



**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 (FOOTPATH UN21 (PART)
TOWN OF BROSELEY) PUBLIC PATH DIVERSION ORDER 2024.**

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 under planning reference 22/03984/FUL for the erection of an additional dwelling following the refusal of the previous application (22/03984/FUL), the realignment of the boundary to plot 1 previously approved under 21/05984/FUL and the diversion of an existing public footpath (Revised scheme).

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 Owner hereby covenants with the Council that the Owner and the successors in title shall always maintain the footpath between points A to B in good repair and in a fit condition for use by the public as a footpath.
4. 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.
5. 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 that part of FP UN21 leaving point A on the Order map at grid reference SJ 6706 0166 running in a general WSW then westerly direction to point B on the Order map at grid reference SJ 6723 0164. A distance of approximately 62 metres.

PART 2

Description of site of alternative highway

Leaving Park View at the stile at point C on the Order map at grid reference SJ 6729 0164 with a width of 1 metre then opening out to 2 metres, running in a general WSW then north westerly direction on a stoned surface to re-join the definitive line of FP UN21 at point B on the Order map at grid reference SJ 6723 0164. A distance of approximately 80 metres.

PART 3

Modification of Definitive Statement

Leaving Park View at the stile at point C on the Order map at grid reference SJ 6729 0164 with a width of 1 metre then opening out to 2 metres, running in a general WSW then north westerly direction on a stoned surface to re-join the definitive line of FP UN21 at point B on the Order map at grid reference SJ 6723 0164. A distance of approximately 80 metres.

There is a Shropshire definitive statement for the remainder of FP UN21 Broseley.

Variation of Particulars of Path of Way

None

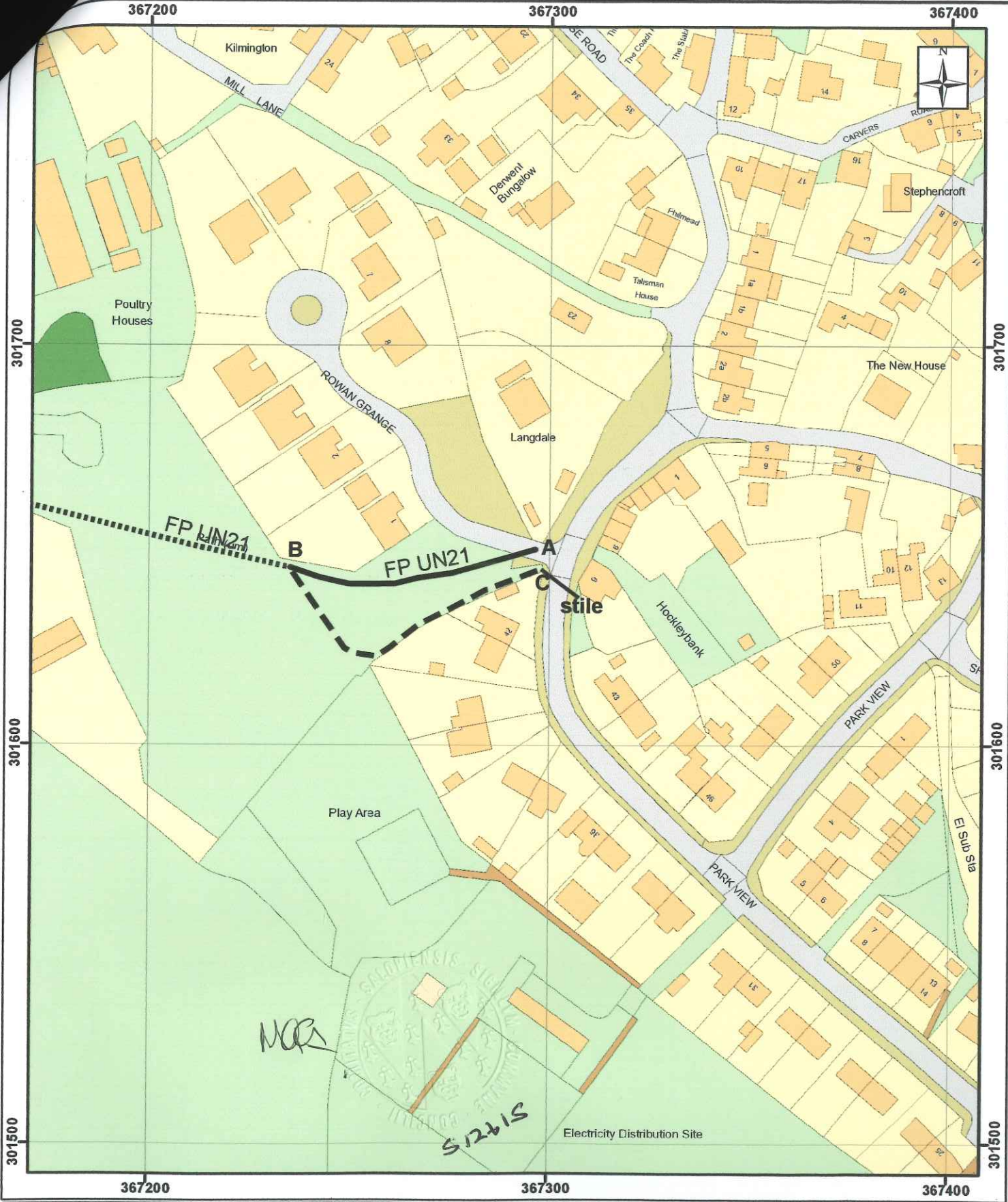
Executed as a deed by affixing the
Common Seal of Shropshire
Council

In the presence of:




Miranda Garrard
Head of Legal and Democratic Services


512615




NCR
S12&15

Key

Route to be created 

Route to be extinguished 

Existing to remain 

Scale: 1:1,250

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

DATED 4th July 2024

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(FP UN21 (PART) TOWN OF BROSELEY)
PUBLIC PATH DIVERSION ORDER 2024.

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

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