

**TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981
PUBLIC PATH ORDER
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

PROPOSED DIVERSION OF FP 3R/3 (PART) WESTON RHYN.

STATEMENT OF REASONS FOR MAKING THE ORDER

Under the Town & Country Planning Act 1990, Councils have the power to make orders to create, extinguish (close) or divert public rights of way and under the Wildlife and Countryside Act 1981 modify the Definitive Map and Statement accordingly. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

This statement has been prepared to explain various aspects of the order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Shrewsbury Homes submitted a reserved matter planning application in 2022 for a residential development under planning reference 22/03924/FUL for the proposed demolition of existing office, storage and industrial manufacturing buildings and redevelopment of site for 61 no. residential dwellings (10% affordable), means of vehicular access, PROW re-alignment, associated landscaping, open space, biodiversity net gain, parking, bin storage and pumping station. This planning permission was granted in June 2023.

Footpath 3R/3 currently runs through the development area from Weston Rbyn to Rhoswell Road to the north and the boundary with Moreton Hall School to the south, the footpath if it was to remain on its Definitive line would be directly obstructed by the properties.

The applicant wishes to divert the footpath onto a line running through the new development, taking the footpath away from houses whilst also providing a more suitable alternative for walkers which will offer views of the canal.

The diversion route will join the existing Definitive line of FP 3 but at a slightly different point at the boundary with Moreton Hall School.

The application has been made under section 257 of the Town & Country Planning Act 1990 and the applicant, Shrewsbury Homes in accordance with Shropshire Council's cost schedule will meet the full costs of the order.

Shrewsbury Homes will also undertake any work required on the new route and will meet any costs required to do this work and the surface of the new footpath will be maintained by the appointed maintenance company upon the handing over of the development.

Objections or representations relating to the order must be made in writing by 9th May 2024 to the Rights of Way Manager, Shropshire Outdoor Partnerships, Homes & Communities, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or by email to outdoor.recreation@shropshire.gov.uk.

The Shropshire Council will be willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact Kate Nore, Land Charges & Planning Support Officer, Shropshire Outdoor Partnerships Service, Homes & Communities, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND; email kate.nore@shropshire.gov.uk.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

If any objections are made and not withdrawn then the council will have to refer the order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the council will be able to confirm the order itself but it has no power to modify orders.

Where a new path is being created (by a creation or diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.