



**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 14B (PART) PARISH OF  
CHELMARSH) PUBLIC PATH DIVERSION ORDER 2016**

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: the construction of a housing development under planning reference 14/02727/FUL

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 stopped up, 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 diversion of the footpath shall have effect on the date on which Shropshire Council confirm this order, 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 1**

#### **Description of site of existing path or way**

The full width of that part of Footpath 14B, Chelmarsh, from point A (SO 7289 8661) on the Order Map, running in a general easterly direction to point B (SO 7295 8662) on the Order Map; a total distance of approximately 68 metres.

### **PART 2**

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

That part of Footpath 14B, Chelmarsh, from a pedestrian gate to BS5709.2006 where the route leaves the County Road at point C (SO 7289 8662) on the Order Map, running in a general east-north-easterly direction following the southern side of a boundary on a stoned surface for approximately 60 metres, then turning to continue following the boundary in a general south easterly then south-south-westerly direction for a further 20 metres to point B (SO 7295 8662) on the order map to a pedestrian gate to BS5709.2006 and the continuation of Footpath 14B; a total distance of approximately 80 metres with a width of 2 metres throughout.

**PART 3**

**Modification of Definitive Statement**

There is no Shropshire definitive statement for the remainder of Footpath 14B  
Chelmarsh

**Variation of Particulars of Path of Way**

None

Executed as a deed by affixing the  
Common Seal of Shropshire  
Council on 17<sup>th</sup> November 2016

In the presence of:

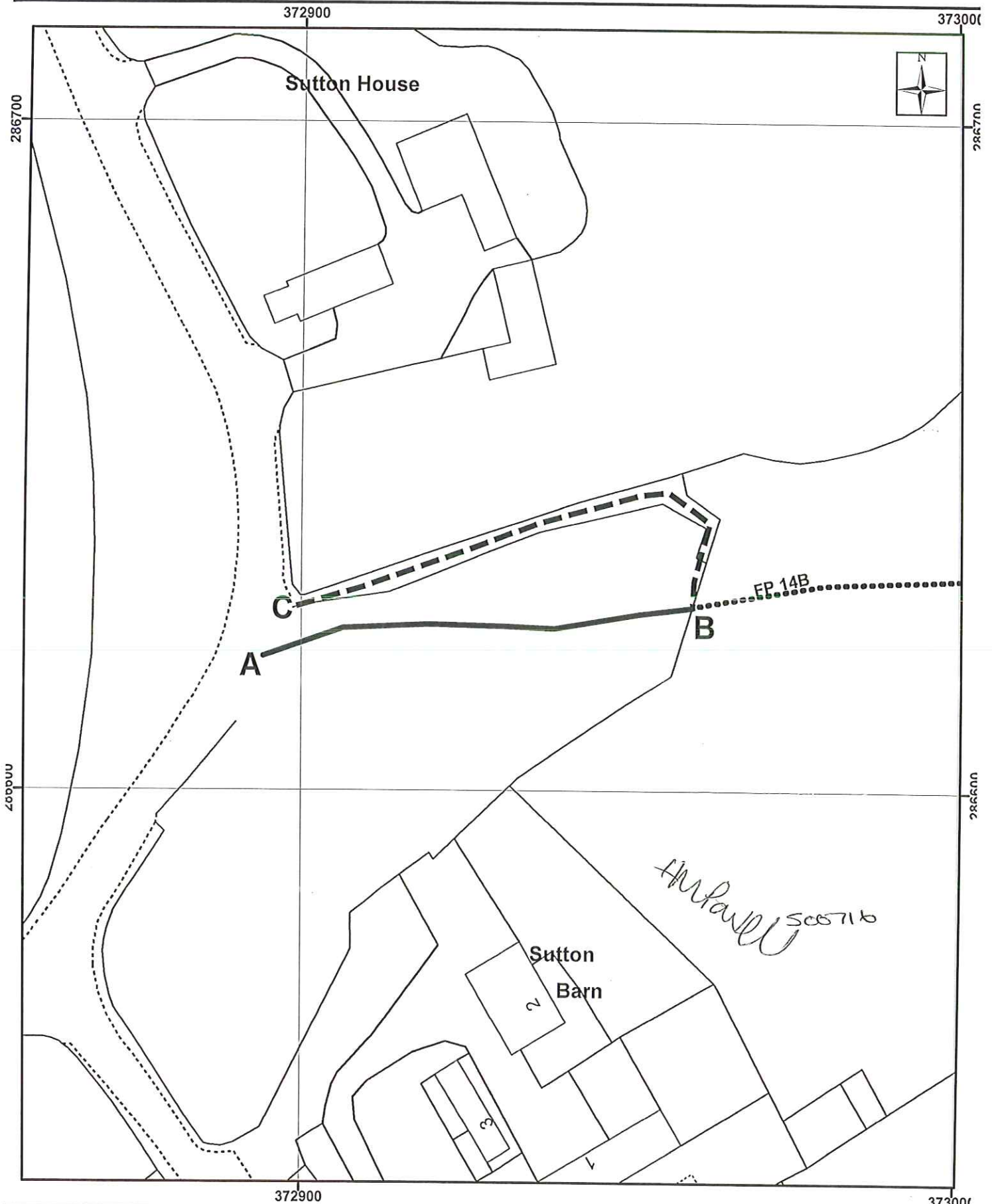
*HM Powell*  
*Legal Services Manager*

*Sec 71b*




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

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

on *2nd February* 2017  
in the presence of:



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

**Key**  
Route to be created   
Route to be extinguished   
Existing to remain 

Scale: 1:750

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DATED 17<sup>th</sup> NOVEMBER 2016

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ORDER 2016

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

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