

Subject: Fwd: FW: part 3 Rebuttal Evidence Mystax Farm 6002168

Subject:-

Challenging the Appellants claims/intentions to use land/verges on Lancaster Rd (B5270) which is not under their control

----- Original Message -----

Subject: FW: Additional Highways info

Sent from my Galaxy

The aerial photographs from 1975 attached, clearly shows the established rural character of Lancaster Road, with continuous hedgerows and defined field boundaries running directly alongside the carriageway.

This reflects the historic agricultural landscape of the area, where roadside boundaries formed part of adjoining farm holdings, rather than engineered highway verges of the type now suggested by the appellant.

The planning drawings relating to the conversion of the former barn at Pointer Farm (now Vine House) further support this. These show that, where access was required, the frontage was locally set back from the carriageway, with annotations referring to a "grass verge" and a new boundary wall positioned approximately 2 metres from the edge of the tarmac.

This demonstrates that any alteration to the frontage was undertaken solely to facilitate access and visibility at that specific point. There is no evidence within the approved drawings of any formal dedication or transfer of land to the highway authority.

In the absence of any evidence of formal highway adoption or dedication, it cannot be assumed, that land set back for access forms part of the public highway.

Furthermore, we hold original Conveyance of Land Indentures dating back to the 1800s, which expressly include land on Lancaster Road together with associated hedges, ditches, fences and watercourses.

Taken together, this evidence demonstrates that the roadside boundaries along this section of Lancaster Road form part of the historic private curtilage of adjoining properties,

originating from earlier agricultural holdings such as Pointer Farm, rather than adopted highway land.

The appellant's proposals therefore rely on land which is not within their control and which has historically formed part of established private boundaries, in order to deliver visibility splays and highway alterations that would not otherwise be achievable.