



**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 (FOOTPATHS 23 AND 7 (PARTS) TOWN OF
LUDLOW AND PARISH OF LUDFORD) PUBLIC PATH DIVERSION ORDER 2019.**

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 namely: a residential development of up to 200 dwellings and associated infrastructure, drainage, open space, landscaping with access from the A4117 at Rocks Green Ludlow Shropshire under planning references 17/05189/FUL.

This order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 (“the 1981Act”) 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 footpaths 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 footpaths as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpaths 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 path or way referred to in paragraph 1 of this order and the path or 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 that parts of FP 23 and FP 7 in the Town of Ludlow and Parish of Ludford, from point A (SO 5247 7533) on the Order Map, running in a general NNW direction alongside the A49 then crossing the A49 in a general north easterly direction and up the road embankment to a gate. From here the footpath continues in a general north easterly then NNE direction on a natural surface to point B on the Order Map (SO 5267 7566). The footpaths then leaves point C on the Order Map (SO 5266 7570) continuing in a general north westerly direction on a natural surface

to a gate at point D on the Order Map (SO 5260 7579). A total distance of approximately 512 metres

PART 2

Description of site of alternative highway

That part of Footpaths 23/7 to be created leaving the County Road at point A on the Order Map (SO 5247 7533) running in a general NNE then ENE direction across the A49 then up a flight of steps, up the road embankment to a gate. From here the footpath continues in a general north easterly then NNE direction on a natural surface to point B on the Order Map (SO 5267 7566). Continuing from point C (SO 5266 7570) on the Order Map running in a general NNW then WSW on a natural surface to a gate on the County Road at point D on the Order Map (SO 5260 7579); a total distance of approximately 533 metres with a width of 2 metres throughout.

PART 3

Modification of Definitive Statement

That part of Footpaths 23/7 to be created leaving the County Road at point A on the Order Map (SO 5247 7533) running in a general NNE then ENE direction across the A49 then up a flight of steps, up the road embankment to a gate. From here the footpath continues in a general north easterly then NNE direction on a natural surface to point B on the Order Map (SO 5267 7566). Continuing from point C (SO 5266 7570) on the Order Map running in a general NNW then WSW on a natural surface to a gate on the County Road at point D on the Order Map (SO 5260 7579); a total distance of approximately 533 metres with a width of 2 metres throughout.

There is no Shropshire definitive statement for the remainder of Footpaths 23 and 27 in the Town of Ludlow and Parish of Ludford.

Variation of Particulars of Path of Way

None

Executed as a deed by affixing the
Common Seal of Shropshire
Council on 8th February 2019
In the presence of:

DATED 8th February 2019

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(FOOTPATHS 23 AND 7 (PARTS) TOWN
OF LUDLOW AND PARISH OF LUDFORD
PUBLIC PATH DIVERSION ORDER 2019

SHROPSHIRE OUTDOOR
PARTNERSHIPS
INFRASTRUCTURE AND COMMUNITIES
SHROPSHIRE COUNCIL
THE SHIREHALL
ABBAY FOREGATE
SHREWSBURY

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