Application for a new or amended right of way over land under the jurisdiction of the Malvern Hills Trust

Please note: Easement applications are considered at meetings of the Board’s Land Management Committee. The Committee meets on the second Thursday in January, April, July and October. Applications must be received at least four weeks prior to the next meeting to be considered at that meeting.

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| **Name of applicant/agent** |  |
| **Address of applicant/ agent** |  |
| **Telephone number** |  |
| **Email address** |  |
| **Address of property to which the application relates (please also attach map showing location)** |  |
| **Is the application for a new easement or a change of use of an existing easement?** |  |
| **Number of properties for which the easement is requested** |  |
| **Proposed use of easement (residential, business or agricultural)** |  |
| **Description of easement being requested e.g. length, width, type of surfacing**  Please note MHT will not usually allow easements to be surfaced with tarmac and would normally limit the width of easements to 2.75 metres |  |
| **Has this route been used previously for vehicle access? If yes, please state the type and length of use** |  |
| **Have you contacted any of the neighbouring property owners regarding your plans? If yes please state which properties** |  |

**If the easement relates to a new development or a change of use, please give as much detail as possible regarding the new development/new use in the box below (continue on separate sheet if necessary).**

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Please tick to confirm that you have enclosed the following:

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| **CHEQUE FOR THE APPLICATION FEE (PLUS VAT AT 20%)**  See Appendix 1 for table of fees |  |
| **Map showing location of property to which the easement relates** |  |
| **Map showing route of proposed easement** |  |
| **Photographs showing the location of the proposed easement** |  |
| **If the easement relates to a new development, any plans/drawings of the development** |  |

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| **Signature of applicant** |  |
| **Date** |  |

**Appendix 1**

**Easement application fees**

N.B. The application fee is required to cover the costs incurred by MHT in processing the application. If an easement is granted, applicants will also be required to pay (a) the legal and professional fees incurred in drawing up the Deed of Grant and any fee required for the grant of the easement.

The figures given below are the minimum fee. If legal or other professional advice is required in order to properly consider the application, the cost of this advice must be met by the applicant. Applications will not be considered by MHT until the application fee and any other costs have been paid by the applicant.

If you are uncertain which fee category your application falls into please contact us on 01684 892002.

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| **Type of overground easement requested** | **Minimum application fee** |
| Amendment to route of existing easement | £100 (plus VAT & legal/other costs) |
| Confirmatory grant of prescriptive easement | £75 (plus VAT & legal/other costs) |
| New agricultural easement | £100 (plus VAT & legal/other costs) |
| New easement for single dwelling | £200 (plus VAT & legal/other costs) |
| Change of use of existing easement | £200 (plus VAT & legal/other costs) |
| New easement for small commercial development | £200 (plus VAT & legal/other costs) |
| New easement for >1 and <10 dwellings | £400 (plus VAT & legal/other costs) |
| New easement for >10 dwellings | £750 (plus VAT & legal/other costs) |
| New easement for >50 dwellings | £1,000 (plus VAT & legal/other costs) |
| New easement for large commercial development | £1,000 (plus VAT & legal/other costs) |

**Data Protection**

The personal information provided on this form will be securely held and is subject to the provisions of the General Data Protection Regulations. The information is confidential and will only be used in connection with this application. This will include sharing the information with MHT’s legal advisors. For further information on Malvern Hills Trust’s privacy policy please see the website [www.malvernhills.org.uk](http://www.malvernhills.org.uk)