

4/01704/18/FUL	REMOVAL OF PLAY AREA AND INSTALLATION OF CAR PARK
Site Address	GADEBRIDGE PARK CAR PARK, QUEENSWAY, HEMEL HEMPSTEAD, HP1 1HR
Applicant	Dacorum Borough Council
Case Officer	Nigel Gibbs
Referral to Committee	The land is owned by this Council and there is an objection from Hertfordshire Gardens Trust

Recommendation

1.1 That planning permission be **GRANTED**.

2. Summary

2.1 The background to this application is that the Council has provided a new play area at Gadebridge Park which is located within the Green Belt.

2.2 This play area and splash park adjoin the Park's existing car park. The new play areas were designed to improve recreational facilities at the site. Such facilities are appropriate development in the Green Belt and accord with Dacorum Core Strategy Policy CS23 which support the Borough's Social Infrastructure such as outdoor recreational provision.

2.3 The National Planning Policy Framework enables some development in the Green Belt as does Policy CS5 which focuses upon protecting its openness. NPPF part (g) of paragraph 145 supports as 'appropriate development' in the Green Belt the partial or complete redevelopment of previously developed land whether redundant or in partial use where it would not have a greater impact upon the openness of the Green Belt than the existing development. This also reflects national objective 5 of Green Belt policy which is to support re use / recycling of urban land.

2.4 The proposed reuse of the existing play area for parking would have a greater impact upon the existing openness of the Green Belt when the car park is in use due to the effect of the car parking as compared with the existing array of play equipment. The increased impact upon the openness of the Green Belt is compounded by both the introduction of parking within the grassed areas adjoining the edge of the existing play area and the introduction of lighting columns.

2.5 Notwithstanding this effect upon the Green Belt's openness there are very special circumstances associated with the benefits of additional parking in this location. The reuse of the play area is a positive approach to re using this long established hard surfaced area which is an developed part of Gadebridge Park, strongly contrasting with the other 'greener parts' of the Park which are informal. The proposal provides an ideal opportunity to provide a modest increase in additional car parking involving the associated amalgamation with the upgraded existing car park, resulting in an improved internal layout and the provision of a row of disabled spaces, benefiting the recreational leisure/ role of the Park, including the expected revitalized The Bury and the Old Town, as a complementary parking facility. These benefits outweigh the harm.

2.6 The loss of the existing play area accords with Policy CS23. This policy expects that existing social infrastructure is protected unless appropriate alternative provision is made, or satisfactory evidence is provided to prove the facility is no longer viable. In this case an alternative facility has been provided at Gadebridge Park through the new play area and splash park.

2.7 There are no detailed environmental objections following the Environment Agency's recent withdrawal of its longstanding objection and the clarification of the archaeological implications.

3. Site Description

3.1 The existing long established hard surfaced play area featuring an array of equipment is located within the southern tip of the Gadebridge Park to the immediate north of the park's Queensway car park and positioned parallel to the River Gade and the Leighton Buzzard Road. There is a grassed area beyond the existing car park. The aforementioned new play area and splash park adjoin the existing play area.

3.2 The existing Queensway car park access has a no right turn exit due to the closeness of the adjoining Leighton Buzzard roundabout.

4. Proposal

4.1 The proposal is for the reuse of the existing play area and the adjoining grassed area to provide additional parking for visitors to /users of Gadebridge Park, especially the new splash park. The new parking area will be linked to/ amalgamated with the existing car park increasing the parking spaces from 64 to 120.

4.2 There will be the associated upgrading of the existing car park with some of the spaces at the north eastern edge of the car park adjoining the play area removed to facilitate the connection between the existing and new parking areas. The upgrading includes some rearrangement of the existing car park including the provision of 10 disabled parking spaces involving the establishment of a one way route with new signage to prevent the no right turn exit manoeuvre onto Queensway.

4.3 The supporting statement also confirms that:

- Following the installation of the Splash Park and relocation of the play area the footfall to Gadebridge Park has increased significantly. The old play area that is located adjacent to the Queensway car park is no longer required and gives the opportunity to re-purpose the area in favour of much needed additional parking.
- This additional parking would also fit in with the wider regeneration of Gadebridge Park and the plans to relocate the River Gade by the Environment Agency and increase visitor numbers.
- The proposal is to increase capacity to also reduce the need for visitor to park directly on the Leighton Buzzard Road verges. The Leighton Buzzard Road is classified as an A road and has a 50mph speed limit. The kerbs are a standard height so access on and off of the verge is difficult and poses a risk to all road users. Additional disabled bays are to be installed and located closer to main footpaths for ease of access to the park and facilities.
- This also gives the opportunity to change the orientation of the bays closer to the exit. We will create a one-way system that increases driver visibility when entering or exiting the car park when crossing the bridge.
- It is acknowledged that traffic entering and exiting the car park will increase with the no right turn sign is installed as users exit the car park on to Queensway along with road markings to show direction of travel.

4.4 There will be associated installation of lighting and electrical infrastructure, with the latter to enable the recharging of electric vehicles.

5. Relevant Planning History

5.1 Lighting serving the existing car park and THE splash park.

6. Policies

6.1 National Policy Guidance

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

6.2 Adopted Core Strategy

NP1 - Supporting Development

CS1 - Distribution of Development

CS5 - The Green Belt

CS8 - Sustainable Transport

CS9 - Management of Roads

CS10 - Quality of Settlement Design

CS11 - Quality of Neighbourhood Design

CS12 - Quality of Site Design

CS13 - Quality of Public Realm

CS23 - Social Infrastructure

CS25 - Landscape Character

CS26 - Green Infrastructure

CS27 - Quality of the Historic Environment

CS29 - Sustainable Design and Construction

CS31 - Water Management

CS32 - Air, Water and Soil Quality

CS33 - Hemel Hempstead Urban Design Principles

6.3 Saved Policies of the Dacorum Borough Local Plan

Policy 113 and Appendix 8

6.4 Supplementary Planning Guidance / Documents

- Environmental Guidelines (May 2004)
- Water Conservation & Sustainable Drainage (June 2005)
- Energy Efficiency & Conservation (June 2006)
- Accessibility Zones for the Application of car Parking Standards (July 2002)

7. Constraints

- Green Belt
- Flood Zones 2 and 3
- Former land use
- Area of Archaeological Significance 35

8. Representations

Consultation responses/ Neighbour notification/site notice responses

8.1 These are reproduced in full at Appendix A.

9. Considerations

Main issues

9.1 The main issues to consider are:

- Green Belt Policy and Principle and the loss of the existing play area under Dacorum Core Strategy Policy CS23.
- Impact on the Character of the Locality.
- Impact on Highway Safety/ Access /Parking.
- Flood risk implications/drainage.

Policy and Principle: Green Belt Implications and the Borough's Social Infrastructure

9.2 Dacorum Core Strategy Policy CS1 expects that Hemel will be the focus of new development based upon a range of criteria. These include making best use of existing green infrastructure under its criteria (e). Gadebridge Park is a very high quality facility in recreational and environmental terms. Its Green Belt status affords it protection at this sensitive vulnerable fringe location at a transition between Hemel's built up edge and countryside beyond, providing a fundamentally important 'green lung'.

9.3 National Planning Policy Framework: Relevant Green Belt Policies

The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.4 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

9.5 When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

9.6 Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These include engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location.

9.7 Dacorum Core Strategy Policy CS 5 also specifies that the Council will apply national Green Belt policy to protect the openness and character of the Green Belt, local distinctiveness and the physical separation of settlements. Within the Green Belt, small-scale development will be permitted including the redevelopment of previously developed sites provided that:

- i. it has no significant impact on the character and appearance of the countryside; and
- ii. it supports the rural economy and maintenance of the wider countryside.

9.8 The existing car park is a previously developed site. However, the proposed reuse of the

existing play area for parking is inappropriate development in the Green Belt. This is because it would have a greater impact upon the existing openness of the Green Belt when the car park is in use due to the effect of the car parking as compared with the existing array of play equipment. The increased impact upon the openness of the Green Belt is compounded by the introduction of parking within the grassed areas adjoining the edge of the existing play area and the introduction of lighting columns.

9.9 Notwithstanding this effect upon the Green Belt's openness there are very special circumstances associated with the benefits of additional parking in this location. The reuse of the play area is a positive approach to re using this long established hard surfaced area which is an developed part of Gadebridge Park, strongly contrasting with the other 'greener parts' of the Park which are informal. The proposal provides an ideal opportunity to provide a modest increase in additional car parking with the associated amalgamation with the upgraded existing car park, resulting in an improved internal layout and the provision of a row of disabled spaces, benefiting the recreational / leisure/ role of the Park, including the expected revitalized Bury as a museum and the Old Town, as a complementary parking facility. These benefits outweigh the harm.

9.10 Notwithstanding the loss of the existing play area the proposal accords with Policy CS23 relating to the Borough's Social Infrastructure. This is because the policy expects that existing social infrastructure is protected unless appropriate alternative provision is made, or satisfactory evidence is provided to prove the facility is no longer viable. In this case an alternative facility has been provided at Gadebridge Park through the new play area and splash park.

Layout, Design, Scale/Impact on the Character of the Gadebridge Park

9.11 There are various relevant policies. In addition to CS5 and CS 27 (Heritage) the development criteria of Policy CS11 (Quality of Neighbourhood Design) includes avoiding large areas dominated by car parking. Policy CS11 is complemented by various Policy CS12 (Quality of Site Design) development criteria including (e) the planting of trees and shrubs and (f) the integration within the streetscape character. .

9.12 The proposed extended lozenge shape parking area will introduce an extended/ elongated tongue of development in the built up part of the park. It will be visible and intrusive in relation to views from the Leighton Buzzard Road which is the inevitable consequence of parked cars. However due to its location it will not be so harsh to justify harm to the parkland setting or to the setting of the listed Bury, with benefits derived from the expected new planting. In this respect Historic England and the Conservation & Design Team raise no heritage objections, outweighing the Hertfordshire Gardens Trust objection.

Impact on Highway Safety/ Access /Parking

9.13 Notwithstanding the absence of Hertfordshire Highways response and the increased use of the existing access onto Queensway, the layout has been designed with due regard to user safety by the introduction of the one way system in conjunction with the improved signage to ensure the elimination of right turns. This is set against the Supporting Statement's observed/ documented reference to the extremely dangerous and unlawful use of the Leighton Buzzard Road parkland edge by park users.

9.14 The reconfiguration of the existing car park and amalgamation with the proposed extended parking area has prioritised parking for persons with disabilities/ limited mobility. The car park would also benefit from the introduction of electric vehicle charging

Flood Risk / Drainage

9.15 A Flood Risk Assessment was absent from the original application, with a resultant

objection from the Environment Agency. This has now been resolved, with the updated layout eliminating the parking space over the borehole in accordance with the EA's expectations. The use of soakaway drainage for the parking area is appropriate.

Other Material Planning Considerations

9.16 There should be no adverse impact upon the flats opposite the site on the Old Police Station. There are no ecological land contamination, archaeological or crime prevention/ security issues, with the night time use benefiting from proposed new lighting which requires a sensitive design due to this environmentally sensitive location. An Environmental Impact Assessment is not necessary.

Response to the Garden Trust comments

9.17 A soft landscaping scheme is considered to be fundamentally important in integrating/ softening the development's impact development within the parkland setting.

10. Conclusions

10.1 The proposal represents inappropriate development in the Green Belt which is by definition harmful. However there are very special circumstances which outweigh this harm with car park representing an integral part of the upgrading of Gadebridge Park, providing a complementary facility with no other identified harm following the Environment Agency's revised position.

10.2 Therefore there are no objections subject to the imposition of a range of conditions.

RECOMMENDATION – That planning permission be **GRANTED** for the reasons referred to above and subject to the following conditions:

Conditions

No	Condition
1	<p>The development hereby permitted shall be begun before the expiration of three years from the date of this permission.</p> <p>Reason: To comply with the requirements of Section 91 (1) of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Within 3 months of the date of this decision a soft landscaping scheme shall be submitted to the local planning authority. The submitted details shall include plans, written specifications (including cultivation and other operations associated with plant and grass establishment), schedules of trees and plants, noting species, plant sizes and proposed numbers/densities where appropriate. All the approved planting shall be carried out in the planting season following the first use of any of the new parking area hereby permitted.</p> <p>Reason: In the interests of the character and appearance of the area and biodiversity in accordance with Policies CS5, CS12, CS26 and CS29 of Dacorum Core Strategy.</p>
3	<p>Any tree, hedge or shrub which forms part of the approved landscaping scheme which within a period of five years from planting fails to become established, becomes seriously damaged or diseased, dies or for any reason is removed shall be replaced in the next planting season by another tree, shrub or section of hedge of the same species and size as that originally planted shall be planted at the same place in the next planting season, unless the local planning authority gives its written consent to any variation. For the purposes of this condition the planting season is between 1</p>

	<p>October and 31 March.</p> <p>Reason: To safeguard the local environment, in the interests of visual amenity and biodiversity in accordance with the requirements of Policies CS 5, CS12, CS26 and CS29 of the Dacorum Core Strategy.</p>
4	<p>The car park hereby permitted shall not be brought into use until a scheme for its exterior lighting in conjunction with improvements to the existing car park have been submitted to and approved in writing by the local planning authority. The exterior lighting shall be installed and thereafter retained and maintained fully in accordance with approved details.</p> <p>Reason: To safeguard the local environment in accordance with accord with the requirements of Policies CS12, CS26 , CS29 and CS32 of the Dacorum Core Strategy and Policy 113 and Appendix 8 of the saved Dacorum Borough Local Plan.</p>
5	<p>The car parking hereby permitted shall be served by a soakaway drainage system with no soakaways installed on contaminated land.</p> <p>Reason: To ensure that the site is subject to an acceptable sustainable drainage system serving the development in accordance with Policy CS29 of Dacorum Core Strategy.</p>
6	<p>An electric vehicle charging facility shall be installed at the site within 6 months of the use of the additional car parking hereby permitted and once installed shall be retained at all times.</p> <p>Reason: In accordance Paragraph 110 and Part 10 of the National Planning Policy Framework, Policies CS8 and CS29 of Dacorum Core Strategy.</p>
7	<p>Subject to the requirements of the requirements of other conditions of this planning permission the development hereby permitted shall be carried out in accordance with the following plans :</p> <p>Location Plan dated 23 October 2018</p> <p>DCB/018/002 received by the local planning authority on 24 October 2018</p> <p>Reason: To safeguard and maintain the strategic policies of the local planning authority and for the avoidance of doubt.</p> <p>ARTICLE 35 STATEMENT</p> <p>Planning permission has been granted for this proposal. The Council acted pro-actively through positive engagement with the applicant during the determination process which lead to improvements to the scheme. The Council has therefore acted pro-actively in line with the requirements of the Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2015.</p> <p>Informatives</p> <p>Flood Risk Activity Permit</p> <p>Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Gade, designated as a 'main river'. Details of lower risk activities that may be Excluded or Exempt from</p>

the Permitting Regulations can be found at www.gov.uk/guidance/flood-risk-activities-environmental-permits. Please contact us at PSO-Thames@environment-agency.gov.uk.

Highways

1. Obstruction of public highway land: It is an offence under section 137 of the Highways Act 1980 for any person, without lawful authority or excuse, in any way to willfully obstruct the free passage along a highway or public right of way. If this development is likely to result in the public highway or public right of way network becoming routinely blocked (fully or partly) the applicant must contact the Highway Authority to obtain their permission and requirements before construction works commence. Further information is available via the website: <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047.

2. Road Deposits: It is an offence under section 148 of the Highways Act 1980 to deposit mud or other debris on the public highway, and section 149 of the same Act gives the Highway Authority powers to remove such material at the expense of the party responsible. Therefore, best practical means shall be taken at all times to ensure that all vehicles leaving the site during construction of the development are in a condition such as not to emit dust or deposit mud, slurry or other debris on the highway. Further information is available via the website <http://www.hertfordshire.gov.uk/services/transtreets/highways/> or by telephoning 0300 1234047

Un-expected Contaminated Land Informative

The Council's contaminated land record shows that site is built on or immediately adjacent to land that was used for contaminative use here in – Petrol storage and Bury Corn Mill. There is a possibility that these activities may have affected the application site with potentially contaminated material. Therefore, I recommend that the developer be advised to keep a watching brief during ground works where applicable on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

Construction Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

Appendix A - Consultation responses

Strategic Planning

No adverse comments.

Parks & Open Spaces

No objections.

Trees & Woodlands

Response awaited.

Pollution and Environmental Protection Team

No objection in relation to Air Quality and Land Contamination.

However, the following planning informative are recommend should planning permission be granted.

1). Un-expected Contaminated Land Informative

Our contaminated land record shows that the property is built on or immediately adjacent to land that was used for contaminative use here in – Petrol storage and Bury Corn Mill. Therefore, there is a possibility that these activities may have affected the application site with potentially contaminated material. Therefore, it is recommended that the developer be advised to keep a watching brief during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action agreed.

2). Construction Hours of Working – (Plant & Machinery) Informative

In accordance with the councils adopted criteria, all noisy works associated with site demolition, site preparation and construction works shall be limited to the following hours: 0730hrs to 1830hrs on Monday to Saturdays, no works are permitted at any time on Sundays or bank holidays.

3). Construction/Demolition Dust Informative

Dust from operations on the site should be minimised by spraying with water or by carrying out of other such works that may be necessary to suppress dust. Visual monitoring of dust is to be carried out continuously and Best Practical Means (BPM) should be used at all times. The applicant is advised to consider the control of dust and emissions from construction and demolition Best Practice Guidance, produced in partnership by the Greater London Authority and London Councils.

4). Noise on Construction/Demolition Sites Informative

The attention of the applicant is drawn to the Control of Pollution Act 1974 relating to the control of noise on construction and demolition sites.

Should you have any further query in respect of this application, please do not hesitate to contact me on extension 2719 quoting Flare reference 542468.

Scientific Officer

The site is located within the vicinity of a number of potentially contaminative former land uses. Due to the nature of the application, a contaminated land investigation is not considered necessary. I recommend that a watching brief be kept during ground works on the site for any potentially contaminated material. Should any such material be encountered, then the Council must be informed without delay, advised of the situation and an appropriate course of action

agreed

Valuation & Estates

Response awaited.

Hertfordshire County Council: Highways

Response awaited.

Hertfordshire Ecology

1. The application site is already largely hardstanding and currently used as a formal playground and car park. These areas will not have any ecological interest and would not represent a constraint.

2. HE note the proposals in some places will be slightly larger than the existing playground. It seems that a mature tree on the western edge is likely to require removal although it is not annotated thus on the plan. Neither is there any indication that the hedgerow bordering the western edge of the site will be retained, although HE does not see any reason to remove it. There are no landscaping plans to accompany the proposal so any future landscaping measures cannot be assessed.

3. If this is the case, HE advise that three replacement trees are planted to compensate for the loss of the existing tree and that the hedgerow planting continued to border the remainder of the car park where there is no hedgerow currently. This will help to offset the impact of the development locally and provide ecological enhancements sought by NPPF. Appropriate trees in the river valley context could include alder or goat willow, whilst the hedgerow could include hawthorn, hazel, elder and field maple.

Hertfordshire County Council: Historic Environment

- Initial Response

The proposed development is located adjacent to the western boundary of Area of Archaeological Significance no. 36, as identified in the Local Plan. This covers the medieval core of Hemel Hempstead. The site is also circa 150m to the west of the Charter Tower, a surviving part of a 16th century manor house, which is a Scheduled Monument.

The documentation submitted with the application does not describe the groundworks that will be carried out as part of this proposed scheme in any detail. It is therefore impossible to determine whether this scheme might disturb archaeological deposits.

Could the applicant please supply further information about any proposed ground disturbance associated with this development. Will there be landscaping/levelling/any excavation? What kind of surface will the car park have?

- Response to Additional Information

Further to the initial comments of 15 March 2018, the Applicant has provided more information regarding the below ground impact of the proposed development.

It appears that groundworks will not penetrate beneath circa 0.3m below ground level. Notably an archaeological excavation has recently taken place on a site immediately to the east of the proposed development (Heritage Network 2017), where a minimum of 0.7m of topsoil overlay natural sands and gravels. It is therefore likely that excavations related to the new car park will

not even come close to impacting on possible archaeological layers.

In this instance, therefore, HCC Historic Environment has no comment to make upon the proposal.

Historic England

On the basis of the information available to date, HE does not wish to offer any comments and suggest that the LPA seek the views of its specialist conservation and archaeological advisers, as relevant. It is not necessary for HE to be consulted on this application again, unless there are material changes to the proposals. However, if the LPA would like HE detailed advice please contact HE to explain the request.

Hertfordshire Gardens Trust

HGT would need to see the planting proposals, which are not shown on the plan supplied, before we can comment in detail. It would appear that at least 2 trees will have to be felled, although this is far from clear from the plan. If that is the case then replacement trees should be planted to maintain the tree cover in this part of the historic parkland of Gadebridge (on Hertfordshire Gardens Trust Local List). Until such time as HGT have further information and can comment in detail HGT will lodge an objection to the scheme as proposed.

Hertfordshire Constabulary: Crime Prevention Design Officer/ Service

HC can support this application as I am content that Crime Prevention and Security have been addressed for this site. Gadebridge car park is registered with the 'Park Mark' scheme., the car park is visited and monitored regularly which involves looking at crime analysis , lighting , CTV, signage and general maintenance .

Environment Agency

- Initial Response

In the absence of a Flood Risk Assessment (FRA), object to this application and recommend refusal of planning permission until a satisfactory FRA has been submitted. EA hope to work through the concerns addressed in this letter at the arranged site meeting that is due to take place in April 2018.

Reason

EA acknowledge that a supporting statement was supplied with the planning application, however no FRA was submitted with this application, it therefore does not comply with the requirements set out in paragraph 102 of the National Planning Policy Framework (NPPF) which states that for areas at risk of flooding a site-specific flood risk assessment must be undertaken which demonstrates that the development will be safe for its lifetime. It does not comply with paragraph 94 of the NPPF which requires local planning authorities to adopt proactive strategies to adapt to climate change, taking full account of flood risk and coastal change. The submitted application does not, therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.

An FRA is vital if the LPA is to make informed planning decisions in line with your policy SC31 (Water Management). In the absence of an FRA, the flood risk resulting from the proposed development is unknown. The absence of an FRA is therefore sufficient reason in itself for a refusal of planning permission.

Overcoming the EA our objection. By submitting an FRA which covers the deficiencies

highlighted above and demonstrates that the development will not increase risk elsewhere and where possible reduces flood risk overall. The FRA should include (but not necessarily be limited to) the following:

- Identification of the Flood Zone and vulnerability classification in accordance with Table 2 of the National Planning Practice Guidance, Flood Risk and Coastal Change (section 25).
- Confirmation of any flood defences and standard of protection provided, to confirm the level of residual risk in accordance with the Strategic Flood Risk Assessment (SFRA) for the borough.
- Estimation of flood depths at the site for a range of flood events, including climate change allowances, to calculate flood depths and level of refuge or safe access/egress required in a flood event.
- Suitable flood mitigation measures based on flood characteristics at site.
- Details of set back of the development from the riverbank / defence.

The EA require the FRA to demonstrate that the proposal does not increase flood risk elsewhere, and where possible reduces risk overall. The 1 in 100 year +15% and 1 in 100 year 25% climate change allowances should be assessed, and an intermediate approach can be used by interpolating modelled river levels from the closest modelled node. A Product 4 can be requested for the site from HNLenquiries@environment-agency.gov.uk, which contains modelled flood extents and levels. If this cannot be achieved we are likely to maintain our objection to the application. Production of an FRA will not in itself result in the removal of an objection.

The EA ask to be re-consulted with the results of the FRA. Our objection will be maintained until an adequate FRA has been submitted.

Additional information

Groundwater Monitoring Borehole. The EA is concerned with the proposed extension of the car parking by our groundwater monitoring borehole. The plans seem to show a parking space either abutting it or over it. The EA would expect the plans to be altered so as not to affect our borehole or any development/excavation in close proximity that could affect its structure or ability to access it at all times. Also we would be concerned if there are any changes to the drainage of the area if this was sent to soakaway rather than to sewer.

Gade Restoration Project. Although there may be the reduction of the hard standing overall it appears that there will be an increase in the amount of hard standing in close proximity to the proposed new route of the Gade and its current position. We would like to work with you to ensure an 8 meter buffer zone is maintained with the River Gade and is maintained for the east side of the car park where the new Route of the River Gade will be.

Advice to applicant - Flood Risk Activity Permit

Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Gade, designated a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found on the gov.uk website. Please contact us at PSO-Thames@environment-agency.gov.uk.

- Response to Flood Risk Assessment

The submission of the 'Flood Risk Assessment; Gadebridge Park, Hemel Hempstead' prepared by JBA Consulting (reference: 2018s0816 - Gadebridge Park FRA). The Flood Risk Assessment (FRA) addresses the EA's previous concerns and the EA is now in a position to remove its objection to the proposed development.

Additional Information

Groundwater Monitoring Borehole. As discussed on our site visit the applicant will need to ensure that the groundwater monitoring borehole will be safeguarded, ensuring that any development/excavation is not carried out in close proximity to ensure the structure is maintained and the borehole can be accessed at all times. It also needs to be ensured that the drainage does not interfere with the borehole. It was agreed that the proposed car parking spaces over the borehole will be removed from the design of the new car park. A new layout plan to this effect has not yet been produced.

The EA welcome the submission of the amended plan that demonstrates that no parking spaces will be located over the borehole so that access can be maintained at all times.

Advice to Applicant – Flood Risk Activity Permit. Under the terms of the Environmental Permitting Regulations a Flood Risk Activity Permit is required from the Environment Agency for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Gade, designated as a 'main river'. Details of lower risk activities that may be Excluded or Exempt from the Permitting Regulations can be found at www.gov.uk/guidance/flood-risk-activities-environmental-permits. Please contact us at PSO-Thames@environment-agency.gov.uk.

Affinity Water

No response.

Thames Water

No response.

Sport England

The proposed development does not fall within either SP's statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case, but would wish to give the following advice to aid the assessment of this application.

General guidance and advice can however be found on the website:

www.sportengland.org/planningapplications

If the proposal involves the loss of any sports facility then full consideration should be given to whether the proposal meets Par. 74 of National Planning Policy Framework (NPPF), link below, is in accordance with local policies to protect social infrastructure and any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority has in place.

If the proposal involves the provision of a new sports facility, then consideration should be given to the recommendations and priorities set out in any approved Playing Pitch Strategy or Built Sports Facility Strategy that the local authority may have in place. In addition, to ensure they are fit for purpose, such facilities should be designed in accordance with Sport England, or the relevant National Governing Body, design guidance notes:

<http://sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>

In line with the Government's NPPF (including Section 8) and PPG (Health and wellbeing section), consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England's Active Design guidance can be used to help with this when developing or assessing a proposal. Active Design provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical

activity.

NPPF Section 8: <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities>

PPG Health and wellbeing section: <https://www.gov.uk/guidance/health-and-wellbeing>

Sport England's Active Design Guidance: <https://www.sportengland.org/activedesign>

Please note: this response relates to Sport England's planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.

Response to Site Notice/ Publicity

None.