

**TOWN AND COUNTRY PLANNING ACT 1990
WILDLIFE AND COUNTRYSIDE ACT 1981
PUBLIC PATH ORDER
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER**

**THE SHROPSHIRE COUNCIL (FOOTPATH 47Y (PART) TOWN OF
SHREWSBURY) PUBLIC PATH DIVERSION ORDER 2025.**

STATEMENT OF REASONS FOR MAKING THE ORDER

Under the Town & Country Planning Act 1990, Councils have the power to make orders to create, extinguish (close) or divert public rights of way and under the Wildlife and Countryside Act 1981 modify the Definitive Map and Statement accordingly. A notice that such an order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

This statement has been prepared to explain various aspects of the order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

Shropshire Homes submitted a hybrid planning application in 2024 for a residential development which obtained planning permission for up to 400 dwellings and a care home under application 24/02808/OUT.

The application was for a residential development of up to 400 dwellings and 80 bed care home (Use Class C2), access, footpath/cycleways, public open space, landscaping and associated drainage and development infrastructure: comprising a **FULL** application for 102 dwellings, 80 bed care home, access from Mytton Oak Road, footpath/cycleways, public open space, landscaping and associated development infrastructure and **OUTLINE** application (all matters reserved) for up to 298 dwellings, access, footpath/cycleways, public open space, landscaping and associated development infrastructure. This planning permission was granted on the 17th June 2025.

Footpath 47Y currently runs from Restricted Byway 43 in a general north westerly direction, through the proposed development, the footpath if it was to remain on its Definitive line would be directly obstructed by the development.

The applicant wishes to divert the footpath onto a line running through the new development, taking the footpath away from houses whilst also providing a more suitable alternative for walkers through the open space. The diversion route will start and finish at the same points as the existing Definitive line of FP 47Y.

This diversion is the first of two that will be required to allow development to take place, however the second diversion will not need to be undertaken until stage 3 of the development which will be processed under a separate planning application.

This application has been made under section 257 of the Town & Country Planning Act 1990 and the applicant, Shropshire Homes in accordance with Shropshire Council's cost schedule will meet the full costs of the order.

Shropshire Homes will also undertake any work required on the new route and will meet any costs required to do this work and the surface of the new footpath will be maintained by Shropshire Homes Management Services upon the handing over of the development.

The right of objection to an order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to orders are normally awarded against objectors only in cases of unreasonable behaviour.

Any representations about or objections to the order may be sent in writing to the Shropshire Council, Rights of Way Team, Riggs Hall, Castle Gates, Shrewsbury, SY1 2AS or by email to outdoor.recreation@shropshire.gov.uk not later than 14th August 2025.

The Shropshire Council will be willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact the Rights of Way Planning Support Officer, Rights of Way Team at outdoor.recreation@shropshire.gov.uk.

If any objections are made and not withdrawn then the council will have to refer the order to the Department of the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then hear the objections at a public inquiry or hearing or in writing if the objectors agree. The Inspector can confirm an order, confirm it with modifications, or refuse to confirm it. If no objections are received the council will be able to confirm the order itself but it has no power to modify orders.

Where a new path is being created (by a creation or diversion order) the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.