

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. HW-552 (PART) HALLOW 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 a development of 65 dwellings, open space, access from Main Road and all associated infrastructure on land north of Orchard Close, Hallow. (Planning Application number 18/00851/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 a grass surface between points A and C, and a tarmac surface between points C and B on the Order Plan.
5. Hayfield Homes is 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. HW-552, Hallow, running from point A, Ordnance Survey "OS" OS grid reference SO 82831 58434, the western end of footpath HW-552 at its junction with footpath HW-555 in an east-north-easterly direction for 78 metres to point B, OS grid reference SO 82907 58453.

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 82831 58434, a point on footpath 555, in a north-easterly direction for 19 metres to point C, grid reference SO 82847 58445, then continuing in a south easterly turning east-north-easterly direction on the footway for 65 metres to point B, grid reference SO 82907 58453.

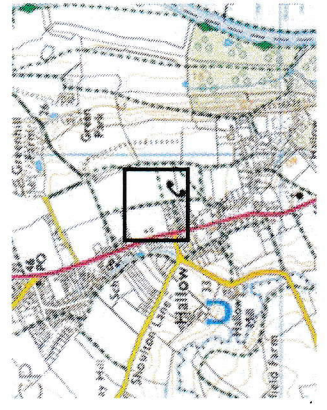
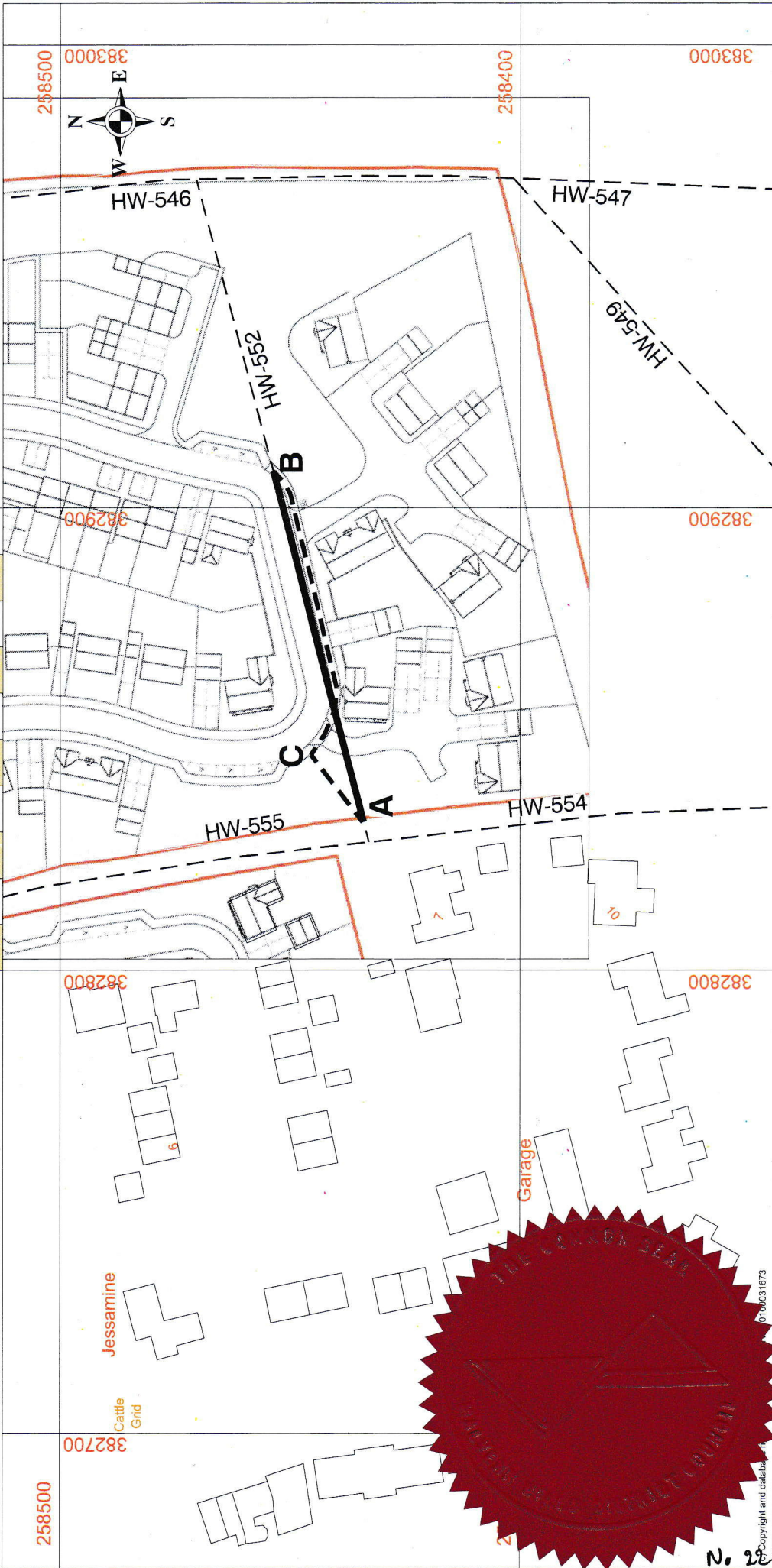
GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 3rd day of April 2019 in the presence of:



No. In deeds register

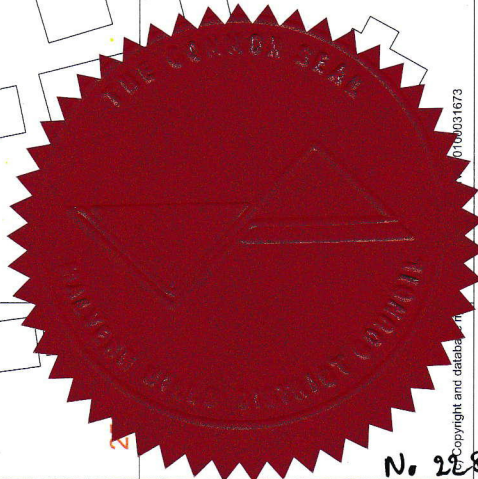
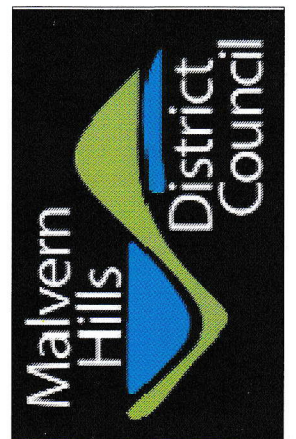
No 2284

SCALE 1:1250 @ A4



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

Malvern Hills District Council
 Malvern & Country Planning Act 1990 S.257.
 Public Path No. HW-552 (part), Parish of Hallow
 Public Path Diversion Order 2019



N. 2584

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DATED

3rd April

2019

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TOWN AND COUNTRY PLANNING ACT 1990

THE MALVERN HILLS DISTRICT COUNCIL
PUBLIC FOOTPATH NO. HW-552 (PART), HALLOW

PUBLIC FOOTPATH DIVERSION ORDER 2019

THE COUNCIL HOUSE
AVENUE ROAD
MALVERN
WORCESTERSHIRE
WR14 3AF

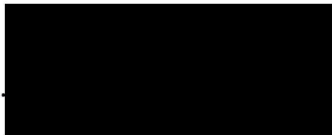
TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. HW-552 (PART) HALLOW) PUBLIC
PATH DIVERSION ORDER 2019

The above Order is hereby **CONFIRMED**

Dated this 11th day of June 2019



Legal Services Manager

Malvern Hills District Council,
The Council House,
Avenue Road,
Malvern,
Worcestershire.
WR14 3AF