

**POPPYLAND – PF/25/0902 – Installation of sections of new footpath, along with upgrade of surfacing of existing areas used as permissive footpaths to create a single new connected walkway with rest stop areas and interpretation boards (part retrospective), Forest Park, Northrepps Road, Northrepps, Norfolk**  
**APPLICANT: Forest Park Trust**

**Minor Development**

**Target Date:** 18.06.26

**Extension of Time:** 19.06.26

**Case Officer:** Alice Walker

**FULL Planning Permission**

**RELEVANT SITE CONSTRAINTS**

Norfolk Coast National Landscape (formerly AONB)

Areas Susceptible to Groundwater <25%

Undeveloped Coast

Overstrand Conservation Area

Contaminated Land

Listed Building: Grade II

Overstrand War Memorial, Churchyard of The Church of St Martin, Cromer Road, Overstrand, NR27 0NT

Listed Building: Grade II Star

Church Of St Martin, Cromer Road, Overstrand

Countryside

Public Right of Way - Northrepps FP1

EA Risk of Flooding from Surface Water with climate change

GIRAMS Zone of Influence

**RELEVANT PLANNING HISTORY**

None.

**THE APPLICATION**

The application is made by Forest Park Trust for the installation of sections of new footpath, along with upgrade of surfacing of existing areas used as permissive footpaths to create a single new connected walkway with rest stop areas and interpretation boards (part retrospective). Forest Park Trust encompasses over 800 acres of private estate land, one mile east of Cromer and set within the North Norfolk National Landscape. The Forest Park estate has maintained large sections of permissive footpaths through and around Forest Park for a number of years. The proposed new footpath sections and upgrades to existing permissive tracks, and existing Forest Park Holiday Park walkways would create a single connected route running from Tolls Hill in Overstrand to Northrepps Road on the edge of Cromer. The footpath project will create a single joined-up walk with multiple access/egress points to join or leave the footpath along the route. The proposed path would be approximately 2 metres wide and surfaced to a wheelchair accessible standard. Funding for the project has been obtained through the DEFRA Farming in Protected Landscapes (FiPL) Programme.

## REASONS FOR REFERRAL TO COMMITTEE

At the request of the Local Ward Cllr Angie Fitch-Tillett having regard to the amenity impacts of the proposal on residential properties near to the route of the footpath.

## CONSULTATIONS

**Northrepps Parish Council - Supports** proposal but would recommend review of the section that passes close to housing.

**Overstrand Parish Council - Objection** supports the principle of the footpath but objects due to following concerns as summarised:

- Overlooking/ Privacy concerns to dwellings
- Security, increased risk of theft/ antisocial behaviour
- Surface Water Flooding

**Cromer Town Council - No objection**

**Ward Councillor (Cllr Fitch-Tillett) –** Objects to the eastern section of the footpath - from Northrepps Road, Overstrand to Overstrand Station on the reason that there is extreme intervention to personal privacy and the properties adjoining at Bracken Avenue.

**NNDC Conservation and Design - No objection**

**NNDC Environmental Health - No comment**

**NNDC Landscape - Advice given**

**Norfolk Coast Partnership -** No response received

**NCC Highways - No objection.**

**NCC Public Rights of Way & Green Infrastructure -** no response received.

**Police Designing Out Crime Officer - No objection,** advice given.

**Ramblers Association-** Requested confirmation development would not affect Northrepps FP1

**Open Spaces Society-** No response received.

## REPRESENTATIONS

**38** public representations received in **objection** for the reasons summarised below:

- Loss of privacy and overlooking
- Would disturb residents peace and privacy
- Impact upon residents health and wellbeing
- Close to properties

- Noise concerns
- Litter concerns
- Fire risk
- Ecological damage, disturbance to wildlife
- Would encourage vehicle use on path
- Security concerns, risk of theft
- Encourages antisocial behaviour
- surface water runoff concerns
- Alter the rural character, too formal
- Access to path not legally protected

**1** public representation received in **support** for the reasons summarised below:

- Provide an important east-west link between Cromer and Overstrand
- Alternative to coast path
- Traffic free recreational route
- Supports the local visitor economy
- Mental and physical health benefits

**5** public representations providing **comments** as summarised below:

- Unattractive view of mismatched fencing
- Alternative footpath should be provided during construction
- Condition it becomes a public right of way
- Who will collect litter?
- Surfacing improvements welcomed, would negate flood risk
- Overlooking would be worse from higher ground
- Appreciate the offer that the landowner has made regarding access from the rear garden onto the footpath.
- Request consultation from Designing Out Crime Officer

## **HUMAN RIGHTS IMPLICATIONS**

Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the above matters, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

## **CRIME AND DISORDER**

The application raises no significant crime and disorder issues.

## **EQUALITY AND DIVERSITY ISSUES**

The application raises no significant equality and diversity issues.

## **LOCAL FINANCE CONSIDERATIONS**

Under Section 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application.

Local finance considerations are not considered to be material to this case.

## **RELEVANT PLANNING POLICIES**

### **North Norfolk Local Plan (December 2025)**

Policy CC1: Delivering Climate Resilient Sustainable Growth

Policy CC6: Coastal Change Adaptation

Policy CC7: Flood Risk & Surface Water Drainage

Policy CC9: Sustainable Transport

Policy CC10: Biodiversity Net Gain

Policy CC11: Green Infrastructure

Policy CC12: Trees, Hedgerows & Woodland

Policy CC13: Protecting Environmental Quality

Policy SS1: Spatial Strategy

Policy SS2: Development in the Countryside

Policy ENV1: Norfolk Coast National Landscape & The Broads

Policy ENV2: Protection & Enhancement of Landscape & Settlement Character

Policy ENV3: Heritage & Undeveloped Coast

Policy ENV4: Biodiversity & Geodiversity

Policy ENV6: Protection of Amenity

Policy ENV7: Protecting & Enhancing the Historic Environment

Policy ENV8: High Quality Design

### Material Considerations:

### **National Planning Policy Framework (NPPF)(December 2024)**

Chapter 2: Achieving sustainable development

Chapter 4: Decision-making

Chapter 8: Promoting healthy and safe communities

Chapter 9: Promoting sustainable transport

Chapter 12: Achieving well-designed places

Chapter 14: Meeting the challenge of climate change, flooding and coastal change

Chapter 15: Conserving and enhancing the natural environment

Chapter 16: Conserving and enhancing the historic environment

### **Supplementary Planning Documents and Guidance:**

North Norfolk Design Guide Supplementary Planning Document (SPD) (December 2008)

Landscape Character Assessment Supplementary Planning Document (January 2021)

### **OFFICER ASSESSMENT:**

#### **Main Issues for Consideration:**

- 1. Principle**
- 2. Design and heritage impact**
- 3. Amenity**
- 4. Landscape and visual impacts**
- 5. Flooding**
- 6. Highways**
- 7. Planning balance/ conclusion**

## **1. Principle**

Policy CC1 sets out the overarching principles for development in the district. It aims to ensure that all new development proposals positively contribute to mitigating and adapting to climate change and delivers climate resilient sustainable growth through reducing emissions, being energy and water efficient, minimising risk from flooding and overheating, and enhancing biodiversity and green infrastructure.

Policy SS1 sets out the distribution of development (spatial strategy) and provide the framework to deliver sustainable growth to meet the existing and future needs for all types of development. The proposed development is located outside of a defined settlement boundary within the 'Countryside Policy area'.

Policy SS2 manages development allowed in the designated 'Countryside Policy Area'. The criteria set out the types of development that are considered appropriate in the rural area. As a piece of infrastructure, the proposed provision of a permissive footpath is considered acceptable in this rural location under Policy SS2..

The site is located within the designated Undeveloped Coast Policy Area. The purpose of Policy ENV3 is to protect the special character of the nationally defined North Norfolk Heritage Coast and locally designated Undeveloped Coast, as defined on the Local Plan's Policies Map. The policy limits development types to those set out in the Plan and those requiring a coastal location where there is no significant harm to the open coastal character. Given the above spatial policy considerations above, it is considered that the proposal complies with Policy ENV 3 of the North Norfolk Local Plan (NNLP).

Whilst Policy CC6 (Coastal Change Adaptation) is primarily aimed at facilitating rollback schemes and replacement development affected by coastal change and is not directly applicable to the proposal, the development is considered to deliver benefits consistent with the objectives of that policy. The proposal would provide a viable inland alternative in advance of any future loss to the existing section of permissive coast path which runs from Pauls Lane Car Park along the clifftop that is actively being eroded and access is predicted to be severed in the relative near future (as evidenced by National Coastal Erosion Risk Map (NCERM) Jan, 2025) and will require future realignment further inland. The proposal would therefore be a proactive adaptation measure which in the first instances extends provision for a wider accessibility but would in the future also help maintain public access and connectivity despite coastal change, safeguard recreational green infrastructure, and contribute to the long-term resilience of the local pedestrian network.

Officers consider the principle of development is acceptable and the proposal would align with the broader aims of the Local Plan to support adaptation to climate change and coastal change.

## **2. Design and heritage impact**

The application is not located within a conservation area but is within proximity to Overstrand Conservation Area and Grade II listed heritage assets in Overstrand. The purpose of Policy ENV 7 is to protect and where possible, enhance the significance of heritage assets, whilst recognising the opportunities for sympathetic reuse and regeneration. Officers consider that given the nature of the proposal, the proposed development would not harm the overall significance of the Overstrand Conservation Area (the boundary of which fringes to the east), there are no heritage objections to the application.

The purpose of Policy ENV 8 is to provide a set of design principles that result in a high quality of design and ensure the special character and qualities of the district are maintained and enhanced. Under Policy ENV 8, the policy criteria sets the approach to a number of considerations including the public realm, green infrastructure, landscaping and service facilities, having regard to the North Norfolk Design Guide (December 2008).

The application seeks planning permission (part retrospective) for the installation of sections of a new 2m wide permeable aggregate footpath, along with upgrade of surfacing of existing areas used as permissive footpaths to create a single new wheelchair accessible footpath for the benefit of the community on Forest Park Trust owned land. Six designated rest areas for seating/ benches and a limited number of information boards are proposed to provide educational information relating to history, landscape and wildlife along the route.

#### Proposed Route - Section 1 from Tolls Hill Northrepps to Nut Lane

The first part of this section is a 225m stretch of existing permissive trackway from Tolls Hill Northrepps down to Overstrand allotments. No works are proposed to upgrade this section of the path as the public footpath is not within the applicants ownership.

The second lower section of path would provide access to a route over approximately half a mile of previously private land to connect the paths. This section follows an easterly route along the perimeter of grassland pasture between Overstrand allotments and Nut Lane, running alongside properties in Bracken Avenue. This section of footpath is partially retrospective as the start of the section has been completed and the end section of track has also been started.

#### Proposed Route - Section 2 to the North of the Forest Park Holiday Park.

The access to this section starts in the east from Nut Lane, Northrepps, and terminates at a point to the west at Northrepps Road. The existing surfacing is mainly rough unmade tracks open as permissive paths along the line of the disused railway. The works to this section would be partly retrospective as some areas have been upgraded to the West.

#### Proposed works - surfacing

Much of the existing surfacing is rough, uneven or trodden ground which can vary in width and incline. To make the footpath more accessible to a wider range of users a new permeable surfacing is proposed along its length. The surfacing would be made up of White Terram underlay, a non-woven geotextile permeable separation membrane, a 130mm layer of crushed graded clean hardcore and 80mm of loose crushed asphalt planings.

#### Rest Stops

A total of six rest stops incorporating seating areas, waste bins, and multi-sensory interpretation boards are proposed be installed along the length of the walk. Seating benches would be made of part recycled composite with a cut-away for wheelchair access. Two sizes are proposed (4-person and 8-person benches) to be used along the walk, the positioning would be determined by the open ground available at each pre-determined rest point. The large bench rest areas will have an additional plot of 8m x 4m, whereas small bench rest areas will have an additional plot of 6m x 4m. Waste bins would also be provided at each rest stop which would be managed by the Forest Park Estate management team.

#### Proposed Signage

Each rest stop is proposed to have an information board. The proposed boards would be National Trust Standard size (1.2m high by 1m wide). The boards are intended to provide multi-sensory information to path users highlighting historical, visual and ecological aspects of the project and location. The boards would incorporate text and images by vinyl graphics with anti-graffiti overlamine, as well as braille and QR codes for added content.

Safety signage is proposed at the two quiet lane crossings at Nutt Lane and Northrepps Road. The signage would be located on the 4x pedestrian gates (2no. at each road crossing), in-line with Highways recommendations and requirements to aid safety and advance awareness of crossings for path users. The proposed gates would be fitted with self-closing pedestrian field gates and fences and gates at junctions would comply with the BS 5709:2018 standards for Gaps, Gates, and Stiles.

The new path directly links to Overstrand FP7 / FP4, and Northrepps FP1, allowing connectivity with the wider existing footpath network around Overstrand. The access points at Nutt Lane and Northrepps Road allow linkage with minor roads and designated quiet lanes giving access to Cromer Town as well as the wider network of existing footpaths, such as Cromer FP 13 / 14. A mown footpath link would also be available to connect into the new housing development on Overstrand Road. Overall, there are not considered to be any significant concerns with regards to design and heritage impact in accordance with Local Plan Policies ENV7 and ENV8.

### 3. Amenity

Policy ENV6 aims to maintain, protect and promote adequate living and working conditions to ensure that all occupants benefit from a good standard of amenity by considering the following criteria, overlooking, overshadowing, loss of privacy and prevention of disturbance from odour, noise and artificial light pollution. The policy applies to all development proposals, where existing and/or future occupiers may have their standard of amenity affected.

Policy CC13 seeks to ensure that reasonable endeavours are undertaken to avoid, minimise and reduce, through appropriate mitigations measures, all emissions and other forms of pollution. Proposals for development should also minimise the impact on tranquillity and dark skies in North Norfolk.

With regards to residential amenity a significant number of concerns have been raised by residents in Overstrand, particularly in Bracken Avenue regarding the path and its impact on residents' privacy and security. Representations raise concerns that overlooking into residents' gardens may occur and that there would be increased disturbance to residents with risk of trespass, theft and antisocial behaviour arising from users in close proximity to the rear of the properties.

The Police Designing out Crime officer (DoCO) was consulted. The officer acknowledged that *'the aim of the walkway is to improve connectivity and hence increases movement/ pedestrian traffic along its stretches; therefore, it can also give potential offenders legitimate reason to be in the area and provides good access and escape routes'*. Notwithstanding this, the officer provided best practice guidance for the footpath design. The path should be:

- As wide and as straight as possible
- devoid of potential hiding places
- overlooked by surrounding buildings and activities
- well maintained
- discourage its use at night by not illuminating it during the hours of darkness

*'From a security and safety perspective, an environment that provides a "see and be seen" style would best reduce opportunities for crime and anti-social behaviour. Furthermore, external furniture such as benches/bins and interpretation boards should be of robust vandal and graffiti resistant design. If possible, furniture should be 'fixed' into the ground in order to prevent its theft and reduce the possibility of it being misused.'*

In assessing the proposed footpath against those recommendations, it is considered that in the sensitive section, the path would be sufficiently wide, largely straight and would provide clear sightlines for users. The nearby properties would provide an informal level of surveillance of the path, which itself will deter antisocial behaviour. There would be multiple private access/egress points (for adjacent residents) along the path. This was supported by the DoCO. The use of gates and stiles is also supported to help restrict general vehicle access. A maintenance regime for the extent of the footpath has been set out in the Design and Access Statement and can be secured by condition. No external lighting is proposed which would discourage use at nighttime.

With regards to amenity concerns, the path is set just over a metre from the property boundaries along Bracken Avenue. As a result of property layout, distance to the proposed footpath varies from 21m from the rear elevations of dwellings to a minimum of 3m. These dwellings currently utilise a variety of boundary treatments to enclose their garden boundaries, many of which are low in height such as picket fencing, trellis or low hedging to allow views from resident's gardens over the open pasture beyond. Officers note that whilst the path would likely not be in continuous use with footfall being variable and transient in nature, Officers would advise that the intensity of use cannot be controlled by a planning condition. Therefore, whilst there would be some level of separation and screening, Officers consider that there would be a noticeable loss of privacy at the rear of these properties resulting in moderate harm from the use of the footpath contrary to the aims of Local Plan Policy ENV 6.

The designing out crime officer suggested a "prickly hedge" could be used between the path and the rear boundary of the properties to provide privacy and deter potential criminal activity. However, the landowner has made an open offer to all occupiers to link their properties directly to the footpath via means of gates or access from their gardens (an offer which has been supported by some residents). A proposed hedgerow would preclude all occupiers from having this opportunity and so has not been included in the proposals.

Overall whilst the path is not considered to significantly increase the risk of antisocial behaviour it would be considered to cause overlooking and loss of privacy harming residential amenity and conflicting with those specific aims of Policy ENV 6. These issues will need to be weighed in the planning balance.

#### **4. Landscape and visual impacts**

The application site is located within the Norfolk Coast National Landscape (NCNL). The purpose of Local Plan Policy ENV1 is to protect the NCNL from inappropriate development to ensure the conservation and enhancement of their natural beauty, defined special quality, and character. The policy requires proposals within or affecting the settings of the NCNL to be assessed for impacts on scenic beauty, biodiversity, cultural heritage and tranquillity.

Similarly, Local Plan Policy ENV2 requires that proposals for development should be informed by and be sympathetic to the key characteristics and valued features of distinctive Landscape Types and Character Areas, their strategic objectives and guidelines as identified in the North Norfolk Landscape Character Assessment SPD (2021) and Landscape Sensitivity Assessment SPD (2021) and relevant Conservation Area Appraisals.

The site is located across two landscape character areas, Coastal Shelf and Tributary Farmland. Many of the valued features and qualities of these landscapes are considered to contribute positively to key qualities of the Norfolk Coast National Landscape such as a strong coastal character and geomorphology, varied and distinctive biodiversity and a sense

of remoteness, tranquillity and wildness.

With regards to landscape impact from the proposed development, Officers note that some works have already been completed. Although not supportive of retrospective works, Officers can see that the completed work gives an indication of impacts from the proposed finish and width of the proposed path. Generally, the construction of the path, laid onto levelled ground with geo-textile, hardcore and asphalt road planings finish is acceptable. Overall, the footpath is not considered to have a significant adverse landscape impact.

This area has links with the renowned landscape designer Humphrey Repton. His “Red Book” includes landscapes around Northrepps Hall and Cottage. Those landscape works were implemented by others following the style of his design. As such a tailored and minimal interpretation along the route (signage), accompanying the rest stops with seating is considered appropriate.

The proposal would also offer benefits including linking Cromer to Overstrand through this previously inaccessible green space, give views of a Repton designed landscape, provide a pleasant alternative route, encouraging less car use and would generally enable an active and safer walking and cycling between the two settlements.

Local Plan Policy ENV4 requires the protection, enhancement and net gain for biodiversity and geodiversity. Proposals must avoid harm to designated sites and deliver measurable biodiversity net gain (BNG). The policy requires suitable ecological surveys to establish the extent of the potential impacts on ancient woodlands, veteran trees, protected species and priority species or priority habitats. Given the reasonably low impact nature of the works primarily on a well-trodden public right of way, the majority of which are retrospective and are confined to areas of low value habitat (unvegetated ground and agricultural land), the ecological impact was therefore assessed as being low and not requiring further survey work.

Local Plan Policy CC12 requires developments to retain and protect existing trees, hedgerows and woodlands where possible, avoiding loss harm or deterioration. Proposals should incorporate new planting as part of the design and replace trees where loss is unavoidable. No trees are proposed to be removed as part of the application. Overall there is very little excavation work required as part of the upgrading as in the majority of places the path is being laid onto a membrane covering the informal track and has already taken place. Officers do not consider that this would cause harm to the tree roots or that it would constitute engineering works, as such no further arboricultural surveys were required.

Officers consider the path would not have a significant adverse landscape impact on either landscape or ecological interests. It would provide benefits in opening up the previously inaccessible green space and a Repton designed landscape to members of the public, encouraging a safer route for walking and cycling between the two settlements.

### BNG

Local Plan Policy CC 10 requires qualifying development to achieve a minimum of 10% Biodiversity Net Gain, or higher as stipulated in national legislation, over the pre-development biodiversity value as measured by the statutory Biodiversity Metric, small sites metric, or agreed equivalent.

The proposal is almost entirely retrospective with most new sections of footpaths complete and existing footpaths having been upgraded. Therefore, the proposal is exempt from the requirements of BNG, because the baseline habitat has already been altered before the application is submitted, it is difficult to calculate the original biodiversity value, making BNG impractical to enforce for these specific works. Ecological enhancements and mitigation can

be secured via condition.

## **5. Flooding**

The purpose of Local Plan Policy CC7 is to ensure flood risk is evaluated in development proposals and to require the appropriate management of surface and foul water disposal to reduce flood risk. The policy requires development to avoid areas of flood risk where possible, and all proposals must also ensure no increase in flood risk elsewhere.

Concerns have been raised in the public representations regarding flooding and run off from the hill above the proposed path in Overstrand, this is said by objectors to have caused flooding in extreme weather previously.

The application site is located in Flood Zone 1, where the risk of flooding is lowest. In all sections of the walk, the upgraded surfacing remains permeable with no hot sealing treatment, tar or binding material used and therefore no additional surface drainage or land drainage is proposed.

A natural gradient and camber following the lay of the land have been used in construction to ensure any excess surface water in the event of extreme weather conditions would fall naturally to the outer verges of the pathway which would remain unchanged natural surfaces. Officers consider that any potential run-off would infiltrate to a greenfield rate and will otherwise soakaway without increased risk to surface water flooding.

Overall, given the low risk of flooding and the permeability of the path, the development is considered to be in accordance with the aims of Local Plan Policy CC7.

## **6. Highways**

The purpose of Local Plan Policy CC9 is to ensure that new development maximises the opportunities for the use of sustainable forms of transport appropriate to its particular location, that the public highway remains safe and convenient to use for all road users and that proposals are served by safe and suitable access without detriment to the amenity and character of the local area. The proposals will also reduce reliance on the private car and help promote active lifestyles, which are mutually beneficial aims that can be achieved by supporting sustainable travel options such as footpath and cycleway provision.

Local Plan Policy CC11 (Green Infrastructure) seeks to conserve and enhance existing green infrastructure and ensure the provision of new green infrastructure to improve connectivity and access. Development will be supported where Public Rights of Way and access will be protected, enhanced and promoted. New development should create convenient and attractive links within development and to the surrounding area, assist with creation of a network of accessible greenspace and provide links to public transport and walking and cycling networks.

The route would create new recreational opportunities for residents and visitors to the area, encouraging walking, cycling and outdoor recreation whilst strengthening links between existing settlements and the wider countryside. By providing an alternative to short car journeys the proposal would support sustainable transport objectives and contribute towards healthier lifestyles and less reliance on private vehicles. The footpath would improve accessibility for a wide range of users including those with mobility impairments.

Overall, the development is considered to comply with the aims of Local Plan Policies CC9 and CC11.

## **7. Planning balance/ conclusion**

The development as proposed would open up a previously private area of land for public benefit and provide an enhanced piece of green infrastructure for the area, providing a new pedestrian link and encouraging outdoor recreation. The development would also deliver wider strategic benefits associated with long term resilience of the coastal path network, where coastal erosion represents an ongoing challenge to sections of the existing route, by offering an alternative route and maintaining public access.

Weighed against these benefits, there would be a level of overlooking and loss of privacy to nearby residential properties on Bracken Avenue from a 400m section of the footpath. This would cause a degree of harm to residential amenity. However, the extent of the impact would be limited by boundary treatments, distances to dwellings, frequency of use and the transient nature of the pedestrian activity (i.e. no prolonged overlooking).

Officers consider that on balance, the moderate amenity harm identified through overlooking and loss of privacy is outweighed by the substantial public benefits arising from the scheme. These include enhanced public access to the countryside, improved safety, enhanced recreational opportunities, greater connectivity and an alternative route from the coast path. Approval is recommended subject to the following conditions:

### **RECOMMENDATION:**

**Approval subject to the imposition of the following summarised conditions:**

- **Approved plans**
- **Materials**
- **No External lighting**
- **Management and maintenance plan**

**Final wording of conditions and any other considered necessary to be delegated to the Assistant Director – Planning**