

# 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:

The Commons Team
The Planning Inspectorate
3A Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Tel: 0303 444 5408

E-mail: commonlandcasework@planninginspectorate.gov.uk

- 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.

### 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

 Name and full address of common

CL no or VG no

Commons Registration Authority (Usually the county council or unitary authority)

### **SECTION B1 - The applicant**

2. Forename

Surname

Organisation (if appropriate)
Title (Mr/Mrs/Miss/Dr)

Full Postal Address

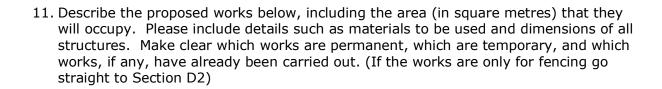
	Postcode		
	Telephone No/Mobile		
	E-mail address		
3.	Do you prefer to be contacted by (ignore if you are using an agent)	Post	☐ E-mail
SE	CTION B1a - The agent (where r	elevant)	
3a.	Forename		
	Surname		
	Organisation (if appropriate) Title (Mr/Mrs/Miss/Dr)		
	Full Postal Address		
	Postcode		
	Telephone No/Mobile		
	E-mail address		
	Do you prefer to be contacted by	☐ Post	☐ E-mail
SE	CTION B2 – The owner of the co	ommon land	
4.	Forename		
	Surname		
	Organisation (if appropriate) Title (Mr/Mrs/Miss/Dr)		
	Full Postal Address		
	Postcode		
	Telephone No/Mobile		

E-mail address

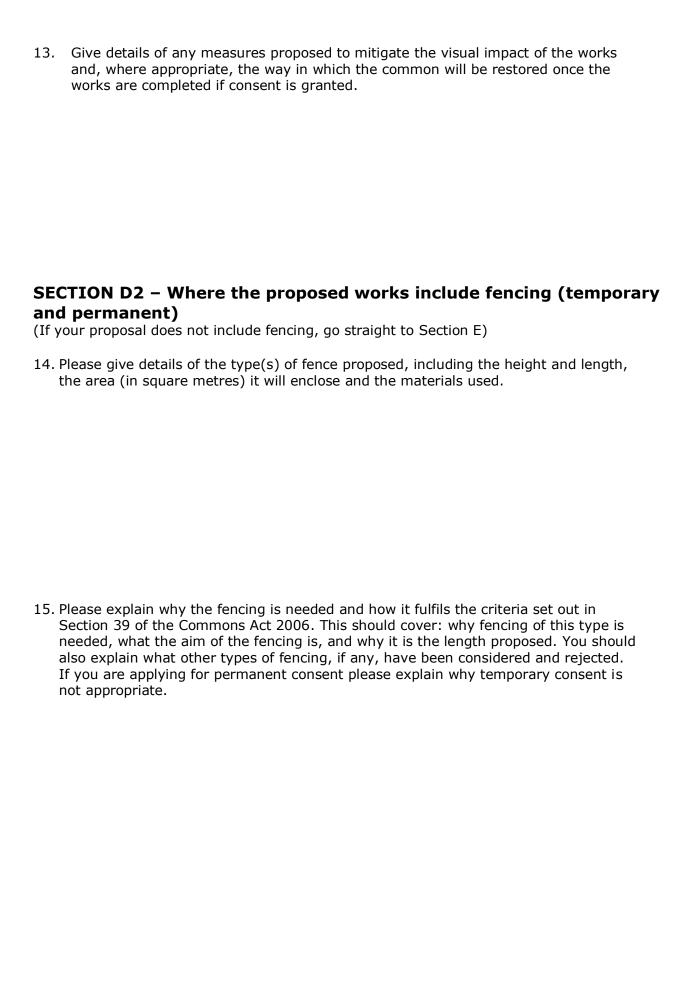
# **SECTION C – Area of common and common rights**

5.	What is the total area of the common as registered?		
	What common rights, if any, are registered? (e.g. number and	d type)	
	Are the common rights ever exercised?	☐ Yes	☐ No
6.	If yes, please give details e.g. which commoners are active, vexercised and how frequently?	vhich rights a	re

7.	Give details of any relevant leaseholders, other occupiers, those holding any relevant charges or those with rights of access over the land.
SE	CTION D1 - The proposal
8.	What works are proposed? (tick <b>all</b> 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? $\hfill \Box$ Yes $\hfill \Box$ No



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.



16.	Please say what other measures (if any) you have considered (i.e. alternatives to fencing) and explain why these are not suitable.	
17.	Give details of any measures proposed to mitigate the visual impact of the fencing.	
18.	Give details of the number, type and location of stiles, gates, gaps or other means of access.	
SECTION E - Planning permission		
19.	a) Is planning permission needed for your proposal?  b) If yes, has planning permission been given?  If yes to b), please enclose a copy of the planning permission.  Copy enclosed.	

# **SECTION F – Designations**

20.	Is the proposal in or near 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?  If yes, please give details and identify this area on the map (see	☐ Yes	□ No
21.	Will the proposal affect a Scheduled Ancient Monument (SAM)? If yes, please give details and identify the location of the SAM on Section J).	☐ Yes the map (s	□ No see
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.	□ vaa	□ N-
	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).	
SE	CTION 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 Sectio	n J).

24	. Does any area of common land or village green of a different
	If yes, please give details. Please also identify the boundaries on the map (see Section J).
	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

### SECTION I - Advertisement and consultation

	boundar	y of the common). Use the draft notice at <b>Annex A</b> of the <b>Notes</b> .
27.		et also send a copy of the notice (using the letter at <b>Annex C, C1</b> or <b>C2</b> of <b>es</b> ) 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 only to enquiries@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
		the local authority archaeological service
28.		newspaper has the
	advertis On wha	sement appeared in?
	On wha	t date:
		t date will the ntation period end?
	-	ite must be at least 28 days from the date the application is
	adverti	ised. Incorrect notices are a common problem and may result in you
	naving	to re-advertise, so please read Section I of the Notes carefully.
Se	ction J	– Maps
29.		nclose two copies of the map that meets the requirements set out in Section Notes. The map should show everything required by sections F and G of this

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

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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 P. Cladin	
	Name	
	Date	

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.

For information about how we process the information you provide please see Common Land Guidance Sheet 13: Privacy Policy at the link below.

https://www.gov.uk/government/publications/common-land-guidance-sheet-13-privacy-policy