

Guidelines on Access Tracks over Common Land

Some of the most scenic villages in Waverley have developed around the common land that was a vital resource for the villagers of the past. Today these commons and village greens are much valued open spaces for everyone.

Common land is steeped in history and legislation. Some of it might seem a bit quirky by modern standards but it has helped protect these areas for hundreds of years. Waverley Borough Council believes it is important to protect its commons for future generations and so actively manages and protects the common land it owns and manages.

Legal Aspects

It is an offence to drive across common land without the lawful authority of the landowner. To avoid breaking the law and in order to secure a legal right of way to a property a householder can apply to Waverley Borough Council to regularise the access. Not having a legal access agreement or easement frequently holds up property sales. However, having an easement or licence to cross the common does not entitle householders to park on the common.

Access tracks can be intrusive and detract from the landscape and recreational value of the common. The following guidelines are applied by Waverley Borough Council to protect the rural nature of its commons. You must consult with the Countryside Section before carrying out any works on common land.

Guidelines for Access Track

- Access tracks should be no wider than 3m. Where the track joins an A or B road a bell mouth of up to 5m is permitted and you will also need to consult Surrey County Council Highways.
- Construction and maintenance of the track is the responsibility of the owner of the property. The surface must be maintained free from potholes and trip hazards.
- The track is for access only. Parking is to be within the property boundary and not on the common.
- The householder is responsible for surface drainage.
- Where access tracks cross ditches, streams or water courses the householders is responsible for the installation and replacement of damaged drainage pipes and ensuring they are of sufficiently diameter (at least 225mm) to allow the free flow of water. A pipe can easily be damaged by the passing of vehicles so it is important that the culvert is constructed to a high enough specification, the amount of water passing through a culvert should also be taken into account. Please contact the Countryside Ranger for advise before undertaking any works.

- Sealed surface materials such as tarmac and concrete are not permitted and where they have been installed without permission a surface dressing of tar and chip should be applied. As the commons are predominately in rural locations or Conservation Areas surfaces such as brick and block paving are not acceptable.
- Aggregate surfaces such as; hoggin-type gravel, graded crushed limestone and proprietary granular materials are permitted.
- Usually edging is not necessary. However, if it is considered to be necessary only timber edging can be used.
- Permission for new access tracks over the common land will not normally be granted. New developments should share existing access tracks.
- House names plates must be located on or within the property boundary.
- Lighting columns, plants and trees must not be put on the common
- Skips and building materials may only be stored on common land if there is no alternative within the property boundary and a license is required, in advance, from the Countryside Ranger

You will also need to apply to the Estates Officer for a Way leave to permit the use of land owned by the Council for repairs or the laying any services to your property.

Estates Officer:

Ailsa Rhodes 01483 523231 or ailsa.rhodes@waverley.gov.uk

Any works to the common can only be undertaken with the prior written approval from the Countryside Ranger for your area:

Sarah Henderson - Cranleigh, Ewhurst, Womersley, Bramley, Godalming. Contact 01483 423081 or sarah.henderson@waverley.gov.uk

Ian Baldwin - Haslemere, Chiddingfold, Dunsfold, Alfold, Hambledon, Witley, Hascombe. Contact 01483 423081 or ian.baldwin@waverley.gov.uk

Fiona Haynes – Tilford, Elstead, Thursley, Bealswood Common. Contact 01252 792416 or fiona.Haynes@waverley.gov.uk

Steve Webster - Frensham Common. Contact 01252 792416 or steve.webster@waverley.gov.uk