

APPLICATION FOR CONSENT TO CARRY OUT WORKS ON COMMON LAND

Commons Act 2006: Section 38

National Trust Act 1971: Section 23

Greater London Parks and Open Spaces Order 1967: Article 12

Return completed application to: commonlandcasework@planninginspectorate.gov.uk

Where possible, please send in your application by e-mail. If you are unable to submit your application by email and require a postal address please telephone: 0303 444 5340.

Please ensure you refer to the current Notes for making an application when completing this form and advertising your proposals. Failure to do so may delay your application and you may be asked to re-advertise if you do not follow the current guidance in full.

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- **Before you apply for consent you should consult informally and widely about the proposed works as this may help you identify and overcome any objections.**
 - Answer all the questions on this form in full, tick all relevant boxes and use a separate sheet where there is insufficient space for your answer.
 - Refer to separate **Notes** on completing this form (the "Notes") and **Guidance Sheets** (listed at **Annex F** of the **Notes**) before applying.
 - Read **Guidance Sheets 1a, 1b and 1c** for all Section 38 cases.
 - Read **Guidance Sheet 2a** if the land is owned by the National Trust.
 - Read **Guidance Sheet 2b** if the land is registered as a town or village green.
 - Read **Guidance Sheet 2c** if the land is regulated by a scheme of management.
 - Read **Guidance Sheet 2d** if the land is owned/managed by a London Borough Council.
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Legislation

This application is made under:

- Section 38: Commons Act 2006 for land which is:-
 - registered common land
 - other land (e.g. registered town or village green) to which Section 38 applies
- Section 23: National Trust Act 1971
- Article 12: The Greater London Parks and Open Spaces Order 1967

SECTION A – The common land

1. Name and full address of common Jacobs Well Recreation Ground forming part of Stringer's Common, Parish of Worplesdon, District of Guildford, County of Surrey

CL no or VG no CL352

Commons Registration Authority (Usually the county council or unitary authority) The County Council of Surrey

SECTION B1 – The applicant

Forename Gaynor

Surname White

Organisation (if appropriate) Worplesdon Parish Council

Title (Mr/Mrs/Miss/Dr) Mrs

Full Postal Address Unit 2 Saxton, Parklands, Railton Road,
Guildford, Surrey

Postcode GU2 9JX

Telephone No/Mobile 07487 686903

Email address clerk@worplesdon-pc.gov.uk

3. Do you prefer to be contacted by Post No
(ignore if you are using an agent) Email Yes

SECTION B1a – The agent (where relevant)

3a. Forename	<input type="text"/>
Surname	<input type="text"/>
Organisation (if appropriate)	<input type="text"/>
Title (Mr/Mrs/Miss/Dr)	<input type="text"/>
Full Postal Address	<input type="text"/>
Postcode	<input type="text"/>
Telephone No/Mobile	<input type="text"/>
E-mail address	<input type="text"/>

Do you prefer to be contacted by Post E-mail

SECTION B2 – The owner of the common land

4. Forename

Surname

Organisation (if appropriate) Worplesdon Parish Council

Title (Mr/Mrs/Miss/Dr)

Full Postal Address Unit 2 Saxton, Parklands, Railton Road,
Guildford, Surrey

Postcode GU2 9JX

Telephone No/Mobile 01483 300094

E-mail address clerk@worplesdon-pc.gov.uk

SECTION C – Area of common and common rights

5. What is the total area of the common as registered?

48,654 m²

What common rights, if any, are registered? (e.g. number and type)

Entry 1 dated 28 August 1968 - Application 1001 dated 27 August 1968 by James William Dolley (Owner) of The Gables, Blanchards Hill, Jacobs Well, Guildford, Surrey - The right to graze 50 cattle, 10 horses and 55 sheep over the whole of the land in the register unit (Part of Stringers Common). The particulars of the land to which this right is attached is Stringers Farm, Stringers Common, Worplesdon and Home Farm, Whitmoor Common, Worplesdon.

Are the common rights ever exercised?

Yes

No

6.

If yes, please give details e.g. which commoners are active, which rights are exercised and how frequently?

N/A

7. Give details of any relevant leaseholders, other occupiers, those holding any relevant charges or those with rights of access over the land.

No Deeds of Grant are in place, albeit there is an informal agreement between the Parish Council (as landowners) and the residents of the properties known as The Lanterns, Ashover, April Dip, The Haven and 1 White House Mews enabling the owners of these properties to drive to their properties over the track within the Recreation Ground.

SECTION D1 – The proposal

8. What works are proposed? (tick **all** that apply)

- fencing
 building(s)
 other structures(s)
 ditch(es), trench(es), embankment(s)
 sealed paths, roads or tracks (e.g. concrete or tarmacadam)
 other works, please specify:

9. Are the proposed works permanent or temporary?

- permanent
 temporary
 mixed permanent and temporary

If temporary, how long will they be needed?

10. Is this application, or any part of it, for works that have already been carried out?

Yes No

11. Describe the proposed works below, including the area (in square metres) that they will occupy. Please include details such as materials to be used and dimensions of all structures. Make clear which works are permanent, which are temporary, and which works, if any, have already been carried out. (If the works are only for fencing go straight to Section D2).

Permanent works: not yet commenced

To dig up 93m² of the existing track and replace with GC3 grasscrete (for soakaway purposes). Track dimensions = 31m in length by 3m in width.

To dig up and replace the existing 19m² bell mouth with tarmac – Bell mouth dimensions = 3.30m in depth by 8.3m at the widest part of the bell mouth.

To create four parking spaces amounting to 64m² to facilitate four parking spaces (large enough to accommodate disabled parking) to enable those who are disabled, or less physically able, to access the children's play area and to use the Recreational Ground for its intended purpose. The surfacing to comprise of GC2 grasscrete (for soakaway purposes). Dimensions = Length of parking spaces 10m by 6m in depth – with 2m x 1m splays at both sides of the car parking area (splays to be surfaced in concrete).

No trees will be required to be felled, and the root protection areas of the existing trees will not be compromised by the proposed location of the parking area.

The rear and partial sides of the parking area to be fenced for the prevention of accidents.

12. Explain why the proposed works are needed and how they fulfil the criteria set out in Section 39 of the Commons Act 2006. If the proposed works include fencing, please also complete section D2.

When the Parish Council bought this parcel of land from Lord Onslow in 1970, it was a condition of both the planning consent and the Ministerial Consent (as attached) granting permission to turn the field into a Recreation Ground, that parking would be provided. In the 1980s a play area was constructed within the Recreation Ground, which partly sits over the top of the originally consented parking area. Due to a large number of complaints about anti-social behaviour within the parking area, over an extended period of time, the remainder of the parking area was closed off. This subsequently led to ongoing complaints about the lack of parking facilities for those wishing to specifically use the play area. Most of the complainants are either disabled, elderly, infirm, or have disabled children.

The Parish Council therefore wishes to construct four parking spaces at a repositioned tree-free location within the Recreation Ground to ensure that a wider group of users can access these public facilities.

A rural 'ranch-style' fence to be installed around the sides and rear of the parking bays to clearly define the restricted parking area and to seek to prevent accidental collisions between motorists and wildlife or motorists and users of the Recreation Ground and play area.

The location for the proposed parking area is very boggy in the winter. Motorists attempting to park at this location during the winter months get stuck and have to be towed out, hence the Parish Council wishes to create a small, purpose-built facility for year-round parking.

A new walking football group has recently been established. For this facility it is necessary to park at least one car within the proposed Recreation Ground to ensure that anyone injured during the match could be taken rapidly to A&E.

13. Give details of any measures proposed to mitigate the visual impact of the works and, where appropriate, the way in which the common will be restored once the works are completed if consent is granted.

Rural-style wooden fencing is being proposed to prevent the appearance of urbanisation at the Recreation Ground.

SECTION D2 – Where the proposed works include fencing (temporary and permanent)

(If your proposal does not include fencing, go straight to Section E)

14. Please give details of the type(s) of fence proposed, including the height and length, the area (in square metres) it will enclose and the materials used.

Wooden rural 'ranch-style' fencing height - 122cm (4ft) high x 18m in length - to be erected on three sides of the parking area only - to partially enclose the parking area, which comprises 64m². This rural-style fencing is considered to be in keeping with this semi-rural location, which is designated as an SSCI (Site of Nature Conservation Importance) due to the presence of Great Crested Newts at White House Pond. Chicken wire to be attached to the fencing in a bid to deter seasonally nesting Canadian geese and other wildfowl from walking across the parking area from the pond to the main grassed area of the Recreation Ground.

15. Please explain why the fencing is needed and how it fulfils the criteria set out in Section 39 of the Commons Act 2006. This should cover: why fencing of this type is needed, what the aim of the fencing is, and why it is the length proposed. You should also explain what other types of fencing, if any, have been considered and rejected. If you are applying for permanent consent please explain why temporary consent is not appropriate.

To prevent accidental collisions between motorists and users of the Recreation Ground/wildlife.

16. Please say what other measures (if any) you have considered (i.e. alternatives to fencing) and explain why these are not suitable.

Wooden posts could be used, but they would offer less protection to (a) the wildfowl that occupies the Recreation Ground and (b) users of the Recreation Ground.

17. Give details of any measures proposed to mitigate the visual impact of the fencing.

The use of rural 'ranch-style' fencing is considered to be less visually intrusive than metal fencing. No further measures are proposed as this would reduce visibility into the play area, which could encourage anti-social behaviour at this location.

18. Give details of the number, type and location of stiles, gates, gaps or other means of access.

There is one vehicular access track into the ground and public right of way no. 461 runs to the north of the Recreation Ground. Pedestrian access points into the Recreation Ground are via White House Lane (off Woking Road – A320), via a bridge off Jacobs Well Recreation Ground (ROW 461), or via the access track.

SECTION E – Planning permission

19. a) Is planning permission needed for your proposal?

Yes No

b) If yes, has planning permission been given?

Yes No

If yes to b), please enclose a copy of the planning permission.

Copy enclosed.

SECTION F – Designations

20. Could the proposal affect a Site of Special Scientific Interest (SSSI), a Special Area of Conservation (SAC) a Special Protection Area (SPA), or a wetland listed in accordance with the Ramsar convention? Yes No
If yes, please give details and identify this area on the map (see Section J).

- 20a. Is the proposal directly connected with the conservation or management of the SAC, SPA, or Ramsar site(s) identified? Yes No

21. Will the proposal affect a Scheduled Ancient Monument (SAM) Yes No
If yes, please give details and identify the location of the SAM on the map (see Section J).

22. Is the proposal in a National Park? Yes No

If yes, please give the name of the National Park.

Is the proposal in an Area of Outstanding Natural Beauty (AONB)?

Yes No

If yes, please give the name of the AONB.

Will the proposal affect an area of special landscape value or World Heritage Site?

Yes No

If yes, please give details and identify the area on the map (see Section J).

SECTION G – Existing works and adjacent common land

23. Are there any existing buildings, roads, fences or other constructions on the common? Yes No
If yes, please give details. Please also identify these on the map (see Section J).

CL 281/CI 352

- Woking Road (A320).
- Woking Road/Moorfield Road Junction.
- Guardrails to prevent pedestrian access to the junction.
- Lighting columns/luminaries.
- Traffic signals.
- Sign posts.
- Bollards.

CL 281:

- Surfaced public footpath (FP442) leading from Woking Road, opposite Woking Road/Jacobs Well Road junction. Labelled 'Track' on title CL 281 on Document (14 GBC app)
- Unsurfaced public footpath (FP441) along the southern boundary of Stringers Common CL 281, the entrance to which is location to the northwest of the roundabout on Woking Road (Woodlands Road/Hazel Avenue). Labelled 'Path' on title CL 281 on Document Rights of Way – CL 281 and CL 352

CL 352:

- Surfaced vehicular and pedestrian entrance path leading from the south of Jacobs Well Road across CL 352 to Watts Cottage.
- Gated surfaced road known as White House Lane (no through road) leading from the north of Jacobs Well Road.
- Jacobs Well Play Area (adjacent to White House Lane).
- Unsurfaced public footpath (FP461) leading from Jacobs Well Road to the play area.
- Bus stops on either side of the carriage way along Jacobs Well Road located near to the Woking Road junction.

The above items are identified on Map J.

24. Does any area of common land or village green of a different registration number adjoin the common on which the works are proposed? Yes No

If yes, please give details. Please also identify the boundaries on the map (see Section J).

CL 155
CL 466
CL 449
CL 467

See document CL 281 and CL 352 Map sheet 39.

Section H – Procedure

25. Most applications are determined by the written representation procedure. However, we may decide that a site inspection by an Inspector is needed. Where we decide that there should be a site inspection the Inspector will usually visit the site unaccompanied.

Do you wish to be present or be represented at the site visit? Yes No
If yes, please suggest a suitable meeting place.

SECTION I – Advertisement and consultation

26. **You must advertise your proposal** in one main local newspaper and at the main points of entry to the common (or, if there are none, at a conspicuous place on the boundary of the common). Use the draft notice at **Annex A** of the **Notes**.

27. You must also send a copy of the notice (using the letter at **Annex C, C1** or **C2** of the **Notes**) to the following:

- the owners of the land (if different from the applicant)
- the commons council or commoners' association (if there is one)
- all active commoners
- others with a legal interest e.g. tenants, those with easements, or other rights over the land and any other person occupying the land

- the Parish Council
- the relevant Commons Registration Authority (usually the county council or unitary authority), District or Borough Council
- Natural England (Please send the application form, map and notice to commonland@naturalengland.org.uk)
- Historic England
- National Park Authority (if the proposal is in a National Park)
- AONB Conservation Board or Joint Advisory Committee (if the proposal is in an AONB)
- Open Spaces Society (Please send only to office2@oss.org.uk)
- the local authority archaeological service

28. Which newspaper has the
Advertisement appeared in?
Form CLP 2 (02/2022)

Surrey Advertiser – Guildford Edition

On what date? Friday 3 November 2023
On what date will the
Representation period end? Monday 4 December 2023

This date must be at least 28 days from the date the application is advertised. Incorrect notices are a common problem and may result in you having to re-advertise, so please read Section I of the Notes carefully.

Section J – Maps

29. Please enclose two copies of the map that meets the requirements set out in Section J of the Notes. The map should show everything required by sections F and G of this form, and it must clearly show what you are proposing to do and where. **Incorrect or unclear maps are a common type of problem with applications for works, so please read Section J of the Notes carefully.**

Section K – Checklist (tick to confirm)

30. For all applications:


- I have read the relevant Notes and Guidance Sheets.
- I have answered all the questions on this form in full (where appropriate.)
- I have enclosed a map (2 copies) that meets the requirements of Section J of the Notes.
- I have enclosed a copy of the commons register in respect of this common, where registered, i.e. details of the land, rights, ownership and the register map.
- I have enclosed a copy of any document mentioned in answering the questions on this form (e.g. planning permission, etc.)
- I have completed and enclosed a copy of the health and safety questionnaire
- I understand that any of the application papers may be copied to anyone who asks to see them.

31. For Section 23 (National Trust Act 1971) only:

- I have enclosed a letter from the National Trust confirming its view that the proposed works are "desirable" under Section 23(1)

32. I have:

- Advertised the proposal in one local newspaper
- Posted a copy of the notice at the main entry points to the common
- Sent a copy of the notice to all those listed at Section I
- Placed a copy of the notice, map and application at the inspection point
- Enclosed the letter, based on the example at Annex D of the Notes, confirming that the advertising requirements have been met.

Signed: 

Name: Gaynor White

Date: 3.11.2023

You should keep a copy of the completed form.

General Data Protection Regulation

Your application will be in the public domain. Therefore all documents (both paper and electronic) associated with it may be disclosed during the application process to others, including other Central Government Departments, public bodies, local authorities, other organisations and members of the public.

How we use your information

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).
