From: carl.parr@sky.com
To: Moore, Simon

**Subject:** Re: Your ref LSG4.SM18.888.2165

Date: 19 June 2020 17:49:23
Attachments: PC app notice.pdf

# Attachment as mentioned previously

On Friday, 19 June 2020, 16:41:36 BST, carl.parr@sky.com <carl.parr@sky.com> wrote:

## Dear Mr Moore

Both myself and my wife (Sally Parr) are today in receipt of your correspondence in reference to the application for the addition of a public footpath from Wennington Road to Home Farm Close, Wray part of which crosses land owned by ourselves.

We will be responding in full at a later date with our strong objections to this proposal but would first like to clarify a point

It is our understanding that as joint landowners, Wray-with-Botton Parish Council, as the applicants, should have served both my wife and myself individual notices rather than the joint one actually served (copy attached) as the application guidance states that an individual notice will need to be completed for each owner or occupier and that failure to do so will invalidate the application. I would be grateful if you could clarify this point as the fact that you have sent Lancashire County Council notifications to both myself and my wife individually makes me now further suspect that the Parish Council may have failed to properly serve their application and therefore have rendered it invalid

Also can I point out that my name is not James Parr as your letter has address me but Carl Parr. Yes, James is my middle name but I have never been referred to as James nor at any time used it as a pseudonym. I would appreciate it if I could be addressed in future by my given forename of Carl

Yours sincerely

Carl Parr 32 Wennington Road Wray Lancaster LA2 8QH From: Moore, Simon

To: "carl.parr@sky.com"

Subject: RE: Your ref LSG4.SM18.888.2165

**Date:** 24 June 2020 09:55:00

### Dear Mr Parr,

Many thanks for your response to this matter. I look forward to receiving your full response in due course.

You are quite correct regarding serving notices though Lancashire County Council is still under a duty to investigate these matters whether or not notice is served correctly by the applicant. I shall inform the applicant of this oversight and see that they serve separate notices.

My apologies regarding the use of your middle name rather than given forename in previous correspondence, I have updated your contact details accordingly.

# Kind regards

#### **Simon Moore**

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280

DX: 710928

**From:** carl.parr@sky.com <carl.parr@sky.com>

**Sent:** 19 June 2020 16:42

To: Moore, Simon <Simon.Moore@lancashire.gov.uk>

Subject: Your ref LSG4.SM18.888.2165

## Dear Mr Moore

Both myself and my wife (Sally Parr) are today in receipt of your correspondence in reference to the application for the addition of a public footpath from Wennington Road to Home Farm Close, Wray part of which crosses land owned by ourselves.

We will be responding in full at a later date with our strong objections to this proposal but would first like to clarify a point

It is our understanding that as joint landowners, Wray-with-Botton Parish Council, as the applicants, should have served both my wife and myself individual notices rather than the joint one actually served (copy attached) as the application guidance states that an individual notice will need to be completed for each owner or occupier and that failure to do so will invalidate the application. I would be grateful if you could clarify this point as the fact that you have sent Lancashire County Council notifications to both myself and my wife individually makes me now further suspect that the Parish Council may have failed to properly serve their application and therefore have rendered it invalid

Also can I point out that my name is not James Parr as your letter has address me but Carl Parr. Yes, James is my middle name but I have never been referred to as James nor at any time used it as a pseudonym. I would appreciate it if I could be addressed in future by my given forename of Carl

Yours sincerely

Carl Parr 32 Wennington Road Wray Lancaster LA2 8QH From: Ahmad, Ejaz
To: Moore, Simon

**Subject:** NO Objection :ton Road, Wray 804-620 (888.2165)

 Date:
 22 June 2020 09:26:23

 Attachments:
 image001.png

Ltr - Consult Stat Users.pdf

Wray consultation plan.pdf

Dear Sirs,

## New Roads and Street Works Act 1991

# Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order

# **No Objection**

## We refer to the below or attached order and confirm that we have no objections

Please email Stopping Ups to <a href="mailto:osm.enquiries@atkinsglobal.com">osm.enquiries@atkinsglobal.com</a>

To enable us to process your application as quickly as possible, please ensure you include Grid References.

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

# IMPORTANT - PLEASE READ = Your Next Step?:-

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to <a href="mailto:c3requests@vodafone.com">c3requests@vodafone.com</a> with a request for a <a href="mailto:c3 Budget Estimate">c3 Budget Estimate</a>. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team T: +44 (0)1454 662881

E: osm.enguiries@atkinsglobal.com



**ATKINS** working on behalf of Vodafone: Fixed

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From: Moore, Simon <Simon.Moore@lancashire.gov.uk>

**Sent:** 17 June 2020 14:39

**To:** National Plant Enquiries <OSM.enquiries@atkinsglobal.com> **Subject:** Dmmo Wennington Road, Wray 804-620 (888.2165)

**Dear Sirs** 

RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

# ADDITION OF PUBLIC FOOTPATH FROM WENNINGOTN ROAD TO HOME FARM CLOSE, WRAY WITH BOTTON

Lancashire County Council, as Surveying Authority, have received an Application for a Definitive Map Modification Order. The details of the Application are as follows and the route referred to is shown by a thick, black, dashed line on the attached plan:-

An Application to add a public footpath from Wennington Road to Home Farm Close, Wray with Botton.

In accordance with paragraph 3 of Schedule 14 of the Wildlife and Countryside Act, 1981, the county council are required to fully investigate the Application and, after consulting with every local authority in whose area the Application relates, to decide whether or not to make the Order applied for. The county council are required to give Notice of their decision to every owner and occupier of any land to which the application relates.

If the Council decide to make a Definitive Map Modification Order, Notice will be served on owners and occupiers, who may, at that stage, make representations or objections to it. In such case, the Order will be submitted to the Secretary of State for determination.

If, in the meantime, you have any observations, comments or objections on the application submitted to the county council, and particularly if you have any evidence in support of, or contrary to the application, would you please let me know, if possible, within 28 days of the date of this letter. Information from you at this early stage is sought, but of course it is open to you to submit any further information or evidence until the matter goes before the county council's Regulatory Committee.

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

Yours faithfully

**Simon Moore** 

Paralegal Officer

Legal and Democratic Services Lancashire County Council 01772 531280

DX: 710928

\*\*\*\*\*\*

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From: Coulthard, Joshua
To: Moore, Simon

Subject: FW: Dmmo Wennington Road, Wray 804-620 (888.2165)

 Date:
 23 June 2020 09:26:46

 Attachments:
 image001.pnq

Ltr - Consult Lancaster City Council.pdf

Wray consultation plan.pdf

Hi Simon,

Your email below has been forwarded to our Planning department and as I have been involved with this matter, I feel that it may be worthwhile making you aware of a relative planning condition.

To formally recognise the footpath as a public right of way would reflect the requirement of condition 13 on planning permission 99/00664/FUL – 'erection of one dwelling' on land between no 30 & 34 Wennington Road (see below) and confirm its rationale for its imposition (i.e. the City Council's view of the importance of this pedestrian link).

13. In accordance with this permission a public pedestrian access from Wennington Road to the land to the south of this site shall be maintained to a minimum width of 2 metres as indicated on the submitted plan and there shall be no direct vehicular or pedestrian access to the development hereby approved on the Wennington Road frontage.
Reason: In the interests of highway safety and to safeguard pedestrian access.

Yours sincerely

Josh Coulthard
Graduate Planning Enforcement Officer
Lancaster City Council
Morecambe Town Hall
Tel - 01524 582317

From: Moore, Simon < Simon. Moore@lancashire.gov.uk >

**Sent:** 17 June 2020 09:52

**To:** Customer Service Team Leaders < <u>CustomerServiceTeamLeaders@lancaster.gov.uk</u>>; democracy < <u>democracy@lancaster.gov.uk</u>>; chiefexecutive < <u>chiefexecutive@lancaster.gov.uk</u>>

Subject: Dmmo Wennington Road, Wray 804-620 (888.2165)

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**Dear Sirs** 

RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

ADDITION OF PUBLIC FOOTPATH FROM WENNINGOTN ROAD TO HOME FARM CLOSE, WRAY WITH BOTTON

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Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

Yours faithfully

# **Simon Moore**

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280

DX: 710928

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An Investor in People/Positive about Disabled People.

**DISCLAIMER:** 

From: Moore, Simon

To: "Coulthard, Joshua"

Subject: RE: Dmmo Wennington Road, Wray 804-620 (888.2165)

**Date:** 24 June 2020 10:48:00

Attachments: <u>image001.png</u>

Hi Josh,

Many thanks for forwarding the email on. Many thanks too for this useful response, I shall ensure this information is included in the report which goes before the Regulatory Committee.

# Kind regards

## **Simon Moore**

DX: 710928

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280

From: Coulthard, Joshua < jcoulthard@lancaster.gov.uk>

Sent: 23 June 2020 09:26

To: Moore, Simon <Simon.Moore@lancashire.gov.uk>

Subject: FW: Dmmo Wennington Road, Wray 804-620 (888.2165)

Hi Simon,

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?	

Yours sincerely

Josh Coulthard Graduate Planning Enforcement Officer Lancaster City Council Morecambe Town Hall Tel - 01524 582317 From: Moore, Simon <Simon.Moore@lancashire.gov.uk>

**Sent:** 17 June 2020 09:52

**To:** Customer Service Team Leaders < <u>CustomerServiceTeamLeaders@lancaster.gov.uk</u>>; democracy < <u>democracy@lancaster.gov.uk</u>>; chiefexecutive < <u>chiefexecutive@lancaster.gov.uk</u>>

Subject: Dmmo Wennington Road, Wray 804-620 (888.2165)

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#### **Dear Sirs**

## RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III

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## **Simon Moore**

Paralegal Officer

Legal and Democratic Services Lancashire County Council 01772 531280

DX: 710928

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**DISCLAIMER:** 

From: Wastewater Developer Services

To: Moore, Simon

**Subject:** Wennington Road Wray with Bottom Part III

 Date:
 25 June 2020 07:57:55

 Attachments:
 image001.png

image003.png image004.png image005.png

# Hi

United Utilites do no have any assets in this area, therefore we have no objections with the modification of the footpath

# Thanks sue



## **Sue King**

Customer Services Advanced Developer Services & Metering Customer Services **T:** 01925 679413 unitedutilities.com

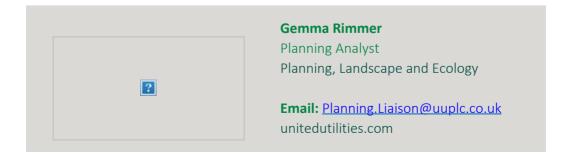
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Visit: unitedutilities.com/wow

From: Planning Liaison
Sent: 23 June 2020 13:00

**To:** Wastewater Developer Services < Wastewater Developer Services @ uuplc.co.uk >

Subject: FW: Post





Our Planning Team can be contacted by email at <a href="mailto:Planning.Liaison@uuplc.co.uk">Planning.Liaison@uuplc.co.uk</a>

From: Dobson, Sian

**Sent:** 23 June 2020 12:39

**To:** Planning Liaison < <u>Planning.Liaison@uuplc.co.uk</u>>

Subject: Post

Hi,

Please see attached☺

Thanks,



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Did you know we now have a live chat facility available to you Mon to Friday 8am -5pm. Just click on the orange live chat box on our webpage and one of our advisors will be ready to chat to you and help you with your enquiry <a href="www.unitedutilities.com/builders-developers/">www.unitedutilities.com/builders-developers/</a> or you can email us at <a href="mailto:DeveloperServicesWater@uuplc.co.uk">DeveloperServicesWater@uuplc.co.uk</a>



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From: Moore, Simon

To: "Wastewater Developer Services"

**Subject:** RE: Wennington Road Wray with Bottom Part III

 Date:
 25 June 2020 08:31:00

 Attachments:
 image001.png

image002.png image003.png image004.png

Hi Sue,

Many thanks for your response to this.

Kind regards

# **Simon Moore**

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280

DX: 710928

From: Wastewater Developer Services < Wastewater Developer Services @uuplc.co.uk >

**Sent:** 25 June 2020 07:58

**To:** Moore, Simon <Simon.Moore@lancashire.gov.uk> **Subject:** Wennington Road Wray with Bottom Part III

Hi

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Thanks sue



**Sue King** 

Customer Services Advanced Developer Services & Metering Customer Services **T:** 01925 679413 unitedutilities.com

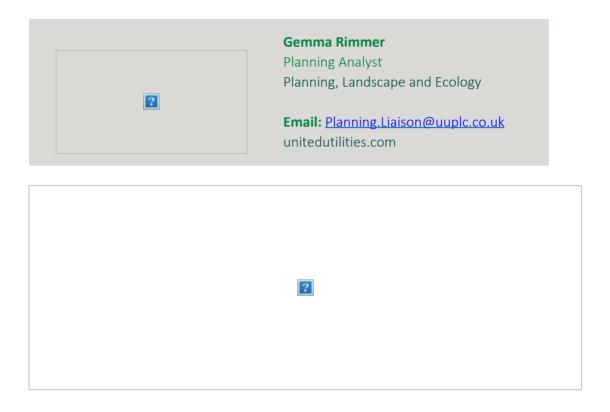
If you have received a great service today why not tell us?

Visit: unitedutilities.com/wow

From: Planning Liaison
Sent: 23 June 2020 13:00

**To:** Wastewater Developer Services < <u>Wastewater Developer Services@uuplc.co.uk</u>>

Subject: FW: Post



# Our Planning Team can be contacted by email at <a href="mailto:Planning.Liaison@uuplc.co.uk">Planning.Liaison@uuplc.co.uk</a>

From: Dobson, Sian
Sent: 23 June 2020 12:39

**To:** Planning Liaison < <u>Planning.Liaison@uuplc.co.uk</u>>

Subject: Post

Hi,

Please see attached©

Thanks,



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Simon Moore Paralegal Officer Legal and Democratic Services Lancashire County Council

**FAO Simon Moore** 

Our Ref: SL16/837790/SK 29 June 2020 Your Ref: 804-620 (888.2165

Dear Sir,

WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III
APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER
ADDITION OF PUBLIC FOOTPATH FROM WENNINGOTN ROAD TO HOME FARM
CLOSE, WRAY WITH BOTTON

Thank you for your letter dated 17 June 2020 regarding the above. One copy of a plan is returned marked to show the approximate position of BT apparatus.

BT has no objection to your proposals, provided that the standard exception clause covers the maintenance, repair and construction of BT plant at all times.

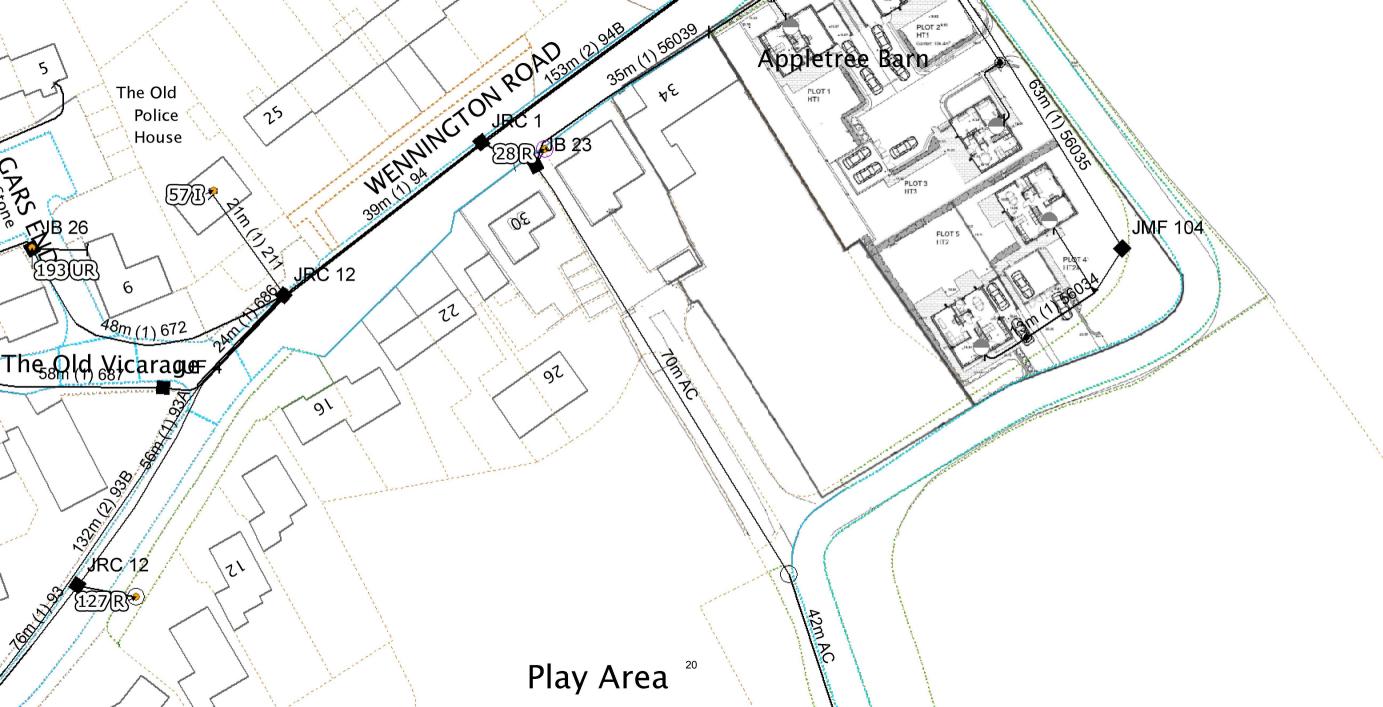
If you are unable to guarantee suitable facilities to enable the above conditions to be met, will you please ask BT to remove the apparatus at your expense.

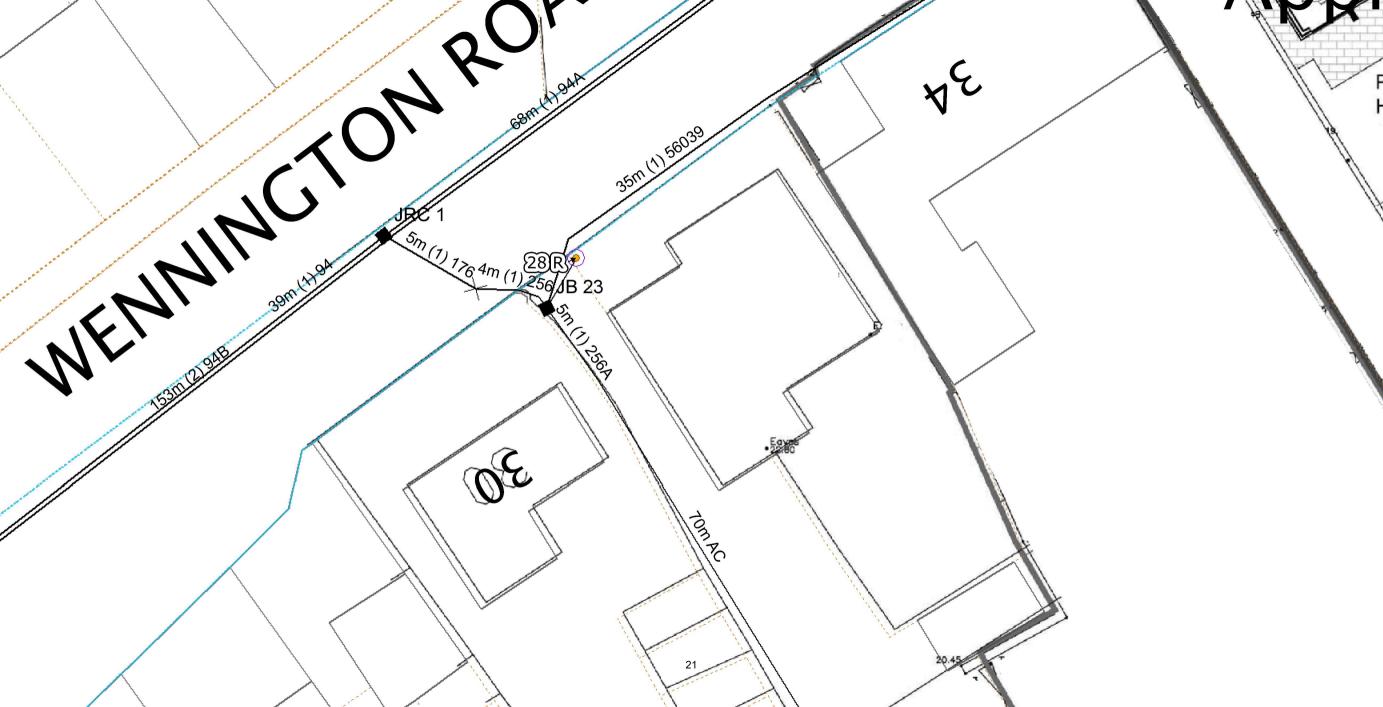
Should you require any further information, please contact me at the address shown below quoting my reference in all future correspondence.

Yours faithfully,

Shaun King Repayments Project Engineer

Repayments (Alterations)
Dial House
21 Chapel Street
Salford
M3 7BA
Tel: 0131 807 4608
Email:
shaun.3.king@openreach.co.uk





From: Moore, Simon

To: <u>"shaun.3.king@openreach.co.uk"</u>

Subject: RE: Dmmo Wennington Road, Wray 804-620 (888.2165)

**Date:** 30 June 2020 09:57:00

Hello Shaun,

Many thanks for your response, I have added this to our file for this matter.

Kind regards

#### **Simon Moore**

DX: 710928

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280

From: shaun.3.king@openreach.co.uk <shaun.3.king@openreach.co.uk>

Sent: 29 June 2020 08:59

To: Moore, Simon <Simon.Moore@lancashire.gov.uk>

Subject: RE: Dmmo Wennington Road, Wray 804-620 (888.2165)

Hello Simon,

Please see the attached reply.

Regards Shaun King Repayments Planner

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From: Moore, Simon [mailto:Simon.Moore@lancashire.gov.uk]

**Sent:** 17 June 2020 10:11 **To:** networkalterationsuk T

Subject: Dmmo Wennington Road, Wray 804-620 (888.2165)

**Dear Sirs** 

RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III

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If the Council decide to make a Definitive Map Modification Order, Notice will be served on owners and occupiers, who may, at that stage, make representations or objections to it. In such case, the Order will be submitted to the Secretary of State for determination.

If, in the meantime, you have any observations, comments or objections on the application submitted to the county council, and particularly if you have any evidence in support of, or contrary to the application, would you please let me know, if possible, within 28 days of the date of this letter. Information from you at this early stage is sought, but of course it is open to you to submit any further information or evidence until the matter goes before the county council's Regulatory Committee.

Please note that information supplied will be used in accordance with the processes under Statute and will not be confidential and may be disclosed to third parties.

Yours faithfully

## **Simon Moore**

Paralegal Officer Legal and Democratic Services Lancashire County Council 01772 531280 DX: 710928

DN. / 10320

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32 Wennington Road

Wray

Lancashire

LA2 8QH

10th July 2020

Your ref: LSG4.SM18.888.2165

Re: Wildlife and Countryside Act 1981 - Part III

Application for Definitive Map Modification Order

Addition of public footpath from Wennington Road to Home Farm Close, Wray

I am joint owner of land between 30 and 32 Wennington Road, Wray and land to the rear of 32 Wennington Road, Wray. I am aware that an application has been submitted for a DMMO to add a public footpath over this land and I wish to raise my initial objections to this.

32 Wennington Road, Wray was built in 2000 and my husband and I took ownership of the house in 2010. Since then the public have used our land as a cut-through between Wennington Road and Home Farm Close but this has not been uninterrupted use. On five occasions (dates can be provided if necessary), access has been restricted to authorised persons only. This can be evidenced by photographs and documents provided by the applicant. Additionally on 1st April 2020 a deposit was made to Lancashire County Council under s31(6) of the Highways Act 1980 and s15A(1) of the Commons Act 2006.

The application refers to planning permission dated 18<sup>th</sup> October 1999 which states that a public pedestrian access from Wennington Road to the land to the south of this site shall be maintained to a minimum width of 2 metres. I am in possession of a Land Registry document which post-dates the planning permission (2000) which states that the only access over our land is for the garage owners/users to a width of 1.8 metres. The Chair of Wray Parish Council is aware of this document and has had sight of it. It is my belief that further planning permission must have been granted as the layout of 32 Wennington Road is completely different to that for which the first planning permission was sought and that documentation has been mislaid with the passage of time.

I understand that the land under discussion used to form part of a farm track which led from Wennington Road to Home Farm, Main Street, Wray and historically local residents used the track as a shortcut. Following the development of Home Farm Close, the owner of one of the properties

successfully closed the track over their land off as private land and subsequently gated it off. This was in fact the Chair of the Applicant, Wray Parish Council and I find the hypocrisy of this unpalatable.

I assert that it would be unsafe for a public right of way to be granted over the land under discussion as it is in regular use for vehicular access to the rear of 32 and 34 Wennington Road and to the garages. It also opens directly into the carriageway of the busy B6480.

I hereby provide you with details of owner/tenants who may be affected by the application:

Mr and Mrs P Garrod, 34 Wennington Road, Wray

Mr and Mrs A Taplin, 30 Wennington Road, Wray

Occupant of 28 Wennington Road, Wray (name unknown – it is a rented property owned by Mr J Wright, The Chapel, Main Street, Wray)

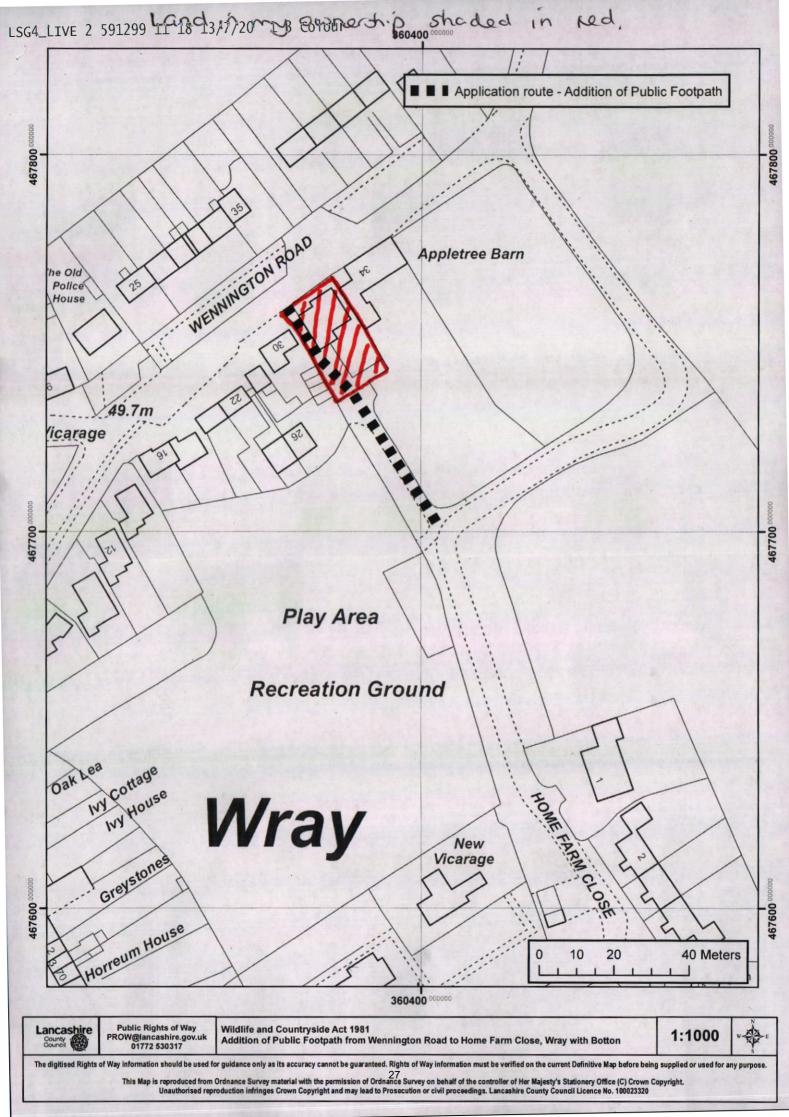
Mr and Mrs C Wright, 22 Wennington Road, Wray (garage owner)

Mr P Edge, 20 Wennington Road, Wray (garage owner)

Occupant of 18 Wennington Road, Wray (garage owner)

Yours sincerely

Mrs Sally Parr



Mrs Sally Parr Phone: 01772 531280

32 Wennington Road Email: Simon.Moore@lancashire.gov.uk

Wray

Lancaster

Lancashire Your ref:

A2 8QH Our ref: LSG4.SM18.888.2165

Date: 15 July 2020

Dear Mrs Parr

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

RE: WILDLIFE AND COUNTRYSIDE ACT 1981 – PART III

APPLICATION FOR DEFINITIVE MAP MODIFICATION ORDER

ADDITION OF PUBLIC FOOTPATH FROM WENNINGOTN ROAD TO HOME

**FARM CLOSE, WRAY WITH BOTTON** 

My thanks for your response to the recent consultations relating to this matter. The information you have provided will be included in the report which will go before the county councils Regulatory Committee for consideration.

I shall write to you again in due course as this matter progresses. If you have any further information or queries please do not hesitate to contact me.

Yours sincerely

Simon Moore Paralegal

Please quote our <u>full</u> reference number on <u>all</u> correspondence