

Application No. 2813
Application to correct non-registration of land
To register land not registered as common land
Schedule 2(2) of The Commons Act 2006



0.228 hectares of land known as Chycowling Common
Situated in the parish of Kea

The Application

An application was made to Cornwall Council by Tomas D.J.S. Hill on 27th September 2012 for which Notice was given in accordance with the Commons Registration (England) Regulations 2008. There being no recorded ownership of the land at Land Registry, Notices were erected on site.

The Statutory Requirements
Schedule 2(2) of the Commons Act 2006

- 2(a): the land was not at any time finally registered as common land or as a town or village green under the 1965 Commons Registration Act 1965.
- 2(b)(iv) the land is otherwise recognised or designated as common land by or under an enactment –
the Tithe Award made under the Tithe Commutation Act 1836
- 2(c) is land to which this Part applies.

Representations

Representations were received from the Open Spaces Society and the Carrick Group of the Ramblers Association in support of the application.

No representations were received objecting to the application. The applicant subsequently agreed to the withdrawal of a small square area 50 metres to the east of the application site.

Decision

On the balance of probabilities all the criteria for the registration of the application land as common land have been satisfied and following the Planning Inspectors decision in the matter concerning Rame Common (COM 322):

the application is granted and the land coloured green on the attached plan shall be added to the register of common land.

Name: Andrew England

A handwritten signature in blue ink, appearing to read 'Andrew England'.

Title: Assistant Head of Planning, Housing & Regeneration

Date: 30 October 2013

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- Key**
- Application Land
 - Cancelled Common Land

