

Application Number: 4/23/2066/0F1, Walkmill Woodlands, Moresby Park

Countryside Access Team Comments:

The applicant is seeking to create better access opportunities within Walkmill Woodlands by upgrading a portion of the existing network of public rights of way and creating a series of new paths.

The application will directly affect the following public rights of way– (see attached plan)

- FP 417019
- FP 417020
- FP 417021

which were dedicated by Cumbria Council in 2019 using powers set out in the Localism Act 2011 Section 1(1).

FP 417015 & FP 417018 are also located in the woodlands and may be used by the applicant to access the site for the proposed construction works.

Section 7.7 of Policy **ENV6 – Access to the Countryside** within the Copeland Local Plan 2013-2028 recognises that existing Public Rights of Way are protected in law.

Section 130(1) of the Highways Act 1980 places a statutory duty on Cumberland Council as the Highway Authority to: -

- Assert and protect the rights of the public to the use and enjoyment of any highway for which they are the Highway Authority; and
- Prevent as far as possible the stopping up or obstruction of those highways.

We fully support the application and the proposal to upgrade and create new paths within the woodlands,

The applicant must be advised that:

- The granting of planning permission would not give them the right to block or obstruct the rights of way shown on the attached plan.
- The rights of way as shown on the Definitive Map and Statement must be kept open and unaltered for public use until an order made to divert or to temporarily close them has been confirmed.
- The proposed upgrades to the FP 417019, FP 417020, FP 417021 must comply with the 2m width for the footpaths recorded in Definitive Map and Statement.

John Duffy, Countryside Access Officer

Date: 11 April 2023