

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

PROPOSED DIVERSION OF FP 101 (PART) TOWN OF SHREWSBURY

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

On 27th October 2021, an application to divert part of footpath 101 Shrewsbury was submitted by Aldi Stores Limited. The application has been made to allow for the erection of a new food store, associated car parking, access, landscaping and a substation under planning reference 21/01374/FUL. The diversion will be made under section 257 of the Town & Country Planning act 1990 to allow for this development to take place.

The footpath at present runs in a general north westerly direction over an area of scrubland, 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 to the south of the development, along a tarmac surfaced path which currently exists on the ground. The new line will continue its links with the Right of Way that runs over the A49.

The applicant's agent has been in consultation with the Rights of Way Officer from an early stage and the changes proposed in this document were the result of consultation with Shropshire Council.

The applicant in accordance with Shropshire Council's cost schedule will meet the full costs of the order. The applicant will undertake any work required on the new route and will meet any costs required to do this work.

Objections or representations relating to the order must be made in writing by 14TH July 2022 to the Mapping and Enforcement Manager, Shropshire Outdoor Partnerships, Homes & Communities, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND, or by email to outdoor.recreation@shropshire.gov.uk.

The Shropshire Council will be willing to discuss the concerns of those considering objecting or making representations relating to the order. Please contact Kate Nore, Land Charges & Planning Support Officer, Shropshire Outdoor Partnerships Service, Homes & Communities, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND; email kate.nore@shropshire.gov.uk.

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.

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.