



Hampshire County Council

Policy for the prioritisation of applications to amend the registers of Commons and Town or Village Greens

Part 1, Commons Act 2006

Applications to amend the registers of commons and town or village greens are processed in accordance with the following priority guidelines. The County Council maintains and publishes a [list of outstanding applications](#) on its website, which is regularly updated. This list shows the order in which applications will be processed.

Policy guidelines for determining applications under Part 1, Commons Act 2006

These policy guidelines should be read in conjunction with the notes at the foot of this document.

1. Correctly made applications will be held on a waiting list, and processed, in chronological order, based on date of receipt.
2. Requests for added priority relating to applications where no trigger event has occurred will be determined following a consideration of the circumstances of that application, including the current and intended use of the affected land. Every request for added priority should include full details of the reasons why the application should be taken out of order.
3. **Applications under Section 15 only:** where the applicant (or other interested party, such as the affected landowner) notifies the County Council that a '[trigger event](#)' (as described in Schedule 1A to the Commons Act 2006) has occurred, and it is established that there is no subsequent '[terminating event](#)', the County Council will take the relevant application out of turn and process it before other existing applications that are **not** affected by trigger events.

There are 14 trigger events specified in Schedule 1A, each of which relates to a specific planning mechanism. These include:

- the first publication of an application for planning permission for the land, which will include circumstances where planning permission is subsequently granted;

- the publication by the local planning authority of a draft local plan or neighbourhood plan proposal which identifies the land for potential development – Schedule 1A to the 2006 Act refers to a ‘development plan document’ and ‘neighbourhood development plan’, but they are generally referred to as ‘local plans’ or ‘neighbourhood plans’;
- the adoption or making by the local planning authority of a local plan or neighbourhood plan which identifies the land for potential development;
- when a proposed application for development consent under the Nationally Significant Infrastructure project regime which has been accepted by the Secretary of State (in practice the Planning Inspectorate) is first publicised by the applicant;

Please note that there are no trigger events which relate to permitted development rights. Therefore, the exclusion (for processing) will not apply to land on which permitted development has taken place, unless a trigger event has occurred in relation to that land for another reason.

4. Where more than one request for added priority is received, the order of processing will be decided after consideration is given to the date of receipt of each application, and also the urgency of the need for a determination in each case.

Note:

It is acknowledged that, owing to the number of applications made under Part 1 of the Commons Act 2006, and the current resources allocated to processing and determining them, the County Council has a backlog of applications that are awaiting attention. Although applications are processed as soon as is reasonably practicable, this is not always soon after an application is received. The purpose of these guidelines is to clarify the framework and order in which applications will be processed.

In order to be fair to all applicants and affected parties, there is a strong presumption against processing applications in anything other than chronological order. However, it is recognised that prejudice may be caused if a claim is not processed where planning permission has been granted, or land is included in a neighbourhood or local plan, and this policy provides for such cases to be prioritized accordingly.

The processing of applications to amend the registers of commons and town or village greens is only one aspect of the work of the Countryside Access Team, and consideration will be given to pressures of other work before cases are taken up for investigation.