

NOTE: In the case of non-members, this agenda is for information only

DEREHAM TOWN COUNCIL

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5th February 2026

Dear Councillor

You are hereby summoned to attend the next meeting of **Dereham Town Council** which will be held at the Memorial Hall, Dereham on **Tuesday 10th February 2026 at 7.30pm** to consider the items on the Agenda below.

Yours faithfully

A N Needham

**Mr A N Needham
Town Clerk**

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Council.

A G E N D A

1. To receive apologies for absence.
2. **Declaration of Interest.**
In accordance with the Localism Act 2011, Members are asked at this stage to declare any Disclosable Pecuniary Interests or Other Registerable Interests; as defined by the Code of Conduct adopted by the Council. Councillors shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of those interests. Failure to disclose any Disclosable Pecuniary interests or to knowingly give false or misleading information is a criminal offence under section 34 of the Localism Act 2011

Adjournment for Public Speaking - meeting to be adjourned for up to 15 minutes maximum to take questions from members of the public or to allow County and District Councillors who are not Town Council members to give a report and answer questions.
3. To receive announcements.
4. To receive from the Chairman, confirm as correct and sign the minutes of the **Full Council meeting held on Tuesday 13th January 2026.**

5. **Markets& Buildings**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Markets & Buildings Committee meeting held on Tuesday 27th January 2026.**
- b) To discuss any matters arising and vote on any recommendations listed below.

To Consider response to Public Space Protection Order (PSPO) consultation.

The committee recommended that the Council supports the PSPO in principle but recommended that examples of what is classed as anti-social behavior would be helpful and that signage of what the restrictions are should be installed around the proposed area. Also the designated area should be extended to include Becclesgate play area, Fleece Meadow, and Morrisons. The Clerk is to be asked to look at rewording the section as it relates to bicycles.

Update regarding Memorial Hall roof tiles and to consider and make recommendations for any action.

The committee recommended that the Council seek legal advice regarding the failing roof tiles and holding the manufacturers who provided the tiles to account.

The committee recommended getting a detailed drone survey of the tiles arranged to establish the extent of the issues. This would be arranged after legal advice has been received.

To consider engaging an architect to progress the Breckland Land Transfer.

The committee recommended that the Town Council progress the transfer of the land near the Leisure Centre by commissioning Rhona Flemming to produce a master plan for the site. and that a soil analysis is carried out on the land.

The committee recommended that given the history of the Leisure Centre site, investigations into possible historic contamination be carried out so that the Council understands the possible risks before any transfer.

Update on Barwell Court Toilets, to consider and make a recommendation regarding handrails.

The committee recommended that a heavy-duty retractable handrail be fabricated and installed into the disabled toilet at Barwell Court..

6. **Social Welfare**

- a) To receive from the Chairman, confirm as correct and sign the minutes of the **Social & Welfare Committee meeting** held on **Tuesday 27th January 2026**.
- b) To discuss any matters arising and vote on any recommendations listed below.

To consider and make recommendations relating to burial responsibilities.

The committee recommended that a letter to all undertaker giving a guide of the Town Councils expectations of how a grave should be left after a burial making it clear that the Council expects high standards.

The committee recommended that the Town Council adopt a policy of making undertakers responsible for topping-the-graves-up for the first 12 months following a burial. If the Council receives reports of dropped graves within this period, then the appropriate undertaker can be notified.

To consider and make recommendations relating to grave depths.

The committee recommended that the Town Council policy is amended to stipulate that the depth of a double grave must be an absolute minimum of 6 ft. It must be made very clear to undertakers that 6ft is the absolute minimum and that if the grave diggers are digging less than 6ft then some sort of penalty will need to be introduced.

To consider and make recommendations relating to setting out ashes plots at New Cemetery.

The committee recommended that the Town Council commission the fabrication of a series of rails made of stainless-steel angle sections, which would be fixed in the ground. The rails would be fabricated so that standard 600 x 900 slabs locate exactly within the rails.

To consider and make recommendations regarding the time between a burial and the erection of a headstone.

The committee recommended that the Town Council advise the next of kin, undertakers and stonemasons, that it is recommended that headstones are not erected until 12 months following a burial to allow time for the ground to settle. Communications should explain the reason 12 months is being recommended.

7. **Plans**

To receive from the Chairman, confirm as correct and sign the minutes of the **Planning Committee meeting** held on **Tuesday 13th January 2026**.

8. To receive and adopt the list of accounts paid, the Financial Statement and list of accounts to be paid.

9. To consider and agree how graves should be left following a funeral.
10. To consider requesting that Breckland Council register all open spaces in its ownership within Dereham with Fields in Trust.
11. To agree recommendation for appointment of consultant to prepare future recruitment.
12. To discuss and agree amended wording for the PSPO consultation.
13. To receive any updates/reports from members of the Council who are County or District Councillors.

Dereham Town Council

Full Council

Tuesday 10th February 2025

Agenda Notes

9. To consider and agree how graves should be left following a funeral.

If the recommendation from the Social and Welfare Committee is approved, the Council will write to undertakers detailing the standard which the Council would like to see graves left following a funeral.

This raised a question as to what such a standard might be? How a grave could be left is a bit dependant on the time of year. If the grave is dug in the cooler months and with a bit of consideration, it might be possible to relay the original turf. In the summer however the turf would quickly die. Even in the cooler months, digging a good turf may not be high on the grave diggers' priorities. When the graves need topping up the turf would need to be dug and replaced.

The standard could be that the graves are left as bare earth, which can look a bit stark, example below.



A solution might be to cover each new grave with artificial grass for the first year or so following a funeral. The Town Council would continue to seed the graves once the graves have settled.

Seeding graves has taken place in the spring and in September each year. If the Council agreed to the artificial turf it would probably be best to only reseed in September as seeding in the spring carries a high level of failures if there is a dry summer (100% failure rate in spring 2025 for example).

The cost of the artificial grass would be around £14 per grave, so assuming a minimum of 2 years from each piece of artificial grass, it would add £7 to the burial costs.

Using artificial grass for 12 months may appear contradictory to the Council's rule which states no artificial grass on graves. This rule would need to be modified to state that artificial grass is only permitted for the first 12 months following a burial.

10. To consider requesting that Breckland Council register all open spaces in its ownership within Dereham with Fields in Trust.

Founded in 1925 by the Duke of York, later King George VI, as the as the National Playing Fields Association, the Charity was established to protect playing fields and open spaces. The Charity subsequently changed its name to Fields it Trust (FiT) and still enjoys Royal patronage; Her Majesty the late Queen Elizabeth II was Patron for an incredible 70 years, her grandson HRH The Prince of Wales, is the current Patron.

One of the aims of the FiT is to protect public open spaces for future generations. The way open spaces are protected through FiT is by the landowner entering into a legally binding agreement with FiT using a Deed of Dedication. This unique document lays out the terms of the agreement, ensuring the park or green space can only be used for sport or recreational activities, and that it will always be there for the benefit of the community and nature.

Local Government Reorganisation could bring risks that the new larger, more distant unitary council is not as sympathetic to local green spaces as Breckland Council has been. A new unitary may see some local green spaces as assets to be disposed of.

The process of protecting the green spaces with FiT is quite straight forward. For Breckland Council to register the land with FiT, there is no fee, other than the fee to the Land Registry to add a restriction on the title, which is £20 for up to 3 entries. While there would be a small amount of admin involved, this is less than if the title were transferred to the Town Council, and the Town Council will not incur any legal costs associated with the transfer of title, nor would the Town Council have to take on the ongoing maintenance costs of the land. The land would be protected forever, with no cost to Dereham tax payers.

Once registered with FiT the new unitary authority would be obliged to maintain the land as open space in perpetuity.

Councillors are being asked whether to submit a formal request that Breckland Council register all open and green space within Dereham with Fields in Trust, so that these areas would be protected in perpetuity.

11. To agree recommendation for appointment of consultant to prepare future recruitment.

Recommendations will be presented at the meeting.

12. To discuss and agree amended wording for the PSPO consultation.

The PSPO was considered at the Markets and Buildings Committee. One of the recommendations was that the Clerk be asked to look at the wording of the Order relating to bicycles. A suggested rewording is set out below along with proposed amended wording for the Barwell's Court Order

Anti-social use of bicycles etc.

The current proposed wording of the Order is:

Any person riding a bicycle, skateboard, e-bike, e-scooter or other self-propelled wheeled vehicle must do so in a manner that does not cause damage to property, or nuisance or annoyance or harassment, alarm or distress or in a manner that contravenes the highway code in the designated area. All riders must dismount in a pedestrian zone, unless they have reasonable excuse.

The issue with this wording is:

1. If the first part refers to cycling in the carriageway, then why does this not also apply to drivers?
2. The pedestrian zone has not been defined.
3. 'Reasonable excuse'; there is already a reasonable excuse: that the roads are too dangerous.

The existing problem is that there are currently no powers to stop people cycling in Nelsons place or Wrights Walk or issue a FPN because they are not adjacent to a carriageway.

Currently in order to issue a FPN for cycling on a pavement, the public authority would need to prove that the cyclist was being irresponsible and not giving consideration to pedestrians. Being clear that because of the number of pedestrians in an area at most times, it would always be considered inconsiderate to cycle on the pavement, it removes the potential for challenging a FPN by the culprit saying that "I was being considerate to pedestrians".

Amending the wording, as below, will make it clear that riding on pavements within the PSPO area will always be considered inconsiderate and also introduces additional pedestrian areas where cycling would also result in a FPN.

Suggested rewording of the Order.

Within the designated area; no person shall ride a bicycle, skateboard, e-bike, e-scooter or other self-propelled wheeled vehicle within Wrights Walk, Nelson Place or along any footpath or footway adjacent to a carriageway.

Enforcing officers are always able to use their discretion on these matters; so if, for example, a paper boy/girl is riding on a pavement in the designated area at 7am on a Sunday morning, when no pedestrians are about, then the officer does not need to act to enforce the Order.

It would also be important to ensure adequate signage example below.



Congregation around Public Toilets.

The current proposed wording of the Order is:

No person shall loiter, remain or gather in or around Barwells Court or inside/outside the public toilets, whether alone or in a group of two or more persons, unless entering or exiting the facilities, queuing, or accompanying a dependent person.

The inclusion of this restriction within the PSPO is very much welcomed. It is felt that the restriction would be more effective without the exceptions at the end. The Order might be stronger if worded:

Suggested rewording of the Order

No person shall loiter, remain or gather in or around Barwells Court or inside/outside the public toilets, whether alone or in a group of two or more persons.

The enforcing officer has been left to interpret when somebody is or is not 'loitering', similarly; whether somebody is queuing or accompanying a dependant person should be self-evident and can be left to the officer to use their discretion. If the exceptions are left in place, the excuse of 'I am queuing to use the toilets' would be used as a reason to continue to loiter. If one toilet cubicle is open and there is a group of 20 people loitering, they could all say that they are queuing to use the toilets! Leaving the exceptions in, may make the Order ineffective.

Councillors are being asked to consider, review and amend wording as necessary.

DEREHAM TOWN COUNCIL

13th January 2026

At a meeting of the **Full Council** held on **Tuesday 13th January 2026** in the Memorial Hall at **7.30pm**.

Present: Councillors R O'Callaghan (Chairman), P Duigan, Z Flint, A Greenwood, A Keats, H King, L King, and P Morton.

Also in attendance: T Needham (Town Clerk), and J Barron (Deputy Town Clerk).

162. To receive apologies for absence.

Apologies for absence were received from Councillors A Brooks, C Coleman, S Green and R Jamieson.

163. Declaration of Interest.

Councillor A Greenwood declared an interest in minute 168 as he is Treasurer of St Nicholas Bowls Club.

The meeting was adjourned

There was no public speaking.

The meeting resumed

164. To receive announcements.

The Mayor, Councillor R O'Callaghan, announced that he had attended the following event:

13th December 2025 - Opening of the Masonic Lodge Museum

13th December 2025 - Community of Our Lady of Walsingham carols by the Manger (and a tour around the convent on the Neatherd)

15th December 2025 - Dereham ATC Award Ceremony, which was also attended by Councillor H King

165. To receive from the Chairman, confirm as correct and sign the minutes of the Full Council meeting held on Tuesday 9th December 2025.

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| Proposed by Councillor R O'Callaghan, the minutes of the Full Council meeting held on Tuesday 9 th December 2025 were agreed and signed subject to minor amendments. |
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166. Personnel

a) To receive from the Chairman, confirm as correct and sign the minutes of the **Personnel Committee meeting held on Tuesday 6th January 2026.**

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| Proposed by Councillor H King, the minutes of the Personnel meeting held on Tuesday 6 th January 2026 were agreed and signed. |
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- b) **To discuss any matters arising and vote on any recommendations listed below.**

The following recommendations were put to the vote, agreed and approved by the council:

To consider recruitment process for Deputy Clerk and consider appointing external consultants to assist in recruitment process.

The Committee recommended the following:

- 1) That an external consultancy be engaged to initially carry out the work detailed within the briefing document in preparation for the recruitment of the Deputy Clerk.
- 2) That the selection of a suitable consultant is conducted as a tender process, with the opportunity to tender posted on the Government's website.
- 3) The Clerk, in consultation with Councillor Z Flint, would prepare a draft tender scoring matrix, this would be circulated within the committee for comment before being finalised.
- 4) That the Clerk, along with Councillors Z Flint and H King would review submitted tenders and bring a recommendation to a Full Council meeting.

167. **To receive and adopt the list of accounts paid, the Financial Statement and list of accounts to be paid.**

Proposed by Councillor R O'Callaghan, the list of accounts paid, the Financial Statement and list of accounts to be paid were agreed.

168. **To consider submitting an expression of interest to Breckland Council to request the Freehold of the St Nicholas Bowls Club be transferred to Dereham Town Council.**

Councillor R O'Callaghan proposed that the Town Council submit an expression of interest in having the Freehold of St Nicholas Bowls Club transferred to Dereham Town Council, this was put to the vote and agreed. Councillor A Greenwood abstained.

169. **To appoint Councillor A Keats to the following committees, Social & Welfare and Markets & Buildings.**

It was agreed that Councillor A Keats be appointed to the following committees

- Social & Welfare
- Markets & Buildings

170. **To receive any updates/reports from members of the Council who are County or District Councillors.**

County Councillor P Duigan announced that the work to improve the Market Place had started.

Councillor A Greenwood asked when the potholes by the new Lidl's would be repaired. Councillor Duigan replied that the contractors must make good within a certain period of time or they can be fined.

Councillor H King asked Councillor Duigan if he would look into getting the overgrown hedging on Greenfields Road cut back as he had to walk in the road to get around the overgrown hedge.

The Town Clerk asked Councillor Duigan about the new powers being given to local government to prevent parking on pavement. Councillor Duigan replied that he could not comment on this.

The Town also asked Councillor Duigan if he had been able to secure any of the funding from the 12 million pounds that Norfolk County Council had been awarded for active travel.

Councillor Duigan asked for any ideas for use of the funding to be put forward.

Chairman

DEREHAM TOWN COUNCIL

27th January 2026

At a meeting of the **Markets & Buildings Committee** held at the Memorial Hall on **Tuesday 27th January 2026 at 7pm.**

Present: Councillors S Green (Chairman), A Keats, H King and L King.

Also present: Councillors P Duigan, Z Flint, P Morton and R Jamieson, Town Clerk A Needham and Deputy Town Clerk J Barron.

1. **To receive apologies for absence.**
Apologies for absence were received from Councillors C Coleman and R O'Callaghan.

2. **Declaration of Interest.**
There were no declarations of interest.

3. **To Consider response to Public Space Protection Order (PSPO) consultation.**

The committee recommended that the Council supports the PSPO in principle but recommended that examples of what is classed as anti-social behavior would be helpful and that signage of what the restrictions are should be installed around the proposed area. Also the designated area should be extended to include Becclesgate play area, Fleece Meadow, and Morrisons. The Clerk is to be asked to look at rewording the section as it relates to bicycles.

4. **Update regarding Memorial Hall roof tiles and to consider and make recommendations for any action.**

The Town Clerk gave an update on the poor condition of the roof tiles on the Memorial Hall.

The committee recommended that the Council seek legal advice regarding the failing roof tiles and holding the manufacturers who provided the tiles to account.

The committee recommended getting a detailed drone survey of the tiles arranged to establish the extent of the issues. This would be arranged after legal advice has been received.

5. **To consider the principle of installing solar PVs on the Memorial Hall (meeting room) roof.**

The committee did not disagree with the principle of installing solar PVs on the Memorial Hall (meeting room) roof, and agreed that Councillor P Morton continue obtaining quotes for the installation of solar panels, the economic consideration would be taken to the Finance and Governance Committee.

6. **To consider engaging an architect to progress the Breckland Land Transfer.**

The committee recommended that the Town Council progress the transfer of the land near the Leisure Centre by commissioning Rhona Flemming to produce a master plan for the site. and that a soil analysis is carried out on the land.

The committee recommended that given the history of the Leisure Centre site, investigations into possible historic contamination be carried out so that the Council understands the possible risks before any transfer.

7. **Update on Barwell Court Toilets, to consider and make a recommendation regarding handrails.**

The Town Clerk updated the meeting on repeated vandalism of the grab rail in the disabled toilet.

The committee recommended that a heavy-duty retractable handrail be fabricated and installed into the disabled toilet at Barwell Court..

8. **To discuss some issues relating to the transfer of car parks.**

The committee discussed the following:

- Limiting residential parking.
- Long stay parking is at the rear of the Cherry Tree car park and short stay at the front.
- Enforcing short stay shoppers parking.

9. **To acknowledge receipt of funds from the Friends of Dereham Memorial Hall**

The committee acknowledged receipt of £2,000 from the Friends of Dereham Memorial Hall. The funds would be retained in an earmarked reserve for the purpose of promoting children's shows.

Chairman

DEREHAM TOWN COUNCIL

27th January 2026

At a meeting of the **Social & Welfare Committee** held at the Memorial Hall on **Tuesday 27th January 2026** upon the rising of the Markets & Buildings Committee meeting.

Present: Councillors H King (Chairman), S Green, A Keats, and L King.

Also present: Councillors P Duigan, Z Flint, P Morton and R Jamieson, Town Clerk A Needham and Deputy Town Clerk J Barron.

1. **To receive apologies for absence.**

Apologies for absence were received from Councillors C Coleman and R O'Callaghan.

2. **Declaration of Interest.**

There were no declaration of interest.

3. **To consider and make recommendations relating to burial responsibilities.**

The committee were advised that since reorganising the burials from the Town Council digging graves to undertakers arranging the digging of graves, it has become clear that while this was a more cost effective arrangement, issues have arisen where some graves have not been left in a manner which is as decent as some would expect and the Town Council is seen to be responsible.

The committee recommended that a letter to all undertaker giving a guide of the Town Councils expectations of how a grave should be left after a burial making it clear that the Council expects high standards.

The committee recommended that the Town Council adopt a policy of making undertakers responsible for topping-the-graves-up for the first 12 months following a burial. If the Council receives reports of dropped graves within this period, then the appropriate undertaker can be notified.

4. **To consider and make recommendations relating to grave depths.**

The Town Council rules are that a double grave must be dug to 6ft 6 inches. This was not an issue when Council staff were digging the graves, but with undertakers arranging grave digging it has been a struggle to enforce the 6ft 6-inch policy.

The guidance on grave depth is that 6ft is an absolute minimum based on an average coffin depth (there should be 6 inches between each coffin and a minimum of 2ft of soil covering the later coffin).

The committee recommended that the Town Council policy is amended to stipulate that the depth of a double grave must be an absolute minimum of 6 ft. It must be made very clear to undertakers that 6ft is the absolute minimum and that if the grave diggers are digging less than 6ft

then some sort of penalty will need to be introduced.

5. **To consider and make recommendations relating to setting out ashes plots at New Cemetery.**

The committee recommended that the Town Council commission the fabrication of a series of rails made of stainless-steel angle sections, which would be fixed in the ground. The rails would be fabricated so that standard 600 x 900 slabs locate exactly within the rails.

The reason for the recommendation is that this would be, easier and cheaper to install as well as being much tidier. It would also provide places for memorabilia to be arranged either side of the memorial stone rather than in a central slab.

6. **To consider and make recommendations regarding the time between a burial and the erection of a headstone.**

The committee recommended that the Town Council advise the next of kin, undertakers and stonemasons, that it is recommended that headstones are not erected until 12 months following a burial to allow time for the ground to settle. Communications should explain the reason 12 months is being recommended.

Chairman

DEREHAM TOWN COUNCIL

13th January 2026

At a meeting for **Plans** at the Memorial Hall on **Tuesday 13th January 2026 at 7.00pm.**

Present: R O'Callaghan (Chairman), A Greenwood, Z Flint, H King, L King, A Keats, P Duigan and P Morton.

Also Present: Town Clerk T Needham and Deputy Town Clerk J Barron.

1. To receive apologies for absence.

Apologies for absence were received from Councillors S Green, C Coleman, R Jamieson and A Brooks

2. Declaration of Interest

There were no declaration of interest.

3. [PL/2025/1893/OMAJ](#)

Land between Westfield Road and Shipdham Road, Toftwood

Outline planning application with all matters reserved other than principal means of access (junction onto Westfield Road) for the development of: up to 19 homes; and associated internal roads, footpaths, open space, landscaping and associated services and infrastructure.

No objection in principle provided the following are adequately addressed/ incorporated.

- 1) The Application does not comply with Policy ENV04 as it is not providing outdoor playing space on the development site or providing an off-site commuted sum.*
- 2) The walking link to Shipdham Road should be upgraded to a cycle link with suitable transition onto Shipdham Road.*
- 3) The allocated pedestrian space along side the vehicular access only seems to be 1m wide, this is inadequate and unacceptable. Space set aside for pedestrians should be sufficient for pedestrians, buggies and wheelchairs, 1.8m minimum.*
- 4) Measures should be put in place to prevent the access road becoming an 'overflow' car park for the proposed care home.*
- 5) Visitor parking is inadequate, this will lead to vehicles using the access road and parking over the area set aside for pedestrians and limit access for emergency vehicles.*
- 6) There is concern regarding the cumulative impact from the traffic generated from a*

number of developments in this area especially around school times.

PL/2025/1800/FMAJ

Former Jewson Builders Merchants Westfield Road

Erection of a two storey 66no. bed care home for the elderly with associated access, parking, landscaping and ancillary buildings.

The Council does not accept that the parking provision is sufficient, especially when shifts change or that workers will cycle to work. Westfield Road is already blighted by traffic and on-street parking. There seems to be space available for additional parking, the Council would feel happier with this application if there were additional onsite car parking.

While it is recognised that such facilities are needed, they do impose a disproportionate impact on GP services. There are existing challenges with regards to GP services in Dereham, the Council would like reassurances that primary healthcare provision in Dereham can accommodate these additional pressures.

Concerns were also raised with regards to:

- Contaminated land and remediation
- Noise and smell from the kitchens impacting on local amenity.
- The impact of light spill on neighbouring properties.

Councillor P Duigan arrived

PL/2025/1944/FMIN

Land At Grange Farm, Etling Green

Proposed 4 no. single storey dwellings, associated parking and means of access onto Norwich Road.

The Committee strongly objects to this development, for reasons including:

It is outside the settlement boundary, There would be an unacceptable negative impact on the character and form of the existing settlement and would lead to unacceptable intrusion into the open countryside.

Negatively impact on the viability of the adjacent County Wildlife site.

The site has potential for significant archaeology, which has not been addressed within the application.

The access is over Town Council owned land and no consent has been provided to increase the burden of traffic over this easement.

It is a poor quality design, misleading plans with bedroom 4 labelled but only 3 bedrooms shown.

***The Committee delegated authority** to the Clerk to develop the themes further and submit additional objections.*

Councillor A Keats arrived

[PL/2025/1822/FMAJ](#)

Lidl Kingston Road, Dereham

Sub-division of existing Class E building into 4 units of Class E and Sui Generis use. Including alterations to car park to allow for 6 EV charging spaces.

***While the Council would not wish to see the building empty,** it did have concerns regarding the impact this would have on the vibrancy of the Town Centre where there are a number of empty units.*

The Council felt that it could not reach a definite decision as it would be dependant on what would actually be located within the subdivided units and whether these could be located in the Town Centre.

Chairman

Comments Submitted under delegated authority.

PL/2025/1944/FMIN

Land At Grange Farm, Etling Green

Proposed 4 no. single storey dwellings, associated parking and means of access onto Norwich Road.

Dereham Town Council strongly objects to this development, for reasons set out below:

It is outside the settlement boundary, There would be an unacceptable negative impact on the character and form of the existing settlement and would lead to a significant intrusion into the open countryside. While Policy HOU 05 has been used to try and justify the development, the proposal fails in meeting the criteria set out in that Policy for the following reasons:

HOU 05 Policy considerations: Sensitive infilling or Rounding off with access to an existing highway.

Sensitive infilling or Rounding off

The existing form of development is a traditional Norfolk hamlet dating back to medieval times when houses clustered around a small common. The form of the settlement which exists extends around the edge of the Common then follows Shillings Lane. It is generally linear in nature with a single dwelling adjacent to the boundary, be that the boundary with the common or the boundary with Shillings Lane. The proposal is not rounding off an incomplete group of buildings, it is branching off the existing form of development and introducing a 'T' shaped form of development onto the North side. The properties are formed into a block rather than follow the boundary, which predominates in this location.

This is not sensitive infilling or rounding off it is 'T'eeing off the existing form rather than define or complete the boundaries of existing dwellings. It therefore clearly distorts the character and tradition of the existing group of dwelling in an undesirable way. With regards to point 4 of HOU 05, the proposal harms and undermines a visually important gap that contributes to the character and distinctiveness of the rural scene.

Access to existing highway.

The policy states that there should be access to an existing highway, there is further clarification under para 2.28 where a development should complete the local road pattern. The Local Plan is silent on the definition of 'road', however the Highways Act 1980 defines 'road' as being a way over which the public have right of access.

The access to these properties is over a private street rather than a 'road'. It therefore does not meet the requirement of completing the local 'road' pattern.

No application has been made to the owners of the common to permit further intensification of the access route and Norfolk County Council's policy is to resist developments of more than 9 properties of an unadopted private street.

Negatively impact on the viability of the adjacent County Wildlife site.

Etling Green Common is a County Wildlife Site with a population of great crested newts. Great Created Newts (GCN) have a wide habitat range and need to be able to range over a wide area in order to intermix with other populations in order to prevent inbreeding and maintain genetic diversity within the populations. Blocking-in populations by 'closing-off' access to the wider countryside prevents populations of GCN intermingling. While a district level licence could be a way around this, it will not benefit the colony of GCN at Etling Green which could become increasingly genetically isolated with the risk of inbreeding and eventual decline.

The site has potential for significant archeology, which has not been addressed within the application.

It is well recognised that the site is likely to have significant below surface heritage assets and archeology.

The majority of archaeological finds on this site have been recorded from the eastern part of the proposed development site in the area of the former common boundary. They include a medieval buckle, brooch, coins, keys, and strap fittings, as well as a post-medieval buckle, bell, spur, thimbles, coins and tokens. This is a typically domestic assemblage of artefacts that strongly supports medieval to post-medieval settlement activity within the boundary of the proposed development site. A medieval jetton has also been separately recorded in the western part of the site.

.Has the full details of the potential archaeology been properly considered within this application?

Has a full map regression exercise been carried out and the relevant historic maps included in the Assessment report?

Access

The access to the site is over Town Council owned land, no consent has been provided by the Town Council to increase the burden of traffic over this route. The development would lead to more than 9 properties being served by an unadopted private street without maintenance arrangements in place. The route is already poorly maintained with no strategy in place for maintenance and is already used by more than 9 dwellings.

Norfolk County Council's guidance for new developments states that [emphasis added]:

To ensure suitable access to new development can be maintained, direct or suitable access is required onto a publicly maintainable highway. The dwelling threshold mirrors that given in the National Planning Policy Framework for major development housing of "ten or more homes".

Private drives are not considered an appropriate form of development to serve more than nine dwellings.

This policy may be relaxed for minor developments off existing lengths of 'private road' serving existing development, as service provision will already have been made and some agreement reached regarding the maintenance of the right of access for the foreseeable future. However, proof of these points may be required by Norfolk County Council, as Local Highway Authority, at the time the planning application is submitted.

Poor quality design,

Misleading plans with bedroom 4 labelled but only 3 bedrooms shown.

The lay out with gardens on the outside of the square is likely to lead to solid fencing being installed at a later date in order to create private garden space, this would urbanise the location and be unacceptable.

The location and layout could lead to further 'infilling' to the west of the development leading to a form and size of development which would be wholly unacceptable.

The proposal should be set out to further protect the character of the area rather than leave a space for further development into the open countryside.