

**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 (FP 8Y (PART) TOWN OF SHREWSBURY)
PUBLIC PATH DIVERSION ORDER 2023.**

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 footpath 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 to allow for a mixed residential development of 340 mixed (including 51 affordable units) with associated garages; creation of vehicular access(es); installation of infrastructure, footpath links, public open space, and biodiversity enhancement areas. (amended description) Development Land At Churncote Off Welshpool Road Bicton Heath Shrewsbury.

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 footpath 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 footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath 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.
4. Where immediately before the date on which the footpath 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 FP 8Y to be extinguished leaving Welshpool Road at point A on the Order Map at grid reference SJ 4521 1342 running in a general NNE direction to point B on the Order Map at grid reference SJ 4525 1350. A total distance of 94 metres.

PART 2

Description of site of alternative highway

Leaving Welshpool Road at point C on the Order Map at grid reference SJ 4529 1339 the footpath to be created runs in a general north easterly direction on a surfaced path, alongside the estate road, crossing the estate road then in a general NNW direction on a surfaced path along the southern side of the pond to rejoin the Definitive line of FP 8Y at point B on the Order Map at grid reference SJ 4525 1350. An approximate total distance of 150 metres with a width of 2 metres throughout its length.

PART 3

Modification of Definitive Statement

Leaving Welshpool Road at point C on the Order Map at grid reference SJ 4529 1339 the footpath to be created runs in a general north easterly direction on a surfaced path, alongside the estate road, crossing the estate road then in a general NNW direction on a surfaced path along the southern side of the pond to rejoin the Definitive line of FP 8Y at point B on the Order Map at grid reference SJ 4525 1350. An approximate total distance of 150 metres with a width of 2 metres throughout its length.

There is no Shropshire definitive statement for the remainder of FP 8Y Shrewsbury.

Variation of Particulars of Path of Way

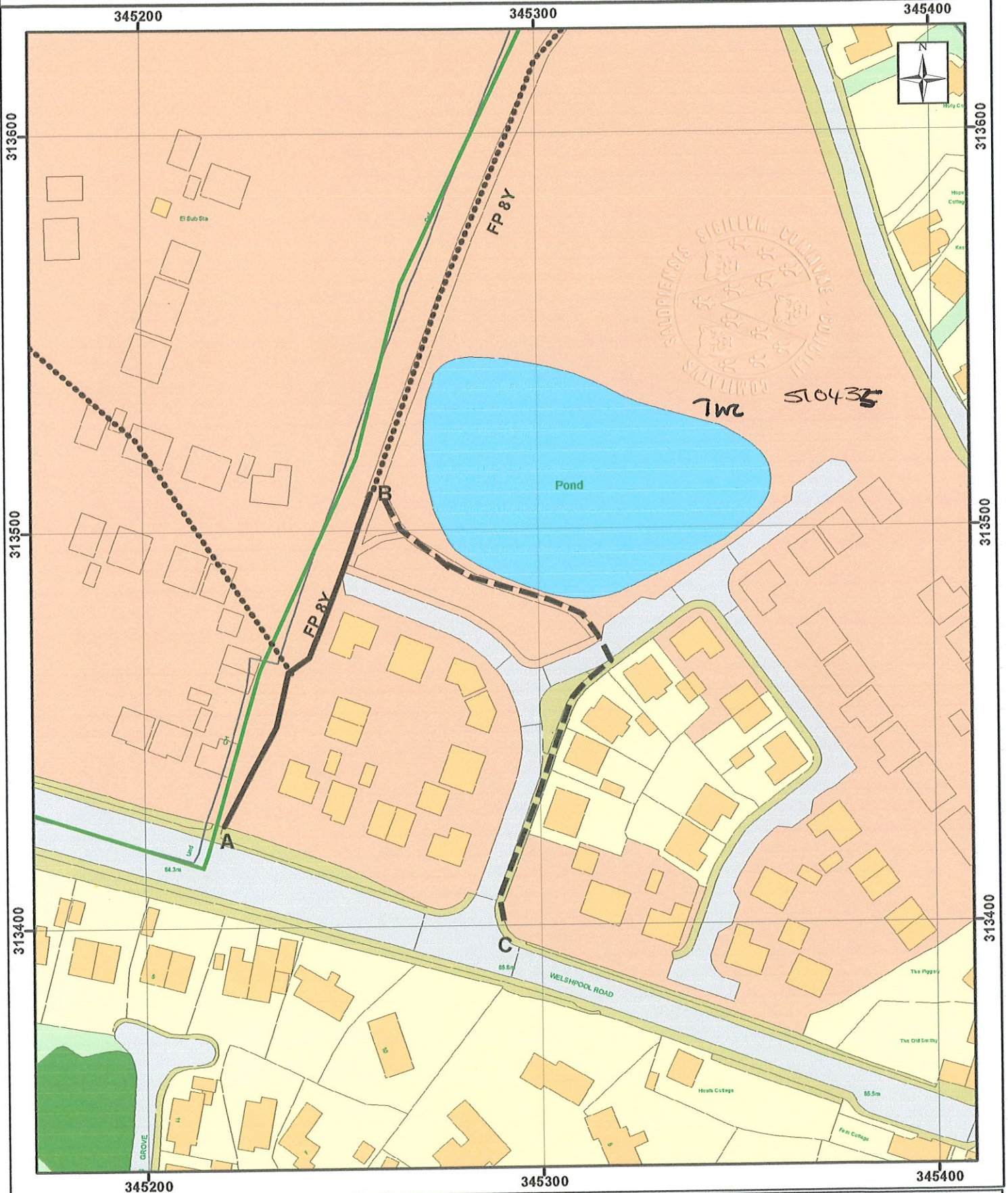
None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 6th April 2023.
In the presence of:

Tim Collard

510435

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



The Shirehall, Abbey Foregate
Shrewsbury, Shropshire, SY2 6ND

Key

Scale: 1:1,250

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

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DATED 6th April 2023

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SHROPSHIRE OUTDOOR PARTNERSHIPS
SERVICE
HOMES & COMMUNITIES
SHROPSHIRE COUNCIL
THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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