

Norfolk County Council
County Hall, Martineau Lane
Norwich NR1 2SG

June 7, 2022, 2019

I, Dr David Ormerod of Mill House, 7 Mill Lane, Swaffham, Norfolk PE37 7EU hereby apply for an order under section 53(2) of the Wildlife and Countryside Act 1981 to modify the definitive map and statement for the County of Norfolk by registering Fen Drove, Gooderstone, as a Restricted Byway.

I attach copies of the following documentary evidence in support of the application:

- Ordnance Survey 6-inch map of E&W, Norfolk Sheet 70SE, 1952, Fen Drove, Gooderstone.
- Google Earth satellite View, 2019, Gooderstone Fen and Fen Drove.
- Norfolk Definitive Map, Fen Drove, Gooderstone parish x2.
- Norfolk County Council Online Interactive Public Rights of Way Gazetteer, 2022, Gooderstone parish.
- Finance Act (1909-10) I.R.S. Duties on Land Values Map, Fen Drove Gooderstone as “white road.”
- Photograph (April 2022): Entrance to Fen Drove from Chalkrow Lane, Gooderstone at Point A.
- Photograph (April 2022): New private signage at entrance to Fen Drove, Gooderstone.
- Photograph (April 2022) from mid-Fen Drove, looking southward at Point B.
- Photograph (April 2022) of Fen Drove, looking back (northward) towards Fen Farm.
- Photograph (April 2022) of Fen Drove, looking southward beyond Fen Farm. The old Drove Road is grossly narrowed) by vegetative overgrowth
- Photograph (April 2022) at the south end of Fen Drove, looking southward across the I unlocked Gate into Gooderstone Fen. Two centuries ago, there was a highway straight across the Fen with a bridge crossing over the large spring and into Foulden Fen.
- Map of the Manor of Oxburgh in the County of Norfolk Belonging to Sir Henry Bellingham, 1725.
- Faden’s Map of Norfolk, 1797.
- Gooderstone Parish Enclosure Map and Award, 1802.
- Thomas Yeakall’s O.S. Map of Feltwell St Nicholas, 1817.
- Ordnance Survey 1st (Old) series 1-inch map of England and Wales, Sheet 65, 1824.
- Bryant’s Map of Norfolk, 1826.
- Christopher and John Greenwood’s Map of the County of Norfolk, 1834.
- Gooderstone Parish Tithe Map and Apportionment, 1839
- John Dowers’ Map of Norfolk, 1861

- Ordnance Survey Boundary Sketch Map, Gooderstone Parish, 1882.
- Ordnance Survey 1st series 25-inch map of E&W, Norfolk Sheet 70.11, 1884, Gooderstone Parish.
- Bartholomew 1/2-inch map of England and Wales, Sheet 15, Norfolk, 1903.
- Ordnance Survey Object Name Book, Norfolk Sheet 70SE, 1904 - Fen Drove, Gooderstone Parish.
- Ordnance Survey 6-inch map of E&W, Norfolk Sheet 70SE, 1906 - Fen Drove, Gooderstone Parish.
- Finance Act (1909-10) I.R.S. Duties on Land Values map, Norfolk Sheet 70.11.
- Ordnance Survey Second War Popular Edition 1-inch Map, Sheet 66, 1940.
- Ministry of Food National Farm Survey Map, 1943 – Fen Drove, Gooderstone Parish.
- RAF Aerial Photograph, Fen Drove, Gooderstone, 1946.
- Oxburgh Estate Sale Map, 1951 – Fen Drove, Gooderstone.
- Ordnance Survey 1:25,000 composite Map involving Norfolk Sheet TF 70-B and TL-79-B, 1955 – Fen Drove, Gooderstone.
- Google Earth Satellite View of South Gooderstone, 2022.
- Planning Inspectorate Map Regarding Work Proposed for Foulden Common, April 2017.

Sincerely Yours,



L David Ormerod MB,BS, MBA, MSc, FRCP, FRCS, DTM&H

Applicant's Reference: **EH 080**

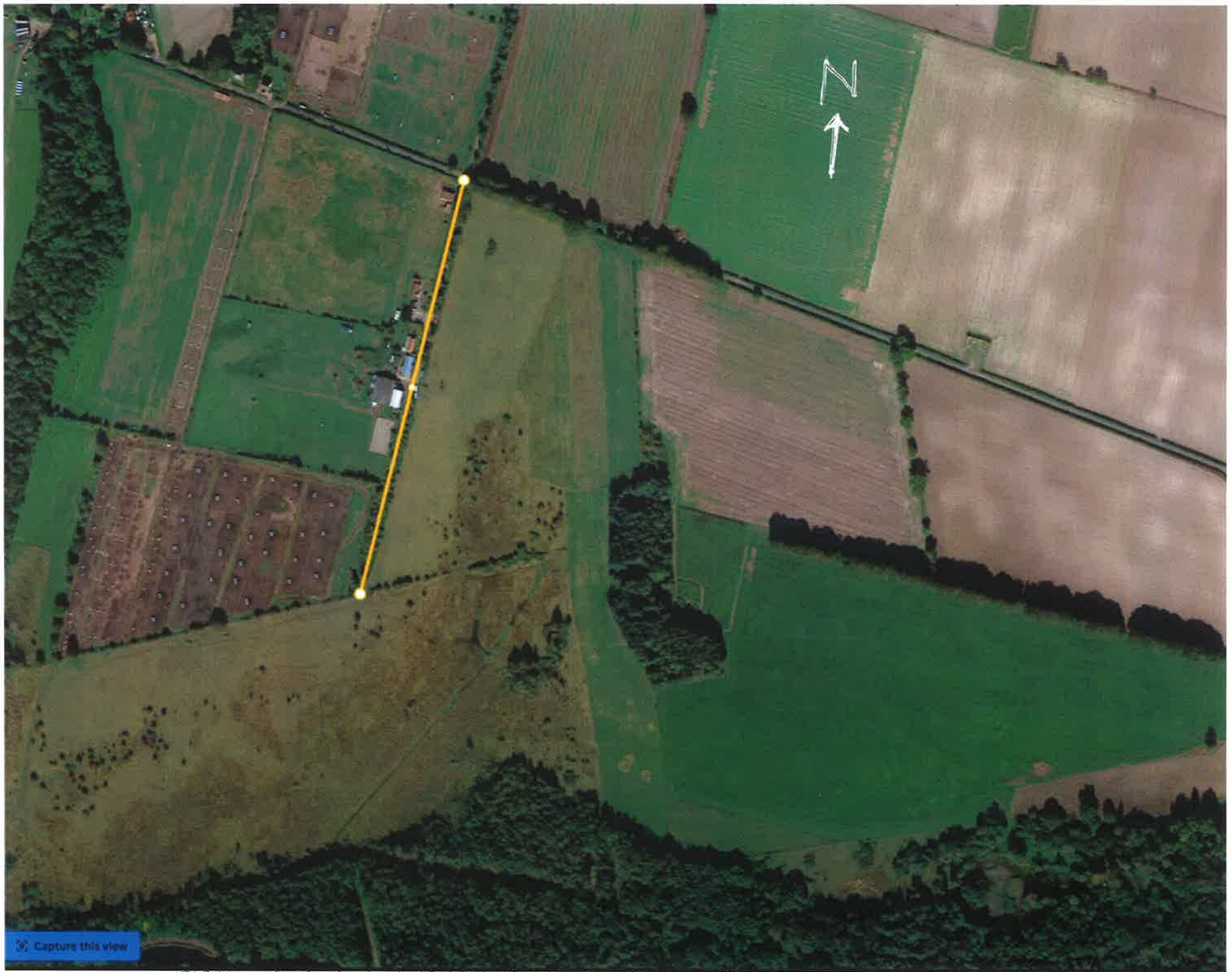


FIGURE 2. GOOGLE EARTH SATELLITE VIEW OF FEN DRIVE AND GOODERSSTONE FEN

Wildlife and Countryside Act 1981

The Definitive Map and Statement of Public Rights of Way for the County of Norfolk

Certificate of Service of Notice of Application for Modification Order: Proposal to Register Fen Drove, Gooderstone, as a Restricted Byway.

To: Norfolk County Council
County Hall
Martineau Lane
Norwich
NR1 2SG

I, Dr David Ormerod of Mill House, 7 Mill Lane, Swaffham PE37 7EU hereby certify that the requirements of paragraph 2 of Schedule 14 to the Wildlife and Countryside Act 1981 have been complied with.

Dated: June 7, 2022	Signature: <u>h. David Ormerod</u>
---------------------	------------------------------------

Applicant's Reference: **EH 070**
NCC Reference:

COMMENTS:

South of Gooderstone was traditionally a large Common of marginal land, a large Gooderstone Fen, that backed up against the even larger Foulenden Fen and smaller Oxborough Fen. The first three now comprise an important SSSI. The Gooderstone Fen Charity was established by the Gooderstone Enclosure Award of 1802 and trustees manage the charity on behalf of the village to maintain optimal conditions on the Fen and to contribute to charity in Gooderstone when funds allow.

In 1797, Faden's Map of Norfolk showed that Fen Drove crossed Gooderstone Common directly from Gooderstone and proceeded on a shallow causeway across the Fen, over the large spring on the site via a bridge (whose remains have recently been found), passing into Foulenden Fen to the (now derelict) Foulenden Fen House and onto Foulenden village. The Gooderstone Enclosure Award of, 1802, created the entire Fen Drove as "Private road No.1". Cartographically, the lane was always robustly shown and by the 1830s, it was being illustrated on roadmaps, suggesting that it had already been dedicated a public highway. Two-thirds of the highway

became the separate public road, Chalk Row. Ordnance Survey included Fen Drove on its Boundary Sketch Map in 1882 - about the time that Fen Farm was built. Fen Drove has been labelled on all O.S. large and medium scale maps from 1884, further suggesting that this was not a private lane. The Object Name Book of 1904 described the lane, but no owner. Both the Finance Act (1909-10) DLV maps (1910-15) and the National Farm Survey maps of 1943 showed Fen Drove as a "white road," indicative of a public vehicular road. The O.S. Popular Edition Style 1-inch map of 1940 illustrated Fen Drove as a "minor road", distinct from bridle and footpath, further suggesting it had higher rights of way.

In recent years, the farmer at Fen Farm has laid claim to Fen Lane and has refused access to members of the Gooderstone population. He has recently erected signs and caused altercations with trustees and pedestrians. The Trustees are now told to trespass on a neighbour's land to gain access to the Fen. Anglia Water and Conservation authorities must also have access. The purpose of this definitive map modification order is to request the registration of Fen Drove as a restricted by-way. Access and behaviour on the Fen is under the authority of the Trustees, and are further limited by conservation rules of the SSSI.

I have used this venue to explain the current situation with regard to the sole residence on Fen Lane. The owner is currently running a haulage business from the site with 7 HVG and has leased most of his land. He is neglecting the southern half, so that Fen Drove is becoming obstructed

Schedule of persons on whom notice was served

1. E & RW Hartley, Fen Farm, Fen Drove, Gooderstone, Kings Lynn, Norfolk PE33 9BL
2. Gillian Walker, Secretary, Gooderstone Fen Trustees, 6 Elm Place, Gooderstone, Kings Lynn, Norfolk PE33 9BX
3. Mrs. Judith Taylor, Gooderstone Parish Clerk, Canterbury House, Wretton Road, Stoke Ferry, Kings Lynn, Norfolk PR33 9SQ
4. Anglian Water, PO Box 4994, Lancing, West Sussex BN11 9AL
5. Natural England - Norfolk, Dragonfly House, 2 Gilders Way, Norwich, Norfolk NR3 1UB
6. Noel Cater, The Street, Gooderstone, Kings Lynn PE33
7. Robert Simonds, Scotts Field Park, Orchard House, Scotts Lane, Brookville, Thetford IP26 4RD
8. UK Power Networks, Barton Road, Bury St Edmunds, Suffolk IP32 7BG
9. Joe Emmett, Colveston Manor Farm, Colveston, Mundford, Thetford, Norfolk IP26 5HU