



**PUBLIC PATH DIVERSION AND DEFINITIVE MAP
AND STATEMENT MODIFICATION ORDER**

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53(A)(2)
THE SHROPSHIRE COUNCIL (BRIDLEWAY 96 (PART)
PARISH OF PONTESBURY) PUBLIC PATH DIVERSION ORDER 2022**

This order is made by the Shropshire Council ("the Council") under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the bridleway to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 under planning reference 21/03534/FUL for redevelopment of Brook Vessons Farm to include demolition of the existing farmhouse cottage and agricultural buildings and erection of a 1 No dwelling, car port and log store, greenhouse, and food larder with bat loft along with conversion of cowshed to residential use and retention.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the Shropshire definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this order) of a highway hitherto shown or required to be shown in the map and statement.

BY THIS ORDER:

1. The bridleway over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order ("the Schedule") shall be diverted, and the Shropshire definitive map and statement shall be modified as provided below.

2. There shall be created to the reasonable satisfaction of the Shropshire Council an alternative highway for use as a replacement for the said bridleway as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The Owner hereby covenants with the Council that the Owner and his successors in title shall maintain the Bridleway between points A to B (including the bridge) in good repair at all times and in a fit condition for use by the public as a bridleway.
4. The diversion of the bridleway shall have effect on the date on which Shropshire Council certify that the terms of Article 2 above have been complied with and upon occurrence of that diversion the Shropshire definitive map shall be modified by deleting from it the way referred to in paragraph 1 of this order and the way referred to in paragraph 2 of this order shall be added to it and the definitive statement shall be modified as described in Part 3 of the schedule.
5. Where immediately before the date on which the bridleway is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART I

Description of site of existing path or way

the full width of that part of BW 96 running from point A on the Order Map (SO 3963 0120) running in a general westerly direction on a rough stoned surface track to point B on the Order Map (SO 3949 0120). A length of approximately 135 metres with a width varying between 3 metres and 5 metres.

PART 2

Description of site of alternative highway

leaving the Definitive line of BW 96 at point A on the Order Map (SO 3963 0120) running in a general south westerly direction along a surfaced track, over the access bridge, then in a westerly then north westerly direction along a surfaced track to re-join the Definitive line of BW 96 at point B on the Order Map (SO 3949 0120). A length of approximately 144 metres with a width varying between 3 metres and 4 metres.

PART 3

Modification of Definitive Statement

leaving the Definitive line of BW 96 at point A on the Order Map (SO 3963 0120) running in a general south westerly direction along a surfaced track, over the access bridge, then in a westerly then north westerly direction along a surfaced track to re-join the Definitive line of BW 96 at point B on the Order Map (SO 3949 0120). A length of approximately 144 metres with a width varying between 3 metres and 4 metres.

There is no Shropshire definitive statement for the remainder of BW 196 Pontesbury

Variation of Particulars of Path of Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 1st December 2022
In the presence of:

T W Collard

Tim Collard
Assistant Director, Legal and Governance
(Monitoring Officer)

509955

339500

339600

301300

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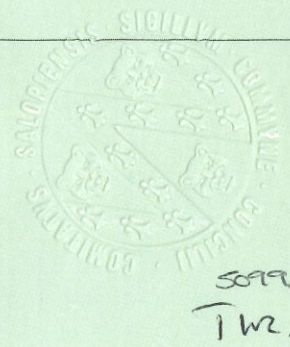


Ford

BW 96

Brook Vessons Farm

225.2m



Key

- Route to be created
- Route to be extinguished
- Existing to remain