

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. EF-678 (PART) ELDERSFIELD
PUBLIC PATH DIVERSION ORDER 2019

This order is made by Malvern Hills District Council ("The Authority") under section 257 of the Town and Country Planning Act 1990 ("The 1990 Act") 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 new building for storage of agricultural equipment and machinery at Castle House, Link End, Corse Lawn. (Planning Application number 18/01610/FUL).

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 as provided below.
2. There shall be created to the reasonable satisfaction of Malvern Hills District 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 Malvern Hills District Council certify that the terms of Article 2 have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule namely the provision of a path 2 metres wide with grass surface between A, C and D on the Order Plan.
5. Mr. and Mrs. R. Ridley are hereby required to pay the cost of carrying out the said works.
6. 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 Existing Path or Way

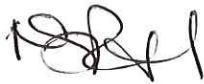
That length and the whole width of public footpath no. EF-678, Eldersfield, running from point A, Ordnance Survey "OS" OS grid reference SO 83125 31320, in a southerly direction for 36 metres to point B, OS grid reference SO 83125 31284.

PART 2

Description of Site of Alternative Highway

A length of public footpath at a width of 2 metres running from point A, OS grid reference SO 83125 31320, in an easterly direction for 25 metres to point C, grid reference SO 83150 31317, then continuing in a southerly direction for 35 metres to point D, grid reference SO 83149 31282, to join connecting footpath No. EF-680.

GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 12th day of April 2019 in the presence of:



LEGAL SERVICES MANAGER



No. In deeds register

No 2291

SCALE 1:1250 @ A4 0 10 20 30 40 50 60 70 80 90 metres



Castle House

383100



No 2291

Handwritten signature or initials

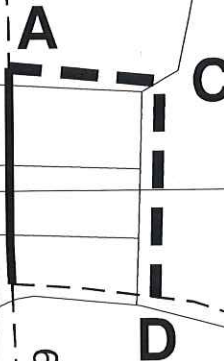
231400

231400

- A = SO 83125, 31320
- B = SO 83125, 31284
- C = SO 83150, 31317
- D = SO 83149, 31282

A-B = 36 metres
A-C-D = 61 metres

EF-678



231300

231300

LINKEND

EF-679

Bartlett's House

EF-680

383100

383200

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Malvern Hills District Council
Town & Country Planning Act 1990 S.257. Public Footpath No. EF-678 (part),
Parish of Eldersfield
Public Path Diversion Order 2019



- Footpath to be diverted A — B
- Alternative Footpaths A - - C - - D
- Unaffected Footpaths - - - - -



DATED

12th April

2019

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TOWN AND COUNTRY PLANNING ACT 1990

THE MALVERN HILLS DISTRICT COUNCIL
PUBLIC FOOTPATH NO. EF-678 (PART), ELDERSFIELD

PUBLIC FOOTPATH DIVERSION ORDER 2019

THE COUNCIL HOUSE
AVENUE ROAD
MALVERN
WORCESTERSHIRE
WR14 3AF