

Claire Westwood
Three Rivers District Council
Development Control
Three Rivers House Northway
Rickmansworth
Hertfordshire
WD3 1RL

Our ref: NE/2021/133015/02-L01
Your ref: 21/0573/FUL
Date: 12 May 2021

Dear Claire

**Employment land to the north of Maple Cross Lodge Maple Cross Rickmansworth
WD3 9SE**

**Comprehensive redevelopment to provide 2 no. Warehouse class e(giii)/b2/b8
units comprising a total of 16,115 sqm including 1,882 sqm ancillary e(gi) office
space, Access, landscaping and associated works**

Thank you for the additional information and I apologise for the delay in responding. We have now reviewed the groundwater DQRA and Contaminated Land report but due to the absence of the Maple Lodge Nature Reserve as a receptor we are currently unable to remove this objection.

Upon further review we also wish to object due to the risk to a priority habitat which we have a role in protecting, in this case maple Lodge. I apologise for us having not stated this in our earlier response. This is outlined in more detail below.

Objection 1

Having reviewed the additional information we wish to **maintain our objection** on Insufficient information to determine risks to groundwater, as the planning application fails to identify the Maple Lodge Nature Reserve, a Groundwater Dependent Terrestrial Ecosystem (GWDTE), as a groundwater receptor.

Reason

The proposed development presents a high risk of contamination could be mobilised during construction to pollute controlled waters. Controlled waters have particular sensitivity in this location because the proposed development site is:

- Located within a Source Protection Zone 1
- Located atop a Secondary Aquifer (River Terrace Deposits) in hydraulic continuity with the underlying Principal Aquifer (Chalk)
- Located in close proximity (within 500m) to an Affinity Water potable groundwater abstraction
- Located within a Water Framework Directive groundwater body with 'poor' classification (Mid-Chilterns Chalk)

As the conceptual site model presented in the *Maple Cross Contaminated Land Assessment and DQRA* has failed to identify and consider risks to the Maple Lodge Nature Reserve receptor, the planning application does not meet the requirements set out in paragraphs 170 and 178 of the National Planning Policy Framework and Policy DM8 of the Three Rivers Local Plan.

Furthermore the Thames River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could cause deterioration of a water quality element to a lower status class of adjacent surface waterbodies and prevent the recovery of a drinking water protected area in the Mid-Chilterns Chalk groundwater body.

Overcoming our objection

It may be possible to overcome our objection by undertaking further risk assessment to ensure there will be no adverse impact to the Maple Lodge Nature Reserve GWDTE as a result of the proposed development. This should include:

- An updated conceptual site model which identifies the Maple Lodge Nature Reserve as a groundwater receptor and assesses all potential risks to the receptor arising from the proposed development.
- An assessment of site-specific contaminants against Freshwater Environmental Quality Standards (EQS) to ensure compliance with these criteria and provide confidence that there is no unacceptable risk to the Maple Lodge Nature Reserve as a result of the proposed development.

Objection 2

We object to the piling activity proposed as part of this planning application due to its likely effect on the wet woodland and reedbed priority habitat present at Maple Lodge Nature Reserve. This habitat is listed as being of 'principal' importance under s41 of the Natural Environment and Rural Communities (NERC) Act 2006. Insufficient information has been provided to assess the risks posed by this activity and no details of mitigation or compensation measures have been submitted to address any identified risks. We therefore recommend that planning permission is refused.

Reasons

England's Biodiversity strategy identifies those priority habitats which are also listed as being of 'principal' importance under section 41 of the NERC Act 2006. This Act states that local planning authorities must consider these habitats in their decision-making, because of their duty to conserve Biodiversity (section 40)

In this instance, the proposed development may have a detrimental effect on the priority habitat that we have a role in protecting. The application does not include adequate information about the measures proposed to assess and address the risk to ensure protection of the Maple Lodge Nature Reserve and its associated S41 habitats in this location. In particular the application fails to identify any risks posed to the water quality or quantity of groundwater that is essential to sustain the aquifer fed naturally fluctuating waterbodies (ponds and lakes), reedbed and wet woodland habitats within Maple Lodge Nature Reserve.

This objection is supported by paragraphs 170 and 175 of the National Planning Policy Framework (NPPF) which recognise that the planning system should conserve and enhance the environment by minimising impacts on and providing net gains for biodiversity. If significant harm resulting from a development cannot be avoided,

adequately mitigated, or as a last resort compensated for, planning permission should be refused. Opportunities to incorporate biodiversity in and around developments should be encouraged.

Overcoming our objection

It may be possible to overcome our objection by submitting:

- A detailed risk assessment of both the short and long term risks to Maple Lodge Nature Reserve, considering both groundwater flows (water quantity) and the potential effect of turbidity (water quality) to these habitats of principal importance, as a result of the development.
- detailed drawings of the location and construction of the proposed development (including timing of works, methods and materials to be used)
- details of how the Maple Lodge Nature Reserve is to be protected during construction works
- Where impacts are identified, details of mitigation or compensation for any loss of habitat

The design, construction, mitigation and compensation measures should be based on a survey which is carried out at an appropriate time of year by a suitably experienced surveyor using recognised survey methodology.

Final comments

Thank you for contacting us regarding the above application. Our comments are based on our available records and the information submitted to us. Please quote our reference number in any future correspondence. Please provide us with a copy of the decision notice for our records. This would be greatly appreciated.

If you are minded to approve the application contrary to our objection, I would be grateful if you could re-notify us to explain why, and to give us the opportunity to make further representations.

Should you have any queries regarding this response, please contact me.

Yours sincerely

Mr Kai Mitchell
Sustainable Places Planning Specialist

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