FORM 44

Commons Act 2006: Section 15

Application for the registration of land as a Town or Village Green

Official stamp of registration authority indicating valid date of receipt:

Vale of Glamorgan

Commons Registration Authority

13 February 2023

Application number: No. 01/2023

Register unit No(s): VG53

VG number allocated at registration:

(CRA to complete only if application is successful)

Applicants are advised to read the 'Guidance Notes for the completion of an Application for the Registration of land as a Town or Village Green' and to note the following:

- All applicants should complete questions 1–6 and 10–11.
- Applicants applying for registration under section 15(1) of the 2006 Act should, in addition, complete questions 7–8. Section 15(1) enables any person to apply to register land as a green where the criteria for registration in section 15(2), (3) or (4) apply.
- Applicants applying for voluntary registration under section 15(8) should, in addition, complete question 9.

Note 1
Insert name of registration authority.

1. Registration Authority

To the

Vale of Glamorgan Council
Cyngor Bro Morannwg,
Civic Offices,
Holton Road Barry,
CF63 4RU.

Note 2
If there is more than one applicant, list all names. Please use a separate sheet if necessary. State the full title of the organisation if a body corporate or unincorporate.

If question 3 is not completed all correspondence and notices will be sent to the first named applicant.

2. Name and address of the applicant

Name: Ringwood Green Residents c/o Santokh Singh Bamrah

Full postal address:

1 Ringwood Crescent,
St Athan

Postcode CF62 4LA

Telephone number:
(incl. national dialling code) 07977 427219

Fax number:
(incl. national dialling code)

E-mail address: novita75@gmail.com

Note 3
This question should be completed if a solicitor is instructed for the purposes of the application. If so all correspondence and notices will be sent to the person or firm named here.

3. Name and address of solicitor, if any and Planning Consultant

Name: Andrew Burgess Type text here

Firm: Andrew Burgess Planning Ltd

Full postal address: 4 Linden Close

Waltham Chase, Southampton Hampshire

Post code SO32 2TZ

Telephone number:
(incl. national dialling code) 07767 483290

Fax number:
(incl. national dialling code)

E-mail address: andrew@andrewburgessplanning.co.uk

Note 4
For further advice on the criteria and qualifying dates for registration please see section 4 of the Guidance Notes.

** Section 15(6) enables any period of statutory closure where access to the land is denied to be disregarded in determining the 20 year period.*

4. Basis of application for registration and qualifying criteria

If you are the landowner and are seeking voluntarily to register your land please tick this box and move to question 5. ☐

Application made under **section 15(8)**:

If the application is made under **section 15(1)** of the Act, please **tick one** of the following boxes to indicate which particular subsection and qualifying criterion applies to the case.

Section 15(2) applies: ☒

Section 15(3) applies: ☐

Section 15(4) applies: ☐

If **section 15(3) or (4)** applies please indicate the date on which you consider that use as of right ended.

If **section 15(6)*** applies please indicate the period of statutory closure (if any) which needs to be disregarded.

5. Description and particulars of the area of land in respect of which application for registration is made

Note 5
The accompanying map must be at a scale of at least 1:2,500 and show the land by distinctive colouring to enable to it to be clearly identified.

Name by which usually known:

Ringwood Green
Ringwood Crescent

Location:

Ringwood Crescent
St Athan

** Only complete if the land is already registered as common land.*

Shown in edged red on the map which is marked and attached to the statutory declaration.

Common land register unit number (if relevant) *

6. Locality or neighbourhood within a locality in respect of which the application is made

Note 6
It may be possible to indicate the locality of the green by reference to an administrative area, such as a parish or electoral ward, or other area sufficiently defined by name (such as a village or street). If this is not possible a map should be provided on which a locality or neighbourhood is marked clearly.

Please show the locality or neighbourhood within the locality to which the claimed green relates, either by writing the administrative area or geographical area by name below, or by attaching a map on which the area is clearly marked:

Tick here if map attached: ☑
The locality area is clearly shown on the attached plan Locality Plan SB1 marked with an Orange Boundary.

7. Justification for application to register the land as a town or village green

Note 7
Applicants should provide a summary of the case for registration here and enclose a separate full statement and all other evidence including any

Introduction
Ringwood Green has been used as a recreational open space since 1938 and for at least 20 years i.e., since November 2002.

A significant number of inhabitants have indulged in lawful sports and pastimes on the land, and it has and is in general use by the local community recreational and leisure purposes.

Location
The smaller land parcel is located within the settlement of Eglwys Brewis which has its own public open space. This land may however now be in the Private Ownership of Annington Homes. the largest land parcel is located adjacent to the defined settlement boundary. Eglwys Brewis itself is influenced by the St Athan Ministry of Defence site, which covers a large area of land to the south and west of Eglwys Brewis. More specifically, both sites are located within/adjoining the eastern extent of Eglwys Brewis, which is an established residential area with public open space.

The neighbourhood of Ringwood Crescent, St Athan The site comprises two parcels of land.

Both land parcels broadly rectangular in shape, the largest of which measures approximately 0.9 ha whilst the smallest measures approximately 0.41 ha. The larger parcel comprises a single piece of land, which is made up of managed grassland and contains a number of mature trees along the southern boundary, and mature hedgerow along the northern boundary. It is identified as an area of 'Informal Recreation Space' in The Vale of Glamorgan Open Space Background Paper (2013). (Document 1)

The smaller parcel is similarly made up of grassland, albeit is treelined with mature trees extending along the northern, eastern, and western boundaries.
This parcel is also identified as an area of 'Informal Recreation Space' in the Open Space Background Paper (2013), and the majority of trees are protected under a group Tree Preservation Order (TPO).

Boundaries
The smaller land parcel is bounded on all sides by Ringwood Crescent and the existing dwellings of this road. Ringwood Crescent separates the two sites, and accordingly, the larger parcel is also bounded by existing dwellings of Ringwood Crescent to the west. Ringwood Crescent merges with Burley Place along the southern boundary of the larger site, with existing dwellings of Burley Place forming the site's southern and eastern boundaries. Mature hedgerow separates the site from a number of agricultural land parcels to the north, beyond which lies the village of Flemingston.

Both sites of recreational open space are relatively flat and laid to grass which is cut and managed on a regular basis as is confirmed in the management accounts included in this application. The residents own 49% of this land and this is a situation of Joint ownership split by shareholding.

Eglwys Brewis is a predominantly residential settlement. In closest proximity to both sites, dwellings of Ringwood Crescent and Burley Place are typically larger semi-detached and detached houses, which are two-storey in height. It is well-established that the residents of these two roads use the adjoining recreational space. Indeed, it is obvious that this land is directly associated with these houses and was planned in that way from the outset.

Both land parcels are accessible via Ringwood Crescent, and the larger land parcel is also currently accessible from Burley Place. Both of these roads connect to Flemingston Road which provides access to St Athan Road, approx. 330m and 450m from the smaller and larger site, respectively. St Athan Road is the key route connecting St Athan (approx. 1km south of the larger site) to Cowbridge (approx. 6.9km north of the larger site). There is good pedestrian access from both sites at Eglwys Brewis to St Athan.

Conclusion
There is overwhelming evidence to demonstrate that these two parcels of land are recreational
open space. Ringwood Green has been used as a recreational open space since 1938 and for at least 20 years i.e., since November 2002.
A significant number of inhabitants have indulged in lawful sports and pastimes on the land, and it has and is in general use by the local community recreational and leisure purposes.

This application and the supporting documentation comply with the relevant legislation to for Registration of the land as a Town or Village Green as set out in the Commons Act 2006. Planning (Wales) Act 2015 and the Planning (Wales) Act 2015 (Commencement No.5 and Transitional Provisions) Order 2018.

This application complies with The Commons Act 2006 section 15 (2) because, a significant number of the inhabitants of the locality or the neighbourhood within the locality, have indulged as of right in lawful sports and pastimes on the land for a period of 20 years;
and they continue to do so at the time of this application.

The reference to " a locality" does not necessarily connote a defined area for administrative purposes, such as a parish and the phrase "any neighbourhood within a locality" means in effect 'any neighbourhood within one or more administrative areas.'

These circumstances apply to this application and there is no reason not to grant the application as requested.

witness statements in

support of the application.

This information is not needed if a landowner is applying to register the land as a green under section 15(8).

Type

Note 8 *Please use a separate sheet if necessary.* *Where relevant include reference to title numbers in the register of title held by the Land Registry.* *If no one has been identified in this section you should write "none"* *This information is not needed if a landowner is applying to register the land as a green under section 15(8).*	**8. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green** See Document 2 The landowner is Annington Homes c/o 1 James Street, London, W1U 1DR
Note 9 *List all such declarations that accompany the application. If none is required, write "none".* *This information is not needed if an application is being made to register the land as a green under section 15(1).*	**9. Voluntary registration – declarations of consent from 'relevant leaseholder', and of the proprietor of any 'relevant charge' over the land**
Note 10 *List all supporting documents and maps accompanying the application. If none, write "none"* *Please use a separate sheet if necessary.*	**10. Supporting documentation** The following supporting documents are provided to support the application, 1. Open Space Background Paper (2013) Vale of Glamorgan Council 2. Name and address of every person whom the applicant believes to be an owner, lessee, tenant or occupier of any part of the land claimed to be a town or village green. See Excel Spreadsheet Document 10. 3. A plan with two areas outlined in Red. 4. Planning Application documents 02/01239/OUT 'A' referring to 'incidental open space' . Decision Notice, 5. Black and White Aerial Photograph 1945 6.Black and White Photograph 1945

7.Colour Photograph of the Army 17th November 2022

8.Colour Photographs of Bonfire Night 5th November 2022

8.Articles of Association Ringwood Crescent Residents Company Limited.

9.Video of Child cycling on the land May 2020

10.Excel Spreadsheet of 159 Questionnaires summarizing use of the land.

11. 160 Questionnaire Documents confirming the use of the land as recreational open space.

Note 11
If there are any other matters which should be brought to the attention of the registration authority (in particular if a person interested in the land is expected to challenge the application for registration). Full details should be given here or on a separate sheet if necessary.

11. Any other information relating to the application

It is expected that the following will challenge the application.

The landowner
Annington Homes c/o 1 James Street, London, W1U 1DR

The developer proposing residential development

Edenstone Partnerships
1st Floor, Building 102
Wales 1 Business Park
Magor
NP26 3DG

and their

Planning Consultants -
LRM Planning Ltd
22 Cathedral Road
Cardiff
CF11 9LJ

Note 12
The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or unincorporate.

Date: 10 February 2023

Signatures:

Santokh Singh Bamrah on behalf of Ringwood Green Residents

Julia Buckworth
Notary Public
10/02/23

REMINDER TO APPLICANT

You are advised to keep a copy of the application and all associated documentation. Applicants should be aware that signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence. The making of a false statement for the purposes of this application may render the maker liable to prosecution.

Data Protection Act 1998

The application and any representations made cannot be treated as confidential. To determine the application it will be necessary for the registration authority to disclose information received from you to others, which may include other local authorities, Government Departments, public bodies, other organisations and members of the public.

Statutory Declaration In Support

To be made by the applicant, or by one of the applicants, or by his or their solicitor, or, if the applicant is a body corporate or unincorporate, by its solicitor, or by the person who signed the application.

[1] *Insert full name (and address if not given in the application form).*

I Santokh Singh Bamrah[1] solemnly and sincerely declare as follows:—

[2] *Delete and adapt as necessary.*

[3] *Insert name if Applicable*

1.[2] I am ((the person (one of the persons) who (has) (have) signed the foregoing application)) ((the solicitor to (the applicant) ([3] one of the applicants)).

2. The facts set out in the application form are to the best of my knowledge and belief fully and truly stated and I am not aware of any other fact which should be brought to the attention of the registration authority as likely to affect its decision on this application, nor of any document relating to the matter other than those (if any) mentioned in parts 10 and 11 of the application.

3. The map now produced as part of this declaration is the map referred to in part 5 of the application.

[4] Complete only in the case of voluntary registration (strike through if this is not relevant)

Not Applicable--4.[4] I hereby apply under section 15(8) of the Commons Act 2006 to register as a green the land indicated on the map and that is in my ownership. I have provided the following necessary declarations of consent:

(i) a declaration of ownership of the land;
(ii) a declaration that all necessary consents from the relevant leaseholder or proprietor of any relevant charge over the land have

Cont/

[4] Continued

been received and are exhibited with this declaration; or
(iii) where no such consents are required, a declaration to that effect.

And I make this solemn declaration, conscientiously believing the same to be true, and by virtue of the Statutory Declarations Act 1835.

Declared by the said)
Santokh Singh Bamrah)
10 February 2023)

Signature of Declarant

at 95, Llanmaes Road, Llantwit Major CF61 2XE, Wales, UK

this xx 10th day of February 2023

Before me * Julia Buckworth
Notary Public

Signature: Julia Buckworth

Address: 95, Llanmaes Road
Llantwit Major
CF61 2XE

Qualification: Notary Public

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* **The statutory declaration must be made before a justice of the peace, practising solicitor, commissioner for oaths or notary public.**

Signature of the statutory declaration is a sworn statement of truth in presenting the application and accompanying evidence.

REMINDER TO OFFICER TAKING DECLARATION:

Please initial all alterations and mark any map as an exhibit

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LOCALITY PLAN

Ringwood Crescent
Village Green
Application
07/02/23
Plan ref SB1

Julie Buckworth

Application For Town/Village Green Ringwood Crescent, St Athan, CF62 4LA

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Metres

N

ReQuestaPlan

Plan Produced for: Andrew Burgess Planning Ltd

Date Produced: 07 Dec 2022

Plan Reference Number: TQRQM22341134050867

Scale: 1:1250 @ A4

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Julie Buckworth