



**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 128 (PART)
PARISH OF WHITCHURCH URBAN) 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 22/04360/FUL to enable development of 561 dwellings; formation of sports pitches with associated car parking and sports club; land for the erection of primary school; landscaping scheme to include open spaces, equipped play area; diversion of public rights of way; demolition of all buildings on site and associated infrastructure.

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 C 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 128 leaving point A on the Order map at grid reference SJ 5426 4034 running in a general WNW direction to join with BW 125/BW 126 at point B on the Order map at grid reference SJ 5424 4034. A total distance of approximately 22 metres.

PART 2

Description of site of alternative highway

Leaving point A on the Order map at grid reference SJ 5426 4034 running in a general north westerly direction on a 2-metre-wide surfaced path to re-join BW 125 at point C on the Order map at grid reference SJ 5425 4036. A total distance of approximately 24 metres.

PART 3

Modification of Definitive Statement

Leaving point A on the Order map at grid reference SJ 5426 4034 running in a general north westerly direction on a 2-metre-wide surfaced path to re-join BW 125 at point C on the Order map at grid reference SJ 5425 4036. A total distance of approximately 24 metres.

There is no Shropshire definitive statement for the remainder of FP 128 Whitchurch Urban.

Variation of Particulars of Path of Way


None

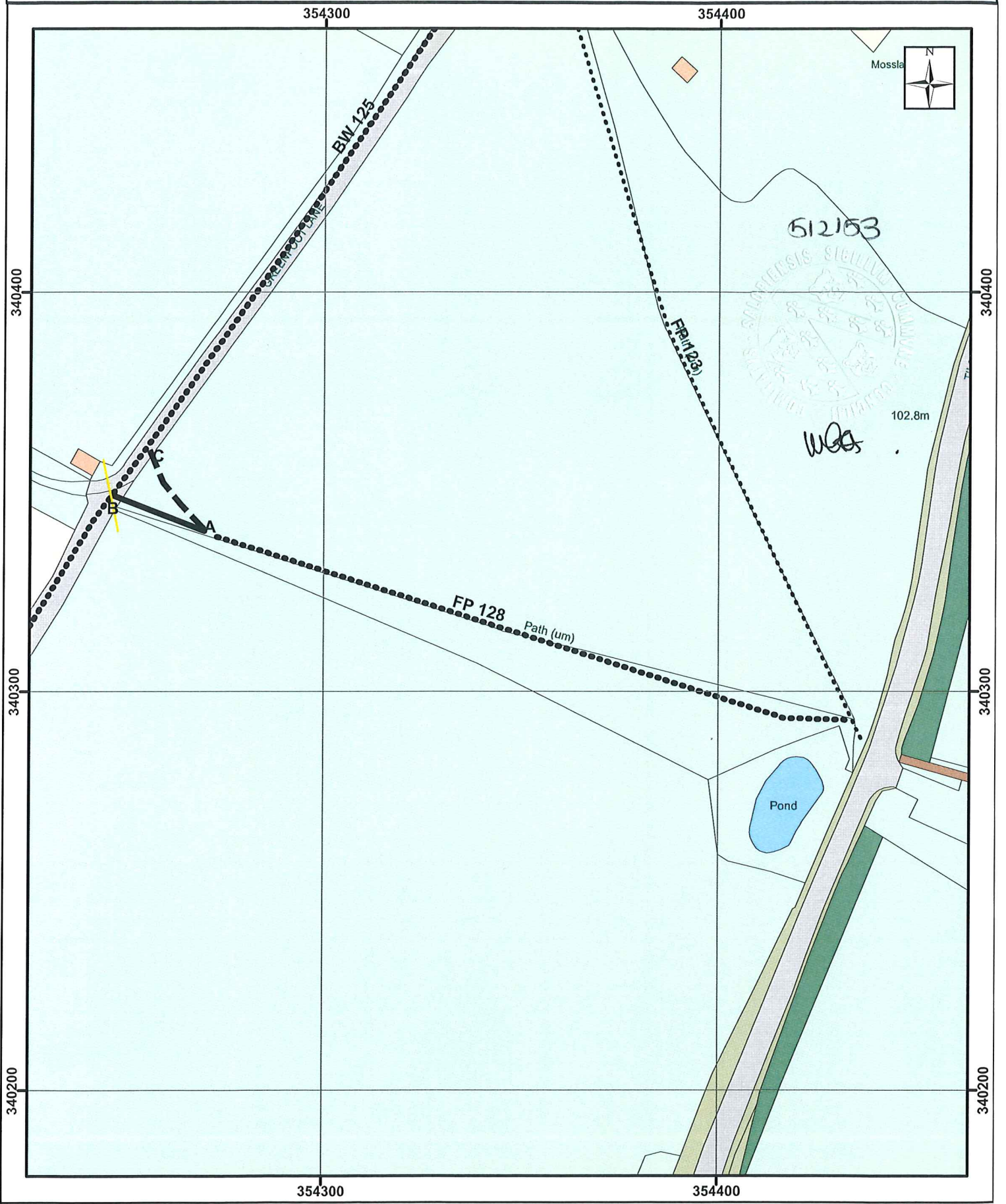
Executed as a deed by affixing the
Common Seal of Shropshire
Council.
In the presence of:



Miranda Garrard
Head of Legal and Democratic Services

512163





Key

Scale: 1:1,250

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

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DATED 11th April 2024

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(FP 128 (PART) PARISH OF
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DIVERSION ORDER 2024.

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

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