

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

December 1, 2020

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 of the County of Norfolk to include old public highways on the former Didlington Estate, Didlington Parish, as full streets, consonant with their prior history, possibly as a Byway Open to All Traffic (B.O.A.T.). I believe that history will prevent their consideration as Restricted Byways, with private rights of way for all frontagers and their 'agents.'

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

- Ordnance Survey 6-inch map, Norfolk Sheet 82NE, 1906.
- Norfolk Definitive Map.
- Norfolk County Council Online Interactive Public Rights of Way Gazetteer, 2020.
- Finance Act (1909-10) I.R.S. Duties on Land Values map.
- Photograph (September 2020) from Point A on Foulden Road, Didlington, of the main entrance to the old Didlington Hall Estate, at the side of the Lodge.
- Photograph (September 2020) . Looking along the Church access road towards the intersection at Point B; the short roadway to the St. Michael's Parish Church is on the left.
- Photograph (August 2020) of St. Michael's Church from the Church driveway.
- Photograph (September 2020) overlooking Point C, looking backwards to the west at the Didlington Manor gate on the "lower road" at Didlington.
- Photograph (September 2020) from Point I on Goggles Lane looking to the SW, which passes Wood Farm (no longer a farm) on its way to Point H.
- Photograph (September 2020) of the intersection of the 'connector road' with the 'upper' road. The application route takes the left turn.
- Photograph (September 2020) of the Upper Road at Point D, the entrance to the car park of Didlington Nurseries and Garden Centre.
- Photograph (September 2020), looking back to the east along the 'upper road' opposite the entrance road to Hall Farm.
- Photograph (August 2020) of the northern (Didlington Nurseries) entrance to the old Didlington Estate at Point E on Foulden Road, Didlington. For the purposes of this application, this road is called the "upper" road.
- Faden's Map of Norfolk, 1797.
- Thomas Yeakall Jr. O.S. Map of Feltwell St. Nicholas, 1813.
- Ordnance Survey 1st series 1-inch map of England and Wales, Sheet 65, 1824.
- Contemporary Records of local Brecks heathland, 1754 and 1769.
- Bryant's Map of the County of Norfolk, 1826.

- Didlington Parish Tithes Apportionment and Map., 1843/4.
- Didlington Hall Estate Map, 1843.
- Lord Amherst's Plan of Didlington Hall Estate, 1856.
- Ordnance Survey 1<sup>st</sup> Series 25-inch map, Norfolk Sheets 82.8 and 82.4, 1884.
- Extract from Kelly's Directory of Norfolk, 1896.
- Ordnance Survey Revised New Series 1-inch map, Sheet 160, Swaffham (Hills), 1898
- Swaffham Rural District Council Minute, September 9<sup>th</sup>, 1901.
- Bartholomew 1/2-inch map of England and Wales, Sheet 15, Norfolk, 1903.
- Ordnance Survey 6-inch map, Norfolk Sheet 82NE, 1906.
- Didlington Hall Estate Auction Map, 1910.
- Finance Act (1909-10) I.R.S. Duties on Land Values maps x2.
- Bartholomew 1/2-inch map of England and Wales, Sheet 15, Norfolk, 1921.
- Ministry of Food National Farm Survey Maps, Norfolk Sheets 82.4 & 82.8, 1943.
- Aerial Photograph of the Application Routes, 1946.
- Didlington Hall Estate Sale Documents and Map, 1949.
- Ordnance Survey 1:25,000 map, Norfolk Sheet TL 79-B, 1955.
- Litigation over Public Access to the Road Leading to Didlington Parish Church and to Didlington Farms: Relevant Documentation, 1997-2002.

Sincerely Yours,



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

Applicants' Reference: **EH 061**

## 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

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: December 1, 2020

Signature:



Applicant's Reference: **EH 061**

NCC Reference:

### Schedule of persons on whom notice was served

The owners/occupiers of the land crossed by, or adjacent to, a circular route on the former Didlington Estate that accesses St. Michael's Parish Church and the Didlington Nursery and Garden Centre.

1. Ms. Fiona Dixon, Didlington Manor, Didlington, Thetford, Norfolk IP26 5AT
2. Mr. Sean Rickard, Didlington Nurseries, Field Lodge, Didlington, Norfolk IP26 5AT
3. Hall Farm, Didlington, Thetford IP26 5AT
4. Mr. Cracknell, The Lodge, Didlington, Thetford IP26 5AU
5. The Church of England, Diocese of Norwich, Diocesan House, 109 Dereham Road, Easton, Norwich NR9 5ES
6. The owner, Old Laundry, Didlington, Thetford IP26 5AT
7. MS Louise Knapp, Home Farm, Didlington, Thetford IP26 5AT

Section 53(5) of and Schedule 14 to the  
Wildlife and Countryside Act 1981

COPY

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

**Ms. Fiona Dixon, Didlington Manor, Didlington, Thetford, Norfolk IP26  
5AT**

I, L David Ormerod, a rights of way volunteer, of 7 Mill Lane, Swaffham, Norfolk PE37 7EU hereby give notice that on 30 April 2019, I made application to the Norfolk County Council of County Hall, Martineau Lane, Norwich NR1 2SG for due consideration that the definitive map and statement for the area be modified as below.

Dated: December 1, 2020	Signature:
-------------------------	------------

Applicant's Reference: **EH 061** Norfolk County Council Reference:

It is clear from the cartographical record, that in Lord Amherst's time as owner and developer of the Didlington Hall and Estate in the 19<sup>th</sup> century, the roads in question were public vehicular highways. There had long been a specific road to St Michael's Parish Church, arising (in the late 18<sup>th</sup> century) from Foulden Road, from a point midway between the two present entrances, at the Lodge, and that serving Hall Farm and the Didlington Garden Centre. Lord Amherst purchased the property in 1843. By his Estate Plan of 1856, this had been replaced by a dedicated Church Road arising on Foulden Road, from the present north entrance. By 1884, Lord Amherst had changed again, and made a common entrance for both Hall and Church from the Southern entrance on Foulden Lane, where he built the Lodge. This was apparently undertaken to improve security, but as it replaced dedicated Church highways with public vehicular access, this new shared road had to retain those public rights of way. This is confirmed on the Finance Act (1909-10) I.R.S. Duties on Land Values map which is held in very high esteem owing to the criminal penalty for misinformation. Bartholomew maps, 1903, showed both the 'upper' and 'lower' routes in the proposed application route to be recommended cycling routes, at a time when bicycles were prohibited from footpaths and bridleways - with the inference that they had to have been public vehicular highways. Other evidence is supportive that the public nature of these routes continued to WWII.

Since a change of ownership, access to the Parish Church has surprisingly been denied on the shared route to the Hall and Church, and parishioners have regularly been denied access along this route, and forced to use the "private road"- signposted, much longer circular route from the north, along a deteriorating section of road. This had also adversely affected several of the local farmers. Considerable litigation ensued from the owners of the Hall site in the 1970-2000 period, including with a former owner. The historical facts suggest

that the circular route, including the shared road from the Lodge does retain a public vehicular right of way, and which was used routinely by public motorized vehicles up to WWII. It has apparently not been the subject of a Road Order. Furthermore, St. Michaels' Parish Church has been on the site since the 13<sup>th</sup> century, a long time before any Diddington Estate. The circular route is proposed for registration as Streets An alternative solution might be as a Restricted Byway, with private vehicular rights of way for the frontagers and their 'agents,' including those of St. Michael's Church, and for those using the highways from the site's hinterland.

Note not forming part of the Statutory Notice

The Definitive Map and Statement of Public Rights of Way in the County of Norfolk is a record of rights of way in the County. This application has been made because it appears that a public right of way exists which has not been recorded in the Definitive Map and Statement. A definitive map modification order will not create new rights but will just record those rights which already exist. This application is made in order to assist the County Council to meet its statutory duty to record public rights of way. For further information, please contact the Norfolk County Council Case Officer on 0344 800 8020. Notes on finding and interpreting evidence of highway status can be found in Rights of Way: Restoring the Record ISBN 978-0-9574036-1-1.


Section 53(5) of and Schedule 14 to the  
Wildlife and Countryside Act 1981

COPY

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

**Glover Farming (West Dereham) Ltd, Hill House Farm, Bath Road, West  
Dereham, Norfolk PE33 9TP**

I, L David Ormerod, a rights of way volunteer, of 7 Mill Lane, Swaffham, Norfolk PE37 7EU hereby give notice that on 30 April 2019, I made application to the Norfolk County Council of County Hall, Martineau Lane, Norwich NR1 2SG for due consideration that the definitive map and statement for the area be modified as below.

Dated: December 1, 2020	Signature: 
-------------------------	---

Applicant's Reference: **EH 059** Norfolk County Council Reference:

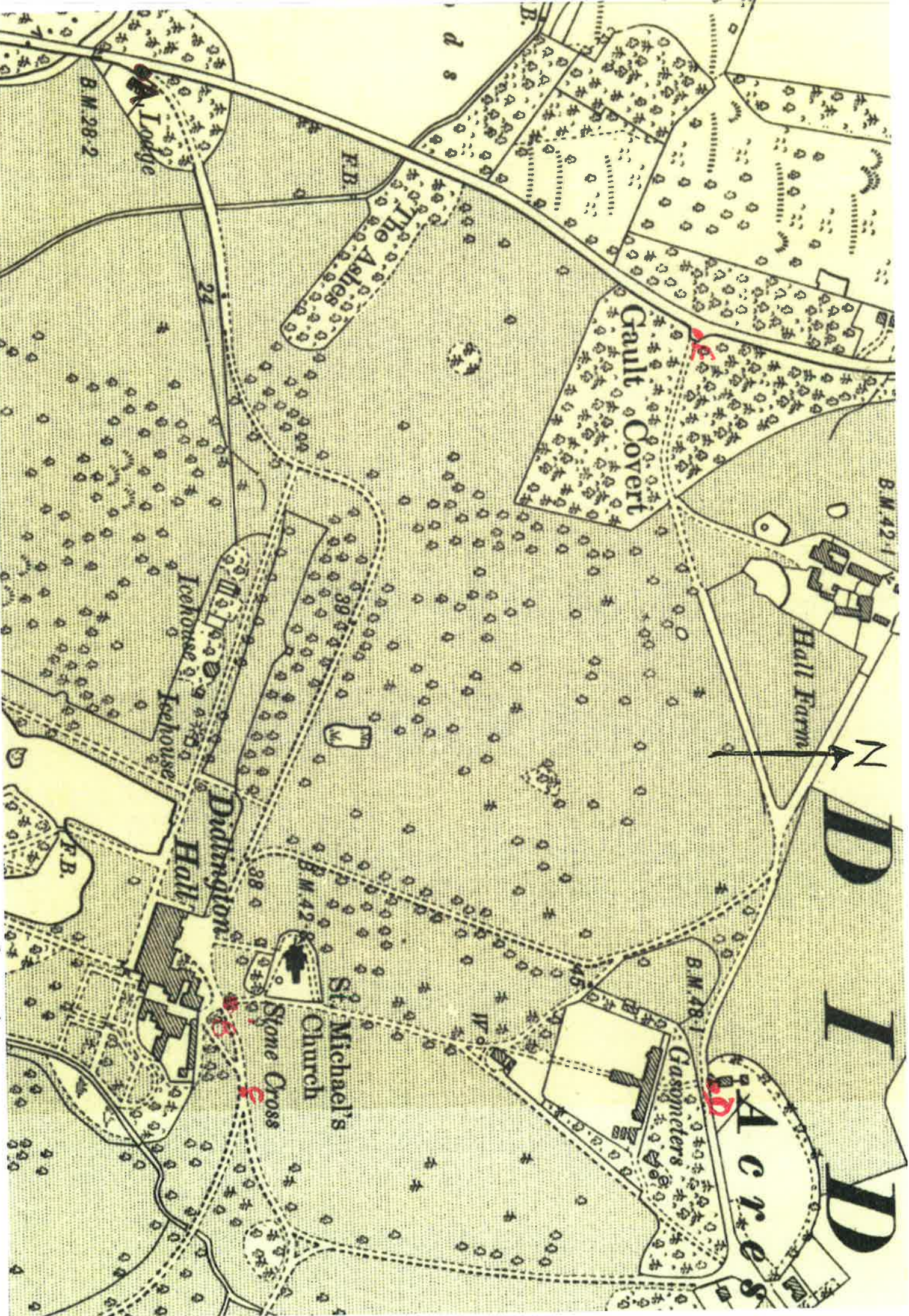
Lammas Meadow Lane and Nowhere Lane were a contiguous east-west rural highway running to the south of Wereham village. There were some cartographical indications at the end of the 18<sup>th</sup> century that it may have been an old Driftway. After being curtailed in the Wereham Enclosure, both roads were rapidly rededicated as public roads, in the case of Nowhere Lane extending out into the intervillage area between Wereham and West Dereham up to the parish boundary. A footpath was soon shown as extending to West Dereham; it was a Nowhere Lane with respect to vehicular transport. As providing much the shortest route between Wereham and West Dereham, any highway would be used for public horse transport. The Wereham Bypass of 1992 was constructed along the Wereham-West Dereham parish boundary, thereby creating a potential through route for motor vehicles for the first time. The street classification of both highways appears to have been derived from equine usage of the roads, and there is little evidence apparent that they were ever part of the 'customary roadway network' as defined in the Natural Environment and Rural Communities Act, 2006. West Dereham FP3 has a short "void" section immediately to the west of the Wereham Bypass, which dead-ends it. However, this privately-claimed section has proved on Land Registry data to be owned by the local highway authority, an indicator that the entire FP3 at one time was a publicly-owned way. As land registration of both surface and soil, would be unlikely to be afforded a footpath, the surviving public rights of way are at a higher level. The entire route from Lammas Meadow Lane to Church Lane, West Dereham, is proposed as a Restricted Byway.

Note not forming part of the Statutory Notice

The Definitive Map and Statement of Public Rights of Way in the County of Norfolk is a record of rights of way in the County. This application has been made because it appears that a public right of way exists which has not been recorded in the Definitive Map and Statement. A definitive map modification order will not create new rights but will just record those rights which already exist. This application is made in order

to assist the County Council to meet its statutory duty to record public rights of way. For further information, please contact the Norfolk County Council Case Officer on 0344 800 8020. Notes on finding and interpreting evidence of highway status can be found in Rights of Way: Restoring the Record ISBN 978-0-9574036-1-1.

Plan 1. ADVANCE SURVEY 6-INCH MAP, NORTH STREETS 82 NE, 1906  
ARTICLE IV ROWS (A to E)



B.M. 28.2

Lodge

R.B.

The Ashes

Gault Covert

B.M. 42.1

Hall Farm

N

D  
I  
D  
A  
C  
r  
e  
s

Icehouse

Distinguon Hall

B.M. 42.2

St. Michael's Church

Stone Cross

B.M. 48.1

Gasometers