

## Application s16 Commons Act 2006

### HORSELL COMMON

#### Question 21

1. CPCL owns the freehold of the land edged red on the attached plan 2, which is known as Britannia Wharf. HCPS own the freehold and manage all the land to the north and east of Britannia Wharf being part of Horsell Common. CPCL's land consists of an office building, a bronze age funerary mound or tumulus and an informal car park. The latter car park, which has been used consistently since 1989, is largely situated on registered common land although an application made under s194 of the Law of Property Act 1925 for consent to its construction was refused (DRA1/MB/1057).
2. CPCL has plans to convert its offices at Britannia Wharf into either residential units or into a residential care home. CPCL has two planning applications for such conversions currently being considered by Woking Borough Council.
3. Within the land owned by CPCL is one of the finest examples of a bronze age bell barrow in Surrey which is registered as a scheduled monument under the Ancient Monuments and Archaeological Areas Act 1979 (Numbered 1009485). This monument suffers from tree and scrub encroachment as well as having the informal parking area extending across part of its boundary. HCPS would like to acquire that land coloured red green and cross hatched blue on plan 2 so that it can, with the guidance of Historic England, restore the tumulus, remove the unauthorised car park and enhance the setting of this monument and thereby secure its long term protection. Because of the presence of the barrow group, this area is also within an Area of High Archaeological Potential relating to the increased potential for the discovery of Bronze Age finds or features. In addition to the barrow group the Grade II Listed Muslim Burial Ground is also located a short distance to the north. The combination of that listed building, recently refurbished, and the barrows lie within the Basingstoke Canal Conservation Area. English Heritage suggest that the continued use of the informal car park will cause harm to the significance of the barrow. HCPS likewise want to protect and enhance the overall setting of the area whilst at the same time getting rid of the informal car park, which was never lawful.
4. It should be noted that if this exchange of land does not proceed CPCL will continue to use the informal car park as an adjunct to its proposed residential development. Since the parking on site will be limited, it is anticipated that in future following the redevelopment there will rarely be any space available for users of the common. It should be noted that there is an under used car park serving Horsell Common some 250 metres north of this site.
5. As a result of the refurbishment of the Muslim Burial Ground there are quite a number of visitors arriving to see this building and the new Peace Garden, which has been established within its walls. Indeed there is a demand for school trips which would come to visit Woking's famous Mosque and to visit the Peace Garden. There have also been visits by groups of garden enthusiasts wanting to inspect the Peace Garden. Thus a plan has been conceived after consultation with Woking Borough

Council and Surrey County Council to construct a lay by which will be large enough to take two coaches or one coach and 2/3 cars to cater for such visitors. Without this lay by the only parking would be the HCPS car park some 250 metres north up Monument Road, which is convenient but not suitable for anyone disabled or with limited mobility. For this purpose HCPS have agreed in principle to permit the land hatched blue and crossed hatched blue on plan 2 to be used for the said lay but subject to the success of this application. We are advised that the lay by will not adversely affect the setting and context of this historic area. (By way of explanation the area marked "A" is also needed for the lay by but is not currently registered as common land.)

6. It should again be noted that UK Power Networks have received consent under s38 of the Commons Act 2006 to underground its power lines crossing the adjacent land and removing its pylons thereby further enhancing the area. This work should take place later this year and early in 2018.

7. In order to provide for its development CPCL need the land coloured blue on plan 2 to provide for its parking, its bin store together with a turning circle for rubbish collection vehicles. For this purpose HCPS have agreed in principle, subject to this s16 application and the exchange of land ownership, to transfer the land coloured blue to CPCL for this purpose.

8. Thus if this application was successful, the land coloured blue on plan 2 (497 m<sup>2</sup>) the land hatched blue on plan 2 (62 m<sup>2</sup>) and the land cross hatched blue plan 2 (221 m<sup>2</sup>) a total of 780 m<sup>2</sup> will be removed from registered common land but the land coloured red on plan 2 (1,589 m<sup>2</sup>) will be added to Horsell Common making a net gain in registered common land of 709 m<sup>2</sup>.

9. This proposal is supported by the land owners and Woking Borough Council. The applicants believe that it is in the interests of the neighbourhood and the public because it is aimed at improving the conservation of the landscape and the protection of the nearby archaeological remains and features of historic interest.