

<b>Application Number:</b>	<b>24/10015</b> Variation / Removal of Condition
<b>Site:</b>	Land at CROW ARCH LANE & CROW LANE, CROW, RINGWOOD BH24 3DZ
<b>Development:</b>	Removal of conditions 20 & 21 of outline planning permission 13/11450 to remove the need to provide a pedestrian and cycle path/link between the Central plot within the site and Christchurch Road.
<b>Applicant:</b>	Vistry Southern
<b>Agent:</b>	
<b>Target Date:</b>	08/04/2024
<b>Case Officer:</b>	Judith Garrity
<b>Officer Recommendation:</b>	Service Manager - Grant
<b>Reason for Referral to Committee:</b>	Town Council contrary view Cllr Jeremy Heron - Objection

## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development and policy context.
- 2) Delivery of the east west-link
- 3) Proposed alternative mitigation.

## 2 SITE DESCRIPTION

The site is located to the west of Crow Lane and was allocated by Policy RING 3 of Local Plan Part 2. It has been developed for residential purposes - known as Beaumont Park - as well as a business park and care home. The scheme is completed and the dwellings are occupied.

To the west of the residential scheme off of Hopclover Way are employment units at Platinum Jubilee Business Park and Yarnley Care Home which have recently been developed. Further to the west, on Wellworthy Way is a mixed employment development which includes a Lidl retail store, a Premier Inn Hotel and Anytime Fitness centre. This land was allocated as employment land by Policy RING 1 of Local Plan Part 2.

## 3 PROPOSED DEVELOPMENT

This application, made pursuant to Section 73 of the Town and Country Planning Act, seeks to relief from conditions 20 and 21 of the outline permission 13/11450 which was granted on 10 October 2014 with details of access only. This permission was for a mixed development of up to 175 dwellings (Use Class C3); up to 1.5 hectares of small employment (Use Classes B1 & B2); nursing home (Use Class C2); child nursery (Use Class D1); hotel / pub / restaurant (Use Class C1); fitness centre (Use Class D2); retail / professional services / restaurant (Use Class A1/ A2/

A3); open space areas; allotments; accesses on to Crow Lane and Crow Arch Lane; estate roads; footpaths; cycleways; foul & surface water infrastructure.

Condition 20 states:

*No development of the Central plot shall commence until such time as a design for a pedestrian / cycle connection between the Central plot and Christchurch Road has been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority.*

Condition 21 states:

*No dwellings to the south of the Castleman Trail shall be occupied until such time as the continuous pedestrian / cycle link between these dwellings and the western boundary of the RING 3 land/eastern boundary of the RING1 land has been completed to the satisfaction of the County Council and made available for use. This pedestrian / cycle connection must remain available for use at all times.*

The reason for both conditions were in the interest of highway safety.

The conditions sought to provide a link from the residential properties to the adjoining employment land that has now been developed on Wellworthy Way and Christchurch Road - including a retail store, a gym and a hotel.

Neither of these conditions have been compiled with despite the central plots and dwellings to the south of the Castleman trail (on Yarrow Lane) being commenced and occupied.

The application sets out that the reason for seeking the removal of the conditions is due to the issue with delivery as set out below.

In order to mitigate the removal of the conditions the applicant is now proposing the following:

- 1 A contribution of £57,000 towards providing or improving sustainable mode links between the site and Ringwood Town Centre.
- 2 Dedication of land as highway on the eastern side of Crow Arch Lane between the allotments track and Yarrow Lane, including appropriate pedestrian and cycle visibility splays. This land to be dedicated within 3 months of signing of the legal agreement.
- 3 Delivery of a 3m shared use pedestrian and cycle path, including crossing points, on the eastern side of Crow Arch Lane providing a link between the allotments track and the Castleman Trail within 5 years of signing of the legal agreement, unless delivered by others

#### **4. PLANNING HISTORY**

18/11648 - Development of 20 dwellings comprised of semi-detached houses; terraces; 1 block of flats, bin & cycle store; detached garages; public open space, landscaping, internal access arrangement and ancillary infrastructure ( Phase 2/3 Central Plots) - approved May 2020. This approval related to the greater portion of the site to the south of the Castleman Trail, which previously received approval for a total of 22 dwellings under Phase 2 (ref. 17/11309) and 10 dwellings under Phase 2/3 (ref. 17/11358).

17/11358 - Final Phase (2/3); development comprised of a care home (Use Class C2); flexible business units (Use Class B1), 113 dwellings (Use Class C3), public

open space, associated parking; landscaping; internal access arrangements and ancillary infrastructure (Details of appearance landscaping, layout and scale- Development granted by outline permission 13/11450) - approved November 2018.

17/11309 - Phase 2 - development of 113 dwellings comprised 34 detached dwellings; 13 pairs of semi-detached dwellings, 3 drive through car port and flat over, 1 terrace of 5 houses, 5 terraces of 3 houses, 1 terrace of 4 houses, 1 block of 9 flats, 1 block of 7 flats, 2 link detached houses, garages, parking, access, parking, cycle path. (Details of appearance, landscaping, layout and scale - Development granted by outline permission 13/11450) - approved January 2018.

16/11520 - Phase 1: development of 62 dwellings comprised: 15 houses; 9 pairs of semi-detached houses; 3 terrace of 3 houses; 3 terrace of 4 houses; 8 flats; garages; public open space; SANG; ancillary infrastructure; allotment land (Details of appearance, landscaping, layout and scale - Development granted by Outline Permission 13/11450) - approved June 2017.

13/11450 - Mixed development of up to 175 dwellings (Use Class C3); up to 1.5 hectares of small employment (Use Classes B1 & B2); nursing home (Use Class C2); child nursery (Use Class D1); hotel / pub / restaurant (Use Class C1); fitness centre (Use Class D2); retail / professional services / restaurant (Use Class A1/ A2/ A3); open space areas; allotments; accesses on to Crow Lane and Crow Arch Lane; estate roads; footpaths; cycle ways; foul & surface water infrastructure (Outline Application with details only of access) - approved October 2014.

## **5 PLANNING POLICY AND GUIDANCE**

### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy CCC2: Safe and sustainable travel  
Policy ENV3: Design quality and local distinctiveness  
Policy IMPL1: Developer Contributions  
Policy STR7: Strategic Transport Priorities  
Policy SS13: Land at Moortown Lane, Ringwood

### **Local Plan Part 2: Sites and Development Management 2014**

RING1: Land east of Christchurch Road - employment land allocation  
RING6: Transport schemes (Ring 6.4 Cycleway Improvements)  
RING3: Land south of Ringwood, west of Crow Lane and adjacent to Crow Arch Lane

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

SPD - Ringwood Local Distinctiveness  
SPD - Ringwood Town Access Plan

### **Neighbourhood Plan**

Ringwood Neighbourhood Plan  
Policy R9: Creating a Green Infrastructure and Nature Recovery Network and Nature Recovery Policy Map  
Policy R11 Encouraging Active and Healthy Travel and Active Travel Policy Map

## **National Planning Policy Framework 2024**

NPPF Ch.9 - Promoting sustainable transport.  
NPPF Ch.12 - Achieving well-designed places.

## **National Planning Policy Guidance**

### **Plan Policy Designations**

Cycleway Improvement  
New Housing Land Allocations  
Built-up Area

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **Ringwood Town Council**

R (4) Recommend refusal. Members felt that this was a vital pedestrian and cycle link without which people would be discouraged from walking or cycling causing additional vehicular trips. This link between RING1 and RING3 had been specifically endorsed, included in NFDC's Local Plan, part of the original planning conditions for the Crow development (and agreed to by the developer) and reinforced by District Councillors. If there is development at Moortown, this link becomes even more important.

## **7 COUNCILLOR COMMENTS**

**Cllr Jeremy Heron:** Objection:

It would be perverse to remove conditions 20 & 21 as this would go against the Council's green agenda and its commitment to address climate change through the reduction in the emission of gases such as carbon dioxide and nitrogen dioxide. The proposed change would also have a material impact on the date provided for the transport assessment and would require that piece of work to be fully revised, including traffic counts, with the potential for further mitigating works to be undertaken.

Without this pedestrian/cycle route being in place there would be a need to evaluate the alternative routes, for these modes of transport, with the potential addition safety works; these works being particularly directed to non-vehicular access to schools

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**NFDC Landscape:** Comment . We now understand the connection is still being sought but through other means (contribution for expenditure to create a route as part of the HCC development proposal once the site comes forward). Meanwhile a secondary opportunity to allow a highway dedication for better pedestrian access along the northern arm of Crow Arch Lane is proposed.

Whilst the opportunity for this is acknowledged, such a proposal will be a detriment to the green and rural character of Crow Arch Lane both alongside the end plot of the Linden development and along the first part of the east-west arm of Crow Arch Lane in order to facilitate sight lines.

**NFDC Open Spaces:** There is a need to continue to protect and provide this important green infrastructure route (either on its existing footprint or for the applicant to relocate it).

**HCC Highways:** Subject to the mitigation set out above being appropriately secured, the Highway Authority have no objection to the removal of conditions 20 and 21 of permission 13/11450.

**HCC Surface Water** Comment . The conditions do not directly relate to surface water drainage. If drainage is affected, we would anticipate that the details are to be provided through an application to amend the drainage details

**Hampshire Fire & Rescue Service:** Comment Only referring to Building Regulations requirements for access.

## 9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Provision of the link was a fundamental part of making the original development acceptable and achieving sustainable development
- Removal of the condition would undermine the original site allocation and aims of NPPF.
- Reasons for the condition remain valid.
- There are no known issues that would undermine the viability of delivery of the development through securing the footpath connection.
- Safety of pedestrian and children.
- Environmental benefits of the footpath link which would provide an environmentally friendly alternative to car travel.
- Need to deliver green sustainable travel and encourage the use of alternative modes of walking and cycling to local facilities.
- Poor connectivity of the estate without this link with respect to safe walking routes.
- Link would reduce traffic and on local roads and pollution.
- Alternative to the link is a car journey for a short distance
- Promotes healthy lifestyle
- Improved accessibility to supermarket, gym and local businesses and Christchurch Road by using this walking route.
- Access to allotments and parks and other local facilities would be improved by this link due to narrow country lanes in this location.
- Climate crisis and sustainability
- Reference to Vistry Sustainability Drive in 2012 to support the local community
- Developer should not be allowed to make cost savings and get out of this essential requirement
- Failure to hand over POS and SANG due to lack of maintenance.
- Future developments proposed in the area will increase need for this link

For: 0

Against: 27

## 10 PLANNING ASSESSMENT

### Principle for development .

There are clear policy objectives that encourage the provision of sustainable transport linkages. Policy CCC2 of Local Plan Part 1 relates to safe and sustainable travel. This policy contains relevant provisions in parts (i) (ii) and (iv). Part (i) seeks

to prioritise the provision of safe and convenient pedestrian access within developments, by linking to and enabling the provision of more extensive walking network wherever possible and where needed by providing new pedestrian connections to local facilities; Part (ii) seeks to provide or contribute to the provision of dedicated cycle routes and cycle lanes linking to and enabling the provision of more extensive cycle networks and providing safe cycle routes to local schools wherever possible; and, Part (iv) identifies the need to provide or contribute proportionately towards any highway or public transport measures necessary to enable the development to be accommodated in a safe and sustainable manner.

The NPPF Paragraph 110 refers to using opportunities to maximise sustainable transport solutions. Para 115 states that when considering specific applications for development, sustainable transport modes are to be prioritised taking into account the vision of the site, the type of development and its location.

The provision of the continuous pedestrian / cycle link between the western boundary of the RING 3 land and the eastern boundary of the RING1 required by conditions 20 and 21 is therefore supported and encouraged in principle by local and national policy.

### Policy Context

Policy RING3 of Local Plan Part 2 relates to Land south of Ringwood, west of Crow Lane and adjacent to Crow Arch Lane. The policy allocated the site to provide residential development of up to around 150 dwellings, and up to five hectares of employment development and public open space, to include natural green space designed to mitigate the recreational impacts of the development on European nature conservation designations (SANGS). The site has now been developed and is occupied. There is no specific policy requirement to provide the pedestrian /cycle link in Policy RING 3 although there are other references to Hightown Gardens and the Castleman Trail.

Policy RING 1 - relating to land east of Christchurch Road - refers to the provision of an access road to adoptable standards connecting Christchurch Road to land allocated south of Crow Arch Lane Industrial Estate in Policy RING3.

Furthermore, since this date The Ringwood Neighbourhood Plan has been adopted and now forms part of the Development Plan for Ringwood. Policy R11 encourages active and healthy travel and identified the existing sustainable travel network and opportunities for improvement for the purpose of prioritising active and healthy travel. The Active Travel Policy Map show existing network and included the north south link from Moortown Lane to the Castleman Trail The development of proposals within or adjacent to the network will be required where practical to provide opportunities for a more joined up network of walking and cycle routes to the town centre, local schools and community facilities, and sustainable accessibility and mobility framework should be adopted.

The planning policy context has changed since the original outline approval of the RING 3 development in 2014 . The adjoining land to the south at Moortown Lane is now allocated as a strategic development site by Policy SS13 in the Local Plan Part 1. This policy allocates the site for a development for at least 480 new homes, two hectares of employment land, fifteen allotments and land for a primary school. The SS13 site allocation includes, on the concept masterplan, the land where the pedestrian and cycleway link required by these conditions would be provided identified for employment purposes. This land identified for employment uses within the SS13 allocation was also included in the RING 3 allocation is owned by Hampshire County Council.

## Delivery of the east-west link

It is accepted that the delivery of an east-west pedestrian and cycleway link, the subject of these planning conditions, would provide a sustainable and safe route from the approved residential development to the employment and retail facilities on Wellworthy Way and it encourage the use of alternatives modes of travel to private cars.

In order to secure the delivery of the route in compliance with the conditions, discussions have been held with HCC Highways and HCC Estates (as the landowner) regarding delivery of the east-west pedestrian /cycle link required by conditions 20 and 21. However there are issues with the deliverability of the link and a suitable, safe and implementable scheme has not been agreed.

Detailed plans were submitted to the County Council by the applicant to seek to satisfy the conditions in the Summer of 2020 and then again in February and April 2021. However, no agreement could be reached on the extent of the path and the alignment of it with the landowner (HCC Estates). None of the proposals put forward would be able to meet adoptable highway standards or structural engineering requirements and there are also preliminary safety audit concerns where the route meets the public highway. Although a 3 metre wide easement over the HCC land was granted to the applicant, there are concerns about the path prejudicing the future layout of the land that is in HCC ownership that is allocated for employment use under Policy SS13 (as set out above).

The significant barriers to implementation of the east-west link required by the conditions are summarised below.

1. There is a substantial level difference between the HCC's land and Wellworthy Way.
2. Owing to levels and further safety concerns any physical link to Wellworthy Way would need to meet the southern footway as opposed to the prescribed north western corner of HCC's land. This would require increased land take and engineering works to achieve a connection.
3. Visibility from the eastern end of the proposed east-west link is substandard and unsafe for cycles . It would require a relocation of the junction further to the south to resolve these safety concerns.
4. Wellworthy Way is not adopted highway. The onward route between the site of the proposed link and Wellworthy Way is not public highway and not within the applicants, nor HCC's control, therefore access for public users of the route is not permitted by either the multiple owners of Wellworthy Way, nor the owner of the intervening narrow access strip of land between that private estate road and the HCC's land.

Barriers 1-3 could potentially be addressed by a rerouting, a properly considered design and sufficient funds being allocated for construction. However, barrier number 4 cannot be addressed without multiple third party landowners giving their consent and securing rights over their land. Due to these issues the implementation of a safe and adoptable physical link along the route proposed by the conditions cannot , on reflection, be delivered. An alternative route which may be physically possible would cost more and require disproportionately more of HCC's land, however it would still result in a dead-end route unless multiple private landowners will permit onward public access rights.

Whilst the east west link remains the preferred option, it is acknowledged that there are considerable barriers to its delivery as set out above. Whilst these issues may be able to be resolved in the future to enable the link to be provided there is considerable uncertainty and the costs and timescales involved are very unclear. These factors are therefore considered to make this link undeliverable within any reasonable timescale and as such a reasonable solution to meet the requirements of the original planning conditions is unlikely to be achieved. It is on this basis that the applicant is seeking relief from the conditions by this application.

### Proposed Alternative Mitigation

In order to seek a resolution to the east-west footpath link, rather than just seek the removal of the conditions in isolation, the applicant has instead offered a financial contribution of £57,000 in lieu of these conditions. The applicant has advised that this contribution figure is based on the cost of providing a cycle and pedestrian link that would join onto the future access route from the HCC development that would then continue onto Wellworthy Way.

In light of the above identified delivery issues consideration has been given as to how the proposed financial contribution could be used that is reasonably related to the development and which would provide or improve desired sustainable linkages. Whilst the preference remains to deliver the east-west link, given the challenges involved in overcoming the issues, an alternative would be for the proposed contribution to be used to provide other sustainable travel provisions or improvements in the vicinity of the site to improve links from the site to the town centre. This is considered to be a reasonable approach given the factors outlined above.

Even if a contribution is accepted to allow the east-west route to be provided by another party in the future it would still not be deliverable unless sufficient land is dedicated to HCC Highways to allow for its construction.

It is noted that a pedestrian access connecting to the south of the Castleman Trail to Crow Arch Lane at the Yarrow Lane access was secured by planning conditions and a legal agreement for the development for the Central plots on Yarrow Lane (18/11648). This link has been implemented.

Of direct relevance to this assessment is the current planning status of the Moortown Lane planning application for SS13. In November 2024 it was resolved to grant planning permission by the Planning Committee for the hybrid planning application comprising a total of 443 dwellings on the Moortown Lane site (Ref 21/11723) subject to a legal agreement. The hybrid nature of this application essentially means that part of the SS13 application was made in outline (all matters reserved except access) for residential development of up to 293 dwellings, public open space, ANRG, SuDS, Landscaping, other supporting Infrastructure associated with the development; The other part of the application was made in "Full" and sought permission for 150 dwellings with means of access from Moortown Lane, associated parking, ANRG, open space, landscaping, and SuDS, other supporting Infrastructure associated with the development.

Once the planning permission has been granted, this development is likely to take place on a phased basis and a further reserved matters applications would be required for Phase 2 (the outline part).

The illustrative masterplan for the SS13 application shows an indicative link to the employment land to the northern part of the allocation which is outside of the current SS13 application site. This indicative link could ultimately secure a connection to

Wellworthy Way. However, the final position of the access from the Moortown Lane residential scheme and the alignment of the future link has not been finalised as it is outside of the current application site for SS13 on land that the applicant doesn't own (the above identified HCC land) and furthermore the location is indicative at this stage given that any link needs to ensure that it does not potentially prejudice the delivery of the wider employment allocation.

There are a number of pedestrian and cycle connections to provide suitable active travel facilities to serve the proposed site and encourage travel by sustainable modes are proposed to be delivered in association with this planning permission and these are currently being secured through the legal agreement

However, apart from obligations and conditions directly linked to the full planning permission element for Phase 1, there are uncertain timescales for the delivery of these pedestrian and cycle connections and for the most part the off site pedestrian and cycleways proposed as part of this scheme would be longer, less direct and less convenient routes to residents of the RING 3 development

A pedestrian and cycleway link to be secure for the Moortown Lane scheme include a pedestrian /cycleway link running north from Moortown Lane along Crow Arch lane from the allotment access to Yarrow Lane. This would then link to the existing pedestrian access on Yarrow Lane and onwards to the Castleman Trail. However, due to highway land availability issues the route that was accepted was sub-standard as it would narrow to 1.5m and so would not accommodate both pedestrians and cycles. In addition, the footway would be partly on the western side and then need to cross over onto the eastern side of Crow Arch Lane. As such, although accepted in order to deliver a network of routes to encourage sustainable modes of travel, this was not ideal.

If suitable land could be dedicated to the highway authority this improvement to Crow Arch Lane between the allotment access and Yarrow Lane can be amended to be a 3m shared pedestrian and cycle use path that could be delivered entirely on the eastern side of Crow Arch Lane. This would facilitate an improved route in terms of its width and functionality. Not only would this be a better route, it is also likely to be cheaper to deliver than the substandard scheme, as it involves less kerb realignment and carriage way works.

The land required to achieve this improved 3m shared route is owned by the current applicant. This current application therefore, also, provides an opportunity for the necessary land to be dedicated as highway land which would allow the implementation of an improved continuous 3m footway/ cycleway from the allotment access to Yarrow Lane with the required visibility spays. There would be an impact on the existing green and rural character of Crow Arch Lane at this point due to the loss of the green verge planting and its replacement with a tarmac path. However, this landscape impact needs to be balanced against the clear benefits of the provision of a direct connection to the existing link to the Castleman Trail which is identified on the Active Travel Policy Map in the Ringwood Neighbourhood Plan. On balance this landscape impact is considered to be acceptable given the overriding need to provide sustainable links particularly given other major residential developments proposed in the locality.

This improvement is directly related to the current application site providing significantly improved connectivity in a north south direction to the Castleman Trail. It would benefit residents of the existing RING 3 development, as well as future development to the south, particularly as Crow Arch Lane is narrow with no footways at this point.

This land and provision of the path would also be required to provide a future direct continuous link from the existing dwellings on Yarrow Lane and the wider housing development onwards through to Wellworthy Way in an east west direction.

It has been negotiated with the applicant that in addition to the above contribution, that this land on the eastern boundary of Crow Arch Lane will be dedicated by the current applicant to HCC as public highway. This land dedication would be made without undue delay and within 3 months of the completion of the legal agreement.

Once the land has been dedicated the provision of this link would still be secured through the S106 and S278 agreements associated with the Moortown Lane development of SS13. It is anticipated that the provision of this 3m wide path would be forthcoming in the relatively near future as it is linked to occupation of Phase 1 of the Moortown Lane development. However, to safeguard its provision in the unlikely event that this timescale is unreasonably delayed a fall back position has been agreed with the current applicant which would ensure that this path would be constructed for the public benefit. This would obligate the applicant to provide this 3m wide link if it is not constructed in full within 5 years of the agreement being completed. This has been agreed and would be included in the S106.

On the balance of the issues, it is concluded that these measures offer appropriate alternative mitigation that would improve pedestrian and cycle way links from the site and on this basis officers are satisfied that the relief of condition 20 and 21 of the original planning permission would be justified and would be in accordance with Policy CCC2 and Policy R11 of the Ringwood Neighbourhood Plan.

#### Developer Contributions

As part of the development, the following will be secured via a S106 agreement or Deed of Variation to the principle S106 agreement dated 31st July 2014 (as varied by Deed of Variation agreement dated 12th February 2018) to secure

- a. A financial contribution of £57,000 to be used for the provision of an east - west link from the site or for other sustainable transport measures to provide and/or improve connectivity between the site and Ringwood Town Centre.
- b. Dedication of land to HCC Highways that is required for the implementation of a north-south 3 m shared pedestrian and cycleway link along the eastern boundary of Crow Arch Lane from the allotments access to Yarrow Lane (to be identified on an approved plan) within 3 months of the completion of the legal agreement
- c. Construction to HCC approval of the north-south 3 m shared pedestrian and cycleway link identified on an approved plan if not implemented in full by others within 5 years of the completion of the legal agreement.

## **11 OTHER MATTERS**

Ringwood Town Council, Councillor Heron and a number of third parties have raised objections to the relief of these conditions and consider that relief of these conditions would be contrary to the Councils green agenda and commitment to address climate change. Whilst the concerns expressed about the loss of this link and the importance of providing improved sustainable and safe pedestrian links are supported, the mitigation measures put forward as part of the current application would provide for alternative provision to be made that would still meet these objectives. These are considered to be acceptable given the issues with the delivery of the east-west link.

## 12 CONCLUSION / PLANNING BALANCE

It has been agreed that a financial contribution would be made for the provision of the east west link or to be used for other suitable alternative sustainable links in the vicinity of the site. In addition to this contribution, the dedication of land to the Highway Authority on the eastern side of Crow Arch Lane would facilitate the provision of a shared 3m pedestrian /cyclway which would provide a new direct and continuous north-south link to the Castleman Trail which would be safe and improve connectivity. Furthermore, whilst the construction of the 3 m link would be undertaken by another developer (prior to the occupation of Phase 1 as required by their legal agreement), the fall back position agreed with the current applicant would provide a guarantee that this link would be delivered if implementation was delayed beyond 5 years.

These two elements considered together would be sufficiently beneficial to offset the requirement to comply with conditions 20 and 21 of planning approval 13/11450 and would deliver similar objectives.

On the balance of the issues, it is considered that these measures offer appropriate alternative mitigation that would improve pedestrian and cycle way links from the site and on this basis officers are satisfied that the relief of these conditions would be justified and the proposals would comply with Policy CCC2 of Local Plan Part 1.

The application is therefore recommended for approval subject to re-application of the relevant conditions of the original planning approval 13/11450 and the prior completion of a legal agreement to secure the agreed mitigation.

## 13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion a planning obligation entered into by way of a Section 106 Agreement or Deed of Variation to the principle S106 agreement dated 31st July 2014 as varied by Deed of Variation dated 12th February 2018 to secure :
  - 1) A financial contribution of £57,000 to be used for the provision of an east - west link from the site or for other sustainable transport measures to provide and/or improve connectivity between the site and Ringwood Town Centre.
  - 2) Dedication of land to HCC Highways along the eastern boundary of Crow Arch Lane from the allotments access to Yarrow Lane that is required for the implementation of a north-south 3 m shared pedestrian and cyclway link (to be identified on an approved plan) within 3 months of the completion of the legal agreement.
  - 3) Construction to HCC approval of the north-south 3 m shared pedestrian and cycle way identified on an approved plan if not implemented in full by others within 5 years of the completion of the legal agreement
- ii) the imposition of the conditions set out below.

## Proposed Conditions:

1. The future maintenance of the drainage system shall be maintained in accordance with the details approved by condition 6 of outline planning consent 13/11450.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy CCC2 of the Local Plan Part 1 for the New Forest District outside the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local development Frameworks.

2. The approved vehicular access route to the allotments tied into the S278 for the link through to the Castleman Trail and subject of condition 15 of outline consent 13/11450 shall be permanently retained and maintained.

Reason: In the interest of highway safety and in accordance with Policy CCC2 and ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

3. The approved South Eastern Footway Link between the Crow Arch Lane S278 works and the North Plot's Southern Access subject of condition 16 of outline consent 17/11450 and the associated S278 agreement must remain available for use at all times.

Reason: In the interest of highway safety and in accordance with Policy CCC2 and ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

4. The improved section of Castleman Trail that falls within the applicants ownership must remain available for use at all times in accordance with condition 19 of outline planning consent 13/11450.

Reason: In the interest of highway safety and in accordance with Policy CCC2 and ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

5. The pedestrian / cycle connection between the Central plot and the Northern Plot's Southern access must remain available for use at all times in accordance with condition 23 of outline planning consent 13/11450

Reason: In the interest of highway safety and in accordance with Policy CCC2 and ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

6. The approved scheme to control light spillage shall be permanently maintained in accordance with the details approved by condition 25 of outline planning consent 13/11450.

Reason: To safeguard the visual amenities of the area in accordance with Policy ENV3 of the Local Plan Part 1 or the New Forest District outside the National Park.

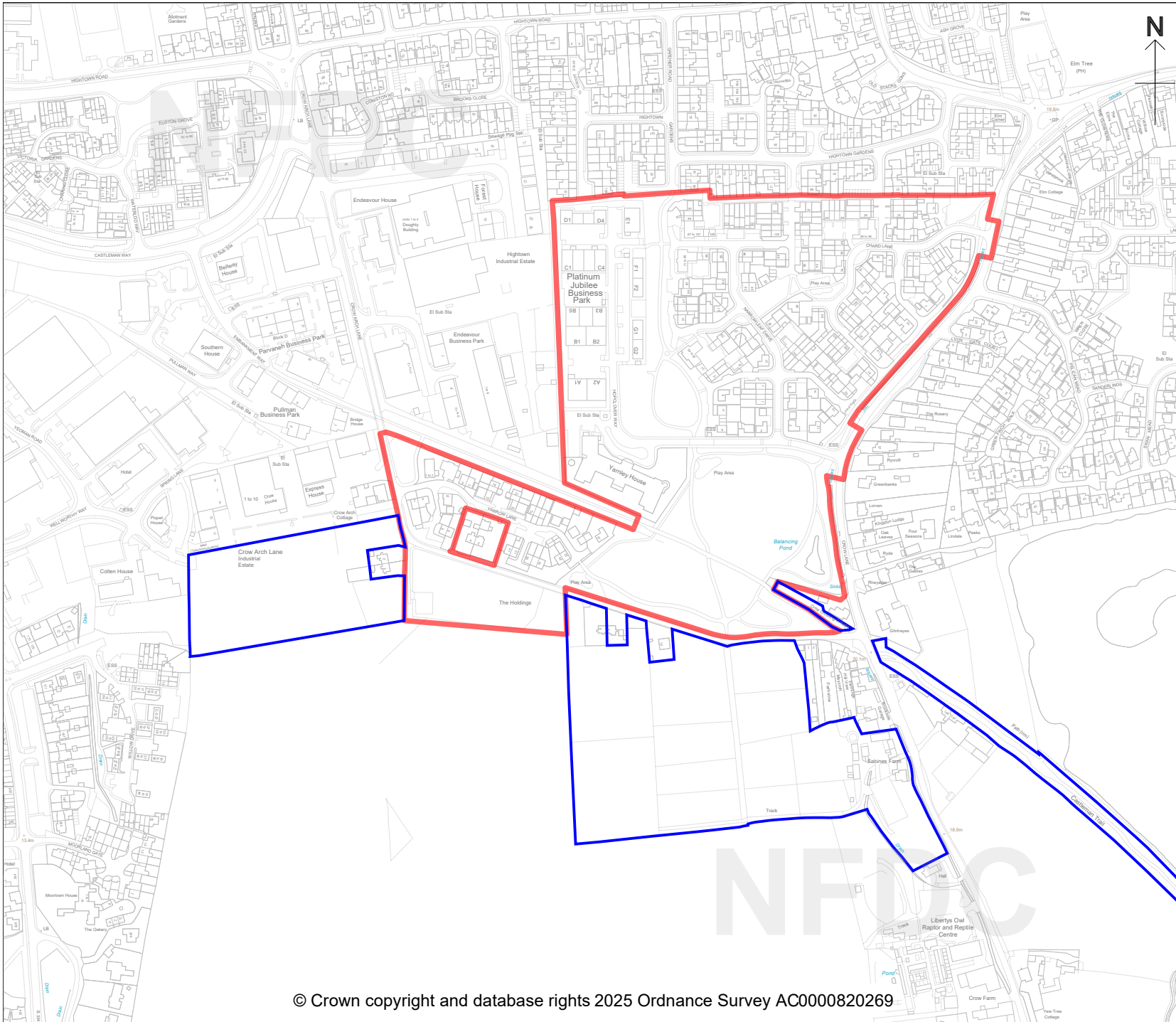
7. The approved scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve each new dwelling shall be retained for that purpose.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

**Further Information:**

Judith Garrity

Telephone: 023 8028 5434



# New Forest

DISTRICT COUNCIL

[www.newforest.gov.uk](http://www.newforest.gov.uk)

Mark Wyatt  
 Service Manager  
 Development Management  
 New Forest District Council  
 Appletree Court  
 Lyndhurst  
 SO43 7PA

## PLANNING COMMITTEE

June 2025

Land at Crow Arch Lane & Crow Lane  
 Crow, Ringwood

24/10015

Scale 1:5000

N.B. If printing this plan from  
 the internet, it will not be to  
 scale.