

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. LI-704 (PART) LEIGH SINTON)  
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 up to 35 dwellings on land adjacent to Elmhurst Farm, Leigh Sinton, Worcestershire. WR13 5EA. (Planning Reference number 14/00324/OUT, APP/J1860/A/14/2219414 and 16/01328/REM).

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 3 metres wide with a self-binding gravel surface between points A, D and C on the order plan.
5. Bromford Ltd 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. LI-704, Leigh Sinton, running from point A, Ordnance Survey "OS" OS grid reference SO 77680 50375, in a north-westerly direction for 145 metres to point B, OS grid reference SO 77614 50503, the junction of footpath LI-704 with the A4013 highway.

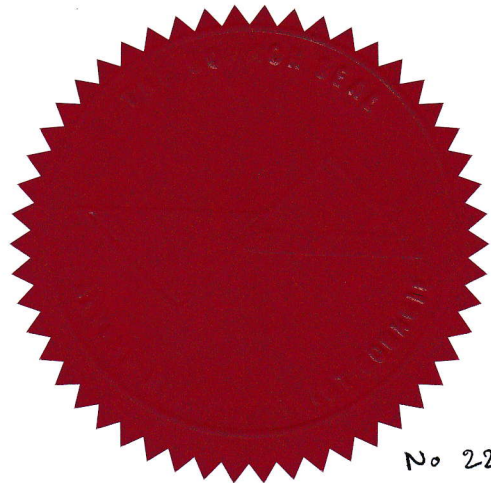
PART 2

Description of Site of Alternative Highway

A length of public footpath at a width of 3 metres running from point A, OS grid reference SO 77680 50375, in a north-north-easterly, northerly and north-north-easterly direction for 92 metres to point D, OS grid reference SO 77699 50464, then continuing in a north-westerly, north-north-westerly and north-westerly direction for 100 metres to point C, OS grid reference SO 77651 50547, a point on the A4013 highway.

GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 6<sup>th</sup> day of February 2019 in the presence of:

*Al. Baker*

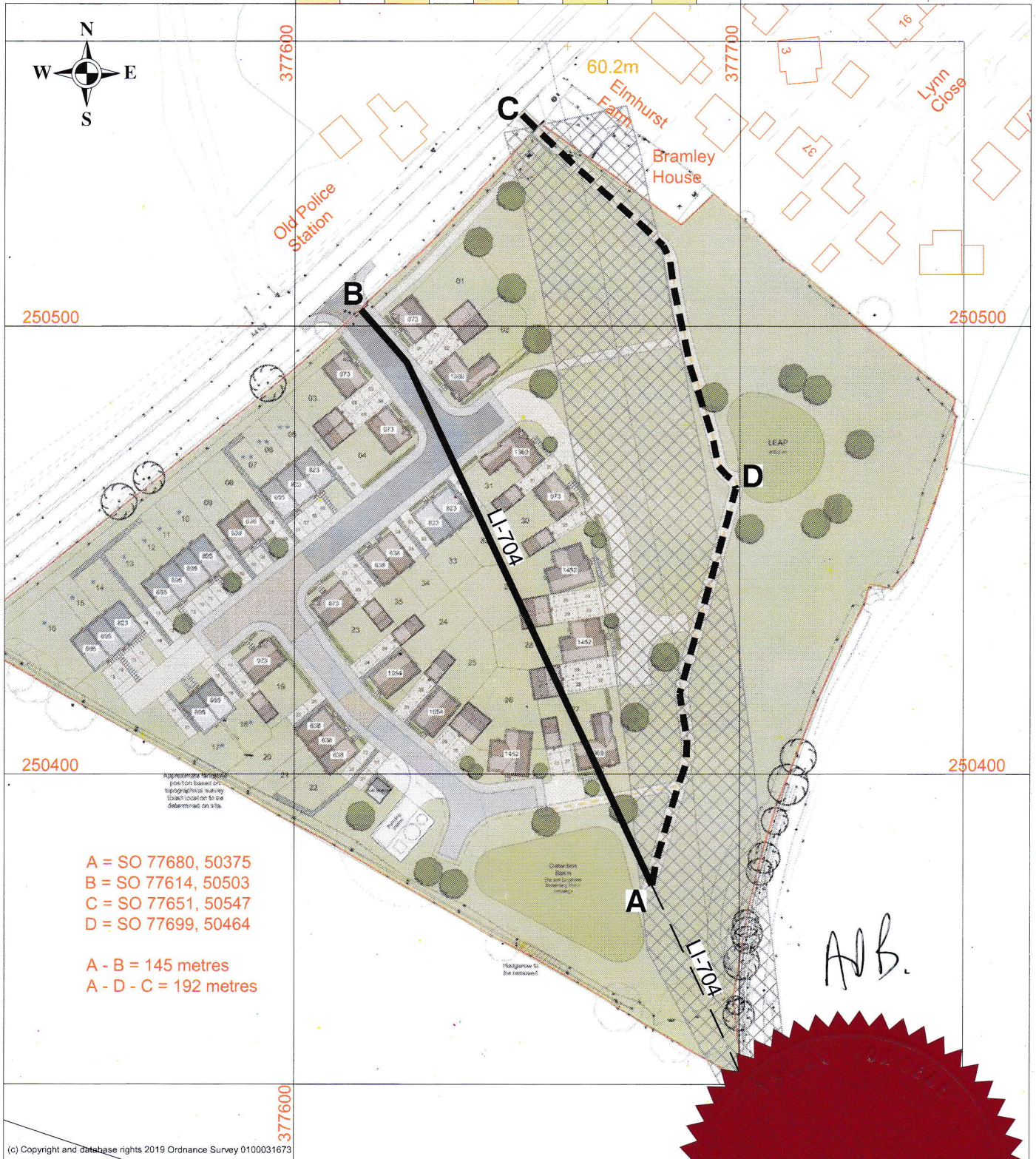
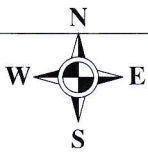


No 2259

No. In deeds register

SCALE 1:1250 @ A4

0 10 20 30 40 50 60 70 80 90 metres

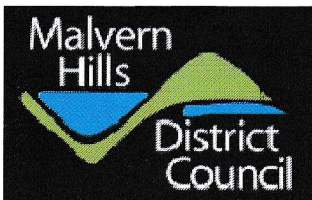


- A = SO 77680, 50375
- B = SO 77614, 50503
- C = SO 77651, 50547
- D = SO 77699, 50464

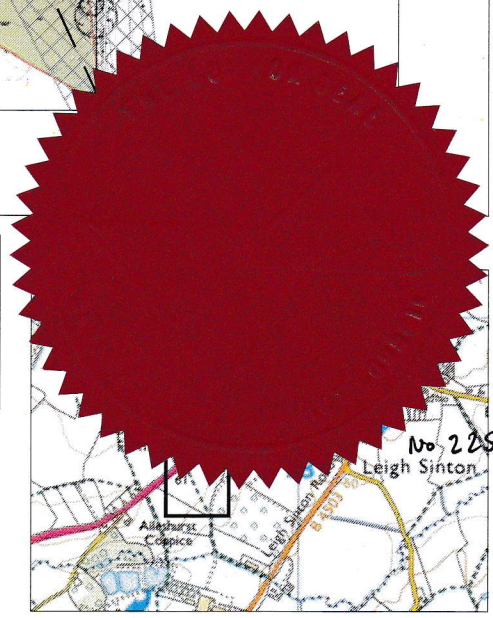
A - B = 145 metres  
 A - D - C = 192 metres

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**Malvern Hills District Council**  
 Town & Country Planning Act 1990 S.257.  
 Public Footpath No. LI-704 (part), Parish of Leigh Sinton  
 Public Path Diversion Order 2019



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



TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

THE MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH LI704 (PART), PARISH OF LEIGH  
SINTON) PUBLIC PATH DIVERSION ORDER 2019

The above Order is hereby **CONFIRMED**

Dated this 12<sup>th</sup> day of April 2019



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Legal Services Manager

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

DATED

6<sup>th</sup> February

2019

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TOWN AND COUNTRY PLANNING ACT 1990

THE MALVERN HILLS DISTRICT COUNCIL  
PUBLIC FOOTPATH NO. LI-704 (PART), LEIGH SINTON

PUBLIC FOOTPATH DIVERSION ORDER 2019

THE COUNCIL HOUSE  
AVENUE ROAD  
MALVERN  
WORCESTERSHIRE  
WR14 3AF