.D. Vinnicombe
Ashborne
Haverbreaks Road
Lancaster
LA1 5BJ

Phone: 01772 533196
Email: claire.blundell@lancashire.gov.uk

Your ref:

Our ref: LSG4/CB7/888.1245/804.592

Date: 8 November 2018

Dear Dr & Mrs Vinnicombe,

Lancashire County Council does
not accept service by e-mail.

**RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
THE LANCASHIRE COUNTY COUNCIL (ALDCLIFFE HALL DRIVE,
ALDCLIFFE WITH STODDAY, LANCASTER) DEFINITIVE MAP
MODIFICATION ORDER 2018**

I thank you for your letter received 7th November 2018 and note that you support the above named Order. I confirm that a copy of your letter has been passed onto the right of way officer dealing with this matter.

Yours faithfully



Claire Blundell
Paralegal

Please quote our full reference number on all correspondence