

# **Land south of Chiswell Green Lane, Chiswell Green, St Albans**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**SECTION 78 APPEAL**

## **Draft Conditions**

**Between St Albans City & District Council &  
Alban Developments Limited and Alban Peter Pearson, CALA  
Homes (Chiltern) Ltd and Redington Capital Ltd**

**May 2023**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) – SECTION 78  
APPEAL

TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES  
2000

APPEAL AGAINST THE REFUSAL OF PLANNING APPLICATION BY ST ALBANS CITY  
AND DISTRICT COUNCIL - PLANNING APPLICATION REFERENCE: 5/2022/0927

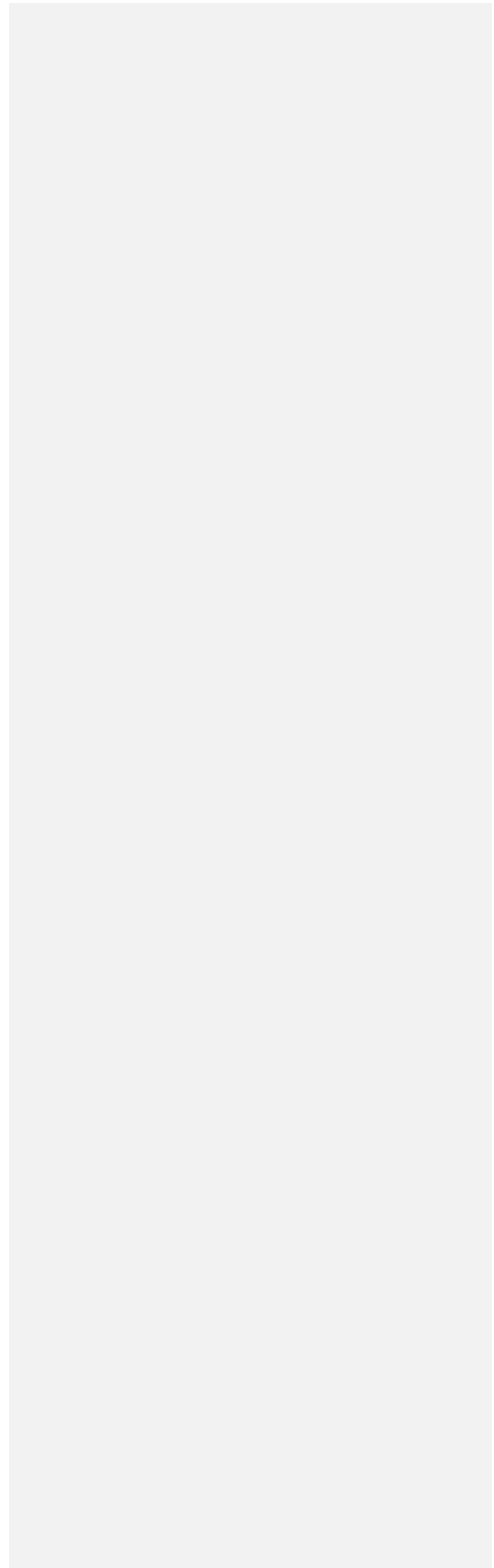
LAND SOUTH OF CHISWELL GREEN LAND, CHISWELL GREEN, ST ALBANS

**DRAFT CONDITIONS**

<b>Project Ref:</b>	23536/A5/JK
<b>Status:</b>	Draft
<b>Issue/Rev:</b>	V1
<b>Date:</b>	May 2023
<b>Prepared by:</b>	Justin Kenworthy (BWnS)
<b>Checked by:</b>	James Delafield (CJ) &
<b>Authorised by:</b>	Stephen Connell on behalf of SACDC

**CONTENTS**

**1.0 INTRODUCTION ..... 4**  
**1.0 DRAFT CONDITIONS ..... 5**



## **1.0 INTRODUCTION**

- 1.1 This document lists the conditions agreed between St Albans City and District Council ("the Council") and Alban Developments Limited and Alban Peter Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd ("the Appellants").
- 1.2 It supersedes the draft conditions included in Appendix 1 of the Overarching Statement of Common Ground (SOCG).
- 1.3 The draft conditions relates to an appeal is lodged by the Appellants under Section 78 of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act") against the Council's refusal of outline planning application reference 5/2022/0927.

Signatures:

**On behalf of St Albans City and District Council**

Signed:

Date: 25<sup>th</sup> May 2023

**On behalf of Alban Developments Limited and Alban Peter Pearson, CALA Homes (Chiltern) Ltd and Redington Capital Ltd**

Signed:

Date: 25<sup>th</sup> May 2023

## 1.0 DRAFT CONDITIONS

### List of conditions

#### Land South of Chiswell Green Lane, Chiswell Green, St Albans (APP/B1930/W/22/3313110)

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called, the reserved matters) for each phase of the development as defined by [the Phasing Plan agreed as part of condition 187](#), shall be submitted to and approved in writing by the Local Planning Authority before any development in that phase, begins and the development shall be carried out as approved.

REASON: Matters not particularised in the application are reserved for subsequent approval by the local planning authority. To comply with Section 92(1) of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the requirements of Section 92 (2) of the Town and Country Planning Act 1990

4. The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan (REDC01-MCB-ZZ-ZZ-DR-A-0201-D5-P7), Access and Movement Parameter Plan (REDC01-MCB-ZZ-ZZ-DR-A-0221-D5-P3), Building Height Parameter Plan (REDC01-MCB-ZZ-ZZ-DR-A-0222-D5-P6), Land Use Parameter Plan (REDC01-MCB-ZZ-ZZ-DR-A-0223-D5-P5), Proposed Northern Access Junctions (8210856-1001 Rev [4919](#)), Proposed Southern Access Junction (8210856\_1002 Rev [4616](#)), Proposed Forge End & Long Fallow Pedestrian / Cycle Accesses (8210856\_1021 Rev [4515](#)),

REASON: To ensure that the development is carried out in accordance with the approved plans and details.

5. Full details of both soft and hard landscape works for each phase, should be submitted as part of application(s) for reserved matters approval for that phase, as required by Condition 1. The landscaping details to be submitted shall include:

- a) existing and proposed finished levels and contours
- b) trees and hedgerow to be retained;
- c) planting plans, including specifications of species, sizes, planting centres, number and percentage
- d) mix, and details of seeding or turfing;
- e) hard surfacing;
- f) means of enclosure and boundary treatments; and
- g) Structures (such as furniture, play equipment, refuse or other storage units, signs, lighting)

REASON: To ensure satisfactory landscape treatment of the site in the interests of visual amenity in accordance with Policies 70 and 74 of the St Albans District Local Plan Review 1994 and the National Planning Policy Framework.

6. A landscape and ecological management plan (LEMP) for each phase, should be submitted as part of application(s) for reserved matters approval for that phase, as required by Condition 1 and include:

- a) A description of the objectives;
- b) Habitat/feature creation measures proposed, including a methodology translocation of habitats, such as the existing topsoil, grassland and timeframes for completion
- c) Maintenance of habitat/feature creation measures in the long term and those responsible for delivery;

- d) Lighting strategy (aim to ensure that illumination of the existing hedgerows does not exceed 0.5 lux); and
  - e) A monitoring programme and the measures required to adapt the LEMP should objectives fail to be met.
- The LEMP should cover all landscape areas within the site, other than small privately owned domestic gardens.

REASON: To maximise the on site mitigation for biodiversity impact, in line with the requirements of the NPPF.

7. Full details of the proposed housing mix, including a breakdown of unit sizes and tenure, should be submitted as part of application(s) for reserved matters approval as required by Condition 1.

REASON: To ensure a suitable dwelling mix at the site in accordance with Policy 70 the St Albans District Local Plan Review 1994.

8. No development shall commence in each phase unless a method statement has been submitted to and approved in writing by the Local Planning Authority for that phase, to cover the protection of trees during demolition and construction phases based on guidelines set out in BS5837. Thereafter the development shall be carried out in accordance with these approved details.

REASON: To protect existing trees during the construction works in order to ensure that the character and amenity of the area are not impaired. To comply with Policy 74 of the St Albans District Local Plan Review 1994.

9. No trees shall be damaged or destroyed, or uprooted, felled, lopped or topped without the previous written consent of the Local Planning Authority until at least 5 years following the contractual practical completion of the permitted development. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased before the end of that period shall be replaced by trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure satisfactory landscape treatment of the site in the interests of visual amenity. To comply with Policy 74 of the St Albans District Local Plan Review 1994.

10. All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed or with the written consent of the LPA. All hedges and hedgerows on and immediately adjoining the site shall be protected from damage for the duration of works on the site. This shall be to the satisfaction of the Local Planning Authority in accordance with relevant British Standards BS 5837 (2005). Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Authority.

REASON: To ensure the continuity of amenity afforded by existing hedges or hedgerows. To comply with Policy 74 of the St Albans District Local Plan Review 1994.

11. No phase of the development hereby permitted shall be occupied unless and until the vehicular accesses for the phase in question have been provided and thereafter retained at the position shown on the approved plan drawing numbers 8210856-1001 Rev I9, 8210856-1002 Rev I46 and 8210856-1021 Rev I35 (as may be amended through detailed technical drawings agreed through the Section 278 process). Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.

REASON: To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in accordance with Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

12. Prior to the commencement of development in each phase, full details in relation to the design of estate roads (in the form of scaled plans and / or written specifications for each phase) shall be submitted to and approved in writing by the Local Planning Authority to detail the following:

- a. Roads;
- b. Footways;
- c. Cycleways (compliant with LTN 1/20);
- d. Minor artefacts, structures and functional services;
- e. Foul and surface water drainage;
- f. Visibility splays;
- g. Access arrangements including temporary construction access
- h. Hard surfacing materials;
- i. Parking areas for vehicles and cycles;
- j. Loading areas; and
- k. Turning and circulation areas.

The development shall be implemented in accordance with those approved plans.

REASON: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policies 34, 69 and 70 of the St Albans Local Plan and Policy 5 of Hertfordshire's Local Transport Plan (adopted 2018).

13. No phase of the development hereby permitted shall be occupied unless and until full details have been submitted to and approved in writing by the Local Planning Authority for that phase, in relation to the proposed arrangements for future management and maintenance of the proposed streets within the development. (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).

REASON: To ensure satisfactory development and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policies 34, 69 and 70 of the St Albans Local Plan and Policies 5 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

14. (a) Notwithstanding the details indicated on the submitted drawings, no on-site works above slab level shall commence until a detailed scheme for the offsite highway improvement works as indicated on drawing(s) numbers set out below have been submitted to and approved in writing by the Local Planning Authority.

[8210856-1012 Rev 15 PROPOSED SUSTAINABLE TRAVEL IMPROVEMENTS - CHISWELL GREEN LANE](#)

[8210856-1013 Rev 14 PROPOSED SUSTAINABLE TRAVEL IMPROVEMENTS - WATFORD ROAD / CHISWELL GREEN LANE](#)

Drawing numbers 8210856\_1028 Rev I1 through to 8210856\_1033 Rev I1 HERTFORDSHIRE COUNTY COUNCIL'S WATFORD ROAD CYCLE IMPROVEMENTS, (Sheets 1 to 6)

[Drawing number 8210856-1014 Rev I3 IMPROVEMENTS - LONG FALLOW PROPOSED SUSTAINABLE TRAVEL](#)

(b) Prior to the first occupation of the development hereby permitted the offsite highway improvement works referred to in Part A of this condition shall be completed in accordance with the approved details.

REASON: (a) To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

**Commented [JK1]:** Delete - now dealt with through the S106 Agreement

**Commented [JK2]:** This drawings is included in one of the sheets mentioned in the retained text (above)

**Commented [JK3]:** Condition 14 - currently the subject of discussions with HCC / S106 discussions - therefore likely to be the subject of further amendments.

(b) To ensure construction of a satisfactory development and that the highway improvement works are designed to an appropriate standard in the interest of highway safety and amenity and in accordance with Policy 5, 13 and 21 of Hertfordshire's Local Transport Plan (adopted 2018).

15. No part of the development hereby permitted shall be occupied unless and until a mechanism of continual review of the transport impacts of the development to include (but not be restricted to) the installation of traffic counters upon each access, travel plan monitoring and regular dialogue between Developer, Local Planning Authority and Highway Authority is submitted to and approved in writing by the Local Planning Authority. The findings of this work shall be shared between all interested parties with a view to remedying any problems arising directly from the construction or occupation of the development.

REASON: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

16. No development shall commence in each phase unless and until a detailed Construction Environmental Management Plan relating has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the construction of the development in that phase shall only be carried out in accordance with the approved CTEMP unless otherwise agreed in writing by the local planning authority. The plan shall be prepared in accordance with the Construction Logistics and Community Safety (CLOCS) Standard.

**Commented [JK4]:** To reflect the document referred to in the first sentence

The plan shall include the following:

- i. The construction programme;
- ii. Clear access strategy for construction vehicles that avoids conflicts with pedestrians, cyclists, public transport and existing and future residents;
- iii. Hours of operation;
- iv. Phasing of the development of the site, including all highway works;
- v. Construction vehicle numbers, type, routing;
- vi. Traffic management requirements;
- vii. Cleaning of site entrances, site tracks and the adjacent public highway;
- viii. Provision of sufficient on-site parking prior to commencement of construction activities;
- ix. Details of any highway works necessary to enable construction to take place, including temporary access works;
- x. Details of any works to or affecting Public Rights of Way within and in the vicinity of the site. These shall demonstrate how safe and unobstructed access will be maintained at all times or be temporarily closed or extinguished.
- xi. Details of servicing and delivery, including details of site access, compound, welfare facilities,
- xii. hoarding, construction related parking, loading, unloading, turning areas and materials storage areas;
- xiii. Where works cannot be wholly contained 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 and proposed traffic management;
- xiv. Management of construction traffic and deliveries to reduce congestion and avoid school pick up/drop off times, including numbers, type and routing;
- xv. Control of dust and dirt on the public highway, including details of wheel washing facilities and cleaning of site entrance adjacent to the public highway;
- xvi. Details of public contact arrangements and complaint management;
- xvii. Construction waste management proposals;
- xviii. Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour;
- xix. Post construction restoration/reinstatement of the working areas and temporary access to the public highway; and
- xx. Measures to be implemented to ensure wayfinding for both occupiers of the site and or those travelling through it.



REASON: In order to protect highway safety and the amenity of other users of the public highway and rights of way in accordance with Policies 5, 12, 17 and 22 of Hertfordshire's Local Transport Plan (adopted 2018).

17. Notwithstanding the information contained in the Transport Assessment, no development shall commence in respect of any Development Parcel or Strategic Engineering Element until a Site Wide Phasing Plan, which accords with agreed s106 triggers has been submitted to the local planning authority for approval. The Phasing Plan shall include the sequence of providing the following elements:

- a) Development parcels;
- b) Major distributor roads/routes within the site, including timing of provision and opening of access
- c) points into the site;
- d) ~~The local centre, or for example, mobility hubs, convenience store and community facilities~~
- e)d) Strategic foul surface water features and SUDS;
- f)e) Open space;
- g)f) Strategic electricity and telecommunications networks;
- h)g) Environmental mitigation measures.

Commented [JK5]: We are not proposing a local centre, etc

No development shall commence apart from enabling works and strategic engineering elements, unless, agreed in writing by the Local Planning Authority until such time as the phasing plan has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved phasing contained within the phasing plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure suitable, safe and satisfactory planning and development of the site in accordance with Policy 5 of Hertfordshire's Local Transport Plan 2018.

18. No part of the development hereby permitted shall be occupied prior to the implementation of the approved Travel Plan and dated (March 2022) (or implementation of those parts identified in the approved Travel Plan as capable of being implemented prior to occupation). Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

REASON: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

19. Within three months of the first use of a school opening, a Modeshift STARS School Travel Plan should be prepared and submitted to Hertfordshire County Council, and fully approved by the School Travel Plan Team (the team can be contacted at: [activeandsafertravel@hertfordshire.gov.uk](mailto:activeandsafertravel@hertfordshire.gov.uk)). Thereafter the Travel Plan shall be implemented in full throughout the life of the school.

REASON: To ensure that sustainable travel options associated with the development are promoted and maximised to be in accordance with Policies 3, 5, 7, 8, 9 and 10 of Hertfordshire's Local Transport Plan (adopted 2018).

20. No phase of the development hereby permitted shall be occupied unless and until a scheme for the parking of cycles including details of the design, level and siting of the proposed parking for that phase has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be fully implemented before the phase is first occupied or brought into use and thereafter retained for this purpose.

REASON: To ensure the provision of adequate cycle parking that meets the needs of occupiers of the proposed development and in the interests of encouraging the use of sustainable modes of transport in accordance with Policies 1, 5 and 8 of Hertfordshire's Local Transport Plan (adopted 2018).

21. No development shall commence in each phase unless and until a detailed surface water drainage scheme for that phase has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include the utilisation of above ground attenuation and conveyance sustainable drainage techniques (SuDS), with the incorporation of sufficient treatment trains to maintain or improve the existing groundwater quality, as per the Flood Risk Assessment produced by Glanville (dated March 2022) and updated submission information. The scheme shall also include the following:

- a. a detailed drawing demonstrating the management of surface water runoff during events that may temporarily exceed the capacity of the drainage system has been submitted to, and approved in writing by, the Local Planning Authority.
- b. detailed hydraulic modelling calculations of the proposed surface water drainage scheme that demonstrate there will be no increased risk of flooding as a result of development between the 1 in 1 year return period event and up to the 1 in 100 year return period event (including the correct allowance for climate change) have been submitted to, and approved in writing by, the Local Planning Authority.
- c. full details of the proposed methods of treating surface water runoff to ensure no risk of pollution is introduced to groundwater both locally and downstream of the site, especially from proposed parking and vehicular areas have been submitted to, and approved in writing by, the Local Planning Authority. Surface water treatment techniques should include both natural SuDS structures and also proprietary devices, such as advanced vortex separators.
- d. detailed construction drawings of all proposed SuDS features, including details of flow controls and piped network, have been submitted to and approved in writing by the Local Planning Authority.
- e. detailed construction drawings of the proposed deep bore soakaway structures have been submitted to, and approved in writing by, the Local Planning Authority.
- f. a management and maintenance plan for the lifetime of the development has been submitted to and approved in writing by the Local Planning Authority. This plan shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management company or maintenance by a Residents' Management Company and/or any other arrangements to secure the operation and maintenance to an approved standard and working condition throughout the lifetime of the development.
- g. details for the provision of any temporary drainage during construction has been submitted to and approved in writing by the Local Planning Authority. This should include details to demonstrate that during the construction phase measures will be in place to prevent unrestricted discharge, and pollution to the receiving system.
- h. detailed construction drawings of the proposed foul water drainage network have been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent the increased risk of flooding, both on and off site as required by the National Planning Policy Framework.

22. No above ground works shall take place for each phase until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority for that phase. The development shall not be occupied until the scheme has been implemented in accordance with the approved details.

REASON: To ensure adequate water infrastructure provision is made on site for the local fire service to discharge its statutory firefighting duties.

23. Prior to the commencement of ground works in each phase of the development a minerals recovery strategy for the sustainable extraction of minerals on an opportunistic basis shall be submitted to and approved in writing by the Local Planning Authority, in accordance with the submitted Minerals Resource Assessment dated 15 August 2022. Thereafter, the relevant phase or phases of the development must not be carried out other than in accordance with the approved minerals strategy. The minerals strategy must include the following:

- a) An evaluation of the opportunities to extract minerals (sand and gravel, hoggin and other soils with engineering properties); and
- b) A proposal for maximising the extraction of minerals, providing targets and methods for the appropriate recovery and beneficial use of the minerals (where feasible without the need for processing); and
- c) A method to record the quantity of recovered mineral for re-use on site.

REASON: In order to prevent mineral sterilisation, contribute to resource efficiency, promote sustainable construction practices and reduce the need to import primary materials in accordance with Policy 5 of the adopted Hertfordshire Minerals Local Plan Review and the National Planning Policy Framework.

24. The development shall not be occupied until confirmation has been provided that either:

- a) All foul water network upgrades required to accommodate the additional flows from the development have been completed; or
- b) A development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow 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.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development.

25. No development-related works shall take place within each phase of the site until an agreed programme defined by a written scheme of archaeological work (WSI) has been submitted to and approved in writing by the Local Planning Authority for that phase. This scheme shall include a programme of archaeological evaluation by trial trenching, followed by open area excavation on those areas containing archaeological deposits required, and off-site work such as the analysis, publication, and archiving of the results, together with a timetable for completion of each element. All works shall be carried out and completed in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority. This must be carried out by a professional archaeological organisation.

REASON: To ensure adequate opportunity is provided for archaeological research on this historically important site. To comply with Policy 111 of the St Albans District Local Plan Review 1994 and the National Planning Policy Framework. To ensure the appropriate identification, recording and publication of archaeological and historic remains affected by the development.

26. Following the completion of the fieldwork and the post-excavation assessment in Condition 26, appropriate resources will be agreed with the Local Planning Authority for the post-excavation project generated by the archaeological WSI in Condition 26. This will include all necessary works up to and including an appropriate publication and archiving and will include an agreed timetable and location for that publication.

REASON: To ensure adequate opportunity is provided for archaeological research on this historically important site. To comply with the National Planning Policy Framework. To ensure the appropriate publication of archaeological and historic remains affected by the development.

27. Other than the demolition of buildings and structures down to ground level, and site clearance works, including tree felling, no development shall take place in each phase until an investigation and risk assessment in relation to contamination on site (in addition to the phase I assessment provided with the planning application) has been submitted to and approved in writing by the Local Planning Authority for that phase. The assessment shall investigate the nature and extent of any contamination on the site (whether or not it originates on the site). The assessment shall be undertaken by competent persons and a written report of the findings submitted to and approved in writing by the Local Planning Authority before any development takes place other than the excluded works listed above. The submitted report shall include:

- i. a survey of the extent, scale and nature of contamination
- ii. an assessment of the potential risks to human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland, and service lines and pipes, adjoining land, ground waters and surface waters, ecological systems, archaeological sites and ancient monuments.

REASON: To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St Albans District Local Plan Review 1994.

28. The results of the site investigations set out in condition 27 and the detailed risk assessment undertaken at the site shall be used to prepare an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken for each phase. The remediation strategy shall contain a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identify any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. The options appraisal and remediation strategy shall be agreed in writing with the Local Planning Authority prior to commencement of construction works and all requirements shall be implemented and completed to the satisfaction of the Local Planning Authority by a competent person.

REASON: To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St Albans District Local Plan Review 1994.

29. Before any dwelling is occupied, verification report(s) demonstrating completion of the works set out in the remediation strategy and the effectiveness of the remediation shall be submitted in writing and approved by the LPA. The reports shall include results of validation sampling and monitoring carried out in accordance with the approved remediation strategy to demonstrate that the site remediation criteria have been met. It shall also include any plan for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that adequate protection of human health is maintained and the quality of groundwater is protected. To comply with Policy 84 of the St Albans District Local Plan Review 1994.

30. No development above ground level shall take place in each phase, until a noise assessment has been carried out in accordance with BS8233:2014 Guidance on sound insulation and noise reduction for buildings to establish the potential impact of noise from road traffic, railways, commercial activity, on the proposed development for that phase.

Where identified by the noise assessment, to be necessary, a scheme for noise mitigation including sound insulation measures to be incorporated into the design of the proposed development so that the indoor ambient noise criteria described in BS8233:2014 are achieved within all habitable rooms, shall be submitted to and approved in writing by the Local Planning Authority, and implemented prior to the occupation of any of the units.

In general, for steady external noise sources, it is desirable that the internal ambient noise level does not exceed the guideline values in the table below:

Internal ambient noise levels for dwellings  
Activity Location 0700 to 2300 2300 to 0700  
Resting Living room 35 dB Laeq, 16 hour  
Dining Dining room/area 40 dB Laeq, 16 hour  
Sleeping (daytime resting) Bedroom 35 dB Laeq, 16 hour 30 dB Laeq, 8 hour  
The levels shown in the above table are based on the existing guidelines issued by the World Health Organisation.

The L<sub>Amax,f</sub> for night time noise in bedrooms should not exceed 45dBA more than 10 times a night in bedrooms; this is not included in the 2014 standard but note 4 allows an L<sub>Amax,f</sub> to be set. 45dBA

and over is recognised by the World Health Organisation to be noise that is likely to cause disturbance to sleep.

REASON: To protect the amenities of adjoining development. To comply with Policy 70 of the St Albans District Local Plan Review 1994.

31. Open space shall be provided on site in accordance with the approved parameter plans. No development in each phase shall commence unless details of all play spaces in that phase are submitted to and approved in writing by the Local Planning Authority. The approved play space scheme shall be completed prior to occupation of 50% of the dwellings hereby permitted and thereafter the approved details shall be retained.

Such scheme shall indicate but not be limited to:

- (a) Details of types of equipment to be installed.
- (b) Surfaces including details of materials and finishes.
- (c) The location of any proposed signage linked to the play areas

REASON: To comply with the requirements of Policy 70 of the St Albans Local Plan Review 1994.

32. No development in each phase, shall take place until a Site Waste Management Plan (SWMP) for that phase of the site has been submitted to and approved in writing by the Local Planning Authority. The SWMP should aim to reduce the amount of waste being produced on site and should contain information including estimated and actual types and amounts of waste removed from the site and where that waste is being taken to. The development shall be carried out in accordance with the approved SWMP.

REASON: This is a pre-commencement condition to promote sustainable development and to ensure measures are in place to minimise waste generation and maximise the on-site and off-site reuse and recycling of waste materials, in accordance with Policy 12 of the Hertfordshire Waste Core Strategy and Development management Policies document.

33. Notwithstanding the submitted 'Arboricultural Impact Assessment' – JSL4258\_770 (by RPS, 30 March 2022), a detailed tree protection plan and method statement [for the occupation phase of the development](#) should be submitted as part of application(s) for reserved matters approval as required by Condition 1.

**Commented [JK6]:** To distinguish this condition from condition 8

REASON: To ensure the protection of trees at the site and comply with the requirements of Policy 74 of the St Albans Local Plan Review 1994.

34. Notwithstanding the submitted Landscape and Visual Impact Assessment (April 2022), prior to the commencement of development of a school in the land allocated for a new school hereby permitted, as shown in the Land Use Parameter Plan (REDC01 MCB ZZ ZZ DR A 0223-D5-P5), a landscape and visual analysis for the school site specifically shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the landscape and visual impact is acceptable and comply with Policy 69 of the St Albans Local Plan Review 1994.