

ITEM NUMBER: 5a

22/00143/MFA	Re-alignment and Restoration of the River Gade in Gadebridge Park including proposed footbridge crossings and associated landscaping.	
Site Address:	Gadebridge Park, Leighton Buzzard Road, Hemel Hempstead	
Applicant/Agent	The Environment Agency/JBA Consulting	
Case Officer:	Robert Freeman	
Parish/Ward:	Hemel Hempstead	Hemel Hempstead Town
Referral to Committee:	The application is referred to the Development Management Committee as it involves development upon land within the ownership of the Borough Council.	

1. RECOMMENDATION – That planning permission is GRANTED

2. SUMMARY

- 2.1 The proposed development would include engineering works which would be acceptable in this Green Belt location and would not result in a significant loss of openness thereto.
- 2.2 The proposed works strike an appropriate balance between meeting the outdoor recreational needs of the residents of Hemel Hempstead and the functions of Gadebridge Park and the need for environmental and ecological improvements to the River Gade.
- 2.3 The works are not considered to result in harm to the character, appearance and setting of heritage assets ('The White Bridge', 'The Bury' and Old Town Conservation Area) and will not result in a loss of significant archaeological deposits.
- 2.4 The proposals are acceptable in accordance with the National Planning Policy Framework, Policies CS5, CS10, CS12, CS26, CS27, CS31 and CS32 of the Core Strategy and Saved Policies 102, 104, 118 and 119 of the Local Plan 1991-2011.

3. SITE DESCRIPTION

- 3.1 The application site comprises 13.72 hectares of land at Gadebridge Park and is bounded by the Link Road (A4147) to the north, Leighton Buzzard Road (A4147) to the west, Queensway (B487) to the south and Old Town to the east.
- 3.2 Gadebridge Park is an important open space within the settlement of Hemel Hempstead within which there are a number of recreational spaces both formal and informal including the Gadebridge Park play area, events space, Splash Park and Bowls Club. The River Gade runs through Gadebridge Park from north to south parallel to the Leighton Buzzard Road and within an artificial, low gradient channel. The Channel is crossed in the middle of the park by the Grade 2 listed 'White Bridge' which acts as a focal point and links a car parking area adjacent to Leighton Buzzard Road with the wider park area. A smaller car park is located at the southern end of the site accessed from Queensway. The application site also includes 'The Bury', a Grade 2 listed building and former registry office together with its gardens and an existing flow gauging station.

4 BACKGROUND

The River Gade – The Need for Change

- 4.1 The Gade is one of the very few chalk streams that exist worldwide. Chalk streams are unique river systems that provide a variety of habitat. However, the majority of chalk streams in the UK, including the Gade, fail to meet the Good status required by the Water Framework Directive. This is due to a variety of reasons, including poor historic river management practices and over abstraction. An objective of this proposal is to achieve a 'good' rating under the Water Framework Directive.
- 4.2 A number of human interventions to the Gade (including realignment and straightening) have significantly undermined its ecological value and water quality. This has also led to a number of unintended consequences including, the creation of an over wide and perched channel, low flow, increased sediment deposition and a disconnection between the river channel and floodplain. This increases the longevity of flood risk incidences.

The Project

- 4.3 This project has taken a significant period of time to come to fruition and is the result of stakeholder engagement over a five year period. It seeks to provide an optimal solution in relation to the aspirations and views of the Environment Agency, Dacorum Borough Council, Affinity Water and the Friends of Gadebridge Park as stakeholders and the wider population and users of the park. Fundamentally the project seeks to strike a balance between wildlife and environmental needs and the ability for the park and river to be enjoyed by the community.

Planning Advice

- 4.4 This application has been subject to pre-application advice under 4/01566/18/PRE
- 4.5 Officers have also undertaken a screening of the development under Regulation 6(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (As Amended) (21/00210/SCE). This concluded that the development would not constitute EIA development and therefore does not require the submission of an Environmental Statement. A number of technical environmental reports have been prepared to accompany the submission of this planning application.

5. PROPOSALS

- 5.1 This application seeks planning permission for the partial realignment of the River Gade through Gadebridge Park and will see the creation of a new sinuous river channel downstream of the White Bridge to the Queensway culvert.
- 5.2 The channel will be located within the valley bottom where it can pick up on spring flows that are currently culverted. The channel will be approximately 10m wide with a low flow channel 1m wide in the base. The depth of the channel will be approximately 0.8m throughout although bar features and riffles within the low flow channel will cause fluctuations in the bed level and overall depth of the water course. The new channel will extend to a new reconnection point adjacent to Queensway, south of the park and within the grounds of 'The Bury'
- 5.3 The proposals also include a new concrete weir and the relocation of the EA gauging station within the channel and adjacent to the Bowls Club, to maintain flow gauging of the Gade in Gadebridge Pak. This will be installed in a rectangular concrete section of channel

2m in width for 10m of the length of the channel. The current Bury Mill river gauge located at the downstream end of the park would be decommissioned as it prevents the efficient passage of fish upstream given its design thereby contributing to the poor ecological status of the river.

- 5.4 Two new pedestrian bridges will be provided.
- 5.5 The redundant river channel will then be infilled with earth from the excavated channel and landscaped.
- 5.6 Amended plans were received during the determination of the application to reflect small changes in modelling of the proposed river channel sections, the spring drain works and to the bridge and gauging station. Additional information was provided in respect of trees and ecology including the submission and revisions to the Biodiversity Matrix.

6. REPRESENTATIONS

Consultation responses

- 6.1 These are reproduced in full at Appendix A.

Neighbour responses and publicity

- 6.2 These are reproduced in full at Appendix B

7. PLANNING POLICIES

Main Documents:

National Planning Policy Framework (February 2019)
Dacorum Borough Core Strategy 2006-2031 (adopted September 2013)
Dacorum Borough Local Plan 1999-2011 (adopted April 2004)

Relevant Policies:

Core Strategy

NP1 - Supporting Development
CS1 - Distribution of Development
CS2 – Selection of Development Sites
CS4 – Towns and Large Villages
CS5 – Green Belt
CS8 – Sustainable Transport
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, Soil and Water Quality
Hemel Hempstead Place Strategy

Policy CS33 – Hemel Hempstead Town Centre
CS35 - Infrastructure and Developer Contributions

Saved Local Plan Policies

Policy 99 – Preservation of Trees, Hedgerows and Woodlands
Policy 101 – Tree and Woodland Management
Policy 102 – Sites of Importance to Nature Conservation
Policy 104 – Nature Conservation in River Valleys
Policy 118 – Important Archaeological Remains
Policy 119 – Development Affecting Listed Buildings

8. CONSIDERATIONS

Policy and Principle

- 8.1 In considering this application, there has been a need to weigh the strong planning policy support at both a national and local level to the restoration and enhancement of the natural environment and the implications of such works on the visual amenity and openness of the Green Belt, the impact on the recreational and community value of the existing park and the impact on a number of heritage assets including the grade II White Bridge and grade II listed 'The Bury'
- 8.2 The primary purpose of this application is to reinstate the River Gade to a more natural position thereby improving its water quality to 'good' in accordance with the Water Framework Directive, extending the green infrastructure network and restoring habitat whilst also reducing the causes and impacts of flooding.
- 8.3 The Water Framework Directive was an EU directive which committed EU member states to achieving good qualitative and quantitative status of water bodies (ecological and chemical). It has subsequently been replaced following the UK withdrawal from the EU in law by the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017. This overall objective remains to achieve and thereafter maintain a 'good' status.
- 8.4 There is strong policy support for the restoration of rivers and the natural environment through Chapters 14 and 15 of the NPPF, through the application of policies CS25, CS26, CS31 and CS32 of the Core Strategy and in Saved Policies 102 and 104 of the Local Plan 1991-2011
- 8.5 The application site (Gadebridge Park) is located within the Green Belt and development must also be considered in the context of Green Belt policy as set out in the NPPF and Policy CS5 of the Core Strategy. The primary planning purpose is to restrict development in the interests of permanently maintaining the key characteristic of openness.
- 8.6 Gadebridge Park should also be protected for its recreational value in accordance with Policies CS23 and CS26 of the Core Strategy and thus any works that would significantly detract from its leisure and recreational value should be discouraged.
- 8.7 The Planning (Listed Building and Conservation Areas) Act 1990 under Sections 16 and 166 meanwhile require the local planning authority to have special regard to the desirability of preserving historic buildings and their settings. This duty extends to our consideration of historical assets on and within the immediate environs of the proposals including the grade II listed White Bridge, the grade II 'The Bury', the Old Town Conservation Area and the areas of archaeological significance within Gadebridge Park

- 8.8 Policy CS27 of the Dacorum Core Strategy seeks to ensure that the integrity, setting and distinctiveness of designated and undesignated heritage assets will be protected, conserved and if appropriate enhanced, with development positively conserving and enhancing the appearance and character of the Conservation Areas.

Green Belt Implications

- 8.9 The government attaches great importance to the protection of the Green Belt with its essential role in keeping land open and preventing the sprawl of settlements.
- 8.10 The proposed works would include the formation of a new river channel and infilling of the existing river channels to realign the river through a more central area of the park. The works also include the provision of bridge crossings over the river in its new position. The proposed works are considered to be engineering works which would be acceptable in the Green Belt under paragraph 150 of the NPPF providing that they preserve its openness and do not conflict with the purposes of its allocation.
- 8.11 The impact of the proposed works upon the open character and appearance are considered to be negligible in this case. The excavation of material to provide the new river channel will be utilised in the infilling of the existing channel, whilst bridging structures are designed as light weight structures with a degree of permeability thereto. These bridges are small in scale and in relation to the bridge and gauging station would be adjacent to and viewed in the context of the Bowls club building, playground and splash park. The provision of public footpaths would support the wider recreational use of the path and have no impact on the open character of the site. The works are therefore considered appropriate under paragraph 150 of the NPPF and Policy CS5 of the Core Strategy.

Landscape and Visual Amenity

- 8.12 The proposed river corridor has been designed as a sinuous route through the park with bar features and riffles within the low flow channel, fluctuations in the bed level and overall depth of the water course. This will replace the artificial channel of the river thereby appearing more natural and providing areas for interaction with the river such as dipping platforms and beaches. Improved water flow and management and maintenance of new river banks should result in visual and environmental improvements to the river Gade with a positive impact upon the landscape quality of the area in accordance with Policies CS10, CS12, CS13, CS25, CS26, CS29 and CS31 of the Core Strategy. The proposals will include new landscaping of the river corridor with a view to significantly improving the habit quality and the ecological value of the river and its margins. In particular the proposals would meet the objectives of Policy CS26 of the Core Strategy through the provision and extension of a wildlife corridor, strengthening the biodiversity value of the site and improving access through the park.

Impact on Trees

- 8.13 The application is accompanied by a tree survey of the park carried out in accordance with BS 5837:2012 – Trees in relation to demolition, design and construction by JBA Consulting on behalf of the Environment Agency. The survey has considered and recorded 90 trees and 4 tree groups within the site.
- 8.14 The proposals will require the removal of six individual trees (T027, 029, 033, 036, 041 and 047), the removal of a group of six saplings (068) and an 8m section of hedgerow. The further removal of a dead tree (044) is recommended but is not required to undertake the proposals. Tree pruning works would be undertaken to a further 20 trees thereby improving

their form and relationship to the river. A young flowering Chery tree (035) is considered to be suitable for relocation too within a gap in an avenue of Cherry trees alongside the path from the walled garden to the bowls club. All other trees will be protected in accordance with BS5837:2012 for the duration of works.

- 8.15 The hedgerow is considered to be of limited amenity value, but is located within the curtilage of The Bury and the Conservation Area. Trees 036, 041, 044 and 047 and some of the trees in group 068 and within or adjacent to the south east corner of curtilage to The Bury and within the Conservation Area. The trees to be removed are relatively small in stature and are considered generally to be of low amenity value (Category C trees) with one tree (047) being considered to be of a lower quality (Category U)¹ and one tree (033) considered to be of moderate quality (Category B) The removal of these trees is considered to be acceptable and will be off-set by a soft landscaping scheme including native planting within the river bank and areas set aside for the creation of wildflower meadows in accordance with Policies CS12, CS13 and CS26 of the Core Strategy and Saved Policies 99 and 101 of the Local Plan 1991-2011. The details of this planting scheme are subject to condition. Likewise the pruning of trees is considered to be reasonable and should not impede of the long term health of those subject to management.
- 8.16 The infilling of the existing channel between the 'White Bridge' and the south west corner of the site will impact on the water available to trees immediately adjacent to this line including trees 013, 020, 021, 022, 069-078 and 080. This could impact on tree health and vigour and as such there will be a need to support these trees as they adapt to alterations to groundwater levels. Proposals to mulch around the bases of these trees to assist them to adapt to their new ground conditions are considered acceptable.
- 8.17 The Arboricultural Method Statement provides a clear and appropriate for the protection of trees during the course of construction in accordance with Policies CS12 and CS26 of the Core Strategy and Saved Policies 99 and 101 of the Local Plan 1991-2011 and works are conditioned to be undertaken in accordance with this document.

Impact on Ecology and Biodiversity

- 8.18 The proposed scheme has been subject to an Ecological Impact Assessment by JBA Consulting including a number of site surveys for protected species. This has been supplemented during the determination of this application by a Water Vole Survey.”
- 8.19 The conclusions reached within the report are supported by the County Ecology Unit who conclude that “there will be no significant adverse effects resulting from these works” and that “the proposals will result in significant benefits to the river Gade within Gadebridge Park, its ecology, landscape and consequently, public amenity The comments of the County Ecology Unit are set out in full in Appendix A to this report.
- 8.20 The application site comprises amenity grassland/improved grassland associated with recreational activities and interconnected by mature hedgerows and tree lines. Although the site is suitable to support a range of protected species, the presence of these species is reduced through the presence of people and dogs using the park to the south of the 'White Bridge' The riparian margins of the river are currently in a poor condition and following the diversion of the channel will be improved with the best stands of vegetation transplanted to the new channel and allowed to colonise the margins. The river bank will be managed and profiled in the interests of providing a more natural environment. This will be supplemented by appropriate native landscaping.

¹ Category U trees are those featuring serious, irremediable, structural defect, those that are dead or dying and those infected with pathogens of significance to the health and safety of the tree or those nearby.

- 8.21 There are no legally protected species within the site, with the exception of Water Vole but given the habitat, the potential for riparian mammals, bats, nesting birds, reptiles and amphibians needs to be considered through the determination of this case and during the construction period. The scheme has been designed to avoid habitat removal or negative impacts to biodiversity in the first instance with an effective mitigation strategy where a short term negative impact cannot be avoided.
- 8.22 Water Voles were introduced to the Gade upstream of the site in 2021 and evidence of Water Voles within the existing section of the river channel that would be infilled as a result of development were encountered during survey works (including the siting of a vole during the Spring survey). Evidence of burrow, feeding stations and latrine were identified and based in the size and shape of burrows and feeding stations a low volume of Water Vole are considered likely to be present at the site.
- 8.23 The restoration of the River Gade will result in an adverse impact on Water Voles in the absence of appropriate mitigation. A mitigation strategy has been developed involving the trapped out of Water Vole and their relocation to a receptor site close to the site. A mitigation licence from Natural England will be required to relocate the Water Vole prior to channel works commencing and further survey works will be required prior to a licence being secured. Upon completion of the new river channel, it is anticipated that the channel will contain an improved habitat for this species and in time will be recolonised by Water Voles. The mitigation strategy is subject to a planning condition.
- 8.24 The impact on biodiversity has been calculated using the DEFRA Biodiversity Metric calculator. The scheme will deliver improvement in both river biodiversity units and habitat biodiversity units and as such would supplement the green infrastructure network in accordance with Policy CS26 of the Core Strategy and Saved Policies 102 and 104 of the Local Plan 1991-2011.

Impact on Heritage Assets

Archaeological Implications

- 8.25 The application site is located in an area of archaeological significance and some artefacts of historic interest have found as a result of trial trenches being excavation pre-application. The County Archaeological unit have considered the findings of the earlier investigations and consider that there is a likelihood of further archaeological deposits being uncovered as a result of development. They require further investigation works and monitoring to be undertaken and have recommended conditions to secure such works in accordance with the NPPF and Policy CS27 of the Core Strategy

Listed Buildings and Conservation Area

- 8.26 The applicants have submitted a Heritage Assessment which considers the implications of development upon two listed buildings ('The Bury' and 'White Bridge') and the Old Town Conservation Area. The river would be realigned to the south of the 'White Bridge' and would connect with the existing river at the south western corner of 'The Bury' The Old Town Conservation Area would extends along the eastern edge of the park and incorporates the curtilage of 'The Bury' and the river Gade culvert under Queensway.
- 8.27 The Heritage Assessment has been reviewed by Historic England and the Conservation and Design team and their comments are set out in full in Appendix A to this report.

White Bridge

- 8.28 The proposed development would result in no harm to the character, appearance and setting of the 'White Bridge' when assessed under the NPPF. The river Gade will continue to flow under the bridge before it is relocated towards the eastern side of the park. No works will be undertaken to the bridge and its historic fabric will be protected during construction.

The Bury/Old Town Conservation Area

- 8.29 The proposed river channel would extend alongside the western boundary of 'The Bury' before re-joining the existing channel at the south western corner of its curtilage. The creation of the river channel along the boundary of the site and the removal of some soft landscaping has been considered by the Conservation Officer who considers that the proposals would result in no harm to the setting of the listed building when assessed under the NPPF and noting the historic erosion of a water garden within its former grounds. The impact on the Old Town Conservation Area is likewise negligible with the wider relocation of the river Gade located a significant distance from the High Street and its environs.

Conclusion

- 8.30 The duty to preserve heritage assets under Sections 16 and 166 of the Planning (Listed Building and Conservation Areas) Act 1990 would be met and there would be no substantial grounds for objection to this scheme under the NPPF, Policy CS27 of the Core Strategy and Saved Policies 118 and 119 of the Local Plan 1991-2011.

Drainage and Flood Risk

- 8.31 The application site includes land within Flood Zones 2 and 3 of the Environment Agency's Flood Risk Maps for Planning and as such it has been necessary for a Flood Risk Assessment to be prepared for the development. Developments in Flood Risk Zones 2 and 3 have to demonstrate that they pass a Sequential Test and that there are no alternative sites for the development which would be located in an area at a lower flood risk. The Flood Risk Assessment prepared by JBA Consulting has been submitted with this application.

Fluvial Flood Risk

- 8.32 The River Gade has been perched above the floodplain due to its historic realignment and straightening alongside the Leighton Buzzard Road. The channel is overly wide and shallow resulting in the deposition of fine sediment and increasing the need for management. In periods of high flow, water can overflow the channel banks and spill into the adjacent lower lying park becoming trapped on the floodplain and unable to drain effectively back to the river in its perched position. Spring waters within the park are piped into the flood relief culverts adjacent to the car park rather than discharging to the groundwater table with an adverse impact on the resilience of the water channel during dry months. This results in a large area of the park away from the channel being classified as Flood Risk 3.
- 8.33 Although the same low level area of the park will be susceptible to flooding, the proposed realignment of the river through the site should enable ponded surface water within the park to be flow back to the river channel more efficiently thereby reducing the extent and longevity of fluvial flooding within the park. This is achieved without significantly altering peak flows in the river channel conveyed downstream and without increasing the flood risk beyond the application site as demonstrated through the hydraulic modelling of the site.

Groundwater Flooding

- 8.34 The park is also susceptible to flooding from groundwater. If the groundwater table rises following prolonged autumn or winter recharge, the park may become waterlogged even if perched river flows remain within the river channel. High groundwater levels normally coincide with high flows within the River Gade and result in similar flooding to that resulting from fluvial sources. As set out above the proposed scheme should result in a reduced risk of flooding from groundwater by reconnecting flood water with the river corridor.

Bridges

- 8.35 A new pedestrian bridge structure is proposed to maintaining access to the Bowls Club at the southern end of Gadebridge Park from the southern car parking area. The proposed bridge is a single span structure designed to have a soffit level 600mm above the peak water level for the channel. The design of the bridge will not affect the shape of the river channel within the vicinity of the crossing and as such the bridge will not result in any additional flood risk. A second bridge is to be mounted on abutments at the top of the bank north of the proposed gauging station approximately half way between the Bowls club and the 'White Bridge' This bridge will have no impact on the river channel in flood conditions.

Conclusion

- 8.35 The submitted Flood Risk Assessment demonstrates that the proposed development would not increase the risk of flooding either on site or downstream of the application site in accordance with the NPPF and Policies CS31 and 32 of the Core Strategy.

Impact on Recreational Use

- 8.36 The route of the realigned river course comprises an area of limited public amenity value within the park comprising grassland areas away from the main activities of the bowls club, Splash Park and play areas. This area is more heavily treed with the proposed river course weaving between treed sections to the park. Whilst the proposals will reduce the extent of parkland on the eastern side of the river the loss will be compensated by the infilling of the existing channel along the western edge of the site, the formation of beached areas on the eastern side of the river and the inclusion of dipping platforms thereto. This will increase the scope for interaction with the river course as an extension to wet play activities and complimenting the existing Splash Park. New pathways will significantly improve access within the park and provide more diverse walking routes therein.
- 8.37 The realignment of the river does not extend north of the 'White Bridge' and as such would not have any adverse impact on land used as an event space nor that used more formally for team sports north of Gadebridge Lane. Furthermore the proposals would not appear to prejudice proposals for the upgrading of Gadebridge Park to provide Suitable Alternative Natural Green Space (SANG) as part of the Chilterns Beechwoods mitigation strategy. These works are understood to incorporate the provision of footpaths and improved access on the opposite side of the Leighton Buzzard Road.
- 8.38 The proposals would not prejudice the wider recreational use and amenity value of the park in accordance with Policies CS10, CS11, CS23 and CS26 of the Core Strategy.

Design

- 8.39 The proposed bridges are considered to be appropriate in terms of their layout, design and scale in accordance with Policies CS11, CS12 and CS13 of the Core Strategy. They are

not elaborate structures but are designed to provide appropriate clearance of the river course and understated functional crossings to the realigned river. They would not detract from the wider and more ornate listed 'White Bridge' its form, function and importance.

- 8.40 The proposed crossing by the Bowls club would incorporate the requirements for a gauging station and thus reflect the need to straighten the channel in the area, incorporate plant and access ladders.

Contamination

- 8.41 Both the Environment Agency and the Council's Contamination Officer consider that the application site has a potentially contaminative land use history (watercress beds) and as such the presence of contamination cannot be ruled out at this stage. Further investigations in relation to ground contamination and a remediation strategy will need to be secured via a planning condition.

Public Safety

- 8.42 Safety concerns have been raised in relation to the realignment of the river course closer to play areas within the park and the potential for increased recreational use to the west of the river and adjacent to the Leighton Buzzard Road. The risks are considered as follows:

Risk of Drowning or Injury caused by Interaction with the River Gade

- 8.43 This is of particular concern given that the river would be located closer to the playground areas, would comprise an open waterway (as at present) and would contain dipping platforms/beaches.
- 8.44 The play equipment contained within the park is arranged given its suitability for use by a range of ages. The play equipment that is aimed at more regularly used by toddlers and younger children is located closer to the existing pedestrian and cycle route on the eastern side of the park and is generally enclosed with fencing. The Splash Park is also fenced. It is considered that there is little risk that children from these areas would engage in unsupervised play or that they would enter the river course some distance from the play space unnoticed. Although beached areas and dipping sections will be introduced to encourage play and activity adjacent to the river, it is not expected that this would be unsupervised nor that the water depth and velocity of water would be significant in this location.
- 8.45 The realignment of the river is not increase the risk associated with having a river course within the parkland and is considered low in this instance.

Impact on Highway Safety

- 8.46 The extent of park on the western side of the river course would be increased as a result of the realignment with the potential for an increased use of this area for recreational activities. Whilst there is no barrier between the Leighton Buzzard Road and the park, there is a significant change in levels between the road and the main park area. The area of park created on this side of the river course is considered to be unsuitable for ball games or alike given the topography and trees therein and the impact of works on highway safety has not been identified as being of concern to the highway authority. It is considered that use of this area is unlikely to be prejudicial to matters of highways safety in accordance with Policies CS8 and CS12 of the Core Strategy.

Representations

- 8.47 A total of four comments have been received from residents objecting to the proposed scheme with these identifying or suggesting that these proposals seek to facilitate the opportunity for the development of a residential or other development within the park (2 comments), that there would be more appropriate uses of Council finances (1 comment), that moving the river closer to the children's play area results in safety concerns (1 comment) and that the presence of Water Voles at the site has not been adequately considered (1 comment)
- 8.48 There are no proposals for residential development or other development within the park which would remain within the Green Belt and subject to associated planning policy restrictions. It is worth emphasising that the construction of new buildings within the Green Belt would comprise inappropriate development with limited exceptions thereto.
- 8.49 The funding of the scheme, by the Council or otherwise, is not a material planning consideration and should not affect the determination of the proposal on its planning merits.
- 8.50 The proposed works are not considered to be detrimental to public safety and should not undermine the recreational use of the park. The siting and treatment of the river course, the introduction of means to interact with the river have been carefully considered and risk assessed.
- 8.51 The issue with Water Voles and protected species generally are addressed above.
- 8.52 I note that amongst those comments supporting the application that there are concerns with other areas of the river course that are not subject to this application. These have been raised separately with the applicants and should not prejudice the determination of this case.

Conditions

- 8.53 A number of conditions have been suggested by statutory consultees and these have been included where they are appropriate, reasonable, relevant to planning and necessary. These include conditions to cover materials, design elements of the scheme, landscaping, contamination and ecology
- 8.54 The Environment Agency, in particular, have suggested a number of planning conditions to be met in relation to the realignment of the River Gade within Gadebridge Park including the provision of buffer zones either side of the river bank. Whilst the majority of these conditions are acceptable in the format provided, there is a need to vary the wording to their proposed condition 5 thereto to address a potential conflict between the desirable ecological improvement and the existing and future use of the park. The proposals for landscaping of the application site, ecological improvements and protection of landscaped areas are incorporated in condition 2 below.
- 8.55 The Environment Agency normally require a 10m buffer zone from the top of the river bank as set out in their response below (Reason 5) and in accordance with emerging Policy DM33 of the emerging Single Local Plan. The current design shows the buffer area ranging between 4m (given the location of existing trees) and 8m from the bank top with the majority of the buffer zone being 8m in width. It has therefore been clarified by the Environment Agency that the submitted plans for the buffer zone are acceptable in principle and would form an appropriate basis to discharge this condition despite this conflict. The submission of details regarding the materials to be used on footpaths, dipping

platforms and beach areas together with a planting scheme and management scheme are necessary and should be consistent with the indicative landscaping plan for the site. A wider buffer zone and the removal of dipping platforms would not be acceptable to DBC as landowner given the recreational use and function of the park. It is important that any planning conditions are unambiguous and capable of being discharged and the clarification from the Environment Agency indicates that a reduced buffer zone is acceptable in this instance.

9. RECOMMENDATION.

9.1 It is recommended that planning permission is **GRANTED** subject to the conditions below.

CONDITIONS Condition(s) and Reason(s):

1. The development hereby permitted shall begin before the expiry of three years

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.

2. No development shall take place until full details of hard and soft landscaping works have been submitted to an approved in writing by the Local Planning Authority. These details shall include:

- **A landscape and ecological management plan. This should include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens),**
- **soft landscape works which shall include planting plans including details of any replacement trees; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;**
- **Plans showing the extent and layout of the buffer zone adjacent to the new river course**
- **The materials to be used on footpaths, dipping platforms and beach areas**
- **all other hard surfacing materials**
- **details of any proposed footpaths, fencing, lighting located within 10m of the watercourse and details and**
- **ecological mitigation measures including new habitat creation**

The proposed landscaping works should reflect the general principles and be in accordance with drawing number GDA-JBAU-XX-XX-DR-EN-0001-Indicative_Landscaping_Plan

The development shall be implemented fully in accordance with the approved details.

Reason: To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraph 179, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 180 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

3. **No development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:**

- (i) **A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;**
- (ii) **The results from the application of an appropriate risk assessment methodology.**

Reason: The Local Planning Authority is of the opinion that the JBA consulting Gadebridge Phase 1 Contaminated Land Assessment dated July 2016 submitted at the planning application stage (Document Reference: 2015s3588_Gadebridge_Final.docx) indicates a reasonable likelihood of harmful contamination and as such this condition will ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Policy CS32 of the Core Strategy.

4. **No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of 3, above; has been submitted to and approved by the Local Planning Authority. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary**

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32

5. **Upon completion of the development hereby approved a Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority. The Verification Report report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance plan”) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.**

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32

6. **Should any ground contamination, other than that reported by virtue of Condition 3, be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the completion of the development hereby approved.**

Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority upon completion of the development hereby approved.

Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment

- 7. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to any part of the permitted development being brought into use.**

Reason Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater

- 8. No development shall take place until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of archaeological significance and research questions; and:**
- The programme and methodology of site investigation and recording
 - The programme for post investigation assessment
 - Provision to be made for analysis of the site investigation and recording
 - Provision to be made for publication and dissemination of the analysis and records of the site investigation
 - Provision to be made for archive deposition of the analysis and records of the site investigation
 - Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

- 9. The development shall take place in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition 8**

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

- 10. Within 3 months of the completion of the development hereby approved the site investigation and post investigation assessment shall be completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 8 and the provision made for analysis and publication where appropriate.**

Reason: To ensure that adequate measures and put in place to investigate and record archaeological deposits in accordance with the NPPF and Policy CS27 of the Core Strategy.

11. **No development shall take place until Water Voles have been relocated in accordance with the Gadebridge Park Water Vole Mitigation Plan by JBA Consulting dated August 2022**

Reason: To ensure the adequate protection of the water vole population in accordance with the Wildlife and Countryside Act 1981 and in accordance with Policy CS26 of the Core Strategy.

12. **The development hereby approved shall take place in accordance with the Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement submitted by JBA Consulting dated May 2022. Protective fencing shall be erected prior to the commencement of any works and shall be retained for the duration of construction activities.**

Reason: To ensure the adequate protection of retained trees in accordance with Policies CS12 and CS26 of the Core Strategy

13. **The development hereby approved shall be carried out in accordance with the following approved plans and documents:**

Plans

Site Location Plan

GDA-JBAU-XX-XX-DR-C-0001 Revision P04 (General Arrangement and Site Constraints)

GDA-JBAU-XX-XX-DR-C-0002 Revision P04 (Proposed Channel Longitudinal Sections)

GDA-JBAU-XX-XX-DR-C-0003 Revision P04 (Landscape and Geomorphology Plan)

GDA-JBAU-XX-XX-DR-C-0004 Revision P04 (Proposed Channel Sections)

GDA-JBAU-XX-XX-DR-C-0008 Revision P01 (Spring Water Drain Works Layout Plan)

GDA-JBAU-XX-XX-DR-C-0009 Revision P01 (Spring Water Drain Works Longitudinal Profiles)

GDA-JBAU-XX-XX-DR-C-1101 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)

GDA-JBAU-XX-XX-DR-C-1102 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevation and Details)

GDA-JBAU-XX-XX-DR-C-1103 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)

GDA-JBAU-XX-XX-DR-C-1104 Revision P01 (Bridge and Gauging Station Channel Cross Section, Elevations and Details)

GDA-JBAU-XX-XX-DR-C-1106 Revision C01 (Bridge 2 Plan, Section, Elevation and Details)

GDA-JBAU-XX-XX-DR-C-1201-Hazards_ & Constraints.

GDA-JBAU-XX-XX-DR-C-1202-General_Arrangement

GDA-JBAU-XX-XX-DR-C-1206-Existing_Channel_Works

GDA-JBAU-XX-XX-DR-EN-0001- Indicative_Landscape_Plan

Documents

Arboricultural Survey, Arboricultural Impact Assessment and Arboricultural Method Statement submitted by JBA Consulting dated May 2022

Archaeological Evaluation by Headland Archaeology Ltd dated April-May 2020

Archaeological Written Scheme of Investigation by FAS Heritage

Contaminated Land Assessment – Phase 1 Report by JBA Consulting dated July 2016

Planning, Design and Access Statement by JBA Consulting dated January 2022
Gadebridge Park Ecological Impact Assessment by JBA Consulting dated August 2022
Gadebridge Park River Restoration: Flood Risk Assessment by JBA Consulting dated January 2022
Gadebridge Park: Water Vole Mitigation Plan by JBA Consulting dated August 2022
Heritage Statement by FAS Heritage
Hydromorphology and Ecology Report by JBA Consulting dated June 2018

INFORMATIVES

Permitting for Flood Risk Activities

Irrespective of planning approval, under the Environmental Permitting Regulations as amended 2016, the prior written permission of the Environment Agency is required for any proposed activities which will take place:

- within, under or over a main river
- within the flood plain of a main river
- within 8m of the river bank or flood defence structure/culvert
- within 16 m of a tidal defence structure/culvert
- for quarrying or excavation, within 16m of a remote defence, flood defence structure or culvert

To be considered a flood risk activity the works must:

- affect flows, flood risk or land drainage
- affect the stability of banks or the effectiveness of defences
- affect the Environment Agency's access to the river or sea defences

For further guidance and advice please visit the www.gov.uk website or contact National Customer Contact Centre on 03702 422 549.

Water Voles

Irrespective of planning approval, a licence to trap and translocate water voles is required from Natural England.

We also strongly recommend that:

- Excessive scrub vegetation and non-native shrubs in the receptor site are thinned/removed to ensure the total cover does not exceed 10% of the total bank tops ahead of translocations taking place.
- A mink and water vole survey of the receptor site is done immediately ahead of translocation to ensure that all of S1 is free of mink, and that the stretch is largely free from resident water voles, or only very low densities of resident water voles are present, so as to allow capacity for the introduced water voles.

APPENDIX A: CONSULTEE RESPONSES

Consultee	Comments
Environment Agency ²	<p>LATEST COMMENTS – DECEMBER 2022</p> <p>We have no objection to this application and consider that planning permission could be granted to the proposed development as submitted if the below planning conditions are included as set out below:</p> <p><u>Site Specific Information</u></p> <p>The previous use of the proposed development site presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within Source Protection Zone (SPZ) 1 and located upon a Principal and Secondary aquifers. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.</p> <p>The River Gade is a chalk stream. In England and Wales, chalk streams are classed as Priority Habitats, also known as Habitats of Principal Importance, (classified under the UK Biodiversity Action Plan government legislation) and as such are recognised as being amongst the most threatened habitats that require conservation action. Their rarity and distinctiveness support some of the UK’s most endangered species. The proposals as submitted would potentially cause the deterioration of water quality in a high priority habitat</p> <p>The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. The ecological enhancements that have been proposed will require a management plan to be in place that will ensure the landscape provides a maximum benefit to people and the environment. However, further detailed information will be required before built development is undertaken and prior to completion of the works.</p> <p>CONDITION (1)</p> <p>No development approved by this planning permission shall take place until a remediation strategy, and monitoring and maintenance plan that includes the following components 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:</p> <ol style="list-style-type: none"> 1. The results of a site investigation based on the submitted report: Gadebridge Phase 1 Contaminated Land Assessment, dated July 2016, prepared by JBA Consulting and a detailed risk assessment, including a revised CSM. 2. Based on the risk assessment in (1) an options appraisal and

² This application has been considered by the Environment Agency team for East Anglia given its submission by the Hertfordshire and North London Area team and in the interest of probity.

remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The plan shall also detail a long-term monitoring and maintenance plan as necessary.

Reason (1)

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Advice to LPA (1)

We are satisfied that the risks to controlled waters posed by contamination at this site can be addressed through appropriate measures. However, further details will be required in order to ensure that risks are appropriately addressed prior to the development commencing and being occupied. It is important that remediation works, if required, are verified as completed to agreed standards to ensure that controlled waters are suitably protected.

CONDITION (2)

Prior to any part of the permitted development being brought into use a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a “long-term monitoring and maintenance 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 (2)

See Reason (1).

CONDITION (3)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason (3)

See Reason 1

Advice to LPA (3)

Contamination can still be missed by an investigation and this condition gives the Local Planning Authority the ability to require a new, or amendments to an existing, remediation strategy to address any previously unexpected contamination

CONDITION (4)

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to any part of the permitted development being brought into use.

Reason (4)

Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater.

CONDITION (5)

A landscape and ecological management plan should be submitted prior to the completion of works. This should include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), and shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- details of any new habitat created on site
- details of treatment of site boundaries and buffers around water bodies
- details of management responsibilities
- details of how the management will ensure the site is suitable for Water Vole
- details of a buffer zone along and either side of the River Gade
- plans showing the extent and layout of the buffer zone.
- details of any proposed planting scheme to include appropriate native species.
- details demonstrating how the buffer zone will be protected and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting located further

than 5m from the watercourse. Footpaths should be made of natural material and be permeable, and there should be no light spill into the watercourse and buffer zone.

Reasons (5)

To ensure the protection of wildlife and supporting habitat and to secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraph 179, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 180 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Policy DM33 of the Dacorum Emerging Policy for growth (2020-2038) requires development to avoid development within 10m of the buffer zone and to secure opportunities to conserve and enhance biodiversity, to include reinstating natural buffer zones. This development provides the opportunity for Dacorum Borough Council to lead by example and provide the required buffer zone wherever feasible.

The Thames River Basin Management Plan (TRBMP) requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape management plan, the proposal's ecological impact may prevent the full recovery of a protected chalk stream and its buffer zone.

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Development that encroaches on watercourses can have a potentially severe impact on their ecological value, disrupting habitat and migration corridors for species reliant on these marginal areas.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

The buffer zone should be 'undisturbed' by development – so there should be no fencing, footpaths or other development and should not include formal landscaping. Mowing regime should be low intensity, allowing plants to flower. Light spill within the buffer zone from external artificial lights should be kept at an absolute minimum and be located and directed so that light levels of 0-2 lux are maintained. A buffer zone will provide multiple benefits including natural flood management, aesthetically pleasing space and link habitats for local biodiversity.

Water Vole (*Arvicola amphibius*) are present on this reach of watercourse. Water Vole are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. The scheme requires Water Vole to be trapped and relocated. Therefore, the habitat created in this newly restored channel should provide the best possible quality

habitat to ensure their natural migration back to this channel. The Water Vole Management Plan references a Landscape and Habitat Management Plan which is yet to be submitted with this application. Therefore, this condition is required to ensure Water Vole will be suitably protected throughout this application.

Water Vole and their burrows are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. The scheme requires Water Vole to be trapped and relocated. Therefore, the habitat created in this newly restored channel should provide the best possible quality habitat to ensure their natural migration back to this channel. The buffer zone should be designed and managed for the benefit of biodiversity, e.g. by planting of locally appropriate species native to the UK

Advice to LPA / Applicant (5)

Irrespective of planning approval, a licence to trap and translocate water voles is required from Natural England.

We also strongly recommend that:

- Excessive scrub vegetation and non-native shrubs in the receptor site are thinned/removed to ensure the total cover does not exceed 10% of the total bank tops ahead of translocations taking place.
- A mink and water vole survey of the receptor site is done immediately ahead of translocation to ensure that all of S1 is free of mink, and that the stretch is largely free from resident water voles, or only very low densities of resident water voles are present, so as to allow capacity for the introduced water voles.

OTHER COMMENTS

Flood Risk

The revised _HYDRAULIC_MODEL_MAY2022_UPDATE with new model outputs used to address issues around, the revised channel berms & riffles, flood relief culvert bypass, gauging station and flows in the vicinity of the bowl's club was approved by our modelling Evidence and Risk team and is considered to be fit for purpose.

Permitting for Flood Risk Activities

Irrespective of planning approval, under the Environmental Permitting Regulations as amended 2016, the prior written permission of the Environment Agency is required for any proposed activities which will take place:

- within, under or over a main river
- within the flood plain of a main river • within 8m of the river bank or flood defence structure/culvert
- within 16 m of a tidal defence structure/culvert
- for quarrying or excavation, within 16m of a remote defence, flood defence structure or culvert

To be considered a flood risk activity the works must:

- affect flows, flood risk or land drainage
- affect the stability of banks or the effectiveness of defences
- affect the Environment Agency's access to the river or sea defences

For further guidance and advice please visit the www.gov.uk website or contact National Customer Contact Centre on 03702 422 549.

We ask to be consulted on the details submitted for approval to your Authority to discharge these conditions and on any subsequent amendments/alterations

AMENDED/ADDITIONAL PLANS:

Thank you for your letter regarding the above mentioned site, which was received on 9 September 2022. We have reviewed the information as submitted and wish to make the following comments.

We have no objection to this application and consider that planning permission could be granted to the proposed development as submitted if the below planning conditions are included as set out below

Site Specific Information

The previous use of the proposed development site presents a risk of contamination that could be mobilised during construction to pollute controlled waters. Controlled waters are particularly sensitive in this location because the proposed development site is within Source Protection Zone (SPZ) 1 and located upon a Principal and Secondary aquifers. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

The application demonstrates that it will be possible to manage the risks posed to controlled waters by this development. The ecological enhancements that have been proposed will require a management plan to be in place to ensure the landscape provides a maximum benefit to people and the environment. However, further detailed information will be required before built development is undertaken and prior to completion of the works.

CONDITION (1)

No development approved by this planning permission shall take place until a remediation strategy that includes the following components 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:

1. The results of a site investigation based on the submitted report: Gadebridge Phase 1 Contaminated Land Assessment, dated July 2016, prepared by JBA Consulting and a detailed risk assessment, including a revised CSM.
2. Based on the risk assessment in (1) an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. The strategy shall include a plan providing details of how the remediation works shall be judged to be complete and arrangements for contingency actions. The

plan shall also detail a long term monitoring and maintenance plan as necessary.

3. Prior to any part of the permitted development being brought into use a verification report demonstrating completion of works set out in the remediation strategy in (2). The long-term monitoring and maintenance plan in (2) shall be updated and be implemented as approved.

Reason (1)

To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 174, 179 and 188 and Environment Agency Groundwater Protection Position Statements which can be found here: <https://www.gov.uk/government/publications/groundwater-protection-position-statements>

Advice to LPA (1)

We are satisfied that the risks to controlled waters posed by contamination at this site can be addressed through appropriate measures. However, further details will be required in order to ensure that risks are appropriately addressed prior to the development commencing and being occupied. It is important that remediation works, if required, are verified as completed to agreed standards to ensure that controlled waters are suitably protected.

CONDITION (2)

The development hereby permitted shall not commence until a monitoring and maintenance plan in respect of contamination, including a timetable of monitoring and submission of reports to the Local Planning Authority, has been submitted to, and approved in writing by, the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason (2)

See Reason (1).

CONDITION (3)

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason (3)

See Reason 1.

Advice to LPA (3)

Contamination can still be missed by an investigation and this condition gives the Local Planning Authority the ability to require a new, or amendments to an existing, remediation strategy to address any previously unexpected contamination.

CONDITION (4)

No drainage systems for the infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approved details.

Reason (4)

See Reason 1.

Advice to LPA / Applicant (4)

The water environment is potentially vulnerable and there is an increased potential for pollution from inappropriately located and/or designed infiltration Sustainable Drainage Systems (SuDS).

CONDITION (5)

Piling or any other foundation designs and investigation boreholes using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason (5)

See Reason 1.

Advice to LPA / Applicant (5)

Piling or any other foundation designs using penetrative methods can result in risks to controlled waters. It should be demonstrated that any proposed piling will not result in contamination of groundwater.

CONDITION (6)

A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall

provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected and inspected. The scheme as approved shall be implemented prior to the occupation of any part of the permitted development.

Reason (6)

See Reason 1.

CONDITION (7)

A landscape and ecological management plan should be submitted prior to the completion of works. This should include long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), and shall be submitted to, and approved in writing by, the Local Planning Authority. The landscape and ecological management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the Local Planning Authority. The scheme shall include the following elements:

- details of any new habitat created on site
- details of treatment of site boundaries and buffers around water bodies
- details of management responsibilities
- details of how the management will ensure the site is suitable for Water Vole

Reasons (7)

To ensure the protection of wildlife and supporting habitat. Also, to secure opportunities for enhancing the site's nature conservation value in line with NPPF paragraph 179, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 180 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged and adopted policy DM33 of the Dacorum Emerging Policy for growth (2020-2038).

The Thames River Basin Management Plan (TRBMP) requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a landscape management plan, the proposal's ecological impact may prevent the full recovery of a protected chalk stream, the River Gade, and its buffer zone.

Water Vole (*Arvicola amphibius*) are present on this reach of watercourse. Water Vole are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. The scheme requires Water Vole to be trapped and relocated. Therefore, the habitat created in this newly restored channel should provide the best possible quality habitat to ensure their natural migration back to this channel. The Water Vole Management Plan references a Landscape and Habitat Management Plan which is yet to be submitted with this application. Therefore, this condition is required to ensure Water Vole will be suitably protected throughout this application.

CONDITION (8)

No development shall take place until a scheme for the provision and management of the 10 metre wide buffer zone alongside the River Gade has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the development shall be carried out with the approved scheme. Any subsequent variations shall be agreed in writing by the Local Planning Authority, in which case the development shall be carried out in accordance with the amended scheme. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- plans showing the extent and layout of the buffer zone, including removal of the dipping platforms.
- details of any proposed planting scheme to include appropriate native species.
- details demonstrating how the buffer zone will be protected and managed over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting, with footpaths located further than 5m from the watercourse. Footpaths should be made of natural material and be permeable, and there should be no light spill into the watercourse and buffer zone.

Reasons (8)

Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected. Development that encroaches on watercourses can have a potentially severe impact on their ecological value, disrupting habitat and migration corridors for species reliant on these marginal areas.

Networks of undeveloped buffer zones might also help wildlife adapt to climate change and will help restore watercourses to a more natural state as required by the TRBMP.

We will consider how the development will affect water biodiversity and the wetland environment. The TRBMP states that the water environment should be protected and enhanced to prevent deterioration and promote the recovery of water bodies. The River Gade is a chalk stream. In England and Wales, chalk streams are classed as Priority Habitats, also known as Habitats of Principal Importance, (classified under the UK Biodiversity Action Plan government legislation) and as such are recognised as being amongst the most threatened habitats that require conservation action. Their rarity and distinctiveness support some of the UK's most endangered species. The proposals as submitted would potentially cause the deterioration of water quality in a high priority habitat.

This approach is supported by NPPF paragraph 179, which requires the planning system to aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity. Paragraph 180 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

This condition is also supported by legislation set out in the Natural Environment and Rural Communities Act 2006 and Article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Policy DM33 of the Dacorum Emerging Policy for growth (2020-2038) requires development to avoid development within 10m of the buffer zone and to secure opportunities to conserve and enhance biodiversity, to include reinstating natural buffer zones. This development provides the opportunity for Dacorum Borough Council to lead by example and provide the required buffer zone wherever feasible. Water Vole (*Arvicola amphibius*) are present on this reach of watercourse. Water Vole and their burrows are fully protected under Schedule 5 of the Wildlife and Countryside Act 1981, as amended. The scheme requires Water Vole to be trapped and relocated. Therefore the habitat created in this newly restored channel should provide the best possible quality habitat to ensure their natural migration back to this channel.

The buffer zone should be designed and managed for the benefit of biodiversity, e.g. by planting of locally appropriate species native to the UK. The buffer zone should be 'undisturbed' by development – so there should be no fencing, footpaths or other development and should not include formal landscaping. Mowing regime should be low intensity, allowing plants to flower. Light spill within the buffer zone from external artificial lights should be kept at an absolute minimum and be located and directed so that light levels of 0-2 lux are maintained. A buffer zone will provide multiple benefits including natural flood management, aesthetically pleasing space and link habitats for local biodiversity.

Advice to LPA / Applicant (7 and 8)

Irrespective of planning approval, a licence to trap and translocate water voles is required from Natural England. We also strongly recommend that:

- Excessive scrub vegetation and non-native shrubs in the receptor site are thinned/removed to ensure the total cover does not exceed 10% of the total bank tops ahead of translocations taking place.
- A mink and water vole survey of the receptor site is done immediately ahead of translocation to ensure that all of S1 is free of mink, and that the stretch is largely free from resident water voles, or only very low densities of resident water voles are present, so as to allow capacity for the introduced water voles.

OTHER COMMENTS

Flood Risk

The revised _HYDRAULIC_MODEL_MAY2022_UPDATE with new model outputs used to address issues around, the revised channel berms & riffles, flood relief culvert bypass, gauging station and flows in

	<p>the vicinity of the bowl's club was approved by our modelling Evidence and Risk team and is considered to be fit for purpose.</p> <p><u>Permitting for Flood Risk Activities</u></p> <p>Irrespective of planning approval, under the Environmental Permitting Regulations as amended 2016, the prior written permission of the Environment Agency is required for any proposed activities which will take place:</p> <ul style="list-style-type: none"> • within, under or over a main river • within the flood plain of a main river • within 8m of the river bank or flood defence structure/culvert • within 16 m of a tidal defence structure/culvert • for quarrying or excavation, within 16m of a remote defence, flood defence structure or culvert <p>To be considered a flood risk activity the works must:</p> <ul style="list-style-type: none"> • affect flows, flood risk or land drainage • affect the stability of banks or the effectiveness of defences • affect the Environment Agency's access to the river or sea defences <p>For further guidance and advice please visit the www.gov.uk website or contact National Customer Contact Centre on 03702 422 549.</p>
<p>Hertfordshire County Council – Lead Local Flood Authority</p>	<p>AMENDED/ADDITIONAL PLANS</p> <p>No comments received.</p> <p>SUBSEQUENT COMMENTS</p> <p>Hertfordshire County Council as Lead Local Flood Authority (LLFA) have reviewed the cases listed above and does not have significant concerns regarding the existing flood risk on site. There is not obvious potential for the proposed development on the site to reduce existing flood risk in the surrounding area. These proposals would not increase the flood risk on site or off site, provided national and local SuDS/surface water drainage requirements are considered in the site design. As such we would recommend that the LPA requires the applicant to follow the standing advice, requirements and guidance available here https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#. In short, all sites should endeavour to follow the discharge and SuDS hierarchies, should discharge at greenfield runoff rates and should utilise a source control approach as far as possible.</p> <p>ORIGINAL PLANS</p> <p>The Lead Local Flood Authority (LLFA) is currently unable to respond to any new planning consultations.</p> <p>The proposed development site lies within flood zone 3 and therefore the Environment Agency should be consulted on this application. Any flood compensatory storage to be provided should be evidenced to the Environment Agency. You must also follow the environmental permitting rules if you want to do work on or near a main river.</p>

	<p>LLFA guidance is available under Policies and Guidance on our website: https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#.</p> <p>We recommend that any new development site follows the LLFAs policies on SuDS, which are contained within the Local Flood Risk Management Strategy 2 (LFRMS2). The Guidance for developers contains a Developers Guide and Checklist for developers to understand requirements. A climate change allowance note for Hertfordshire is also provided on the website. The surface water drainage webpages also contain links to national policy and industry best practice.</p> <p>If the site contains an ordinary watercourse, we advise that: Any works proposed to be carried out that may affect the flow within an ordinary watercourse will require the prior written consent from the Lead Local Flood Authority under Section 23 of the Land Drainage Act 1991. This includes any permanent and/or temporary works, regardless of any planning permission. For further advice on Ordinary Watercourses, please visit our Ordinary Watercourse webpage via the following link:</p> <p>https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/ordinary-watercourses/ordinary-watercourses.aspx#</p>
<p>Hertfordshire County Council – Archaeology Unit</p>	<p>Please note that the following advice is based on the policies contained in the National Planning Policy Framework.</p> <p>The River Gade at Gadebridge Park runs through the grounds of The Bury [Historic Environment Record no 10432]. The house was built by William Ginger in 1790 and an engraving dated 1796 engraving shows a waterfilled moat with ornamental canals, islands, shrubberies, statuary, and specimen trees. This house was the successor to two earlier manor houses built just to the east of Gadebridge Park [HER no's 71 and 10433]. The full extent of the medieval and 16th century manor houses and grounds is unknown, but the Charter Tower is the only surviving part of the later of the two houses, built in the late 16th century. The earlier, medieval house stood to the north of the Tower.</p> <p>As stated in the Cultural Heritage Assessment by FAS Heritage (dated 2016): 'There is a suggestion that the site may be the focus of an early medieval estate centre and possibly Minster church, and there are the vestigial remains of a medieval manorial centre (including mill) which may be represented by below-ground remains. There may be below-ground remains of the late 18th-century water gardens associated with 'Mr Ginger's Villa', with the late 19th century watercress beds. It is likely that some of the groundworks involved in the creation of water gardens and beds will have removed earlier deposits, but without further investigation the scale of this truncation and/or survival cannot be ascertained. [p.20].'</p> <p>Following pre-application advice provided by this office (4/01566/18/PRE), the evaluation of the site by trial trenching (Headland Archaeology, 2020) revealed a brick lined culvert</p>

associated with late 18th to 19th century finds which likely related to the former mill at the southern end of the site. Several cut features were also exposed although their irregularity and lack of artefactual evidence made them difficult to interpret and could represent either the former water gardens, the watercress beds or the parkland levelling phases.

I therefore believe that the proposed development is such that it should be regarded as likely to have an impact on heritage assets of archaeological interest and I recommend that the following provisions be made, should you be minded to grant consent:

1. The archaeological monitoring of all groundworks related to the excavation of the new channel and associated landscaping works, including trenches, bridge footings, ground reduction, hard landscaping, access, and any other ground impact; This should include a contingency for preservation or further investigation of any remains encountered;

2. A geo-archaeological evaluation of the redundant parts of the current channel prior to infilling in the form of geotechnical test pits and/or boreholes. The specialist assessment and analysis of the results of this evaluation, including the analysis and dating of palaeo-environmental remains, as appropriate;

3. The analysis of the results of the archaeological work, including the analysis and dating of palaeo-environmental remains, with provisions for the subsequent production of a report and an archive, and the publication of the results, as appropriate;

4. such other provisions as may be necessary to protect the archaeological interests of the site.

I believe that these recommendations are both reasonable and necessary to provide properly for the likely archaeological implications of this development proposal. I further believe that these recommendations closely follow the policies included within Policy 16 (para. 205, etc.) of the National Planning Policy Framework, and relevant guidance contained in the National Planning Practice Guidance, and in the Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment (Historic England, 2015).

In this case three appropriately worded conditions on any planning consent would be sufficient to provide for the level of investigation that this proposal warrants. I suggest the following wording:

A No demolition/development shall take place/commence until an Archaeological Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. 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 for post investigation assessment

	<p>3. Provision to be made for analysis of the site investigation and recording</p> <p>4. Provision to be made for publication and dissemination of the analysis and records of the site investigation</p> <p>5. Provision to be made for archive deposition of the analysis and records of the site investigation</p> <p>6. Nomination of a competent person or persons/organisation to undertake the works set out within the Archaeological Written Scheme of Investigation.</p> <p>B The demolition/development shall take place/commence in accordance with the programme of archaeological works set out in the Written Scheme of Investigation approved under condition (A)</p> <p>C The development shall not be occupied/used 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.</p> <p>If planning consent is granted, I will be able to provide detailed advice concerning the requirements for the investigations, and to provide information on professionally accredited archaeological contractors who may be able to carry out the necessary work.</p> <p>I hope that you will be able to accommodate the above recommendations.</p>
<p>Hertfordshire County Council – Ecology</p>	<p>AMENDED/ADDITIONAL PLANS</p> <p>No comments received.</p> <p>ORIGINAL PLANS</p> <p>Thank you for consulting Hertfordshire Ecology on the above application, for which I have the following comments:</p> <p>1. The proposed works involve the following as described in the WDF assessment:</p> <p>The River Gade through Gadebridge park is presently perched in the floodplain, flowing around Gadebridge Park following historical changes to create a mill leat. A new sinuous channel will be created through Gadebridge Park from downstream of White Bridge to the Queensway culvert, following the lowest level of the floodplain The channel will be approximately 10m wide with a low flow channel of 1m wide in the base. The approximate depth is 0.8m throughout. Bar features and riffles in the low flow channel increase sinuosity for the low flow channel and fluctuates the bed level and overall depth. The channel bed, bar and riffle features will be comprised of a gravel mixture, specified for each.</p> <p>A new concrete weir and new EA gauging station will be installed into the channel near the bowls club, to maintain flow gauging of the River Gade through Gadebridge Park. This will be installed in a rectangular</p>

concrete section of channel 2m wide for a 10m length of channel.

A rectangular 2m wide channel with a gravel bed and soft/green engineered reinforced banks will be present 17m upstream of the concrete channel and 6m downstream to maintain water flow and velocity conditions necessary for the gauging station.

It is expected that the restoration channel will be built disconnected from the watercourse, working from downstream to upstream, with the connection at the upstream end of the restoration channel being last. It is expected that silt management traps will be used downstream of the restoration channel to trap any fine sediment released into the channel during construction.

2. A Water Framework Directive Impact Assessment has been completed. This concludes that:

- The works will improve the ecology of the watercourse, its channel and water quality, restoring a more natural character to this reach of the Gade
- Silt traps will avoid temporary siltation downstream, which will also be avoided by construction disconnected to the watercourse
- There will be substantial benefits to the hydromorphology of the reach by creating a sinuous channel, diversifying flows and depths, pools and riffles
- Introduce no adverse physico-chemical elements by working off-stream
- Be compliant with, and represent a benefit to, Water Framework Directive objectives.

3. The proposals are consistent with NPPF and Policies within the Dacorum Core Strategy and Local Plan Policies for landscaping and biodiversity.

4. Detailed ecology surveys have informed this project. No protected species – including Water vole - will be affected by the works themselves and several – including bats which will forage along the corridor – will benefit from the improved river habitat.

5. A detailed Ecological Impact assessment has also been provided. Whilst this does not specifically include any Biodiversity Net Gain text in the BNG section, or a metric, I consider this whole development is proposed by the Environment Agency on the basis of delivering substantial riverine enhancements which will result in biodiversity receiving a major benefit, following best practice restoration works. Given that BNG is not yet planning law, the LPA cannot insist on a BNG metric being provided.

6. I agree with the conclusions within the DAS that there will be no significant adverse effects resulting from these works. Any temporary negative impacts can be managed, and the proposals will result in significant benefits to the river Gade within Gadebridge Park, its ecology, landscape and consequently, public amenity.

7. One aspect not apparently considered is the future of the old

	<p>watercourse. This has a reasonable marginal flora and is currently of some local interest despite the river here not conforming to chalk stream characteristics. No landscape planting on the new river has apparently been proposed despite a landscape plan or any restoration of the old channel, which presumably will remain, or be filled, and reseeded to what? It may be possible that some translocation of suitable species is undertaken to appropriate locations along the newly created channel. Given this last phase of the project has not apparently been considered (or at least there do not seem to be any available documents to assess any proposals), I advise that if approved, a Landscape and Ecology Management Plan is produced as a Condition to ensure appropriate restoration works etc are completed</p> <p>8. On this basis I do not consider there are any significant ecological constraints to the development which will bring benefits to this reach of the river Gade, and as such I consider the LPA can determine this application accordingly.</p>
<p>Hertfordshire County Council – Growth and Infrastructure Unit</p>	<p>AMENDED/ADDITIONAL PLANS</p> <p>The Growth and Infrastructure Unit do not have any comments on the additional/ amended information submitted.</p>
<p>Hertfordshire County Council – Highway Authority</p>	<p>AMENDED/ADDITIONAL PLANS</p> <p>We have no comments in relation to this scheme.</p>
<p>Historic England</p>	<p>AMENDED/ADDITIONAL PLANS</p> <p>Thank you for your letter of 6 September 2022 regarding further information on the above application for planning permission. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.</p> <p>It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request</p>
<p>Conservation and Design</p>	<p>ORIGINAL COMMENTS</p> <p>The park is an important site in the centre of Hemel Hempstead. Adjacent are a number of important listed buildings and the core of the conservation area. The proposal would realign the Gade and in particular impact on the setting of two listed structures the White Bridge and the Bury. The impact on the White Bridge would be relatively minimal in that the course would be altered beyond it. Whilst the vista from the bridge will change in particular the longer view looking south from the bridge and within the park looking towards the bridge the river will continue to flow beneath. As such we do not believe that it would cause harm to this asset.</p>

	<p>The other impact is on the setting of the Bury. This change would not however be detrimental. The setting of the Bury has changed many times since the construction of this building. The large water gardens noted in the heritage report are no longer in position and the house has been re-orientated to the south. As such the proposals would not cause harm to the setting of the listed building.</p> <p>Overall the proposals would not cause harm to the designated assets. As such we would not object to these proposals.</p> <p>Recommendation: No objection. Hard and soft landscaping subject to approval.</p>
<p>Environmental Health – Contaminated Land Officer</p>	<p>Having reviewed the planning application I am able to confirm that there is no objection to the proposed development, but that it will be necessary for the developer to demonstrate that the potential for land contamination to affect the proposed development has been considered and where it is present will be remediated.</p> <p>This is considered necessary because the application site has a potentially contaminative land use history (watercress beds) and as such the presence of contamination cannot be ruled out at this stage.</p> <p>Please note condition 1 acknowledges existence of an adequate phase 1 report.</p> <p>Contaminated Land Conditions:</p> <p>Condition 1:</p> <p>(a) The Local Planning Authority is of the opinion that the JBA consulting Gadebridge Phase 1 Contaminated Land Assessment dated July 2016 submitted at the planning application stage (Document Reference: 2015s3588_Gadebridge_Final.docx) indicates a reasonable likelihood of harmful contamination and so no development approved by this permission shall be commenced until a Site Investigation (Phase II environmental risk assessment) report has been submitted to and approved by the Local Planning Authority which includes:</p> <p>(i) A full identification of the location and concentration of all pollutants on this site and the presence of relevant receptors, and;</p> <p>(ii) The results from the application of an appropriate risk assessment methodology.</p> <p>(b) No development approved by this permission (other than that necessary for the discharge of this condition) shall be commenced until a Remediation Method Statement report; if required as a result of (a), above; has been submitted to and approved by the Local Planning Authority.</p> <p>(c) This site shall not be occupied, or brought into use, until:</p> <p>(i) All works which form part of the Remediation Method Statement report pursuant to the discharge of condition (b) above have been fully completed and if required a formal agreement is</p>

	<p>submitted that commits to ongoing monitoring and/or maintenance of the remediation scheme.</p> <p>(ii) A Remediation Verification Report confirming that the site is suitable for use has been submitted to, and agreed by, the Local Planning Authority.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Condition 2:</p> <p>Should any ground contamination, other than that reported by virtue of Condition 1, be encountered during the construction of the development hereby approved (including groundworks), works shall be temporarily suspended, unless otherwise agreed in writing by the Local Planning Authority, and a Contamination Remediation Scheme shall be submitted to (as soon as practically possible) and approved in writing by, the Local Planning Authority. The Contamination Remediation Scheme shall detail all measures required to render this contamination harmless and all approved measures shall subsequently be fully implemented prior to the first occupation of the development hereby approved.</p> <p>Should no ground contamination be encountered or suspected upon the completion of the groundworks, a statement to that effect shall be submitted in writing to the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>Reason: To ensure that the issue of contamination is adequately addressed to protect human health and the surrounding environment and to ensure a satisfactory development, in accordance with Core Strategy (2013) Policy CS32.</p> <p>Informative:</p> <p>The above conditions are considered to be in line with paragraphs 174 (e) & (f) and 183 and 184 of the NPPF 2021.</p> <p>The Environmental Health Team has a web-page that aims to provide advice to potential developers, which includes a copy of a Planning Advice Note on “Development on Potentially Contaminated Land and/or for a Sensitive Land Use” in use across Hertfordshire and Bedfordshire. This can be found on www.dacorum.gov.uk by searching for contaminated land and I would be grateful if this fact could be passed on to the developers.</p>
Parks and Open Spaces	<p>The movement of the river will be the final piece of the jigsaw in regards to all the work that has taken place within Gadebridge Park over the last 10 years. The movement of the river will have benefits, including increased water flow, greater biodiversity, more suitable habitat, easier access for recreation, less prone to flooding as the river will no longer be perched and should be easier to maintain.</p>
Trees and Woodlands	AMENDED/ADDITIONAL PLANS

	<p>No comments received.</p> <p>ORIGINAL PLANS</p> <p>The submitted Tree Constraints Plan hasn't got any landscape features on it at all, so there's little chance of consultees knowing which trees are affected in reality as there's nothing to relate tree positions to. There's no reference to the current river position or existing site features like paths, the car park, etc. Even though something like a path may be a long way away, they are still a landscape feature that can assist you in recognising where works are planned and what may be affected.</p> <p>There are lots of images / plans showing aerial views, tree positions, etc but not one that I can find showing the new river route with retained trees shown, and any construction methodology that indicates where ground protection, for example, will be required. There is mention of a track mounted crane and track mounted excavators, but nothing about their working zones.</p> <p>The previous scheme to change the river course north of the White Bridge wasn't carried out in accordance with BS5837 and the site contractors knew nothing about the standard and its impact on their site works; big vehicles and machinery were causing damage to RPAs all over that site, and protective measures initially weren't installed at all.</p>
The Chiltern Society	<p>The Chiltern Society assumes that there is a proven need for the realignment of the River Gade through Gadebridge Park. This land is always susceptible to flooding being in the River Gade floodplain so this may not alleviate the situation.</p> <p>However, if the authority is minded to approve it then the Society would request that the reeds and foliage along the embankment be restored as these trap pollutants, which is particularly important given the propensity of pollution in England's rivers. A sterile river embankment is not only useless to the aquatic flora and fauna but unattractive and 'manufactured' in appearance.</p> <p>The Society is also concerned about the appearance of the proposed new bridge which is unimaginative and unattractive, is intrusive in open parkland and appears to be more an engineering design than one more appropriate to an historic parkland. A more elegant structure should be provided in this important landscape.</p>

APPENDIX B – NEIGHBOUR RESPONSES

Address	Comments
SUPPORT (3)	
19 Halsey Drive	<p data-bbox="584 367 708 400"><u>Person X</u></p> <p data-bbox="584 434 1442 501">I am generally in favour of the proposed alterations to the River Gade in Gadebridge Park because of the following reasons:</p> <ul data-bbox="584 535 1442 1173" style="list-style-type: none"> <li data-bbox="584 535 1442 602">- The river will have more meanders and thus more diverse habitats, which is good for fish and invertebrates. <li data-bbox="584 636 1442 703">- The movement of fish will be facilitated by the replacement of the present gauging weir by a low-head weir. <li data-bbox="584 736 1442 871">- The removal of the concrete weirs from the river and the addition of water from the spring will facilitate the flow of water and lead to less fine sediment deposition and result in cleaner gravel. <li data-bbox="584 904 1442 1005">- These factors should also improve the riverside vegetation, and there will be less likelihood of the vegetation blocking the river in late summer <li data-bbox="584 1039 1246 1072">- There will be less propensity for the river to flood. <li data-bbox="584 1106 1442 1173">- The river will have a more natural look as it flows through the park <p data-bbox="584 1207 1442 1576">I feel that it is a pity that the river cannot also be fully realigned from the Gadebridge Lane Bridge to the White Bridge, as this would result in improved visual and amenity value, less flooding, require less maintenance, would ensure improved educational value, and maximum ecological gain, and would join up the previous alterations to the river with the present proposed realignment. However, I do understand that this would leave the restored White Bridge high and dry and would be more costly, as the length of river to be repositioned would be longer and a new bridge would have to be constructed. Also, the area available for events such as fairs etc. would be smaller.</p> <p data-bbox="584 1610 724 1644">Concerns:</p> <ul data-bbox="584 1677 1442 2013" style="list-style-type: none"> <li data-bbox="584 1677 1442 1879">- The site of the Halsey Field Local Wildlife Site in Gadebridge (TL042 088) is omitted from the map entitled 'River Gade Restoration - Zone of Influence and Buffer Zones', in the document 'Gadebridge Ecological Impact Assessment' page 11, whereas Shrubhill Common and Howe Grove Wood are noted and are given consideration in the text. <li data-bbox="584 1912 1442 2013">- It would be good to see the present perched channel acknowledged as an important part of the history of the park, with a plaque to explain its site and importance.

- The gravel in the existing river channel near the Skatepark in Gadebridge park is of good quality and contains many riverfly larvae, such as Cased Caddis and Olives. Would it be possible to transfer some of this gravel to the new channel?

- I am extremely concerned about the amount of silt and other contaminants entering the river, especially from the outflow into the settlement pond in Gadebridge park near the Link Road.

Even when the weather is very dry, a considerable amount of water continues to pour out of one of the outflows into the settlement pond, and in times of high rainfall, a constant stream of muddy water flows into the road drains from the farmer's fields up in Gadebridge, and muddy water can then be seen flowing from the outflow into the settlement pond. At these times this water overflows the bank of the settlement pond and add's silt straight into the Gade, showing that the settlement pond isn't fully achieving its function. Money should be prioritised in solving this problem before the river realignment begins.

Person Y

I support this proposal because:

1 The indicative illustration of the final project looks much more attractive than the current artificial perched channel.

2 I understand that the realignment will result in significant improvements in the aquatic biodiversity, and enhance the ecology of the river bank.

From a recent conference on improving river quality, I understand that the state of a river's biodiversity and quality can be improved by:

1 Improving the natural flow;

2 Improving the natural habitat within the river

3 Ensuring that clean water enters the river.

All these criteria should be achieved by the proposals in varying degrees, so I support the project.

But, the settlement pond upstream of the Gadebridge Lane Bridge frequently overflows into the Gade, allowing polluted and muddy water to enter the River.

This could be reduced by raising the height of the barrier between the Gade and the pond, and tracing the source of the pollutants.

It should be noted that muddy water frequently runs into the road drains at the bend in Fennycroft Road, originating from the arable field north of the public footpath behind the garages.

Flat 1 Bank Cottage, High Street	Support – The proposals will enhance local ecology.
AGAINST (4)	
48 Ellingham Road	<p>The plan talks about a "developer" so apart from re -routing the river what else is going to be developed on this site. The plan makes no reference to the land that will be adjacent to the Leighton Buzzard road and the edge of the "new" river bank or how it will be accessed! Are you trying to slip in yet more homes on to this land hoping that no one will notice!!</p> <p>Sustained river management is the key which is sadly lacking at present. Why not simply build up the land to a height higher than it is at present so no flooding will occur! Something you allow other places to do!!</p> <p>Overall I do not support the re-routing.</p>
49 Howards Drive	I object to this proposal. The money would be much better spent elsewhere, health, education, cycle paths. Waste of public money.
75 Marlins Turn	<p>This proposal seems to pave way for either dwellings on the side of Leighton Buzzard road where the river is at the moment, or for the enlargement of the Leighton Buzzard road itself, thus contributing to the approval of the larger development of 390 dwellings further up Leighton Buzzard Road, which the local community opposes. Either potential outcome of this move would NOT benefit the community. WE DO NOT NEED MORE CONCRETE, WE NEED TO PRESERVE OUR GREEN SPACES FOR EVERYONE IN THIS TOWN TO ENJOY, AND FOR FUTURE GENERATIONS.</p> <p>I would urge the Council to keep developers off the green spaces in our town before this town becomes just a pile of concrete and bricks.</p> <p>The idea of moving the course of the river closer to the children's playground is not only dangerous but it also makes the other bank of the river (the one closer to Leighton Buzzard road) not accessible for walks and for leisure purposes. It also destroys the beauty of our park, which is an important green space for the whole community to enjoy, and limits the use of this amazing green space.</p>
33 Someries Road	<p>I have no objection to the proposed changes to the river.</p> <p>But I have walked the river here and there is evidence of Water Voles along this stretch both in the numerous burrows and paw prints seen and a recent latrine.</p> <p>The majority of the river bank in this proposed area have never flooded and are evidently suitable for Water Vole burrows. Water</p>

	<p>Voles were released by the Boxmoor Trust less than 1 mile up stream and there have been sightings behind the college and adjacent to the Link Road bridge. Both of these sightings are less than 100m from the boundary of the proposed development site. It would be preferable for another survey to be carried out in Spring as Water Voles might migrate into the Gadespring Park.</p> <p>Any mitigation required should include a properly managed resettlement process if any are found. I do consider that the recommendations made by the Environment Agency regarding the protection and mitigation for Water Voles be adopted, monitored and adhered to as a condition of allowing this development to be granted planning permission.</p>
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