

DATED

20th November

2025

**PUBLIC PATH DIVERSION ORDER
TOWN AND COUNTRY PLANNING ACT 1990**

**THE MALVERN HILLS DISTRICT COUNCIL
PUBLIC FOOTPATH NO. 562 (PART), KEMPSEY**

PUBLIC FOOTPATH DIVERSION ORDER 2025

**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. 562 (PART) KEMPSEY) PUBLIC PATH DIVERSION ORDER 2025

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 Reserved Matters application for 'Appearance, Landscaping, Layout and Scale' following a grant of outline planning permission, M/25/00346/OUT, for up to 40 dwellings and associated access at Brookend Lane, Kempsey, Worcestershire. (Planning Application No. M/24/01240/RM)

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:
 - i. A two metre-wide footpath with a compacted stone surface between points E, B and D on the Order Plan;
 - ii. A two- metre-wide footpath with a tarmac surface between points D and C on the Order Plan;
 - iii. A two metre-wide footpath with a compacted stone surface between points C, K, J, H, G, F and A on the Order Plan;

iv. Signage and highway markings as agreed with Worcestershire County Council.

5. Cotswold Oak Ltd. is hereby required to pay the cost of carrying out the said works following technical approval of construction specification by Worcestershire County Council.
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

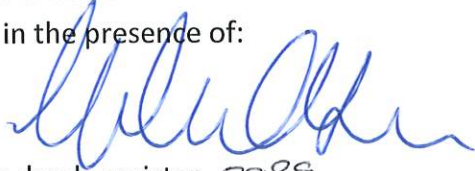
That length and the whole width of public footpath no. 562, Kempsey, running from point A, Ordnance Survey "OS" grid reference SO 85631 49434, in a north-easterly turning northerly direction for 253 metres to point B, OS grid reference SO 85684 49663, the junction of the footpath with Brookend Lane.

PART 2

Description of Site of Alternative Highway

A length of public footpath at a width of two metres running from point E, OS grid reference SO 85680 49662, a point on Brookend Lane, in a south-easterly turning east-north-easterly easterly for 31 metres to point D, grid reference SO 85709 49665, then continuing in an east-north-easterly direction across the road and footways for 6 metres to point C, grid reference SO 85715 49667, then continuing in an east-north-easterly turning south-easterly direction for 11 metres to point K, grid reference SO 85725 49664, then continuing in a southerly turning south-south-westerly direction for 40 metres to point J, grid reference SO 85719 49624, then continuing in a generally southerly direction for 105 metres to point H, grid reference SO 85709 49519, then continuing in a south-south-westerly direction for 42 metres to point G, grid reference SO 85691 49482, then continuing in a southerly turning south-westerly direction for 45 metres to point F, grid reference SO 85673 49445, then continuing in a west-south-westerly direction for 44 metres to point A, grid reference SO 85631 49434, a point on footpath 562, Kempsey.

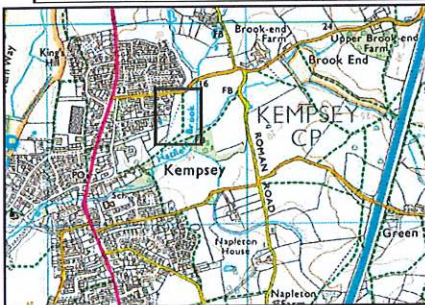
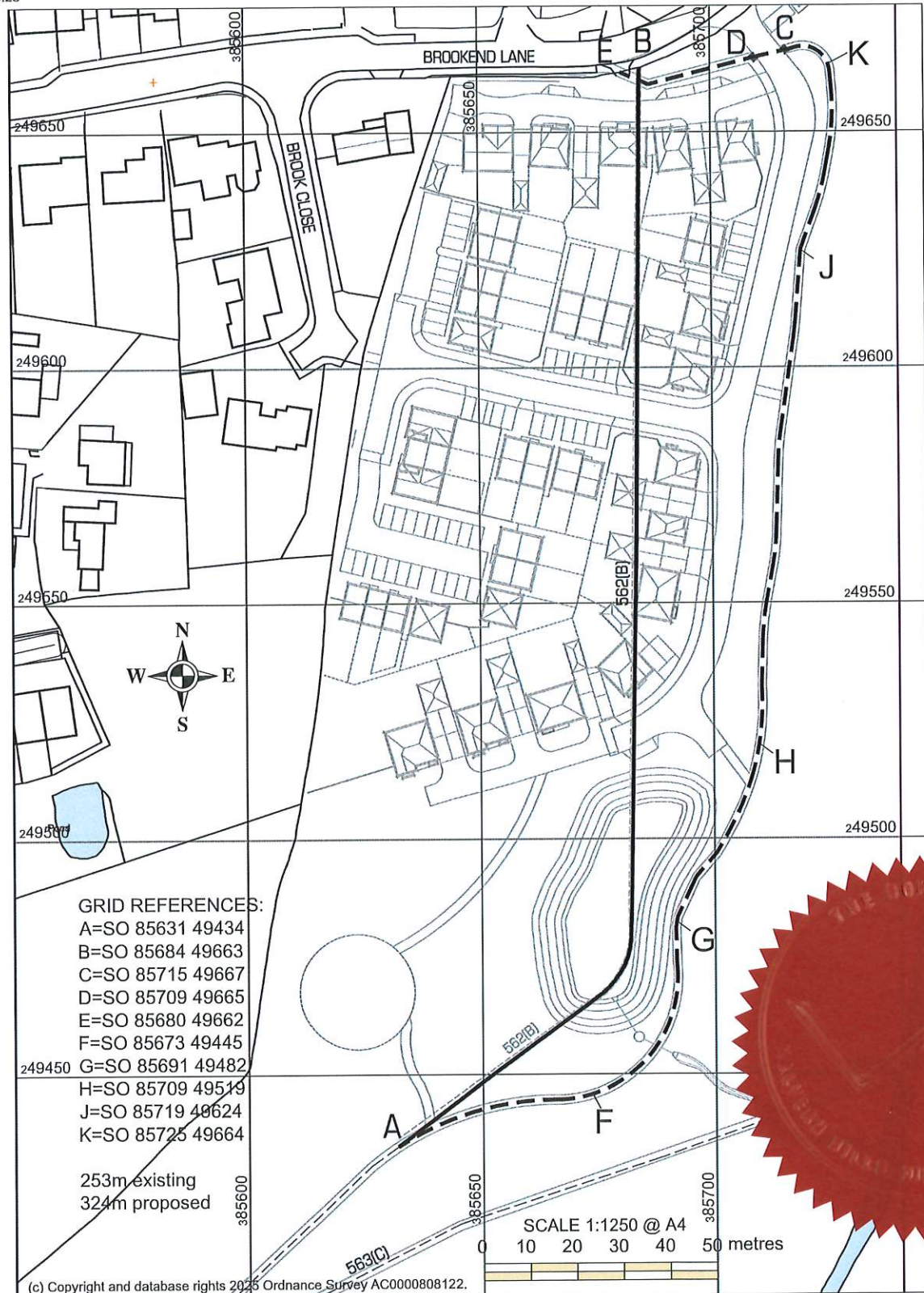
GIVEN under the COMMON SEAL of the MALVERN HILLS DISTRICT COUNCIL this 20th day of November
2025 in the presence of:



No. In deeds register 2989

CHIEF EXECUTIVE





KEY:

FOOTPATH No. 562 TO BE DIVERTED

A B

ALTERNATIVE FOOTPATH

A F G H J K C D E

UNAFFECTED FOOTPATH

Town & Country Planning
Act 1990, s.257
Public Footpath No. 562
- Parish of Kempsey
Public Path Diversion
Order 2025

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