

Response to B&NES Response on 7 December 2023 to Appellant's comments submitted on 24th November 2023

The numbering below relates to the 7 December comment numbering:

1. The actual route is not the major subject of discussion. It's the fact that one end of both routes has been blocked from access, and the application wishes that this obstruction be removed.
However, the Appellant would seek that the now current route, 'the Alternative Route' be specified as the path since the original route is now blocked in so many places by fallen trees and new undergrowth to make the Applicant route no longer viable.
As stated in the response, the routing of paths in ancient woodlands will vary from time to time to circumnavigate fallen trees. This is evidenced by the positions of a 'pathway' on OS maps over the last 100+ years showing variations in the routing of the paths in the area under discussion.
2. It is not clear from the response on what basis the respondent feels that the photos are not the distance stated in the Appellant's comments document. Parts of the Application route are indeed 20 metres for the Alternative Route, but not the whole route since both routes start and finish at the same point. Further photos are available from further viewpoints along the route, if required.
In recent consultation by the Appellant with the individuals contacted by phone, it has been reported that the routes being discussed were not made clear to them over the phone, and the individuals were under the impression that it was the top part of the path around which concerns had been raised because of the recent blockage that was being discussed.
3. See comments 1 and 2 above
4. The comments made in 2 above again relate to the absence of clarity over the phone as to which worn route they had been using.
Note 1. User 5 was contactable and did respond to left messages by ringing back a number of times, but could not get through to anyone to speak to.
5. It is clear that there has been a route 'actually enjoyed by the public' for over 100 years as evidenced by the OS maps going back to the early 20th century which were submitted with the appeal, and as evidenced by a continued obviously worn footpath. The individuals spoken to over the telephone have also confirmed that they have enjoyed a route through Park Copse until such time as the exit was blocked in recent years.

The Appellant therefore would respectfully request that a response from the Inspectorate be created that allows access to the woods at the point of access that had been freely available for many many years be reinstated. The establishment of a Public Right of Way along the currently available route, the Alternative Route, would be an added asset for the local community, allowing permitted access to this part of the woods that has been enjoyed since at least early in the last century.

It is clear that the Alternative Route is now being well-used in that the pathway is clear to the naked eye due continued frequent traffic, with walkers still looking for the previously used exit.

Note 2. At no time has there been any sign at the other end of the path that this is not a route to be used by walkers.

Note 3. It is assumed that the Response dated 24 November is accompanying these subsequent Responses.

15 January 2024