

DATED

7<sup>th</sup> April

2020

PUBLIC PATH DIVERSION ORDER  
TOWN AND COUNTRY PLANNING ACT 1990

THE MALVERN HILLS DISTRICT COUNCIL  
PUBLIC FOOTPATH NO. MT-575 (PART), MARTLEY

PUBLIC FOOTPATH DIVERSION ORDER 2020

THE COUNCIL HOUSE  
AVENUE ROAD  
MALVERN  
WORCESTERSHIRE  
WR14 3AF

PUBLIC PATH DIVERSION ORDER

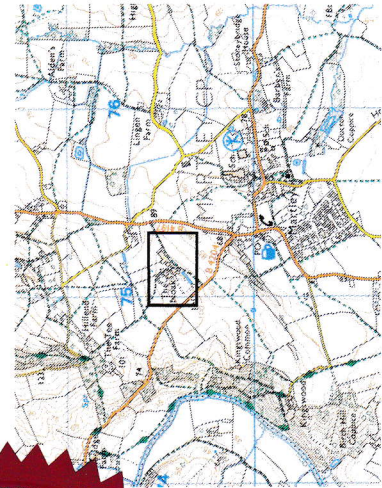
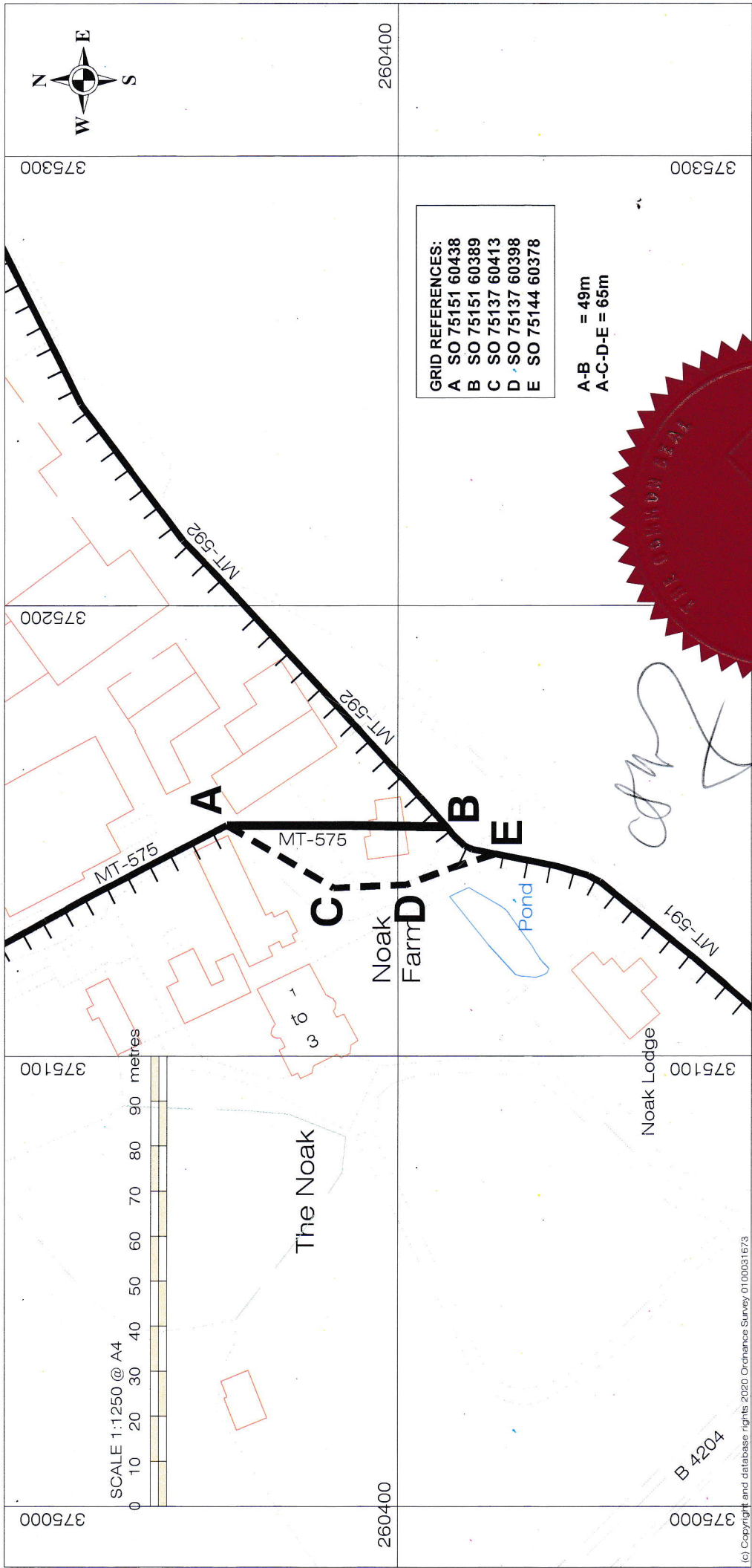
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. MT-575 (PART) MARTLEY  
PUBLIC PATH DIVERSION ORDER 2020

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 single storey extension at Noak Farm, Martley, Worcestershire. WR6 6PD. (Planning Application number 18/01813/HP).

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 concrete/compacted stone surface between points A, C, D and E on the Order Plan.
5. Mr. R. and Mrs. C. Bray 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.



2400

*Handwritten signature*

Malvern Hills District Council

Town & Country Planning Act 1990 S.257.  
Public Footpath No. MT-575 (part),  
Parish of Matley Public Path Diversion Order 2020

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

**Malvern Hills District Council**  
www.malvern hills.gov.uk

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SCHEDULE

PART 1

Description of Existing Path or Way

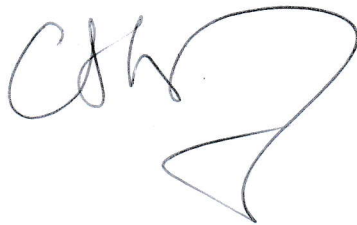
That length and the whole width of public footpath no. MT-575, Martley, running from point A, Ordnance Survey "OS" OS grid reference SO 75151, 60438, in a southerly direction for 49 metres to point B, OS grid reference SO 75151, 60389.

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 75151, 60438, in a south-westerly for 28 metres to point C, OS grid reference SO 75137 60413, turning south for 16 metres to point D, OS grid reference SO 75137 60398, before heading in a south south-easterly direction for 21 metres to point E, grid reference SO 75144, 60378, a point on footpath MT-591, Martley. The total distance of the alternative path is 65 metres.

GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 7<sup>th</sup> day  
of April 2020 in the presence of:



No. In deeds register

2400

TOWN AND COUNTRY PLANNING ACT 1990

SECTION 257

MALVERN HILLS DISTRICT COUNCIL (PUBLIC FOOTPATH NO. MT-575 (PART) MARTLEY PUBLIC  
PATH DIVERSION ORDER 2020

The above Order is hereby **CONFIRMED**

Dated this 17<sup>th</sup> day of July 2020



Legal Services Manager

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