FO	R	M	C	Δ1	13

Commons Act 2006: Schedule 2

Commons Ac	t 2000. Ochequie 2		
Application registration		gistration or mistak	en
This section is	for office use only		
Official stamp	a a	Application number	
WIL	MMONS ACT 2006 TSHIRE COUNCIL TRATION AUTHORITY 4 / 01 / 202 /	Register unit number allocated at registration (for missed commons only)	
Applicants are ac	dvised to read 'Part 1 of the Commo	ons Act 2006: Guidance to applicant	s' and to note:
Any person constant	an apply under Schedule 2 to the C	Commons Act 2006.	
 All applicants 	should complete boxes 1-10.		
Applications is applications of applications.	must be submitted by a prescribed can be submitted. Ask the registration	deadline. From that date onwards n on authority for details.	o further
5 of Schedule	2. Ask the registration authority fo pplication relate to any of paragrap	olication is submitted under paragra r details. You would have to pay a s hs 6 to 9 of Schedule 2 and be refe	eparate fee
Note 1	1. Commons Registration Auth	ority	
Insert name of commons	To the:		
registration	Tick the box to confirm that you h	nave:	
authority.	enclosed the appropriate fee for or $\{2\}$	this application:	
	have applied under paragraph 2, enclosed:	3, 4 or 5, so no fee has been	



Official copy of register of title

Title number WT280576

Edition date 16.11.2018

This official copy shows the entries on the register of title on 07 Dec 2018 at 08:30:07.

This date must be quoted as the "search from date" in any official search application based on this copy.

The date at the beginning of an entry is the date on which the entry was made in the register.

Issued on 07 Dec 2018.

Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.

This title is dealt with by HM Land Registry Weymouth Office.

A: Property Register

This register describes the land and estate comprised in the title.

WILTSHIRE

- 1 (18.05.2009) The Freehold land shown externally edged with red on the plan of the above title filed at the Registry and being The Pound, Common Road, Whiteparish, Salisbury.
- (18.05.2009) The land has the benefit of the rights granted by but is subject to the rights reserved by the Conveyance dated 16 August 1967 referred to in the Charges Register.
- 3 (18.05.2009) A Deed of Exchange dated 9 December 1969 made between (1) Jack Chant (2) National and Provincial Bank Limited and (3) Graham George Dear relates to part of the south eastern boundary of the land in this title.

NOTE: Copy filed.

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (16.11.2018) PROPRIETOR: SHANE PETER SKEATES and SARAH LOUISE SKEATES of Common Road, Whiteparish, Salisbury SP5
- 2 (18.05.2009) RESTRICTION: No disposition of the registered estate (other than a charge) by the proprietor of the registered estate is to be registered without a certificate signed by his conveyancer that the provisions of clause 7 of a Deed of Covenant dated 30 April 2009 have been complied with.
- 3 (16.11.2018) The price stated to have been paid on 13 November 2018 was £50,000.
- 4 (16.11.2018) A Deed of Covenant dated 1 November 2016 made between (1) SLA Property Company Limited and (2) Gerard John Mytton Downes contains covenantor's personal covenant(s).

Note 2 2. Name and address of the applicant If there is more than one applicant, Name: MR SHANE AND MRS SARAH SKEATES list all their names and addresses in Postal address: full. Us€ a separate sheet if necessary. State the full title COMMON ROAD of the organisation if the applicant is a WHITEPARISH body corporate or an unincorporated SALISBURY WILTS Postcode SP5 2 association. If you supply an Telephone number: email address in the box provided, you may receive communications Fax number: from the registration authority or other E-mail address: persons (e.g. objectors) via email. If box 3 is not completed all correspondence and notices will be sent to the first named applicant. Note 3 3. Name and address of representative, if any This box should Name: be completed if a representative, e.g. a solicitor, is instructed for the Firm: purposes of the application. If so Postal address: all correspondence and notices will be sent to the person or firm named here. If you supply an email address in the box provided, Postcode the representative may receive communications from the Telephone number: registration authority or other Fax number: persons (e.g. objectors) via email. E-mail address:

Note 4

For further details of the requirements of an application refer to Schedule 4, paragraph 14 to the Commons Registration (England) Regulations 2014.

4. Basis of application for correction and qualifying criteria	
Tick one of the following boxes to indicate the purpose for which you are applying under Schedule 2 of the Commons Act 2006.	
To register land as common land (paragraph 2):	
To register land as a town or village green (paragraph 3):	
To register waste land of a manor as common land (paragraph 4):	
To deregister common land as a town or village green	
(paragraph 5):	
To deregister a building wrongly registered as common land (paragraph 6):	
To deregister any other land wrongly registered as common land (paragraph 7):	
To deregister a building wrongly registered as town or village green (paragraph 8):	\Box
To deregister any other land wrongly registered as town or	
village green (paragraph 9):	
For waste land of a manor (paragraph 4), tick one of the following boxes to indicate why the provisional registration was cancelled.	
The Commons Commissioner refused to confirm the registration having determined that the land was no longer part of a manor (paragraph 4(3)):	П
The Commons Commissioner had determined that the land was not subject to rights of common but did not consider whether it was waste land of a manor (paragraph 4(4)):	П
The applicant requested or agreed to cancel the application (whether before or after its referral to a Commons Commissioner) (paragraph 4(5))	: 🗆

relates:

CL7

Note 5 Explain why the land should be registered or, as the case may be, deregistered.

5. Description of the reason for applying to correct the register:

Please specify the register unit number(s) (if any) to which this application

In order to apply under schedule 2(6) of the Commons Act 2006, it is necessary for the land to be provisionally registered under section 4 (Provisional registration) of the Commons Registration Act 1965, i.e. between 2nd January 1967 and 31st July 1970 and that on the date of the **provisional registration**, the land was covered by a building and since the provisional registration has at all times been and still is covered by a building.

The application to register the land was 26th March 1968; the land was **provisionally registered on 10th April 1968**. The register entry was undisputed and became final on 1st October 1970

On the date of the provisional registration, 10 April 1968, the land, at The Pound, was 'covered by a building' and the land at The Pound was within the curtilage of the building

Planning permission for the garage/maintenance workshop, at The Pound, was granted 12 October 1967 and garage erected before December 1967 and remains on the above site today

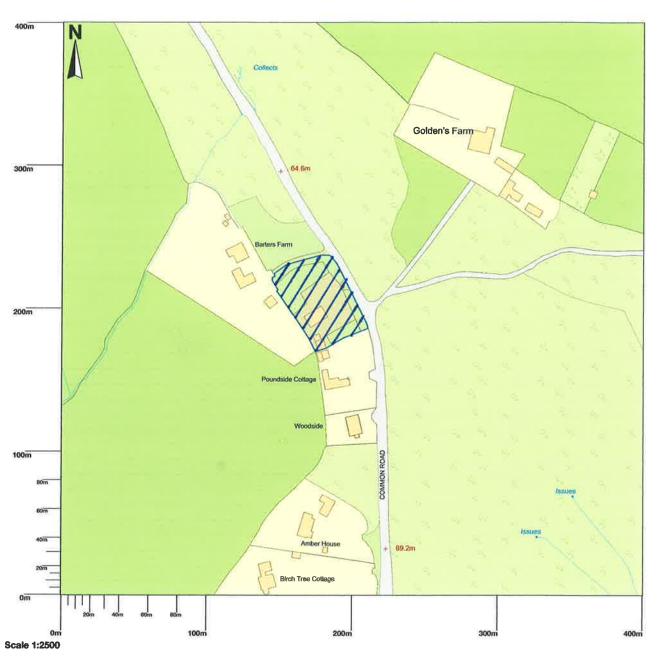
Note 6 6. Description of land You must provide an Ordnance map Name by which the land is usually known: of the land relevant to your application. The Pound The relevant area must be hatched in blue. The map must be at a scale of at least 1:2,500. or 1:10,560 if the Location: land is wholly or predominantly Grid Reference 54 249224 moorland. Give a grid reference or other identifying detail. Tick the box to confirm that you have attached an Ordnance map of the land: 回 Note 7 7. Declarations of consent This can include any written declarations sent to the applicant (i.e. a letter), and any such declaration made on the form itself. If your application is to register common land or a town or village green and part of the land is covered by a building or is within the curtilage of a building, you will need to obtain the consent of the

landowner.





The Pound, Common road, Whiteparish, salisbury, Wilts, SP5 2RD



Map area bounded by: 424795,12235 425195,122635. Produced on 20 November 2020 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p16buk/537801/728496

Note 8 List all supporting documents and maps accompanying the application, including if relevant any written consents. This will include a copy of any relevant enactment referred to in paragraphs 2(2)(b) or 3(2) (a) of Schedule 2 to the Commons Act 2006 or, in relation to paragraph 4 (waste land of a manor) evidence which shows why the provisional registration was cancelled. There is no need to submit copies of documents issued by the registration authority or to which it was a party but they should still be listed. Use a separate sheet if

necessary.

8. Supporting documentation

See Seperate sheet.

8. Supporting documentation

- Jonas & Parker Solicitors letter to The land Commission regarding Land Commission Act of 1967 and altering the access or improving/extending the range of buildings with reference to being used, at that time (30 June 1967), as Builders yard and store
- Land Commission letter with reference to change of use and proposed extension of the buildings 'does not exceed the permitted tolerance (5000 square feet of floor space additional to that which existed at 6 April 1967)'
- 3. Conveyance of Land at The Common, Whiteparish from J Chant to G Dear 16 August 1967
- 4. Salisbury and Wilton Rural District Council 'Herby Permit' 'Change of use from Builders Yard to Milk and General Haulage Depot at The Common, Whiteparish 8 June 1967 Note 'Adequate provision to be made for the parking and turning of vehicles within the site'
- 5. 8 June 1967 Part of conditions of above '20 ft.' site access to allow for lorries
- 6. Official Search of land 11 August 1967 NO REFERENCE TO COMMON LAND
- Plans of building (garage/maintenance workshop) September 1967 received by planning committee 12. 10.67
- 8. Salisbury and Wilton Rural District Council 'Herby Permit' the development of Erection of garage/maintenance workshop at Common Road, Whiteparish 12 October 1967
- 9. Mr Graham G Dear statement letter of 18 November 2020 regarding the building of the garage at The Pound
 - 'The garage/maintenance workshop was completed by end December 1967' 'The building remains on the above site today'
- 10. Photographs of garage 20 November 2020
- 11. CL 7 LAND SECTION The land was **provisionally registered on 10th April 1968** This was confirmed by Wiltshire Council 5 November 2020
- 12. Confirmation email of provisional date of CL7 register 10 April 1968 received from Wiltshire Council 5 November 2020 and this being 'the key date'
- 13. Ariel view of The Pound showing lorry trailers being parked on site 2003 (continual use)
- 14. Letter from Mr and Mrs P Connolly of Common Road referring to rescinding of rights of common over The Pound

COPY/

JONAS & PARKER Solicitors

RC/SG

45 Castle Street Salisbury Wilts

30th June 1967.

Dear Sir,

Land Commission Act 1967

We shall be glad of your guidance on the following matter.

Our Client, an agricultural and general haulier in a small way of business has obtained planning permission to carry on his business on property belonging to a third party and now used as part of a Builder's yard and store: the sheds have been used for (inter alia) casting concrete lintols. The consent is subject to providing an improved access (which will be shared by the haulier and the builder) and to submitting details of any new buildings.

The sheds will be used as motor stores and maintenance workshops (it is not usual to garage lorries in this business except while under repair and warehousing facilities are not required). It could therefore fairly be said that the sheds have been used by the Builder and will be used by the Haulier for light industrial purposes while the yard (to become a lorry park) is non-industrial.

We feel that notice under Case C must be served before the user of the whole site is changed, but that no further notice is required before altering the access or improving/extending the range of buildings within the "ration" allowed, and provided the extension does not go beyond reasonable servicing requirements. Is this correct?

Yours faithfully,

(sgd.) Jonas & Parker

The Land Commission, South Western Regional Office, Bridge House, Clifton Down, Bristol 8. C C P Y /

LAND COMMISSION

South Western Regional Office Bridge House, Clifton Down, Bristol 8.

Our ref: 7/LEV/11/2

4th July, 1967.

Dear Sirs,

Land Commission Act 1967

Thank you for your letter dated 30th June 1967 which I have considered in relation to the above Act and the Material Development Regulations 1967 (Statutory Instrument No. 494 of 1967) made under authority of Sections 98 and 99 of the Act.

In my view, the change of use of the premises you mention does not constitute material development as defined under Section 99(2); provided therefore the proposed extension of the buildings does not exceed the permitted tolerance (5000 square feet of floor space additional to that which existed at 6th April 1967), there is no need to notify the Land Commission.

Yours faithfully,

(sgd.) b. J. burt

for Regional Controller.

Messrs. Jonas and Parker, Solicitors, 45 Castle Street, SALISBURY Wilts.

ADJ

.



LONDON WALL

Clis Coupe gauce

the Siebundh day of August On

is made in duplicate
One thousand nine hundred

and sixty-seven <u>BETWEEN</u> JACK CHANT of The Common whiteparish in the County of Wilts (hereinafter called "the Vendor") of the first part <u>NATIONAL PROVINCIAL BANK LIMITED</u> whose Registered Office is situate at Drapers Gardens 12 Throgmorton Avenue London E.C.2. (hereinafter called "the Bank") of the second part and <u>GRAHAM GEORGE</u> DEAR of Bunkers Hill Whiteparish aforesaid (hereinafter called "the Purchaser") of the third part

<u>JHEREAS</u> the Vendor is seised in fee simple in possessions subject as hereinafter mentioned but otherwise free from incumbrances of the property hereinafter described

AND WHEREAS by a Legal Charge dated the Eighteenth day of January One thousand nine hundred and sixty-five and made between the Vendor of the one part and the Bank of the other part the Vendor charged (inter alia) the property hereinafter described by way of legal mortgage with payment of the money and liabilities therein mentioned

AND WHEREAS the Vendor has agreed to sell the said property to the Purchaser for an estate in fee simple in possession subject as hereinafter mentioned but otherwise free from incumbrances at the price of one Thousand Pounds and the Bank has agreed to join in these presents in manner hereinafter appearing

NOW THIS DEED WITHESSETH as follows:-

1. IN pursuance of the said agreement and in consideration of the sum of ONE THOUSAND POUNDS paid by the Purchaser to the Vendor with the consent of the Bank (the receipt of which sum the Vendor hereby acknowledges) the Vendor as peneficial Owner hereby conveys and the Bank as Mortgagee at the request of the Vendor hereby surrenders and releases unto the Purchaser ALL THAT piece or parcel of land situate at The Common Whiteparish in the County of Milts comprising parts of the enclosures numbered 407 and 420 on the Ordnance Survey Map for the said Parish having a frontage on the eastern side thereof to the public highway of two hundred feet or thereabouts and bounded on the northern side thereof by a private roadway leading to whiteparish aforesaid ALL which said piece or parcel of land is for the purpose of identification only more particularly delineated on the

WILTSHIRE COUNTY COUNCIL.

TOWN AND COUNTRY PLANNING ACT, 1962.

FOUN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1963.

PERMISSION FOR DEVELOPMENT.

Application No. 6759/10935

To: G. Dear Enq.,

Bunkers Hill, Whiteparish.
Per: Mesars. Jonas and Parker,
45 Castle Street,

Salisbury.

The above-named Local Planning Authority having, with the consent of the Minister of Housing and Local Government, delegated to the

SALISBURY AND WILTON RURAL DISTRICT

Council

ther inafter referred to as "the Council") their functions under Parts III & IV of the Act, the Council HEREBY PERMIT the development proposed by you in polication dated the 17th day of February 19 67

Change of use from Builders Yard to Milk and General Haulage Depot at The Common, Whiteparish

In accordance with the plans which accompanied your application, and subject to the conditions endorsed hereon

Dated this

8th

day of

una 1967

Jawn Clark/Clerk of the Council.

CONDITIONS.

- Subject to the permission hereby granted being in respect of the change of
 use only from Builders Yard to use as a Milk and General Haulage Depot,
 and subject to detailed plans of any buildings proposed to be erected
 being submitted for the approval of the Council.
- The access to be sited at the north end of the frontage of the site shown on the attached plan, to be at least 18ft. wide with 35 ft. radius curves on both sides and to replace the existing one which must be permanently olosed.
- 3. A sight line as follows to be provided on the south side of the new access from a point 20 ft. along the centre line of the access as measured from the nearside along the edge of the county road C.26 to the southern end of the

frontage of the garden of the adjoining dwelling. Between this sight line and the road the hedge to be lowered to and maintained at a height not exceeding 3 ft. above road level and all trees and other obstructions to visibility to be removed; no obstruction exceeding this height to be planted or exceed within this area.

4. Adequate procision to be made for the parking and turning of vehicles within the site.

See over for Notes.

Form P.5A.

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SCALE: 1/500 AREA W "HIN ULB -ITY SPLAY TO HE CLEARED OF TREES REF AND FOLAGE AND NO OBS RULTION TO BE ERECTED PLANTED OF MAINTAINED ABOVE A HEIGHT OF 3'O" ABOVE ROAD COMMON ALCESS -VISIBILITY SPLAY EXIST & ACCESS

OFFICIAL CERTIFICATE No.

It is hereby certified that the Official Search applied for has been made up to the closing of the Office on the Result is as follows:

The Result is as follows:

The Result is as follows: THE FOLLOWING ENT THE FOLLOWING ENTRIES

PROTECTION ENDS Title, Trade of Profession			, Trade ofestelon	, NAME		
Whitepar hoomous		Farm	Farmer		ОНАИТ	
11.85 M	*			Tom	* E - (* *)	
	§		1		x** 3	
	81 1912		là.		1, 10	
REFERENCE		SITUATI	SITUATION OF LAND		SHORT DESCRIPTION OF LAND	
Register	Date and Reico. No. of Registration	County Parish or Plan		Placo	(If Procticable)	
IC C(1♥)	1956 8 May No.34364	Wilts Whiteps		Part 0.5.526 and 421. This is land to the North of Common hard. 14th August 191		
					a.	

WARNING

This certificate refers to the description of the land, if any, given in the Alphabetical Index. Alterations of description subsequent to the date of registration cannot be made in the register and may not have been made in the Alphabetical Index.

NOTES

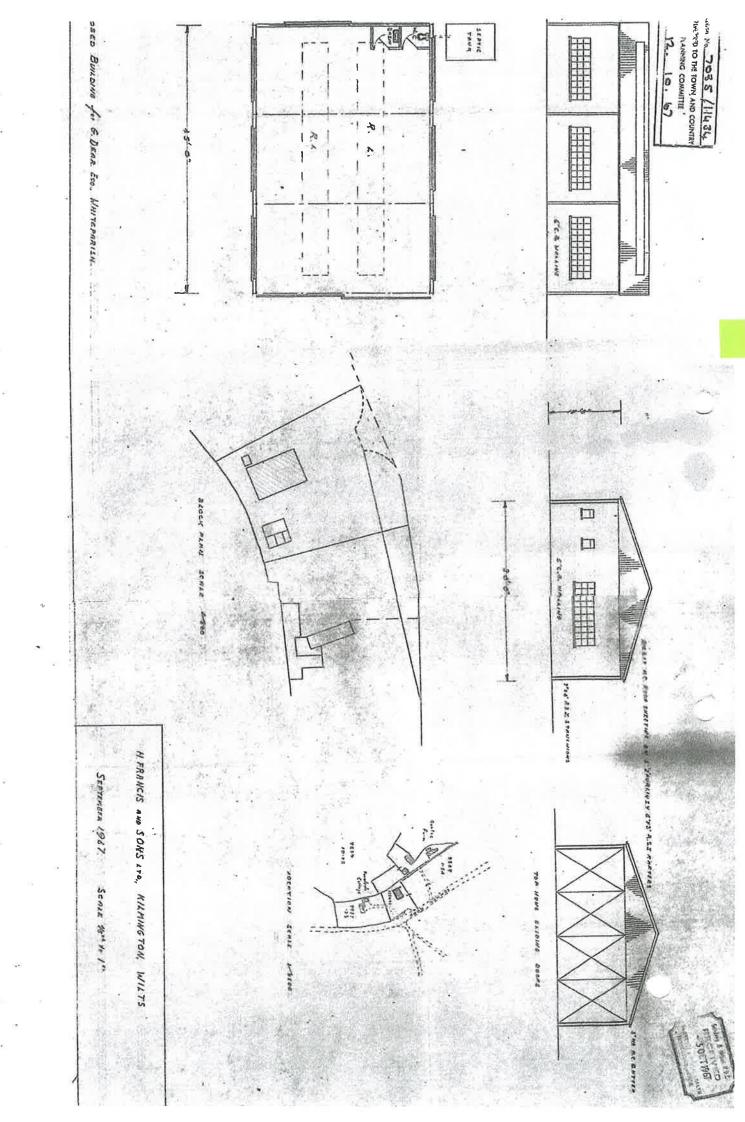
PROTECTION ENDS:- 1 SEFTERBER

- 1. Neither the Act nor the Rules require particular parcels of land to be entered in the Alphabetical Index. For the convenience of searchers, however, short descriptions of particular parcels are entered in the Index where practicable. This is not practicable in all cases. A certificate of the result of an official search may, consequently contain (in addition tentres affecting the parcel of land specified in the application therefor) entries in the Index where no particular parcel of land is given therein. Such entries may or may not affect the land in which the searcher is interested. Having obtained notice of them, a purchaster is, however, in a position to call on his vendor to satisfy him that they do not affect the land he is purchasing, or have them dealt with as provided by S.43 of the Law of Property Act, 1925. It is also open to him to apply on Form I.C 14 for an office copy of the entry in the register. The fee for an Office Copy entry is 1/6d.
- Certificates of official search are normally posted on the day of the receipt of the application therefor if received before 10 a.m. Under Rule 1 (3) of the Land Charges Rules, 1926, the certificate extends to registration effected during the day of the date of the certificate, and may be issued only after the Office is closed for registrations on that date.

- S. 4 (2) of the Law of Property (Amendment) Act, 1926, as varied by Rule 1 (2) Land Charges Rules, 1940, rides that where a purchaser has obtained an official certificate of the result of search, any entry which is made in the ster after the date of the certificate and before the completion of the purchase, and is not made pursuant to a priority oc entered on the register before the certificate is issued, shall not, if the purchase is completed before the expiration to fourteenth day after the date of the certificate, affect the purchaser.
- S. 4 (3) of the Law of Property (Amendment) Act, 1926, provides that in reckoning the number of days under this n, the days when the Office is not open to the public shall be excluded. Normally the Office is closed to the public on Saturdays, Sundays and Public Holidays.

At the request of the Law Society, in order to assist solicitors, every certificate of the result of an official search shows both the date when the search was issued and the date when the period of protection ends. This information is supplied for convenience only and has no legal effect.

If the name of the parish, district or other description has changed, former description must be given.



WILTSHIRE COUNTY COUNCIL.

TOWN AND COUNTRY PLANNING ACT, 1962.
TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT CROER, 1963.

PERMISSION FOR DEVELOPMENT.

Application No. 7085/11434

To: G.G. Dear, Esq..

Romsey Road, Whiteparish.

The above-named Local Planning Authority having, with the consent of the Minister of Housing and Local Government, delegated to the

SALISBURY AND WILTON RURAL DISTRICT

Council

(hereinafter referred to as "the Council") their functions under Parts III & IV of the Act, the Council <u>HEREBY PERMIT</u> the development proposed by you in your application dated the 2nd day of October 1967

Erection of garage/maintainance workshop at Common Road, Whiteparish

in accordance with the plans which accompanied your application, and subject to the conditions endorsed hereon

Dated this

12th

day of Oc

9 67

Town-Clerk/Clerk of the Council.

CONDITIONS.

REASONS.



18 November 2020

REFERENCE THE POUND, COMMON ROAD, WHITEPARISH, SALISBURY, WILTS, SP5 2RD

Having purchased the above property and being granted planning permission for

'Erection of garage/maintenance workshop'

By Salisbury and Wilton Rural District Council

Application No 7085/11434

12 October 1967

Building works, for the above garage/maintenance workshop commenced in November 1967 and the building completed by the end of December 1967

The garage/maintenance workshop was steel framed with face brickwork above ground

The building remains on the above site today



Mr Graham G Dear

THE POUND

COMMON ROAD, WHITEPARSIH, SP5 2RD

WHITEPARSIH GARAGE

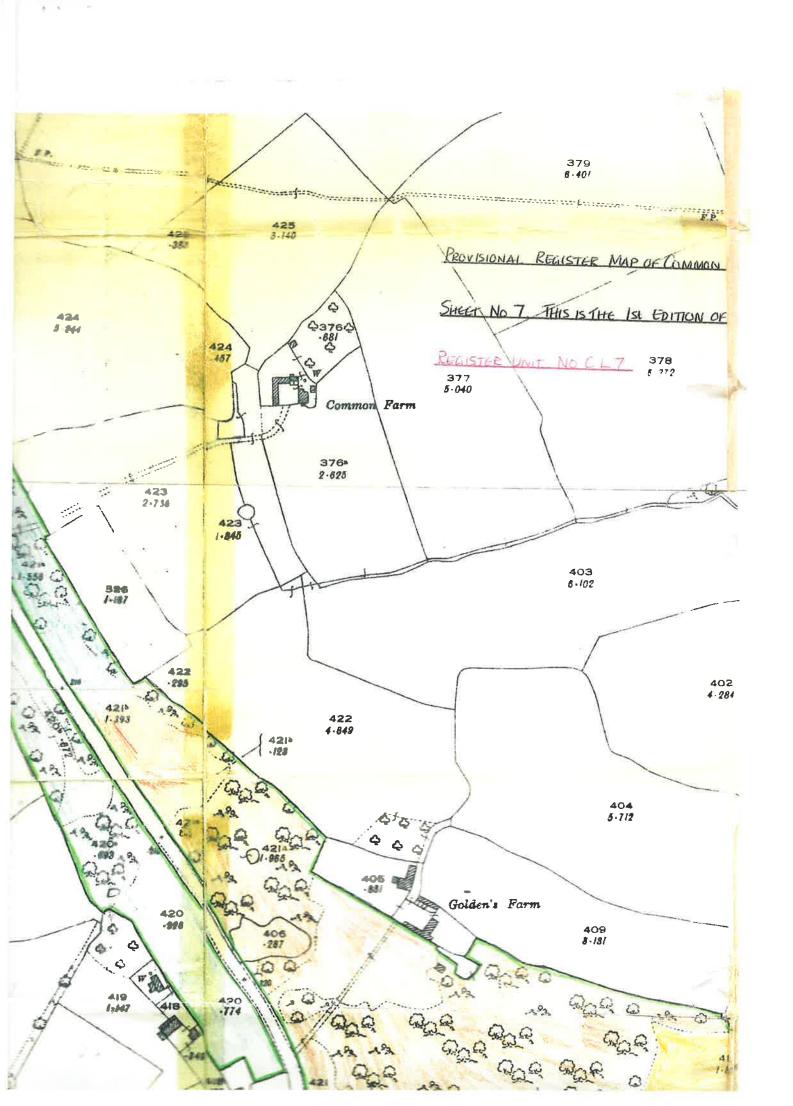
20 NOVEMBER 2020

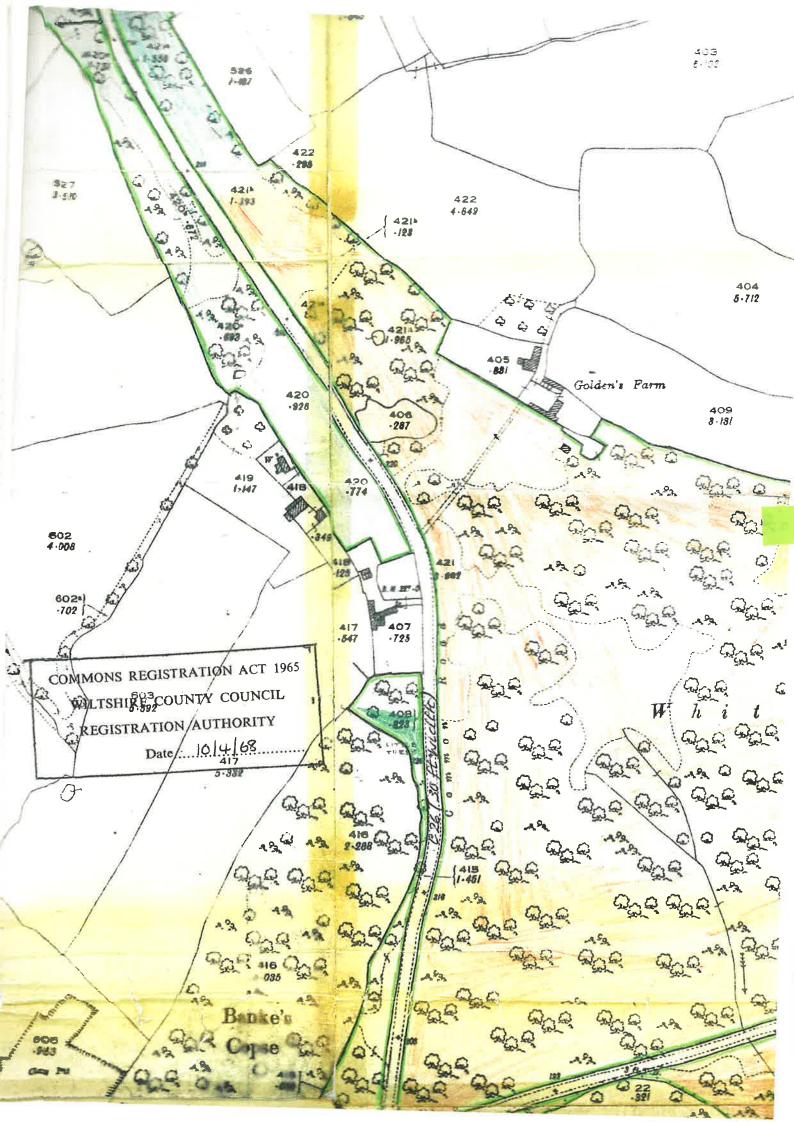












From: Green, Janice [mailto:janice.green@wiltshire.gov.uk]

Sent: 05 November 2020 09:54

To:

Subject: RE: Schedule 2(6) Application under Commons Act 2006 - The Pound, Whiteparish

Hi Sarah,

Thank you for your e-mail. Although I am unable to offer advice regarding the merits of your potential application and you may wish to seek your own legal advice on these matters, I have now been able to check the register entry for CL 7, Whiteparish Common and it appears that following application to register the land dated 26th March 1968, the land was provisionally registered on 10th April 1968. The register entry was undisputed and became final on 1st October 1970, please see "Land Section" entry attached.

In order to apply under schedule 2(6) of the Commons Act 2006, it is necessary for the land to be provisionally registered under section 4 (Provisional registration) of the Commons Registration Act 1965, i.e. between 2nd January 1967 and 31st July 1970 and that on the date of the provisional registration, the land was covered by a building and since the provisional registration has at all times been and still is covered by a building. The provisional registration date appears to be the key date.

I do not have correspondence regarding which landowners were sent notification of the registration, however, I note that Mr Graham Deere is not included in the ownership section of the register entry, which includes various entries between 31st March 1970 and 12th May 1975, please "Ownership Section" entries attached.

I hope this information is helpful.

Kind regards,

Janice

Janice Green
Senior Definitive Map Officer
Rights of Way and Countryside
Wiltshire Council
County Hall
Trowbridge
BA14 8JN

ARIEL VIEW THE POUND 2003

SHOWING LORRY TRAILERS PARKED IN FRONT OF GARAGE BUILDING



Revard Mrs P. Councily, Comme Koad While parish Salisbury SP5-2 29th Jecember 2020

Mr and hus S. Sheeak.

Tost & gluich Note to Confirm Heat I have

No problem whents over with resainding any

Bights Commonors or otherwise over the plat of

land how as 'the bund'

Common hoad, Whitepersh. This does not in an

Opinion affect any other rights held by our

Owneship of

hand regards

Note 9

List 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.

9. Any other information relating to the application

Previous to 1967 The Pound was used as a builder's yard

1967 onwards The Pound was used as a general haulage depot, milk haulage depot and workshops

2000-2009 Used to park empty lorry trailers and Mr Dear used workshop

2009 Mr Dear sold to Mr Gerard Downes. Rented out site for a number of different purposes

1 January 2017 Mr Robin Welsh took over the tenancy for use as a car garage and is still operating

as Whiteparish Garage

From 1967 the building and land has been used in a commercial capacity

The site has B2 General Industrial use

Note 10

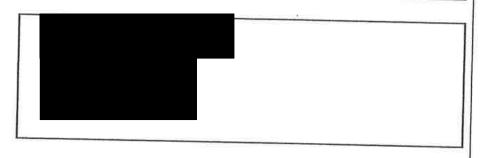
The application must be signed by each individual applicant, or by the authorised officer of an applicant which is a body corporate or an unincorporated association.

10. Signature

Date:

2 JANUARY 2021

Signatures:



REMINDER TO APPLICANT

You are responsible for telling the truth in presenting the application and accompanying evidence. You may commit a criminal offence if you deliberately provide misleading or untrue evidence and if you do so you may be prosecuted.

You are advised to keep a copy of the application and all associated documentation.

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 commons 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.

A copy of this form and any accompanying documents may be disclosed upon receipt of a request for information under the Environmental Information Regulations 2004 or the Freedom of Information Act 2000.