

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

PROPOSED DIVERSION OF FP 9 (PART) TOWN OF SHREWSBURY

STATEMENT OF REASONS FOR MAKING THE ORDER

Under the Town and Country Planning Act 1990, Councils have the power to make orders to create, stop up (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 orders.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

On the 24th May 2017 the owners of 1 St James' Road in Shrewsbury submitted a planning application to Shropshire Council to erect a single storey and two storey extension to their property (planning reference 17/01718/FUL).

Upon consultation of this planning application, it became apparent that there is an issue with the current line of FP 9. The line of the footpath at present runs through the back gardens of numbers 1, 3, 5, 7, 9 and 11 St James Road and was not diverted by the Planning Authority when the properties were built in the 1970's. The building of the extension at number 1 St James Road will affect the definitive line of FP 9 further.

Over the last 40 years various planning applications have been submitted to the relevant Planning Authorities and houses have been bought and sold but it appears that the issue of the footpath has never been raised or resolved.

The line of Footpath 9 forms part of The Severn Way, a waymarked [long-distance footpath](#) in the United Kingdom, which follows the course of the [River Severn](#) through [Mid Wales](#), passing through Shrewsbury. The land over which the new line of FP 9 will run is owned by Shropshire Council and managed by Shrewsbury Town Council who have been consulted on this proposal.

Officers wish to divert the footpath onto a line approximately 17m east of the current line to run along a route that is already available for public use, alongside the River Severn.

As the planning authority did not deal with this matter when the planning permission was granted for the houses in the 1970's, the Council have agreed to meet the costs of the diversion in accordance with Shropshire Council's cost schedule.

No work will be required on the new route.

The order will come into effect only after it has been confirmed and certified as operational: making and advertising the order simply provides an opportunity for objections or representations to be made. Objections or representations relating to the order must be made in writing by 18th August 2017 to the Mapping and Enforcement Manager Outdoor Partnerships, Economic Growth and Prosperity, 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, Outdoor Partnerships, Shropshire Council, The Shirehall, Abbey Foregate, Shrewsbury, SY2 6ND.

FP 9 Shrewsbury Reasons

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/s 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/s itself but it has no power to modify orders.