

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990**  
**SECTION 257 AND PARAGRAPH 1 OF SCHEDULE 14**

**MALVERN HILLS DISTRICT COUNCIL**

**FOOTPATH 695(B) PART, FOOTPATH 696(C) PART, FOOTPATH 699(B) PART  
AND FOOTPATH 700(C) PARISH OF MARTLEY**

This Order is made by Malvern Hills District 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: MH13/00087/FUL Erection of 51 dwellings, provision of new vehicular and pedestrian access and associated infrastructure and landscape works.

**BY THIS ORDER:**

1. The footpath over the land shown by a bold red line on the attached map and described in Part I 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 a bold red dashed line on the attached map.
3. The diversion of the footpath shall have effect on the date on which Malvern Hills District Council certifies that the terms of Article 2 above have been complied with.
4. Taylor Wimpey Midlands Limited is hereby required to pay the costs of carrying out the said works.
5. 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.

Dated this 28<sup>th</sup> day of November 2014

The Common Seal of )  
Malvern Hills District Council )  
was hereto affixed in the presence of: )

  
.....  
Authorised Signatory



## SCHEDULE

### PART 1

#### (A) Description of site of existing path or way

That length of Footpath 695(B) from point F (grid ref SO 375139 259828) running in a generally east-north-easterly direction for approximately 33 metres to point G1 (grid ref SO 375168 259844).

That length of Footpath 696(C) from point H (grid ref SO 375197 259848) running in a generally east-north-easterly direction for approximately 73 metres to point K (grid ref SO 375264 259878).

That length of footpath 696(C) from point L (grid ref SO 375277 259891) and running in a generally north-north-easterly direction for approximately 58 metres to point N (grid ref SO 375300 259943).

That length of footpath 699(B) from point A (grid ref SO 375105 259975) running in a generally southerly direction for approximately 10 metres to point A1 (grid ref SO 375104 259965).

That length of Footpath 699(B) from point A1 (grid ref SO 375104 259965) running in a generally south-south-easterly direction for approximately 16 metres to point C (grid ref SO 375113 259952).

That length of footpath 699(B) from point D (grid ref SO 375140 259897) and running in a generally south-south-easterly direction for approximately 74 metres to point G1 (grid ref SO 375168 259844).

That length of footpath 700(C) commencing at point G1 (grid ref SO 375168 259844) and running in a generally southerly direction for approximately 10 metres to point G (grid ref SO 375173 259835).

OS References

Point A-SO 375105 259975  
Point A1-SO 375104 259965  
Point C-SO 375113 259952  
Point D-SO 375140 259897  
Point F-SO 375139 259828  
Point G-SO 375173 259835  
Point G1-SO 375168 259844  
Point H-SO 375197 259848  
Point K-SO 375264 259878  
Point L-SO 375277 259891  
Point N-SO 375300 259943

Shown "F-G1, H-K, L-N, A-A1-C, D-G1" on the Order map.

Total distance approximately 258 metres

PART 2

**Description of site of alternative highway for existing path or way to be diverted**

The proposed new route of Footpath 695(B) being 2.0 metres in width would commence at point F (grid ref SO 375139 259828) and proceed in a generally east-north-easterly direction for approximately 35 metres to point G (grid ref SO 375173 259835).

The proposed new route of Footpath 696(C) being 2.0 metres in width would commence at point H (grid ref SO 375197 259848) and proceed in a generally easterly direction for approximately 14 metres to point I (grid ref SO 375210 259845) and then in a generally east-north-easterly direction for approximately 64 metres to point J (grid ref SO 375268 259872) and then in a generally north-north-westerly direction for approximately 8 metres to point K (grid ref SO 375264 259878).

The proposed new route of Footpath 696(C) being 2.0 metres in width would commence at point L (grid ref SO 375277 259891) and proceed in a generally north-easterly direction for approximately 29 metres to point M (grid ref SO 375294

259915) and then in a generally northerly direction for approximately 31 metres to point N (grid ref SO 375300 259943).

The proposed new route of Footpath 699(B) being 2.0 metres in width would commence at point A (grid ref 375105 259975) and then proceed in a generally south-easterly direction for approximately 11 metres to point B (grid ref SO 375112 259966) and then in a generally southerly direction for approximately 14 metres to point C (grid ref SO 375113 259952).

The proposed new route of Footpath 699(B) being 2.0 metres in width would commence at point D (grid ref 375140 259897) and proceed in a generally south-south-easterly direction for approximately 63 metres to point E1 (grid ref SO 375161 259840).

The proposed new route of Footpath 700(C) being 2.0 metres in width would commence at point E1 (grid ref SO 375161 259840) and proceed in a generally southerly direction for approximately 10 metres to point E (grid ref SO 375166 259832).

#### OS References

Point A -SO 375105 259975  
Point B-SO 375112 259966  
Point C-SO 375113 259952  
Point D-SO 375140 259897  
Point E1-SO 375161 259840  
Point E-SO 375166 259832  
Point F-SO 375139 259828  
Point G-SO 375173 259835  
Point H-SO 375197 259848  
Point I-SO 375210 259845  
Point J-SO 375268 259872  
Point K-SO 375264 259878  
Point L-SO 375277 259891  
Point M-SO 375294 259915  
Point N-SO 375300 259943

Shown "F--G, H--I--J--K, L--M--N, A--B--C, D--E1, E1--E" on the Order map.

Total distance approximately 279 metres



Existing path  
Proposed diversion

Proposed Diversion of Footpath No 695, 699, 696 and 700

District of Malvern Hills

Scale 1:1500

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