



**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 3R/3 (PARTS)  
PARISH OF WESTON RHYN) 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 22/03924/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 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 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 those parts of FP 3R/ 3 leaving point A on the Order map, on the Weston Rhyn to Rhoswell Road at grid reference SJ 2961 3619 running in a general southerly then SE direction to point B on the Order map at grid reference SJ 2978 3593. A distance of approximately 326 metres.

## **PART 2**

### **Description of site of alternative highway**

Leaving the Weston Rhyn to Rhoswell Road as FP 3R at point C on the Order map at grid reference SJ 2960 3619 running in a general southerly direction on a tarmac surface, alongside the highway, turning in an easterly direction to cross the highway then continuing in a general southerly direction on a tarmac surface alongside the highway. The footpath then continues to run in a general easterly, SSE, easterly then southerly direction on a on a 2 metres wide path with a surfaced width of 1.2 metres before joining a surfaced private drive as FP 3 and continuing in a general ESE direction along the driveway with a width of 2 metres, dropping down onto a 1.2 metre wide surfaced path to re-join the Definitive line of FP 3 at point D on the Order map at grid reference SJ 2978 3593. A distance of approximately 405 metres with a varying surfaced width of between 1.2 metres and 2 metres.

## **PART 3**

### **Modification of Definitive Statement**

Leaving the Weston Rhyn to Rhoswell Road as FP 3R at point C on the Order map at grid reference SJ 2960 3619 running in a general southerly direction on a tarmac surface, alongside the highway, turning in an easterly direction to cross the highway then continuing in a general southerly direction on a tarmac surface alongside the highway. The footpath then continues to run in a general easterly, SSE, easterly then southerly direction on a on a 2 metres wide path with a surfaced width of 1.2 metres before joining a surfaced private drive as FP 3 and continuing in a general ESE direction along the driveway with a width of 2 metres, dropping down onto a 1.2 metre wide surfaced path to re-join the Definitive line of FP 3 at point D on the Order map at grid reference SJ 2978 3593. A distance of approximately 405 metres with a varying surfaced width of between 1.2 metres and 2 metres.

There is no Shropshire definitive statement for the remainder of FP 3R/3 Weston Rhyn.

**Variation of Particulars of Path of Way**

*None*

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

512154




Miranda Garrard  
Head of Legal and Democratic Services

The Shropshire Council  
in exercise of the powers  
conferred upon them in that  
behalf hereby confirm the  
foregoing order

515727

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

In the presence of:



Analise Broomhall  
Legal Team Leader - Economy and Projects



DATED 11<sup>th</sup> April 2024

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SECTION 53(A)(2)

THE SHROPSHIRE COUNCIL  
(FP 3R/3 (PARTS) PARISH OF WESTON  
RHYN) PUBLIC PATH DIVERSION  
ORDER 2024.

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

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