

Draft Conditions V2 - Inspector Comments V2

Appeal Ref: 6004972

Land to North of Little Green Lane, Croxley Green, WD3 3SP

General

1. Details of the layout, scale, appearance, and landscaping (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
3. The development hereby permitted shall commence before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved.
4. Before the submission of or with the first reserved matters application, a Phasing Plan shall be submitted to and approved in writing by the local planning authority. The Phasing Plan shall set out the details of the proposed sequence of development, including the timing and phasing of any pre-commencement investigations and surveys. Development shall be implemented in accordance with the approved Phasing Plan.
5. The accesses hereby permitted shall be carried out in accordance with the following approved plans: T24544.001 Rev E, T24544.002 Rev D, T24544.003 Rev F, T24544.004 Rev B, T24544.005 Rev C.
6. The reserved matters application(s) pursuant to this permission shall be made in accordance with the approved plans and supporting documents as listed below:
 - Land Use Parameter Plan (P24-1200_DE_0014_S1_Rev F)
 - Indicative Building Heights (P24-1200_DE_0016_S1_Rev B)
 - Indicative Street Hierarchy (P24-1200_DE_0023_S1)
 - Indicative Placemaking (P24-1200_DE_0024_S1)
7. The reserved matters application(s) pursuant to this permission shall be made in general accordance with the Design Code (Design and Access Statement and Design Code (Part 2), Revision C, October 2025).
8. Before or with the submission of each reserved matters application, full details (in the form of scaled plans and written specifications) in respect of the following physical works insofar as relevant to the phase or reserved matter(s) to which the application relates shall be submitted to and approved in writing by the local planning authority:
 - i. internal roads and footways;
 - ii. internal cycleways;
 - iii. foul and surface water drainage;
 - iv. visibility splays;

v. access including sight-lines layout;

vi. parking provision in accordance with the local planning authority's adopted standards;

vii. loading areas;

viii. turning areas.

Before the first use of any part of the development hereby permitted, the works pursuant to this condition shall be carried out in accordance with the approved Phasing Plan approved under Condition 4.

9. No development shall commence until full details of the proposed arrangements for the management and maintenance of streets within the development have been submitted to and approved in writing by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.
10. No development in phase shall commence until details have been submitted to and approved in writing by the local planning authority to demonstrate how Active Design principles have been met.

Construction

11. No development shall commence until a Construction Management Plan (CMP) (has been submitted to and approved in writing by the local planning authority. The CMP shall include details of
 - a. Construction vehicle numbers, type, routing;
 - b. Access arrangements to the site;
 - c. Traffic management requirements;
 - d. Construction and storage compounds (including areas designated for parking, loading / unloading and turning areas);
 - e. Siting and details of wheel washing facilities;
 - f. Cleaning of site entrances, site tracks and the adjacent public highway;
 - g. Timing of construction activities (including delivery times and removal of waste) to avoid school pick up/drop off times;
 - h. Provision of sufficient on-site parking prior to commencement of construction activities;
 - i. Post construction restoration/reinstatement of the working areas and temporary access to the public highway;
 - j. where works cannot be contained wholly within the site, a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes and remaining road width for vehicle movements.

Development shall be carried out in accordance with the approved details.

12. Prior to the commencement of the development hereby permitted, a Dust Management Plan shall be submitted to and approved in writing by the local planning authority. The Dust Management Plan shall include best practicable means to be incorporated to minimise dust caused by the permitted operations, to prevent the emission of dust from the site and should incorporate the mitigation measures presented in Section 5.14 of the Air Quality Assessment (BWB, December 2024, 233574-01-AQA). Development shall be carried out in accordance with the approved plan.

13. No development shall take place (including groundwork, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- Risk assessment of potentially damaging construction activities.
- Buffer zones to be implemented to protect onsite and adjacent habitats.
- All mitigation recommended in the ecology report (RammSanderson, December 2024) for local wildlife sites and habitats (Section 4 to 4.6 in the report).
- Identification of “biodiversity protection zones”.
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.

Responsible people and lines of communication.

- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The CEMP shall also include the mitigation in the ecology report for the protected species listed below:

- Reptiles (s4.7 of the report).
- Bats (s4.8 of the report).
- Nesting birds (subsequent to mitigation informed by the red kite breeding surveys).
- Badgers (s4.11; iv precautionary work measures).

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

14. No development shall take place until a Site Waste Management Plan (SWMP) has been submitted to and approved in writing by the local planning authority. The SWMP should aim to reduce the amount of waste produced on site and should contain information including estimated types and quantities of waste to arise from construction and waste management actions for each waste type. Development shall be carried out in accordance with the approved SWMP.

15. No development, including site clearance, vegetation clearance, soil stripping, ground works, changes in levels, excavation, the installation of drainage or services, the formation of construction access, compounds or haul routes, or the storage of materials, shall commence until a Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) have been submitted to and approved in writing by the local planning authority.

The TPP shall be dimensioned and shall show the position of all protective fencing, ground protection and construction exclusion zones. It shall include protection for trees, groups of trees, hedgerows and woodland to be retained within and adjacent to the site, including boundary trees and the retained trees around Green Lane Wood. For external trees, the protective fencing shall be set inboard of the relevant root protection areas where necessary to ensure that the root protection areas are excluded from construction activity.

The AMS shall set out the measures required to protect retained trees during the construction period, including details of fencing specification, timing of installation, supervision, any works within or close to root protection areas, and restrictions on storage, access, level changes, excavation, drainage and service installation.

The approved tree protection measures shall be installed in full before the commencement of any development other than the installation of those tree protection measures.

The approved tree protection measures shall thereafter be retained in the approved position and maintained for the duration of construction works. No work, storage of materials, machinery, plant, equipment, spoil, chemicals or temporary buildings shall take place within the approved construction exclusion zones.

Highways

16. No development shall commence until general arrangement plan(s) to a scale of 1:200 showing details of the walking/cycling infrastructure including works to the adopted highway have been submitted to and approved in writing by the local planning authority. The submitted details shall accord with guidance contained in LTN 1/20 on Cycle Infrastructure Design and Manual for Streets and where applicable indicate proposals for:

- Existing levels of the finished highway tying into building threshold levels;
- Alterations to existing restrictions to enable the works;
- Signing, street furniture, street trees and pits;
- Structures on or adjacent to the highway;
- Extent of any stopping up, diversion or dedication of new highway (including all public rights of way shown on the definitive map and statement).

The development or any development phase, whichever is the sooner, shall not be occupied until the walking and cycling infrastructure for the development or phase of development has been constructed and completed in accordance with the approved details.

17. Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a scheme for the offsite highway improvement works as shown by the series of traffic calming measures as identified in Appendix B of the Transport Assessment Addendum Report dated 10/12/2025 including any measures required to deliver a 20mph speed limit and a timetable for the implementation of the works have been submitted to and approved in writing by the local planning authority. The offsite highway improvement works shall be completed in accordance with the approved timetable and details.
18. Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the access and off-site highway improvement works as indicated by Drg No 001 Rev E and Drg No 002 Rev D, Drg 004 Rev B have been submitted to and approved in writing by the local planning authority. Before the first occupation of the development hereby permitted the New Accesses shall be completed in accordance with the approved details and made available for use thereafter.
19. At least 3 months prior to the first occupation or use of each phase of the development hereby permitted, a detailed Travel Plan for the relevant phase, based upon the Hertfordshire Council document 'Hertfordshire's Travel Plan Guidance', shall be submitted and approved in writing by the Local planning authority. The approved Travel Plan shall thereafter be implemented in accordance with the approved details.

Highways Condition Survey

20. No development shall take place and no construction traffic shall enter the site until a Highways Method Statement setting out the details for pre-development and post-construction highway dilapidation surveys, including the roads to be used to access the proposed development has been submitted to and approved in writing by the local planning authority.
21. No development for each phase shall take place, and no construction traffic shall enter the site until a pre- development highway dilapidation survey undertaken in accordance with the approved Highways Method Statement has been submitted to and approved in writing by the local planning authority.
22. Within 2 months of occupation of the final dwelling of any phase of development on the site (as set out within the Phasing Strategy to be agreed as part of condition 4), a post-construction highway dilapidation survey shall be undertaken in accordance with the approved Highways Method Statement, and a scheme of mitigation works including a timetable for their implementation shall be submitted to and approved in writing by the local planning authority. The scheme of mitigation works shall be carried out in accordance with the approved timetable for implementation."

Contamination

23. Before the commencement of the development hereby permitted, the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- i) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
 - ii) A site investigation scheme, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - iii) The site investigation results and the detailed risk assessment and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - iv) A verification plan providing details of the data that will be collected to demonstrate that the works set out in (iii) are complete and identifying any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The scheme shall be implemented as approved.
24. Following completion of measures identified in the approved remediation scheme (Condition 23) and prior to the first use or occupation of each phase to which the approved remediation measures relate, a verification report that demonstrates the effectiveness of the remediation carried out must be produced together with any necessary monitoring and maintenance programme and copies of any waste transfer notes relating to exported and imported soils shall be submitted to the local planning authority for approval. Development shall be carried out in accordance with the approved monitoring and maintenance programme.
25. If contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition 23, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition 23, to be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted to and approved in writing by the local planning authority in accordance with Condition 23.

Drainage

26. No development shall take place until a Construction Phase Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

27. Before or in conjunction with the submission of each reserved matters application, and in accordance with the submitted FRA (Flood Risk Assessment, prepared by BWB, 17 December 2024, REF 233574-BWB-ZZ-XX-T-W-0002_FRA REV P04) and Drainage Strategy (Sustainable Drainage Statement, prepared by BWB, 11 December 2024, REF 233574-BWB-ZZ-XX-T-W-0001_SDS REV P01), detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the local planning authority. The approved scheme will be implemented prior to the first occupation of the development. The scheme shall address the following matters:
- i. Detailed infiltration testing in accordance with BRE Digest 365 (or equivalent) along the length and proposed depth of the proposed infiltration feature/s.
- or
- i. If infiltration is proven to be unfavourable, then Greenfield runoff rates for the site shall be agreed with the Lead Local Flood Authority. The post development runoff rates will be attenuated to the equivalent Greenfield rate for all rainfall events up to and including the 1% Annual Exceedance Probability (AEP). The discharge location for surface water runoff will be confirmed to connect with the wider watercourse network.
 - ii. Provision of surface water attenuation storage, sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 3.33% AEP (in 30 year) and 1% AEP (1 in 100) rainfall events (both including allowances for climate change).
 - iii. Detailed designs, modelling calculations and plans of the drainage conveyance network in the:
 - 3.33% AEP (1 in 30 year) critical rainfall event plus climate change to show no flooding outside the drainage features on any part of the site.
 - 1% AEP (1 in 100 year) critical rainfall plus climate change event to show, if any, the depth, volume and storage location of any flooding outside the drainage features, ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. It will also show that no runoff during this event will leave the site uncontrolled.
 - iv. The design of the infiltration basin will incorporate an emergency spillway, and any drainage structures include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events more than 1% AEP (1 in 100) rainfall event plus climate change allowance.
 - v. Details of how all surface water management features to be designed in accordance with The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.
 - vi. A maintenance and management plan detailing the activities required and details of who will adopt and maintain all the surface water drainage features for the lifetime of the development.
28. Before or in conjunction with the submission of each Reserved Matters application, a detailed Site SuDS Phase plan which aligns with the site phasing plan shall be submitted to and approved in writing by the local planning authority. This SuDS Phasing plan shall ensure that each phase does not exceed the agreed discharge rates for that phase and that source control measures are installed within each phase to adequately address surface water runoff. The plan shall ensure that each SuDS component is

adequately protected throughout the development of the scheme. The plan shall show all exceedance routes throughout the site clearance and construction of the scheme ensuring flood risk is not increased elsewhere or to the site itself and that the site remains safe for all exceedance event flow routes for the lifetime of the development during rainfall (i.e. greater than design events or during blockage) and how property on and off site will be protected.

29. Before the first use of each phase of the development, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme), shall be submitted to and approved in writing by the local planning authority. The verification report shall include a full set of “as built” drawings plus photographs of excavations (including soil profiles/horizons), any installation of any surface water drainage structures and control mechanisms.

30. The development shall not be occupied until written confirmation has been provided to the local planning authority that either:-

1. All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
2. A development and infrastructure phasing plan has been agreed with the local planning authority to allow the development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

31. No development shall be occupied until written confirmation has been provided to the local planning authority that either:-

1. Thames Water has confirmed in writing that no sewage treatment works upgrades are required, or;
2. All sewage works upgrades required to accommodate the additional flows from the development have been completed; or
3. A development and infrastructure phasing plan has been agreed with the local planning authority to allow the development to be occupied.

Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Archaeology

32. (A) No development shall take commence until an Archaeological Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of archaeological significance and research questions; and:

1. The programme and methodology of site investigation and recording;
2. The programme and methodology of site investigation and recording as required by the evaluation;
3. The programme for post investigation assessment;

4. Provision to be made for analysis of the site investigation and recording;
5. Provision to be made for publication and dissemination of the analysis and records of the site investigation;
6. Provision to be made for archive deposition of the analysis and records of the site investigation;
7. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

(B) The development shall take place in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)

(C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis and publication where appropriate.

Biodiversity Net Gain

33. Before development commences, a Biodiversity Enhancement Plan shall be submitted to and approved in writing by the local planning authority. The Biodiversity Enhancement Plan shall include the following:

- Installation of integrated swift bricks and bat boxes within suitable dwellings, at a number, specification and distribution to be approved through the Biodiversity Enhancement Plan
- Bat and bird boxes on retained trees.
- Hedgehog highways – one hedgehog hole per garden fence.

The enhancements shall thereafter be implemented in accordance with the approved details prior to Development shall be carried out in accordance with the approved Plan before first occupation of the development.

34. No development shall commence unless the following has been met in respect of the overall development:

(a) either:

- (i) a Biodiversity Gain Plan for the overall development has been submitted to the local planning authority which demonstrates a net gain of 34% in habitats (28.30 units) and 42% in hedgerows (4.36 units); and
- (ii) the local planning authority has approved that plan;

(b) or:

- (i) permission has been granted on an application to vary this permission made under section 73 of the Town and Country Planning Act 1990 (as amended); and
- (ii) an earlier Biodiversity Gain Plan for that phase is regarded as approved under section 73(2C) and (2D) for the purpose of the permission granted under section 73 of the Town and Country Planning Act 1990 (as amended).

35. No phase of development shall be commenced unless the following has been met in respect of that phase, which demonstrates compliance with the overall Biodiversity Gain Plan (Condition 34):

(a) either:

- (i) a biodiversity gain plan for that phase has been submitted to the planning authority; and
- (ii) the planning authority has approved that plan;

(b) or:

- (i) permission has been granted on an application made under section 73 of the Town and Country Planning Act 1990 (as amended); and
- (ii) an earlier biodiversity gain plan for that phase is regarded as approved under section 73(2C) and (2D) for the purpose of the permission granted under section 73 of the Town and Country Planning Act 1990 (as amended).

36. A Biodiversity Gain Plan for a phase is a plan which:

(a) relates to the development for which planning permission is granted;

(b) specifies the following matters:

- (i) the post-development biodiversity value of the onsite habitat for the phase of the development to which the biodiversity gain plan relates;
- (ii) the post-development biodiversity value of the onsite habitat for each other phase of development (whether begun or otherwise);
- (iii) any registered offsite biodiversity gain allocated to the development before the date of submission of the biodiversity gain plan and the biodiversity value of that gain in relation to the development;
- (iv) any registered offsite biodiversity gain which is proposed to be allocated to the development and the biodiversity value of that gain in relation to the development;
- (v) any biodiversity credits purchased for the development before the date of submission of the biodiversity gain plan; and
- (vi) any biodiversity credits proposed to be purchased for the development.

37. No phase of the development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain Plan has been submitted to, and approved in writing by, the local planning authority and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

38. Before the occupation of the last dwelling or use of a building hereby approved within the relevant phase of development, the following shall take place: (a) the habitat creation and enhancement works set out in the approved HMMP have been completed; and (b) a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall thereafter be managed and maintained in accordance with the approved HMMP.

39. Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

40. Notice in writing shall be given to the local planning authority when the agreed Habitat Management and Monitoring Plan (HMMP) as secured by Conditions 35 and 36, has been implemented.

41. The created and/or enhanced habitat specified in the approved HMMP (as secured by Conditions 35 and 36), shall be managed and maintained in accordance with the approved HMMP for 30 years from the date of first operation of the development.

Ecology

42. Before the commencement of the development, a Badger Survey, the details of which shall first be submitted to and approved in writing by the local planning authority, shall be carried out. This survey shall determine whether the current outlier setts are still active and thus require closure, or if any additional setts have been excavated. The results of the survey shall be submitted to the local planning authority for approval and shall include any mitigation and/or compensation measures required. Development shall be carried out in accordance with the approved details.

43. Before the commencement of a phase or sub-phase of development hereby permitted, including vegetation clearance, a nesting bird survey for Red Kites shall be carried out by a suitably qualified and experienced ecologist, in respect of that phase or sub-phase. A written report shall be produced by the ecologist and submitted to the local planning authority stating whether or not it is likely that Red Kites would be adversely affected by the development proposals hereby permitted. If the report indicates that Red Kites would be adversely affected, details of mitigation measures including a timetable for implementation shall be submitted to and approved in writing by the local planning authority before the commencement of any development of that phase or sub-phase. The mitigation measures shall be implemented as approved.

44. Before the first occupation of each phase, a lighting design strategy for bats shall be submitted to and approved in writing by the local planning authority. The design strategy should accurately identify the features/areas of interest, describe levels of illumination prior to, during, and post development, and should be shown in suitable contour plans and charts so that it can be clearly demonstrated that the lit areas will not compromise existing use and protected species. Proposed lighting should accord with best practice (Bats and artificial lighting in the UK, (BCT & ILP) and be maintained accordingly.

Landscape

45. Prior to the commencement of development, a Management Plan for the Country Park and Ancient Woodland on site, shall be submitted to and approved in writing by the local planning authority. The Management Plan shall outline mitigation measures, monitoring methodology and a timetable and details of the bodies responsibilities for its implementation and any remedial action required. The Management Plan shall include:
- Minimum 30m buffer zone around the Ancient Woodland;
 - Ancient Woodland Recreation Management Plan;
 - Planting plan;
 - Lighting plan;
 - Details of Information Packs for residents on sensitive use of local habitats/protected sites.
 - Details of access-exclusion fencing around Green Lane Wood, exterior barrier planting and associated maintenance arrangements.
- The Country Park and Ancient Woodland on-site shall thereafter be managed in accordance with the approved Management Plan.
46. Details of the design of the NewGen Active track (details of how a 2.5km circular route will be delivered to demonstrate how Active Design principles have been met), and timetable for the implementation of the facility shall be submitted to the local planning authority for approval with or before the submission of any reserved matters application(s). No development shall commence until the scheme and timetable have been approved in writing by the local planning authority, and the facility shall then be delivered in accordance with the approved scheme and timeline and thereafter retained.