



APPLICATION TO DEREGISTER, OR TO DEREGISTER AND EXCHANGE, COMMON LAND OR TOWN OR VILLAGE GREENS

Commons Act 2006: Section 16

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.

Form CLP 1 (02/2022)

PLEASE READ THE FOLLOWING CAREFULLY BEFORE COMPLETING THIS FORM:-

- Section 16(9) of the Commons Act 2006 requires that an application to deregister and exchange common land or town or village greens may only be made with the consent of any relevant leaseholder of, and the proprietor of any relevant charge over, the release land and any replacement land. When completing this form you will be asked to confirm that such consent has been obtained and that you have consulted any relevant leaseholder of, and the proprietor of any relevant charge over, the release land/any replacement land about the application.
 - Answer all the questions on this form in full and only use a separate sheet where there is insufficient space for your answer.
 - Refer to "*Notes on completing an application to deregister, or to deregister and exchange, common land or town or village greens*" (the "Notes") when completing this form.
 - References throughout this form to 'common land' apply equally to 'town or village green'.
 - A non-refundable fee of £4,900 is payable for all applications under section 16 to deregister/exchange common land. A cheque for this amount, payable to "The Planning Inspectorate", must accompany every application. Alternatively, if you wish to pay by BACS the Planning Inspectorate's bank details are available on request.
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SECTION A – The common land to be deregistered (i.e. the release land)

Section A1 – The Common

1. Name and full address of common

Yateley Common
Yateley
GU46 6BE

CL no or VG no

CL24

Commons Registration Authority

Hampshire County Council

Section A2 – The owner of the release land

2. Forename	N/A
Surname	N/A
Organisation (if appropriate)	Falcon Propco4 Ltd
Title (Mr/Mrs/Miss/Dr)	N/A
Full Postal Address	Terminal Buildings Blackbushe Airport Blackwater Camberley Surrey
Postcode	GU17 9LQ
Telephone No/Mobile	01252 471 307
E-mail address	admin@blackbusheairport.co.uk

3. Do you prefer to be contacted by Post E-mail

4. Please note that unless you tick the box below we will send all correspondence to the person named above and not to the owner of the replacement land shown in Section B1.

Please send all correspondence to the owner of the replacement land named in section B1

Section A2a – The agent (where applicable)

4a. Forename	Laura
Surname	Fuller
Organisation (if appropriate)	Burges Salmon LLP
Title (Mr/Mrs/Miss/Dr)	Mrs
Full Postal Address	One Glass Wharf Bristol
Postcode	BS2 0ZX
Telephone No/Mobile	+44 (0) 117 902 7232 / +44 (0) 7794 030 888

E-mail address

laura.fuller@burges-salmon.com

Do you prefer to be contacted by

Post

E-mail

Section A3 – Area of common and common rights

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

1218 acres (492.7ha)

What common rights, if any, are registered? (e.g. number and type) If the land is a town or village green, what kind of recreation is it used for?

A copy of the common land register held by the Hampshire County Council is included with the application at Appendix B of the Exchange Land Report.

There are 23 rights of common entries within the register of common for CL24. These are given in terms of grazing rights for various animals, rights to cut and take turf, peat and wood and rights to dig and take gravel and sand. The rights recorded extend across the whole of the land within the register unit.

For further details please see the enclosed Blackbushe Airport Exchange Land Report (the "Exchange Land Report") prepared by Julia Tindale, Senior Director of RPS Group.

6. If there are common rights registered are they exercised?

Yes

No

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

As set out at paragraphs 2.3 of the Exchange Land Report, no rights of common are exercised over the Release Land by virtue of it being part of the wider operational airfield.

With regards to the wider common land, the applicants are aware that some people appear to exercise the right to take wood from the common from time to time. The applicants do not know the identities of those exercising rights to take wood from the common and are not aware of anyone exercising any other registered rights of common over the land.

Section A4 – Description of the release land

7. Area of release land in m²

142854

Description (including location) of the release land

The Release Land is an area of land located within the operational boundary of Blackbushe Airport, Camberley, Surrey GU17 9LQ. It lies adjacent to the southern boundary of Blackbushe Airport. It is shown edged red on Figures 1 and 2 of the Exchange Land Report and more fully described at paragraphs 3.1 to 3.3 of the Exchange Land Report.

SECTION B – The land to be given in exchange (i.e. the replacement land)

8. Are you proposing to provide replacement land in exchange for the release land? You must propose replacement land if the area of the release land is more than 200m².

Yes

No

If **Yes**, go to Question 9. If **No**, please explain below why you are not providing replacement land and then go to Question 14.

Section B1 – The owner of the replacement land

9. Forename

N/A

Surname

N/A

Organisation (if appropriate)

Cottage Farm Holding Ltd

Title (Mr/Mrs/Miss/Dr)

Full Postal Address

Main House
Island of Jethou
St Peter Port
Guernsey

Postcode

GY1 4AB

Telephone No/Mobile

01252 471 307

E-mail address

admin@cottagefarmyateley.com

Only complete Question 10 if Question 4 has been ticked.

10. Do you prefer to be contacted by

Post

E-mail

Section B2 – Description of the replacement land

11. Name of replacement land (if any) Cottage Farm
- Area of proposed replacement land (in m²) 142854

Description (including location) of the replacement land.

The Replacement Land is located at Cottage Farm, Cobbetts Lane, Yateley, GU46 6AT. It lies directly adjacent to Yateley Common (CL 24) along most of its northern boundary, for the entirety of the western side, and along parts of the southern and eastern boundaries. It is an area of agricultural grassland located approximately 2km to the east of the Release Land. It is shown edged green on Figures 1 and 4 of the Exchange Land Report and more fully described at paragraphs 3.4 to 3.9 of the Exchange Land Report.

12. Please confirm that the proposed replacement land is not already registered as common land or town or village green. X I confirm

Section B3 – Rights over the replacement land

13. Give details of any relevant leaseholders, other occupiers, rights of access and easements, those holding any relevant charges over the replacement land, or any other rights or easements. Explain why such rights will not materially interfere with the public's right to use the land (should the application be successful). (see Note 8).

As set out at paragraphs 3.89 of the Exchange Land Report, the Replacement Land is subject to a short term tenancy of less than 7 years. Cottage Farm Holding Ltd (CFHL) and the tenant have agreed that this arrangement will remain in place only until a successful exchange of land under Section 16 of the Commons Act 2006 has been completed. A number of horses are currently kept at the Cottage Farm livery and the owners of those horses contract directly with the tenant of the farm. Each of these contracts has 30 days' notice to vacate and those livery customers only continue to use it on the understanding that their ongoing occupation of the stables is subject to a successful Section 16 Application.

As noted above, the existing tenant's rights and the livery customers rights are subject to the temporary arrangements and formal notice to quit/vacate will be given in the event this Section 16 application is granted. All occupants of Cottage Farm have been informed that this application has been submitted. The tenant has also consented to the application and a copy of that letter is included. CFHL will continue to update the tenant and occupiers in order that horse owners are given the maximum possible time to find alternative arrangements for their grazing as required. It is the expectation that the tenant will continue to occupy the land and buildings located at Cottage Farm which are not included as part of the Replacement Land.

The neighbouring landowner at Follyfoot Farm has two agreements with CFHL. One which requires the maintenance of an electric fence between the two properties. This boundary fence will be maintained post any exchange albeit the part of the boundary which would be adjacent to the replacement land will no longer be electrified. CFHL is in discussion with the owners of Follyfoot Farm to vary this deed to remove the electrification requirement. The deed relates only to a boundary fence and will therefore have no impact on the public's right to use the replacement land. The second agreement relates to sharing a water supply and will not be adversely impacted by the proposed exchange nor will it interfere with the public's right to access the land following an exchange.

The following also have easements which cross the replacement land:

- The Southern Gas Board

- Mid Southern Water Company
- Arqiva Limited
- Airwave Solutions Limited

The Southern Gas Board and Mid Southern Water Company have pipelines installed beneath the Replacement Land which also run underneath Yateley Common before they enter onto the Replacement Land and after they exit the replacement land. There will be no interference with either party's equipment and nor would the continuing existence of such equipment beneath the surface of the land interfere with the public's right to access the Replacement Land following an exchange.

Arqiva Limited and Airwave Solutions Limited have mast sites located adjacent to (but not within) the Replacement Land; but as a result have rights of access to those mast sites across the Replacement Land. The current usual access arrangements are such that, when a person from either company requires access to their mast site, they park their vehicles in the Cottage Farm yard and proceed on foot across the Replacement Land. On occasion, it is occasionally necessary for vehicles to be taken to these masts, when conducting more complicated maintenance, or when generators are required during significant power outages. This access will remain across the replacement land following an exchange, but will be carefully managed and infrequent.

NLN Europe LLC have a lease with respect to a proposed mast site outside of the Replacement Land, for which they have a planning permission to construct a mast that expires on 21st August 2024. In the event this mast is constructed it is anticipated that some vehicle traffic will be required to and from the site during construction. Once the site is operational (if it is constructed), it is expected maintenance arrangements would be similar to those described above for the other two masts.

There would therefore be no adverse interference with any company's right to access their mast site nor would there be any interference to the public's right to access the Replacement Land following an exchange.

SECTION C - Access arrangements and current features of the lands

Section C1 – Access to the lands:

14. To what extent is there **existing** public access over the land(s) e.g. public rights of access under Section 193 of the Law of Property Act 1925?

(a) The release land

The Release Land is not subject to public rights of access under either s193 of the Law of Property Act 1925 (the "1925 Act") or the Countryside and Rights of Way Act 2000 (the "CROW Act").

Section 193

Whilst parts of Yateley Common (including land adjacent to the replacement land) are subject to the provisions of Section 193 of the 1925 Act pursuant to a revocable deed made on 5 May 1927 by the Ecclesiastical Commissioners for England as Lords of the Manor and Hundred of Crondall (the "1927 Deed"), the Release Land is not subject to that deed.

CROW Act

Whilst the CROW Act makes provision for public access to the countryside (by designating certain land (including common land not already subject to rights of public access under other provisions such as Section 193 of the 1925 Act) as 'access land', the Release Land is excepted land pursuant to Section 1 and Paragraph 7 of Part 1 of Schedule 1 of the CROW Act. Paragraph 7 excludes land used for the purposes of an aerodrome and the Release Land falls within the licensed aerodrome of Blackbushe Airport. A copy of the Airport's current Civil Aviation Authority (CAA) licence is included at Appendix A to the Exchange Land Report.

Public Rights of Way

One Public Right of Way, the Welsh Drive, (number 260/16/1) crosses the northern edge of the Release land as shown on Figure 5 to the Exchange Land Report. Whilst in practice for the reasons set out above, the public's access to this part of the Welsh Drive (as well as the remainder of the section that crosses Blackbushe Airport) is restricted. The Airport is willing to accommodate requests from members of the public who wish to walk the route by arranging to cease activity across the airfield. Such a request is however very rare. The part of the Welsh Drive which crosses Blackbushe Airport is not maintainable at the public expense.

Further details are set out in the Exchange Land Report, see in particular paragraphs 3.10 to 3.16.

(b) The replacement land (including any existing informal public access)

There is currently no existing formal or informal public access to or over the Replacement land. The Replacement Land is fenced around its perimeter and is currently used for horse grazing as part of the tenant's livery business as set out further at Question 13 above. Further information is set out in the Exchange Land Report, see in particular paragraphs 3.7 to 3.9 and 3.17.

15. What are the intended access arrangements for the replacement land?

The Applicants are committed to facilitating access on foot across the entire area of the Replacement Land and to integrating the Replacement Land into the adjacent common land. This will chiefly be achieved as follows:

- (1) The Applicants consider that it would be appropriate for Section 193 of the 1925 Act to apply to the Replacement Land in line with surrounding common land which is subject to the 1927 Deed. As such, Cottage Farm Holdings Ltd is willing to execute a Deed under Section 193 of the 1925 Act to provide the public with a right of access over the Replacement Land so long as the land remains registered as common land. A draft Deed is submitted with the application and is drafted to be contingent upon the granting of a Section 17 Order pursuant to this application. The Applicant will provide an executed copy of the Deed at the request of the Inspector responsible for determining this Application but considers that it would be sensible to allow for the formal consultation period and for any representations to be considered by the Applicant before doing so. In addition, the Applicant proposes that any Section 17 Order could include recognition of these public rights of access and direct the Commons Registration Authority to note them on the land section of the Register. The Applicant has therefore appended a draft s17 Order which includes proposed drafting to this effect.
- (2) The existing fencing around the perimeter of the Replacement Land adjacent to the existing common land will be removed. As a result, the Replacement Land will be contiguous with the surrounding common, along much of the boundary of the Replacement Land. In addition, the existing internal fencing that separates grazing paddocks will be removed. The Applicants propose that the removal of the relevant fences can be secured via the Section 17 Order that would be made in the event this Section 16 application is successful. The Applicant's draft s17 Order includes some proposed drafting. Once the Replacement Land becomes common land, no new fences could subsequently be erected on it without seeking consent under the Commons Act 2006.
- (3) Waymarkers will also be placed at a number of locations around the perimeter of the Replacement Land to provide signage to assist recreational users wishing to cross the Replacement Land and connect to the network of surrounding public rights of way.

Further information with regards to the facilitation of access and integration of the Replacement Land including removal of fencing and provision of waymarkers is set out in the Exchange Land Report (see, in particular, paragraphs 3.18 to 3.20, section 4 and Figure 16) and the Environmental Management Plan at Appendix E of the Exchange Land Report submitted in support of this application.

The measures set out in the Environmental Management Plan will be secured via the Unilateral Undertaking to be given to Hampshire County Council pursuant to Section 106 of the Town and Country Planning Act 1990, a copy of which accompanies this application. The Applicant will provide an executed copy of the s106 at the request of the Inspector responsible for determining this Application but considers that it would be sensible to allow for the formal consultation period to pass before doing so. A s106 obligation is a legal instrument which binds the land and may be given unilaterally to a local authority. Any breach of a s106 obligation is enforceable by the relevant local authority (usually by way of an injunction) against the original covenanting party and successors in title. In this case, the s106 obligation is being given by Cottage Farm Holdings Ltd by way of a unilateral undertaking to Hampshire County Council as both the commons registration authority and a local planning authority of the area in which the Replacement Land is located. The s106 has been drafted such that it is contingent upon the granting of this Section 16 application.

Therefore, if this application is granted, the intention is that the measures within the Environmental Management Plan (including removal of fences and provision of waymarkers) will be implemented following the Approval Date (as defined within the Unilateral Undertaking). The Applicant considers that submission of the draft Section 193 Deed, draft s106 unilateral obligation and draft Section 17 Order with the application demonstrate Cottage Farm Holdings Ltd's clear commitment to implementing those measures. The use of a s16 obligation enforceable by Hampshire County Council is robust legal method by which to secure implementation of and ongoing compliance with all the measures contained within the Environmental Management Plan.

Section C2 - Current condition of the lands

16. Describe the current condition and use of the lands, including any biodiversity, landscape, archaeological, agricultural and recreational interests:

(a) The release land

The Release Land, as part of Blackbushe Airport, is not in agricultural use and is designated as non-agricultural land. It includes grassland, a woodland boundary with the A30, paved areas used for taxiways and aircraft parking together with some of the Airport's buildings and structures. As set out at Questions 5, 6 and 14 above, neither rights of common nor rights of public access are currently exercised over the Release Land. Further details are set out in paragraphs 3.1 to 3.3, 3.10 to 3.16 and 3.77 to 3.78 of the Exchange Land Report.

The nature conservation interests of the Release Land, including biodiversity features, are described in paragraphs 3.21 to 3.28 of the Exchange Land Report.

A description of the landscape of the Release Land is described in detail at paragraphs 3.36 to 3.38 of the Exchange Land Report.

A description of archaeological remains and features of historic interest within the Release Land is set out in detail at paragraphs 3.42-3.55 of the Exchange Land Report.

The geology and soil conditions of the Release Land are described in detail at paragraphs 3.73-3.76 of the Exchange Land Report.

(b) The replacement land

The Replacement Land comprises of agricultural grassland which is currently used for horse grazing. It is designated as undifferentiated Grade 3. The area is also not currently accessible to or used by the public for recreation. Further details are set out in paragraphs 3.4 to 3.9, 3.17 to 3.20 and 3.83 to 3.87 of the Exchange Land Report.

The nature conservation interests of the Exchange Land, including biodiversity features, are described in paragraphs 3.29 to 3.35 of the Exchange Land Report.

A description of the landscape of the Replacement Land is described in detail at paragraphs 3.39 to 3.41 of the Exchange Land Report.

A description of the archaeological remains and features of historic interest within the Replacement Land are set out in detail at paragraphs 3.56 to 3.72 of the Exchange Land Report.

The soil and agricultural characteristics of the Replacement Land are described in detail at paragraphs 3.79 to 3.82 of the Exchange Land Report.

17. What structures (e.g. buildings, roads, bridleways, footpaths, walls, fences) are currently on the land?

(a) The release land

The Release Land includes paved areas used for taxiways and aircraft parking together with some of the Airport's buildings and structures as further described in the Exchange Land Report (see in particular paragraphs 3.2 and 3.23 to 3.24).

The area of the Release Land which is already either paved or covered by buildings and structures is approximately 41,523 m² (29%) of the Release Land as shown at Appendix C to the ELR.

There are Public Rights of Way surrounding the Airport, with one Public Right of Way, the bridleway known as the Welsh Drive, which runs across the south east corner of the Release Land as set out at question 14(a) above. Further details are set out in the Exchange Land Report (see in particular paragraphs 3.10 to 3.16 and 3.38).

(b) The replacement land

There are no buildings on the Replacement Land.

There are existing stock proof fences around the perimeter of the Replacement Land and a mixture of temporary and more permanent internal fencing which subdivides the land into the existing grazing paddocks, which will be removed as set out at question 13 above. Please see Figure 1 Appendix 1 of the EMP for details of these proposed fencing works.

There are surrounding Public Rights of Way, mostly bridleways and permissive paths, but the Replacement Land does not currently have any public access across or within it.

There are no other structures within the Replacement Land.

Further details are set out in the Exchange Land Report (see in particular paragraphs 3.4 to 3.9, 3.17 to 3.20 and 3.41).

18. What boundary features e.g. fences, hedges, walls (and access points such as stiles and gates) are currently on the perimeter of (or on land immediately adjoining) the land?

(a) The release land

There are a small amount of trees and scrub vegetation on the southern boundary of the Release Land. Further details are set out at paragraph 3.36 of the Exchange Land Report. The nature of these trees and scrub vegetation is described at paragraph 3.25 of the Exchange Land Report.

The rest of the Release Land has no boundary features separating it from the wider Airport. The Airport runway runs roughly east to west, immediately and parallel to the northern boundary.

As set out at question 17(a) above, one Public Right of Way, the bridleway known as the Welsh Drive, runs across the south east corner of the Release Land. Further details are set out in the Exchange Land Report (see in particular paragraphs 3.10 to 3.16). There are Public Rights of Way surrounding the Airport which are shown on Figure 10 of the Exchange Land Report.

(b) The replacement land

The Replacement Land is fenced around its perimeter, in many places with two or more layers of fencing. This is set out at question 17(b) above and described in further detail at paragraphs 3.7-3.9 of the Exchange Land Report.

There are surrounding Public Rights of Way, mostly bridleways and permissive paths, but the Replacement Land does not currently have any public access across or within it. Further details are set out in the Exchange Land Report (see in particular paragraphs 3.17 to 3.20 and 3.40).

19. What, if any, boundary or other features are proposed to be removed from or erected on the replacement land as part of the exchange?

As set out at questions 13 and 15 above, the boundary fencing and internal fencing will be removed to facilitate access to the Replacement Land directly from the common land and surrounding public rights of way. Waymarkers will also be placed at a number of locations around the perimeter of the Replacement Land to provide signage to assist recreational users wishing to cross the replacement land and connect to the network of surrounding public rights of way. Further information is set out in the Exchange Land Report (see in particular 3.18 to 3.20, section 4 and Figure 16) and the Environmental Management Plan at Appendix E of the Exchange Land Report submitted in support of this application.

Where the boundary to the replacement land is contiguous with any existing area of registered common land, it is the Applicants' intention that there should be no demarcation between the existing and new common, (i.e. no strip of undesignated land).

20. What, if any, works are to be carried out on the replacement land as part of the exchange?

Section 4 of the Exchange Land Report and the Environmental Management Plan set out the measures that will be implemented on the Replacement Land upon the approval of the Section 16 application. These are designed to enable the ecological and landscape interest in the area to develop in the most beneficial way and secure management and monitoring proposals for a period of 15 years following the exchange. To secure the relevant measures, the Applicant has submitted a draft s106 Unilateral Undertaking as part of this application and can provide a signed copy on request.

SECTION D – Details of the exchange or deregistration

21. What are the reasons for the exchange or deregistration?

The Release Land currently forms part of the operational licensed area of Blackbushe Airport. A brief summary of the Airport's history can be found in section 2 of the Exchange Land Report.

The Applicants are seeking to deregister the Release Land in order to facilitate improvement works to develop the Airport as a general aviation centre of excellence. The current Airport facilities are past their intended lifespan and were not designed with the present use in mind. Most of the buildings are of temporary cabin design, are not energy efficient and are becoming increasingly difficult to maintain. There is little provision for the hangarage of aircraft, which would enable onsite maintenance and reduce exposure of aircraft to corrosion.

Blackbushe Airport has set out a vision for the Airport's future, details of which can be found in the Vision document, which is submitted in support of this application. The overall vision includes a new terminal, café and function space, as well as new facilities for the flying schools and airport support functions such as the airport fire service. Hangarage and associated office space will be developed to support the needs of general aviation businesses and aircraft operators.

Blackbushe Airport previously applied to deregister land within the licensed operational boundary of the Airport pursuant to an application under paragraph 6 of Schedule 2 to the Commons Act 2006. The Schedule 2 Application was granted on 10 November 2023 and confirms the deregistration under Schedule 2 of the footprint of the Airport terminal building and part of the cafe building. A copy of that decision is enclosed with the application for reference.

The deregistration of the Release Land, together with the deregistration of the Airport terminal and part of the cafe building pursuant to Schedule 2 of the Commons Act 2006, will facilitate and be an integral part of the development of Blackbushe Airport in accordance with the Vision document. Blackbushe Airport cannot undertake the necessary and overdue improvements to the Airport without seeking to deregister an area of common land as almost the entire area of the licensed aerodrome falls within the registered common land at Yateley Common as can be seen on Figures 1 and 2 of the Exchange Land Report.

As noted in the Vision document, the development of the site will support and enhance those businesses already based at the airport. It will also present greater opportunities to attract other similar businesses and jobs to the site leading to a gradual increase in high quality technical jobs in the aviation industry and opportunities for young people in the area in engineering and related businesses.

SECTION E – Designations

- 22 Are any of the lands subject of this application in or near a Site of Special Scientific Interest (SSSI), National Nature Reserve, a Special Area of Conservation (SAC), a Special Protection Area (SPA), or Wetland listed in accordance with the Ramsar Convention?

(a) the release land

Yes No

If **Yes**, please give details and identify the location on the map

The following land designations are labelled on Figure 10 and Figure 7 of the Exchange Land Report. Figure 10 shows the placement of the land designations in relation to both the Release Land and Replacement Land, whereas Figure 7 labels the sites on a plan showing only the Release Land and its surrounding area.

Castle Bottom to Yateley and Hawley Commons- SSSI- is 0.01km from the site.
Thames Basin Heaths- SPA - is 0.01km from the site.
Castle Bottom- NNR- is 0.6km from the site.
West Minley Meadow- SSSI- is 1.2km from the site.
Foxlease and Ancells- SSSI- is 1.9km from the site.

(b) the replacement land

Yes No

If **Yes**, please give details and identify the location on the map.

The following land designations are labelled on Figure 10 and Figure 8 of the Exchange Land Report. Figure 10 shows the placement of the land designations in relation to both the Release Land and Replacement Land, whereas Figure 8 labels the sites on a plan showing only the Replacement Land and its surrounding area.

Castle Bottom to Yateley and Hawley Commons- SSSI- is adjacent to the site.
Thames Basin Heaths- SPA - is adjacent to the site.
West Minley Meadow- SSSI- is 1.6km from the site.
Blackwater Valley- SSSI- is 1.7km from the site.

- 23 Do any of the lands contain a Scheduled Ancient Monument?

(a) the release land

Yes No

If **Yes**, give details and identify the location on the map.

(b) the replacement land

Yes No

If **Yes**, give details and identify the location on the map

24 Are any of the lands in a National Park or Area of Outstanding Natural Beauty?

(a) the release land

Yes No

If **Yes**, please give details.

(b) the replacement land

Yes No

If **Yes**, please give details.

25 Are any of the lands subject of this application covered by any local designations, e.g. local nature reserve, area of special landscape value, heritage coast, conservation area or public open space?

(a) the release land

Yes No

If **Yes**, please give details.

The Release Land includes 6.72 ha of grassland subject to a local designation as a Site of Importance for Nature Conservation (the "SINC grassland"). The location of the area is shown in Appendix D of the Exchange Land Report. The deregistration of the Release Land will not remove this local designation.

It is acknowledged however that full consideration will have to be given to the SINC designation by Blackbushe Airport as part of its proposals to undertake improvement works as described in Q21 above. The Airport will have to comply with relevant planning policy and biodiversity guidance as part of its planning proposals.

(b) the replacement land

Yes No

If **Yes**, please give details.

SECTION F – Adjacent common land

26. Does any area of common land with a different registration number adjoin the common land subject of this application? Yes No
If **Yes**, give details and identify them on the map

Section G – Procedure

27. Most applications are determined by the written representation procedure. This involves an exchange of written evidence and a site inspection by an Inspector.
Do you wish to be present or be represented at the site inspection Yes No
If yes, please suggest a suitable meeting point.

The meeting point for the Release Land should be at the Control Tower, Terminal Building and for the Replacement Land, at the front yard of Cottage Farm

SECTION H – Advertisement and Consultation

28. **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). Please advertise your proposal at the same time as you make your application. Use the draft notice at **Annex B** of the **Notes**.

A notice has been prepared following the format at Annex B.

29. You **must** also send a copy of the notice (using the letter at **Annex C** of the **Notes**) to the following:

X*	the commons council or commoners' association (if there is one)
X	all active commoners
X	others with a legal interest e.g. tenants, those with easements, or other rights over the land and any other person occupying the land
X	the relevant Commons Registration Authority (usually the county council or unitary authority), District or Borough Council
X	Parish Council (where known)
X	Natural England (Please send only to enquiries@naturalengland.org.uk)
X	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)
X	Open Spaces Society
X	The local authority archaeological service

Even if you have consulted any of these bodies before making this application you still need to send them a copy of the notice.

30. Which newspaper has the advertisement appeared in?

On what date?

On what date will the representation period end?

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 H of the Notes carefully.

SECTION I – Maps

31. Please enclose two copies of the map that meet the requirements set out in **Note 19**.

Copies of the map are enclosed as follows:
 Figure 1 of Exchange Land Report: Map of Yateley Common with Release and Replacement Land
 Figure 2 of Exchange Land Report: Release Land Plan
 Figure 4 of Exchange Land Report: Replacement Land Plan

**Copy sent to Yateley Common Management Committee*

SECTION J – Checklist (tick to confirm)

32. I have read the **Notes** in full.
33. I have answered all the questions (where appropriate) on this form in full.
- I have enclosed two copies of the map that meets the requirements of Note 19.
- I have enclosed a copy of the commons register or register of town and village greens. This should include details of the land, rights, ownership and the register map.
- I have obtained the consent to this application of any relevant leaseholder of, and the proprietor of any relevant charge over, the release land and any replacement land.
- I have enclosed a copy of any document mentioned in answering the questions on this form.
- 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 interested parties on request and have informed people as necessary.
- I have enclosed my application fee of £4,900.
34. I have:
- advertised the proposal in one main local newspaper
- posted a copy of the notice at the main entry points to the lands
- sent a copy of the notice to all those listed at Section H
- 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.

To
Follo
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SECTION K – Declaration

We hereby declare that:

All the owner(s) of the land(s) to be deregistered or deregistered and exchanged subject of this application have completed this Section.

We have obtained the written consent to this application of every person who is a relevant leaseholder, or holds a relevant charge, over any of the lands to be deregistered/exchanged.

The contents of this application are true and complete to the best of my/our knowledge and belief.

Release Land:

Signature of owner


For and on behalf of

Name

Falcon Propco4 Ltd

Date

21/12/2023

Position and name of organisation (where appropriate).

Christopher Gazzard Director

Replacement Land:

Signature of owner


For and on behalf of

Name

Cottage Farm Holding Ltd

Date

21/12/2023

Position and name of organisation (where appropriate).

Sir Peter James Ogden Director

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.