

**From:** commonlandcasework <[CommonLandCasework@planninginspectorate.gov.uk](mailto:CommonLandCasework@planninginspectorate.gov.uk)>

**Sent:** 21 October 2019 17:57

**To:** Goodall, Ian <[IAN.GOODALL@planninginspectorate.gov.uk](mailto:IAN.GOODALL@planninginspectorate.gov.uk)>

**Subject:** FW: Trigger event information request for Village Geen Registration

**From:** Definitive Map <[Definitive.Map@eastsussex.gov.uk](mailto:Definitive.Map@eastsussex.gov.uk)>

**Sent:** 18 October 2019 11:30

**To:** commonlandcasework <[CommonLandCasework@planninginspectorate.gov.uk](mailto:CommonLandCasework@planninginspectorate.gov.uk)>

**Subject:** Trigger event information request for Village Geen Registration

Please see the attached documents for a trigger information event request for new TVG application. I am aware the plan is not at the acceptable scale etc but before I request an acceptable one I wanted to see if any trigger events had occurred.

Kind regards,

Definitive Map Team  
Rights of Way and Countryside Team

0345 6080193  
[eastsussex.gov.uk](http://eastsussex.gov.uk)



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**Communities, Economy & Transport**

**Rupert Clubb**  
BEng (Hons) CEng MICE  
Director

County Hall  
St Anne's Crescent  
Lewes  
East Sussex  
BN7 1UE

Tel: 0345 60 80 190  
Fax: 01273 479536  
[www.eastsussex.gov.uk](http://www.eastsussex.gov.uk)



The Commons Team  
The Planning Inspectorate  
Room 3A Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN  
[commonlandcasework@planninginspectorate.gov.uk](mailto:commonlandcasework@planninginspectorate.gov.uk)

date  
9 October 2019

CR/NM

Dear Sirs

**Application to register a Town/Village Green – THE GREEN AND WOODS  
CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST SUSSEX RH15 0RD**

I write on behalf of East Sussex County Council, which has received an application under section 15(1) of the Commons Act 2006 to register land The Green, Charlwood Gardens Wivelsfield Green as a town or village green. I enclose a map of the relevant land.

Due to an amendment of the legislation on greens registration under the Commons Act 2006 by the Growth and Infrastructure Act 2013, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning-related events ("trigger events") has occurred in relation to the land. The right to apply becomes exercisable again only if a corresponding terminating event has occurred in relation to that land.

The trigger and terminating events are set out in Schedule 1A to the 2006 Act (as inserted by Schedule 4 to the 2013 Act). A copy can be read here: [www.legislation.gov.uk/ukpga/2013/27/schedule/4/enacted](http://www.legislation.gov.uk/ukpga/2013/27/schedule/4/enacted).

Please could you read through the trigger and terminating events and tick one of the three boxes below which describes the situation and set out in detail any relevant information in the box further below, and return the completed form and any relevant maps to me at the postal or email address below.

If a relevant trigger event and/or corresponding terminating event has occurred, please clearly mark on the map provided (or your own), the extent of the land on which the event took place. Where more than one trigger event has occurred, please confirm whether a corresponding terminating event has occurred in respect of each trigger event. Please note that where a trigger event or terminating event occurred prior 25





September 2019, it is still considered a valid event. For example, if a local plan (i.e. a development plan document) adopted in 2008 identifies the land in question for development, then that is a valid trigger event. In cases where a trigger event has occurred in relation to part, but not all, of the land, the first and second boxes should be ticked and the detail explained in the box. The map should clearly indicate the areas which are and are not subject to the trigger event.

Your answer will determine whether or not my authority can accept an application for registration of a green. This decision could be the subject of legal action, so I must stress the need for you to be certain about the information included in your return.

A copy of this letter has also been sent to Lewes District Council. Please notify me if you are aware that any other authority has responsibility for development control or plan-making functions in respect of the land to which this application relates.

Could you please reply to the address above by 11 November 2019.

Yours faithfully



Legal Order Officer

T:

E:

**PRIVACY**

*Please visit our website for information on how we can manage personal information:*

[www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside](http://www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside)

I confirm that no trigger or terminating event has occurred on the land ☐



I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land ☐

I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land ☐

Further information (Please use this box to explain the type and date of the trigger or terminating events.)

Details of officer completing this form-

Name:

Address:

Email:

Phone:

Yours sincerely

  
Legal Order Officer

T: 

E: 

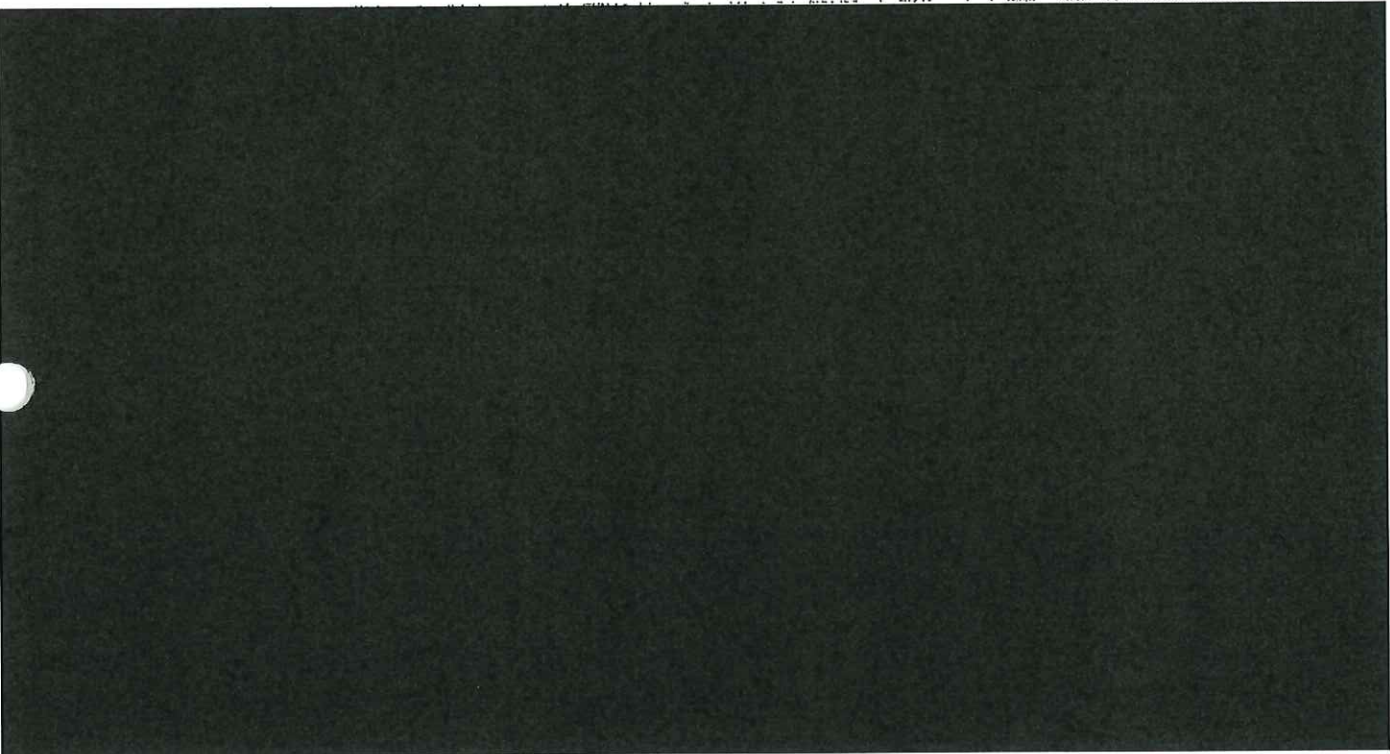
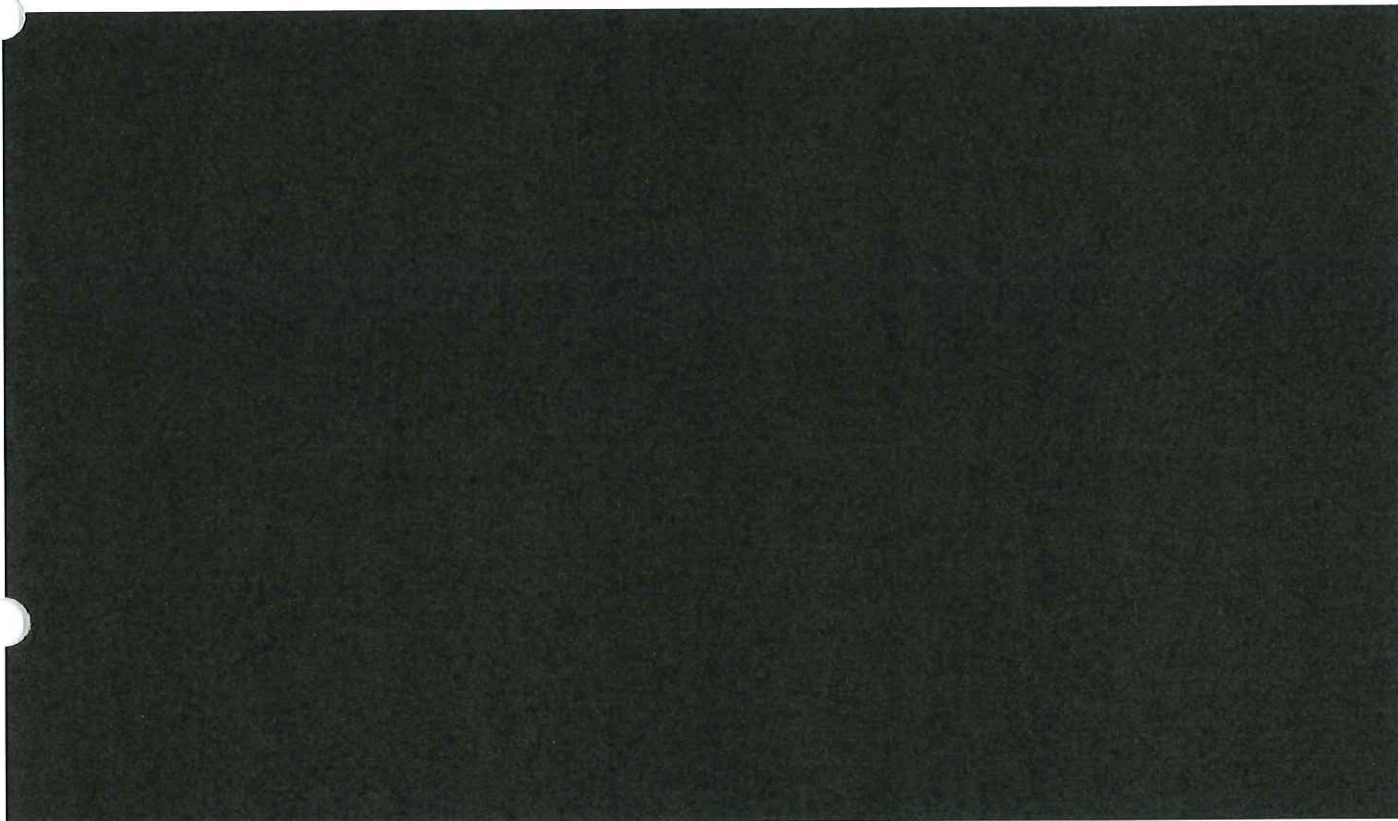
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I Colin Bird confirm that I am in agreement with the dedication route as shown between point A-G on the Agreement plan and no longer support the confirmation of the Order showing the route between points A-K.

Signed ..... date.....2019



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**From:** [REDACTED] [\[REDACTED\]@eastsussex.gov.uk](mailto:[REDACTED]@eastsussex.gov.uk)  
**Sent:** 18 October 2019 11:56  
**To:** Property  
**Subject:** Information request re trigger event for a new Village Green Application



Kind regards,

Definitive Map Team  
Rights of Way and Countryside Team

0345 6080193

[eastsussex.gov.uk](http://eastsussex.gov.uk)



Please see attached documents for information request re trigger event for a new Village Green Application in Lewes District

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You can visit our website at <https://www.eastsussex.gov.uk>

St Anne's Crescent

Rupert Clubb

Lewes

BEng (Hons) CEng MICE

East Sussex

Director

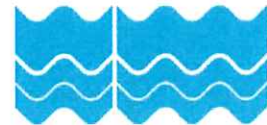
BN7 1UE

Tel: 0345 60 80 190

Fax: 01273 479536

[www.eastsussex.gov.uk](http://www.eastsussex.gov.uk)

East Sussex  
County Council



Legal Services  
Lewes District Council  
Southover House  
Lewes  
Via email [property@lewes-eastbourne.gov.uk](mailto:property@lewes-eastbourne.gov.uk)

18 October 2019

CR/NM

Dear Sirs

**Application to register a Town/Village Green – THE GREEN AND WOODS CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST SUSSEX RH15 0RD**

I write on behalf of East Sussex County Council, which has received an application under section 15(1) of the Commons Act 2006 to register land The Green, Charlwood Gardens Wivelsfield Green as a town or village green. I enclose a map of the relevant land.

Due to an amendment of the legislation on greens registration under the Commons Act 2006 by the Growth and Infrastructure Act 2013, the right to apply for the registration of a green is excluded if any one of a number of prescribed planning-related events ("trigger events") has occurred in relation to the land. The right to apply becomes exercisable again only if a corresponding terminating event has occurred in relation to that land.

The trigger and terminating events are set out in Schedule 1A to the 2006 Act (as inserted by Schedule 4 to the 2013 Act). A copy can be read here: [www.legislation.gov.uk/ukpga/2013/27/schedule/4/enacted](http://www.legislation.gov.uk/ukpga/2013/27/schedule/4/enacted).

Please could you read through the trigger and terminating events and tick one of the three boxes below which describes the situation and set out in detail any relevant information in the box further below, and return the completed form and any relevant maps to me at the postal or email address below.

If a relevant trigger event and/or corresponding terminating event has occurred, please clearly mark on the map provided (or your own), the extent of the land on which the event took place. Where more than one trigger event has occurred, please confirm whether a corresponding terminating event has occurred in respect of each trigger event. Please note that where a trigger event or terminating event occurred prior 25 September 2019, it is still considered a valid event. For example, if a local plan (i.e. a development plan document) adopted in 2008 identifies the land in question for development, then that is a valid trigger event. In cases where a trigger event has occurred in relation to part, but not all, of the land, the first and second boxes should be ticked and the detail explained in the box. The map should clearly indicate the areas which are and are not subject to the trigger event.

Your answer will determine whether or not my authority can accept an application for registration of a green. This decision could be the subject of legal action, so I must stress the need for you to be certain about the information included in your return.

A copy of this letter has also been sent to The Planning Inspectorate. Please notify me if you are aware that any other authority has responsibility for development control or plan-making functions in respect of the land to which this application relates.

Could you please reply to the address above by 11 November 2019.

Yours faithfully

[Redacted Signature]

Legal Order Officer

T:

E:

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I confirm that no trigger or terminating event has occurred on the land ☐

I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land ☐

I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land ☐

Further information (Please use this box to explain the type and date of the trigger or terminating events.)

Details of officer completing this form-

Name:

Address:

Email:

Phone:

Yours sincerely

[REDACTED]  
Legal Order Officer

T: [REDACTED]

E: [REDACTED]

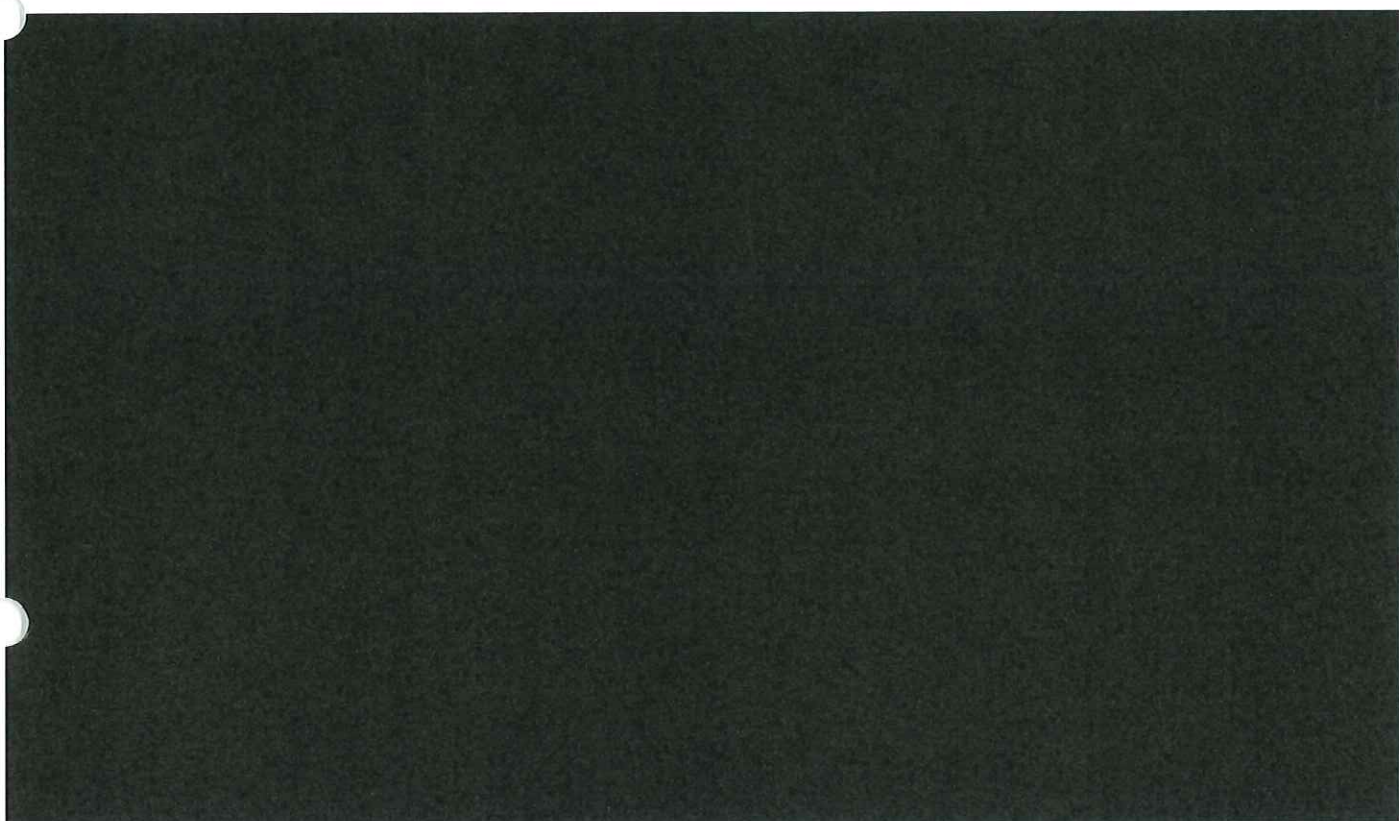
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[www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside](http://www.eastsussex.gov.uk/privacy/rights-of-way-and-countryside)

I Colin Bird confirm that I am in agreement with the dedication route as shown between point A-G on the Agreement plan and no longer support the confirmation of the Order showing the route between points A-K.

Signed ..... date.....2019



**From:** [REDACTED]@lewes-eastbourne.gov.uk]

**Sent:** 18 October 2019 16:00

**To:** [REDACTED]

**Subject:** RE: information request re trigger event for a new Village Green Application

Good afternoon [REDACTED]

Please see attached scan of the final page of your letter, signed and dated. Please do let me know if you require any more information relating to this query.

Kind regards,

[REDACTED]

Graduate Estate Surveyor

Lewes District and Eastbourne Borough Councils

[REDACTED]

[REDACTED]



I confirm that no trigger or terminating event has occurred on the land ☒

I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land ☐

I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land ☐

Further information (Please use this box to explain the type and date of the trigger or terminating events.)

Details of officer completing this form-

Name: [REDACTED]

Address: 1 Grove Road, Eastbourne, BN21 4TL  
[REDACTED]

Yours sincerely

[REDACTED]  
Legal Order Officer

T: [REDACTED]

E: [REDACTED]

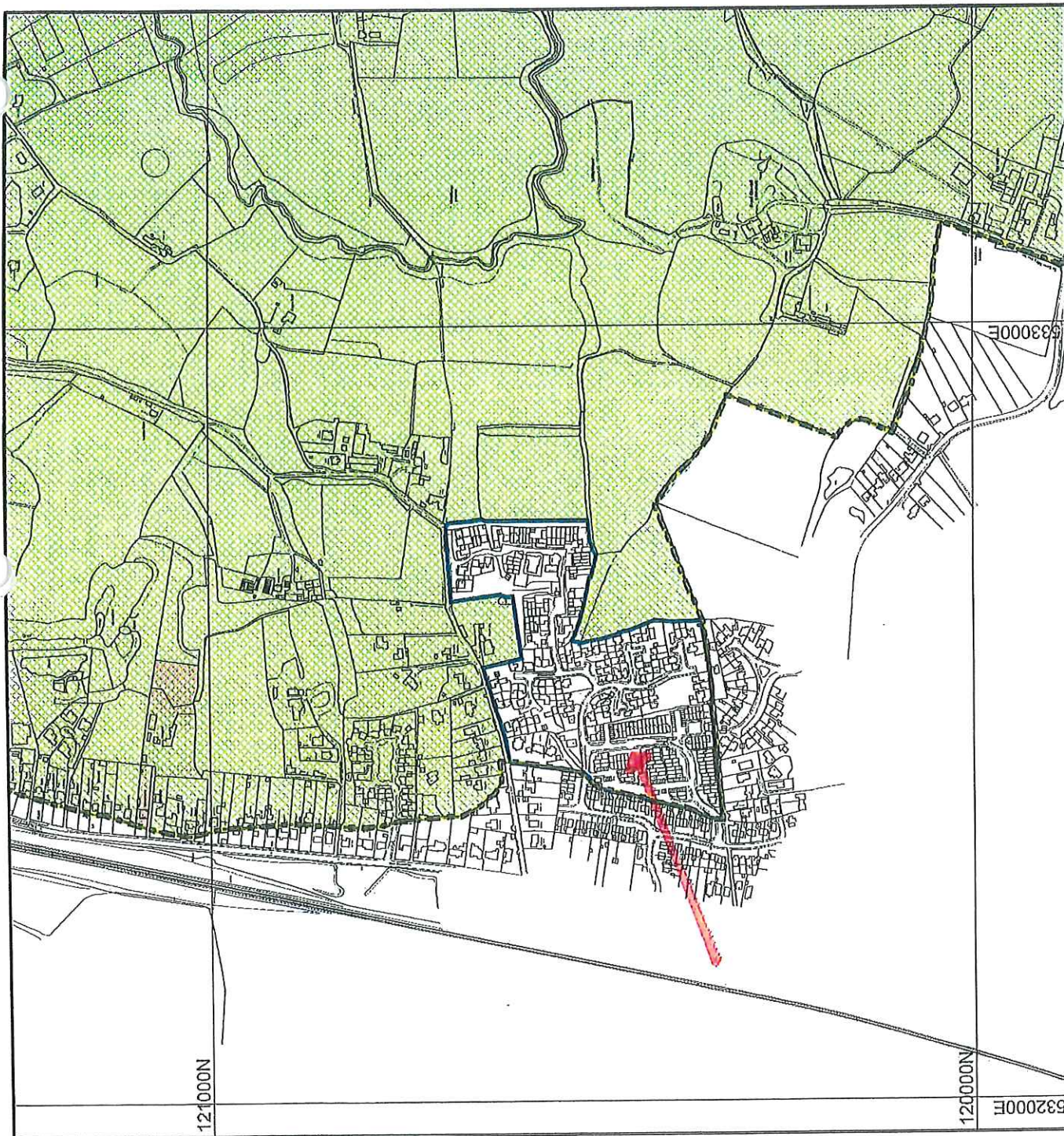
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Signed [REDACTED] date 18<sup>th</sup> October 2019






Lewes District Council



# LEWES DISTRICT POLICIES MAP

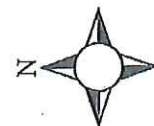
## Inset Map 11: Edge of Burgess Hill

### Key

-  District Boundary
-  Parish Boundaries
-  Plan Area

### Lewes Local Plan Part 2 (December 2018)

-  DM1: Planning Boundary
-  Countryside Policies (Policies DM2, DM3, DM4, DM5, DM6, DM7, DM9, DM10, DM11, DM12)
-  BH01: Land at the Nuggets, Valesbridge Road, Edge of Burgess Hill



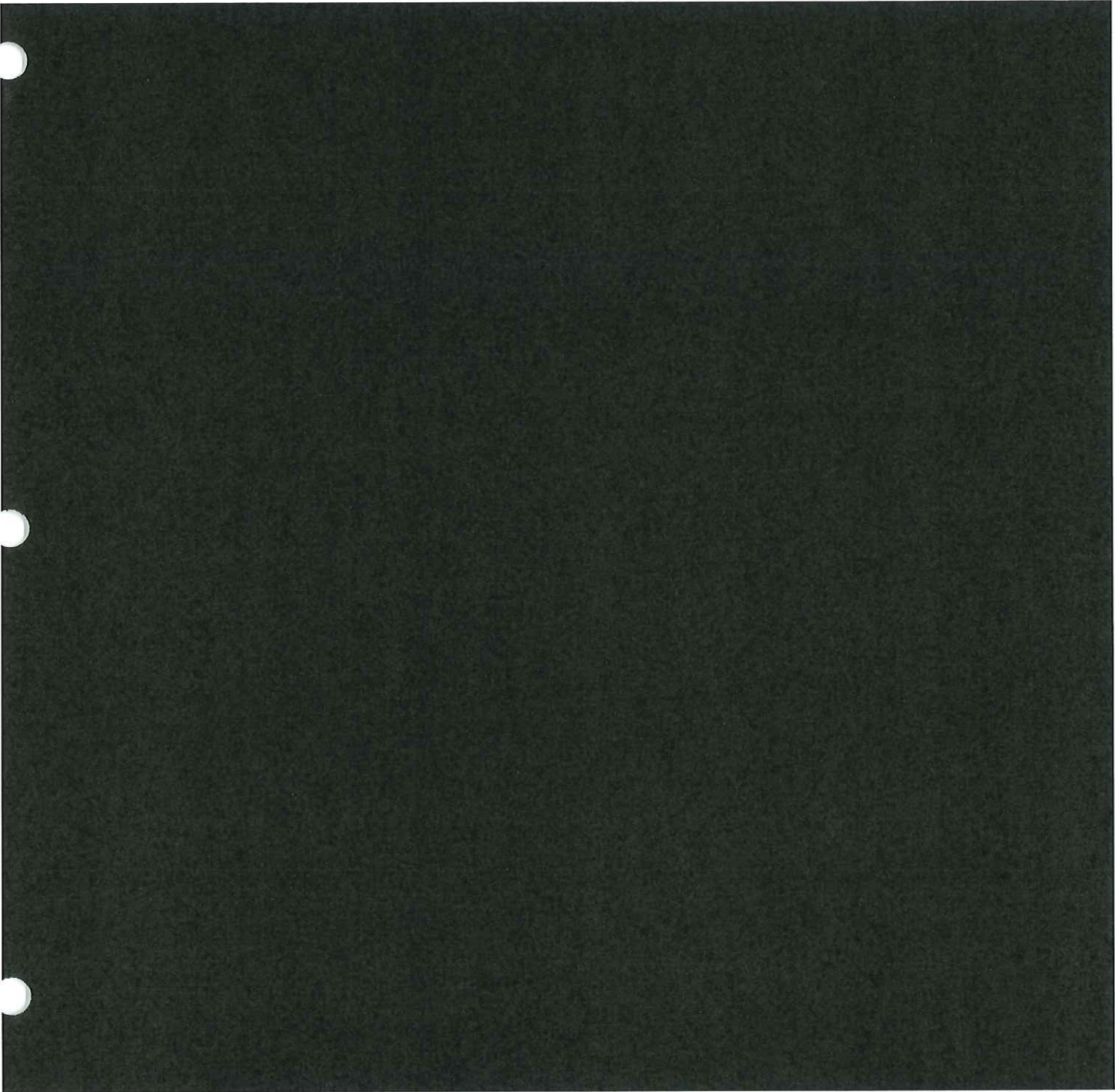
Date: December 2018

Scale: 1 : 5,000 @ A3

0 60 120 180 240 m

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Ordnance Survey 100019275. Lewes District Council.





**From:** Enquiries [<mailto:Enquiries@planninginspectorate.gov.uk>]

**Sent:** 24 October 2019 15:48


**To:** Definitive Map

**Subject:** FW: Trigger event information request for Village Green Registration

Dear Definitive MAP team,

Please see attached our response to your email dated 21 October 2019.

Regards,

  
Customer Service Adviser – The Planning Inspectorate

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3P, Kite Wing, Temple Quay House,  
2 The Square, Temple Quay, Bristol, BS1 6PN

Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)

Helpline: 0303 444 5000

twitter: @PINSgov

web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

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**Commons Act 2006 -Section 15**

**Application to Register Land as a Town or Village Green at**

THE GREEN AND WOODS CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST  
SUSSEX RH15 0RD

**I confirm that no trigger or terminating event has occurred on the land**

☐

**I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land**

☒

**I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land**

☐

**Further information: (please use this box to explain the type and date of the trigger or terminating events)**

Lewes Local Plan Part 2

**Details of officer completing this form:**

**Name:** [REDACTED]

**Address:** The Planning Inspectorate, Bristol

[REDACTED]

**Telephone:** 03034445000

**From:** Definitive Map [<mailto:Definitive.Map@eastsussex.gov.uk>]  
**Sent:** 08 November 2019 13:40  
**To:** Property; [REDACTED]  
**Subject:** FW: teh Green and Woods Charlwoods Gardens RH15 ORD  
**Importance:** High

Hello

Please see emails below and I am enquiring if LDC will be forwarding a reply in due course?

Kind regards  
[REDACTED]

Kind regards,

Definitive Map Team  
Rights of Way and Countryside Team

0345 6080193  
[eastsussex.gov.uk](http://eastsussex.gov.uk)



**From:** Definitive Map  
**Sent:** 25 October 2019 10:42  
**To:** [REDACTED] [@lewes-eastbourne.gov.uk](mailto:[REDACTED]@lewes-eastbourne.gov.uk)  
**Subject:** teh Green and Woods Charlwoods Gardens RH15 ORD  
**Importance:** High



Good Morning [REDACTED]

Thank you for your response however I have heard from The Planning Inspectorate that there is a 'trigger event' Lewes Local Plan Part 2 and attach a copy of their form.

Please can you let me have any revised notification you may wish to make and any other comments on how LDC believes the Local Plan Part 2 affects the Application.

I would be further grateful to receive a link to or scanned copy of the Local Plan also.

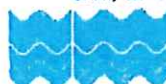
Kind regards

[REDACTED]  
Legal Order Officer  
Rights of Way and Countryside

[REDACTED] 0345 60 80 193

[sussex.gov.uk/rightsofway](https://sussex.gov.uk/rightsofway)  
[Privacy statement](#)

East Sussex  
County Council





**To:** Definitive Map

**Subject:** RE: teh Green and Woods Charlwoods Gardens RH15 ORD

Good morning,

I have spoken with both our planning and policy departments regarding this matter and I have been informed that the Lewes Local Plan Part 2 has no effect on this application to register a village green. The Lewes Local Plan Part 2 has no allocations and no policy affecting the site and therefore does not constitute a trigger event.

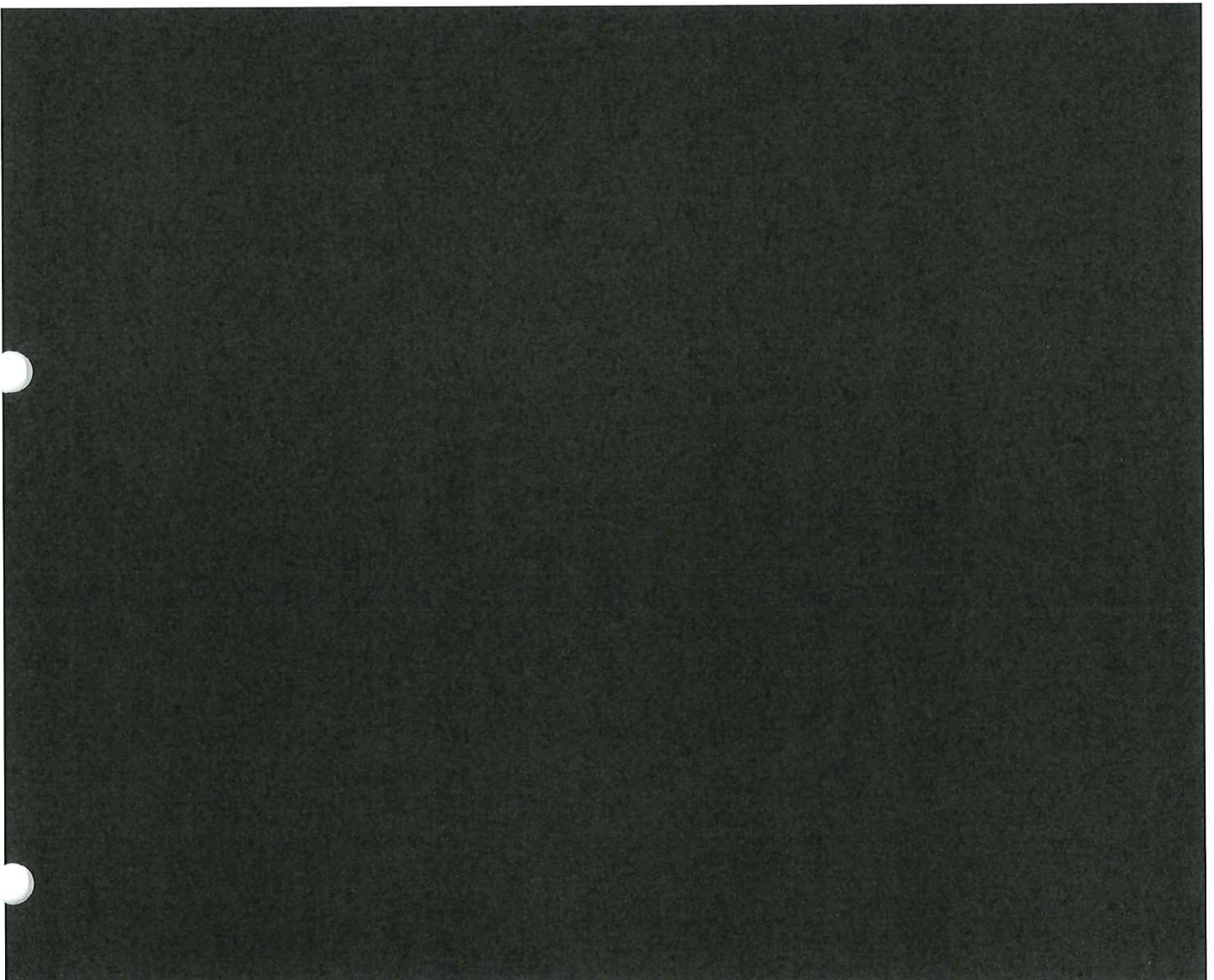
Please contact me if you require any further information.

Kind regards,



Graduate Estate Surveyor

Lewes District and Eastbourne Borough Councils



**From:** Definitive Map

**Sent:** 12 November 2019 10:35

**To:** [REDACTED]

**Subject:** FW: the Green and Woods Charlwoods Gardens RH15 ORD

Hi [REDACTED]

I hope all good with you.

I have a new TVG application and have written to LDC and PINS to request information on trigger events etc you will see from the responses that they are different PINS say yes one has occurred and LDC has said no, I don't pretend to know anything about Planning etc so hoping you can help who is right or wrong please? [REDACTED]

Thanks [REDACTED]

[REDACTED]  
Legal Order Officer  
Rights of Way and Countryside

[REDACTED] | 0345 60 80 193

[eastsussex.gov.uk/rightsofway](https://eastsussex.gov.uk/rightsofway)

[Privacy statement](#)





**From:** [REDACTED]  
**Sent:** 12 November 2019 1:28 PM  
**To:** Definitive Map  
**Subject:** RE: the Green and Woods Charlwoods Gardens RH15 ORD

Hi [REDACTED]

Interesting!

PINs' response refers to the "Lewes Local Plan Part 2" I have had a dlq around LDC's website and found some information on their emerging Local Plan that may help. It seems that "Part 2" is to do with "Site allocations and development management policies" so PINs' response would suggest that they think the site may be one that LDC are looking to include in their local plan as being allocated for development. The link below should help you get to the point I have:-

[http://planningpolicyconsult.lewes-eastbourne.gov.uk/consult.ti/LPP2\\_MM19/consultationHome](http://planningpolicyconsult.lewes-eastbourne.gov.uk/consult.ti/LPP2_MM19/consultationHome)

The draft document makes reference to three sites for 34 dwellings within Wivelsfield Green that have been identified in an existing Neighbourhood Plan. I can't tell if one of these is the land you are concerned with. You may be able to tell if you look at the plan within the "word" document on that link?

From what I can work out, LDC's draft Plan has been submitted to an Inspector for independent examination and the Inspector has made some recommendations for modifications. This does mean that any land earmarked for development within that draft plan should be affected by a trigger event.

I take it both PINs and LDC were sent a copy of a plan showing the land? If so, they should have checked it against the emerging plan. I, therefore, can't understand why one thinks it is affected by policies in the draft Plan and the other doesn't!

In light of PINs' response I think you need to go back to LDC Officers and explain the issue you now have and ask them to double check and confirm. They can't both be right!

I hope this helps.

Regards



Senior Solicitor | East Sussex County Council

Telephone:



Email:

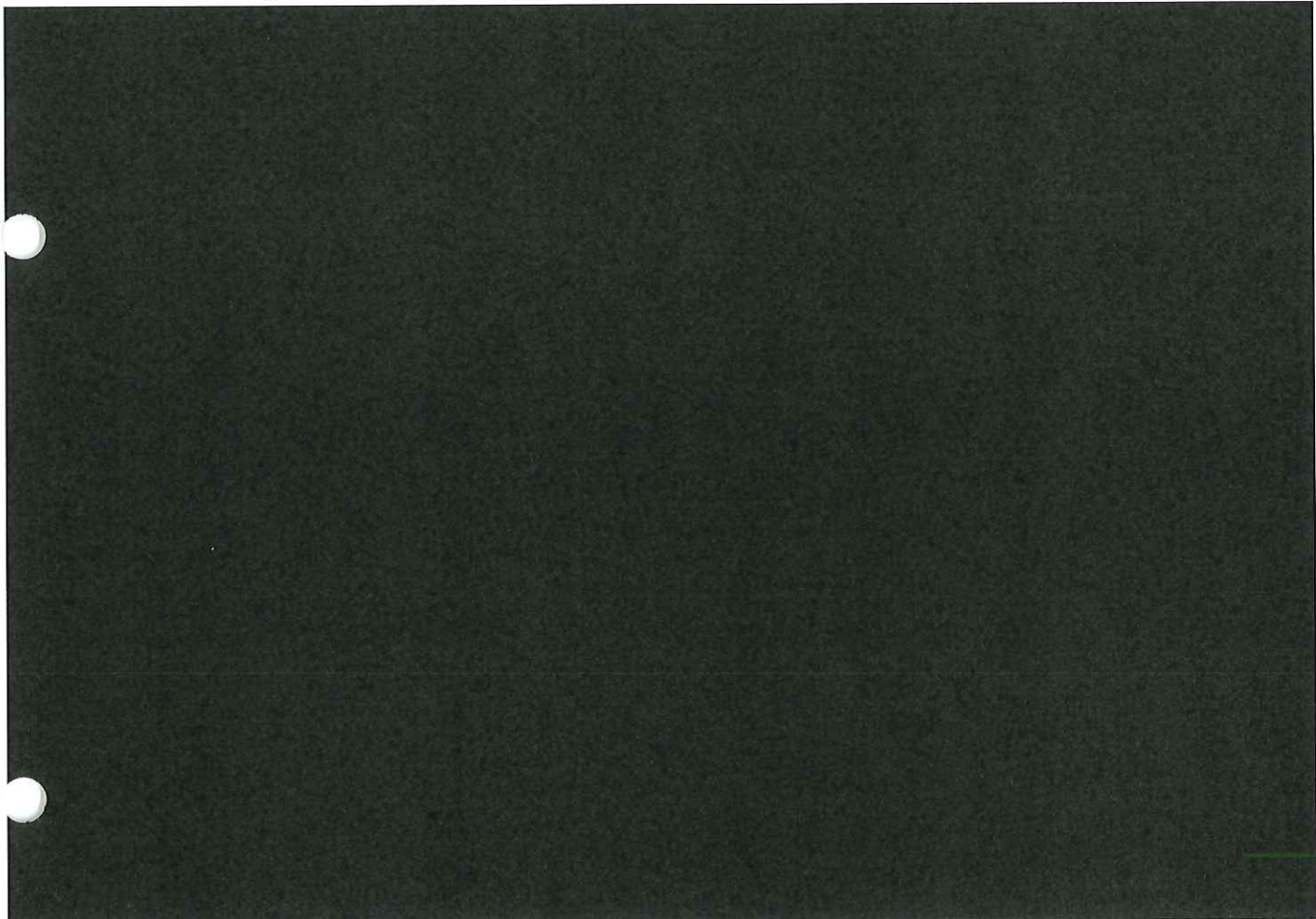


Address: PO Box 2714, County Hall, Lewes, East Sussex, BN7 1UE

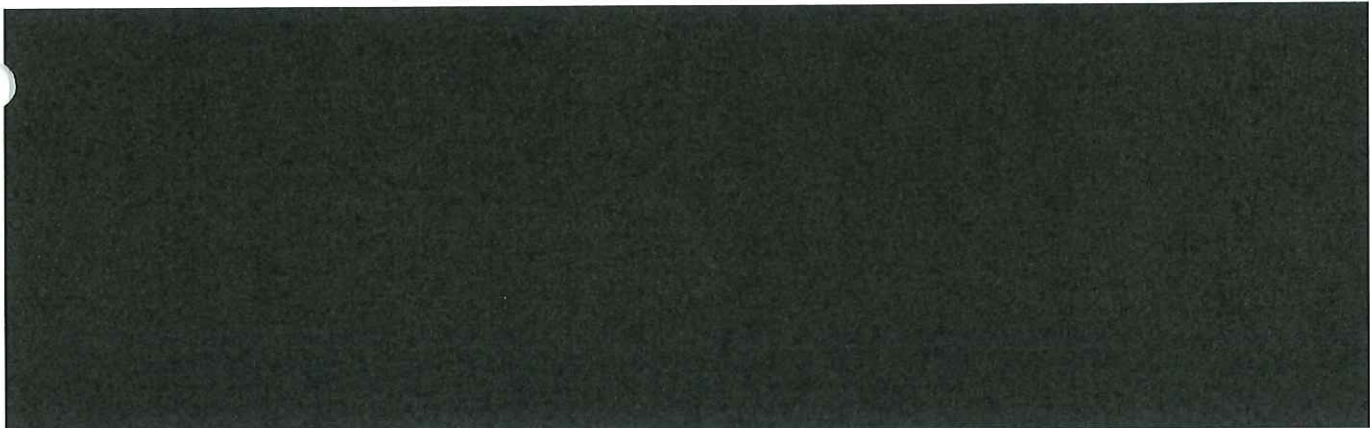
DX: 97482 Lewes 3



*The Legal Services of Brighton and Hove City Council, East Sussex County Council,  
Surrey County Council and West Sussex County Council working in partnership*








**From:** Definitive Map <Definitive.Map@eastsussex.gov.uk>  
**Sent:** 12 November 2019 14:26  
**To:** Enquiries <Enquiries@planninginspectorate.gov.uk>  
**Subject:** FW: Trigger event information request for Village Green Registration  
**Importance:** High

Hello

Thank you for your email notifying of a trigger event, however I have now heard from Lewes District Council who have said the land in question is not affected by such an event. I have asked them to confirm and they have so I hope you don't mind if I ask the same of PINS? Attached is copy of LDC Local Plan for the area concerned and I have marked with a red arrow the application area and would be further grateful if you could double check whether or not there has been a trigger event?

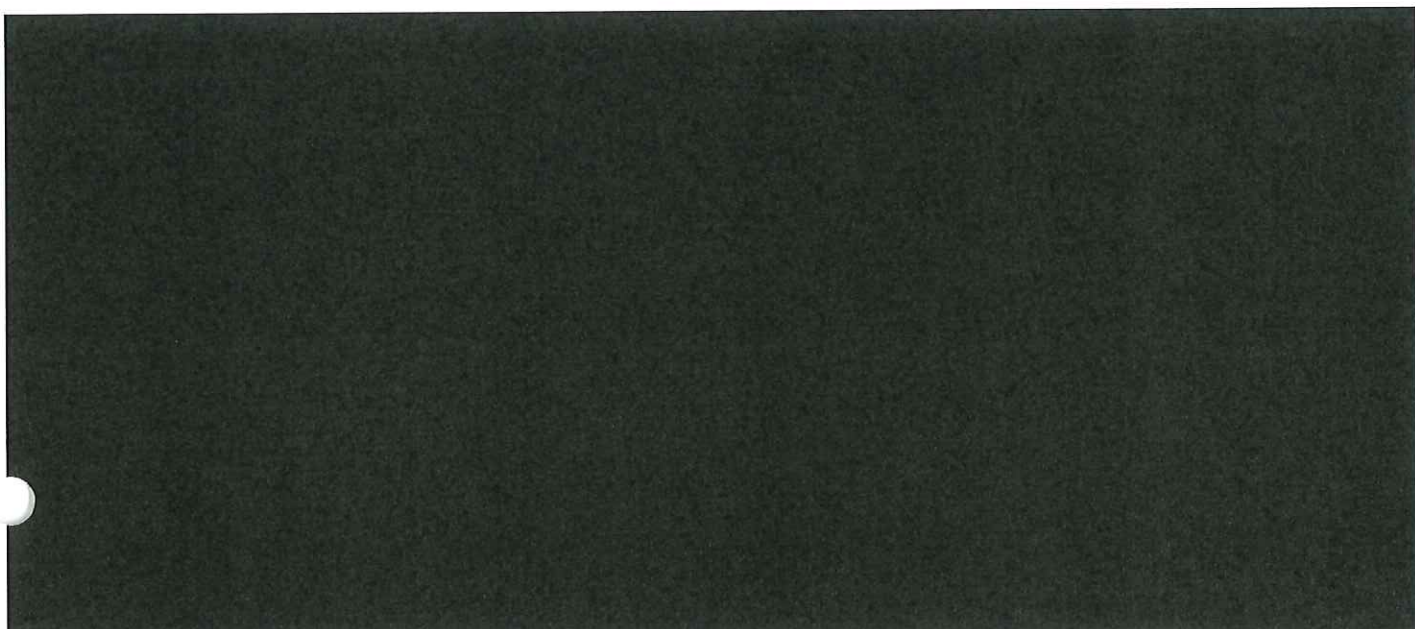
Kind regards



Legal Order Officer  
Rights of Way and Countryside



0345 60 80 193  
[eastsussex.gov.uk/rightsofway](http://eastsussex.gov.uk/rightsofway)  
[Privacy statement](#)



[REDACTED]

**From:** Enquiries [mailto:Enquiries@planninginspectorate.gov.uk]  
**Sent:** 16 December 2019 17:28  
**To:** Definitive Map  
**Subject:** RE: Trigger event information request for Village Geen Registration

Hi [REDACTED]

Thanks for your further email.

Did you receive a response to your email below? I can't trace one and therefore sincerely apologise for the initial response, which contained an error, and the delay in responding to your further query. I've attached our amended response and if you have any further problems please let me know directly as we are training colleagues on this type of casework at the moment.

Regards,

[REDACTED]  
Customer Service Advisor

***Putting the customer at the heart of everything we do!***



**The Planning Inspectorate**

Room 30, Temple Quay House,  
2 The Square, Temple Quay, Bristol, BS1 6PN



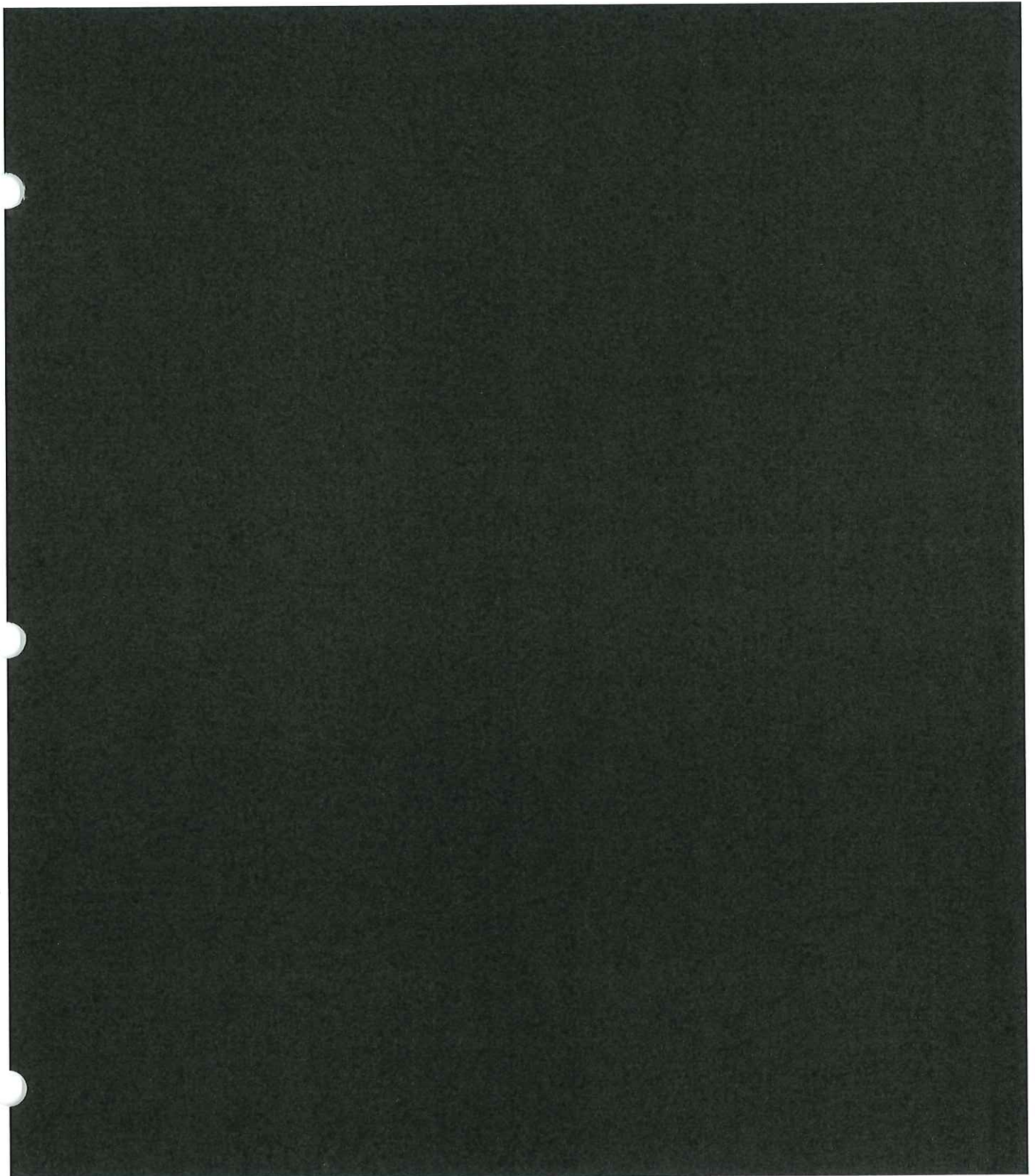
Email: [enquiries@planninginspectorate.gov.uk](mailto:enquiries@planninginspectorate.gov.uk)  
Helpline: 0303 444 5000



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web: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

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**Commons Act 2006 -Section 15**

**Application to Register Land as a Town or Village Green at**

THE GREEN AND WOODS CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST  
SUSSEX RH15 0RD

**I confirm that no trigger or terminating event has occurred on the land**

☒

**I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land**

**I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land**

**Further information: (please use this box to explain the type and date of the trigger or terminating events)**

**Details of officer completing this form:**

**Name:**

**Address:** The Planning Inspectorate, Bristol

**E-mail:**

**Telephone:**



Incorrect response  
confirmed in email  
16.12.2019.

**Commons Act 2006 -Section 15**

**Application to Register Land as a Town or Village Green at**

THE GREEN AND WOODS CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST  
SUSSEX RH15 0RD

**I confirm that no trigger or terminating event has occurred on the land**

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☐

**Further information: (please use this box to explain the type and date of the trigger or terminating events)**

Lewes Local Plan Part 2

**Details of officer completing this form:**

**Name:** [REDACTED]

**Address:** The Planning Inspectorate, Bristol

**E-mail:** [REDACTED]

**Telephone:** [REDACTED]

INCORRECT response  
continued in email  
16.12.2019.

**Commons Act 2006 -Section 15**

**Application to Register Land as a Town or Village Green at**

THE GREEN AND WOODS CHARLWOODS GARDENS, WIVLESFIELD GREEN, EAST  
SUSSEX RH15 0RD

**I confirm that no trigger or terminating event has occurred on the land**

☐

**I confirm that a trigger event has occurred, but no corresponding terminating event has occurred on the land**

☒

**I confirm that a trigger event has occurred but a corresponding terminating event has also occurred on the land**

☐

**Further information: (please use this box to explain the type and date of the trigger or terminating events)**

Lewes Local Plan Part 2

**Details of officer completing this form:**

**Name:** [REDACTED]

**Address:** The Planning Inspectorate, Bristol

**E-mail:** [REDACTED]

**Telephone:** [REDACTED]

**From:** Definitive Map [mailto:Definitive.Map@eastsussex.gov.uk]

**Sent:** 02 March 2020 10:35

**To:** [REDACTED] Definitive Map

**Cc:** [REDACTED]

**Subject:** RE: the Green and Woods Charlwoods Gardens RH15 0RD TVG Application

**Importance:** High

Hi [REDACTED]

The above TVG application is progressing as LDC confirmed that the land was not subject to a trigger event as not in the LP – PINS also confirmed that after I went back to them.

Just wanted to ask that as it is now confirmed that the landowner is selling the land by auction am I able to contact the Auctioneers and inform them of the TVG Application? Also am I correct in that it doesn't alter the fact that an Application has been received and this selling of the land isn't a trigger?

Many thanks

[REDACTED]

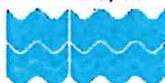
Legal Order Officer  
Rights of Way & Countryside

[REDACTED] 0345 60 80 193

[eastsussex.gov.uk/rightsofway](http://eastsussex.gov.uk/rightsofway)

[Privacy statement](#)

East Sussex  
County Council





[REDACTED]

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**From:** [REDACTED]  
**Sent:** 02 March 2020 14:53  
**To:** Definitive Map; Definitive Map  
**Cc:** [REDACTED]  
**Subject:** RE: the Green and Woods Charlwoods Gardens RH15 ORD TVG Application

**Categories:** NM  
**Caption:** [REDACTED]  
**Client:** CT506  
**ClientDesc:** ESCC CET Environment  
**ConvertToPDF:** No  
**currentSubject:** RE: the Green and Woods Charlwoods Gardens RH15 ORD TVG Application  
GENERAL ADVICE - TOWN & VILLAGE GREENS (CT506.120)  
**DatabaseID:** 2801  
**DocID:** 1127713  
**DocRegDesc:** advice re sale of land and TVG application  
**Letter:** 120  
**MatterDesc:** GENERAL ADVICE - TOWN & VILLAGE GREENS  
**NorAtt:** No  
**NorSaved:** Yes  
**NorwelMail:** Yes  
**SaveToNorwel:** Yes

Hi [REDACTED]

I am not sure why we would be contacting the Auctioneer to notify them of the application? As far as I am aware, as Registration Authority we don't have a duty to do so. This is a matter for the seller and any potential buyer. The seller should be disclosing anything that could affect the land when it goes to auction. If s/he fails to do so that would be a matter between the seller and any buyer, not one for ESCC as Registration Authority.

Our role is now to consider the Application. As long as we have complied with all statutory requirements regarding notification to current owner, notices on site, etc then our responsibilities do not extend any further as regards the sale unless direct queries come in as could be the case with any sale/purchase.

I agree that the sale does not make any difference to the consideration of the TVG claim and the sale of the land is not a trigger event.

Regards

[REDACTED]  
[REDACTED] | Senior Solicitor | East Sussex County Council

Telephone: [REDACTED]

Email: [REDACTED]  
Address: PO Box 2714, County Hall, Lewes, East Sussex, BN7 1UE  
DX: 97482 Lewes 3

