
Copeland area Planning Department, Cumberland Council

For the attention of Chloe Unsworth

Date: 7 August 2023

Your reference: 4/23/2185/0F1

Dear Chloe Unsworth

CONSULTATION ON PLANNING APPLICATION

Appn: 4/23/2185/0F1
Site Address: COMMONGATE FARM, COMMONGATE, LOW MORESBY
**Proposal: CHANGE OF USE OF LAND FOR EDUCATIONAL PURPOSES;
ERECTION OF GARDEN ROOM/OFFICE; ERECTION OF A BARN**

Thank you for your consultation on 17 July 2023 regarding the above Planning Application.

Cumberland Council as the Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA) has reviewed the above planning reference and I can confirm that we have no objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions nor will it increase the flood risk on the site or elsewhere.

Informative

Countryside Access Team Comments:

Public Right of Way FP 417003 is located adjacent to the proposed development. (See attached plan).

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 would advise that:

- The granting of planning permission would not give the applicant the right to block or obstruct the Public Right of Way shown on the attached plan.
- The Public Right 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, extinguish or to temporarily close it has been confirmed.

Yours sincerely

Paul Telford
Development Management Officer