



London Borough of Hillingdon

By Email Only

18th December 2023

Dear Sir / Madam,

Your Ref 2382/APP/2023/2906

Redevelopment of the site to create the Hillingdon Watersports Facility and Activity Centre including demolition of existing Broadwater Lake Sailing Club (BSC) clubhouse at the north of the lake and erection of a building and facilities to be occupied by HOAC and BSC.

The Colne Catchment Action Network (ColneCAN) **OBJECTS** to the proposal.

ColneCAN is the organisation (the catchment host) through which the DEFRA required catchment based approach to river basin management is delivered for the large and complex river Colne Catchment. It is perhaps an omission that Hillingdon did not engage with the ColneCAN partnership at an early stage of this proposal.

We recognise, however the positive aspects of providing a water sports facility but do not accept that Broadwater Lake should be considered as the location and we urge that a suitable alternative location is found whereby both recreational demands **and** the conservation of nature can be achieved..

The Mid-Colne Valley was notified as a SSSI in 1985. The National Planning Policy Framework (NPPF), paragraph 180 (b) provides national policy protection for SSSIs. Other guidance provides direction that ensures suitable and adequate protection is afforded to such sites and this application appears to be at odds even with the local plan (2012) of the applicant (LB Hillingdon) which details comprehensive protection of *all* sites of importance for nature conservation.

We consider the proposal is totally contrary to the stated position and will be of great detriment to the Mid Colne Valley Site of Special Scientific Interest (SSSI) and specifically Broadwater Lake. In summary our specific concerns (that we do not consider have been adequately addressed in any of the evidence and assessments supporting the application) are:

- i) The loss of open water at Broadwater Lake and the consequential negative impact on wetland birds
- ii) Unknown impacts of lakebed dredging on water quality and probable biodiversity loss. That will include potential reduction of fish stocks as a result of turbidity and possibly pollution caused during dredging, island removal and construction. We note the intention to have heavy plant actually in the

lake. Broadwater has been renowned for decades for its fish stocks and in particular the IUCN red listed species – European Eel. It has in more recent years become of National significance for this species and known internationally for the numerous large specimens that exist there.

iii) Habitat loss from riparian zones – largely due to the peninsula works

iv) Disturbance during construction phases

v) Disturbance from site once operational

vi) Much of the negative impact cannot be mitigated for. Damage to this vitally important habitat will be permanent and recognition of this appears to be largely 'glossed over' if not ignored within the application and supporting documents.

i) Over 16,000m² is due to be lost to land reclamation. That is an irreversible detrimental impact on a SSSI site that cannot be mitigated against and is therefore unacceptable.

ii) Shallow water areas that crucially exist in open water far away from any marginal activity and disturbance are found at this site. That in itself provides good and safe habitat for wetland birds but these shallow areas also allow a wealth of aquatic vegetation to grow which in turn provides a diverse food source including invertebrates, snails and crustacea which are known to proliferate. Dredging will not only remove or destroy that habitat but the turbidity caused may even deter the successful colonisation of vegetation in any remaining or newly formed shallow areas. All of the new proposed shallow habitat is in margins and therefore less favourably in any case as disturbance is likely and the threat to birds of predation is increased compared to open water refuges. The shallow weedy areas that will be lost also provide substrate used by fish during their spawning cycles – this provides yet another food source for the birds that frequent the site during the spring and summer months as well as obviously ensuring the survival of the fish species. The spawning period for many of the species present in Broadwater is at exactly the time the main construction phases are proposed. The potential for impact on fish species appears to have been dismissed as irrelevant in the ecological assessments. That is a quite astonishing position.

iii) significant reduction in tree and shrub areas (mainly due to the peninsula works and construction of the proposed infrastructure) will have lasting negative impact. It appears that the proposed clearance works are proposed prior to March 2024 to avoid the bird nesting season. It is not clear what 'prior' means and we are surprised that the ecologist report appears to have ignored or missed the fact that some bird species (particularly wetland) in the Colne Valley (including Broadwater) had broods of young by March 2023. It is a likely outcome of climate change that breeding seasons of many species are no longer predictable. Whilst we recognise legislation provides guidance dates during which such work may be undertaken due diligence should be observed to ensure that disturbance is avoided at any time.

iv) Disturbance during construction. The construction phase both on water, in water (we note the proposal to have heavy plant machinery in the lake) and on land will be significant and could result in some of the displaced birds not returning to the site. Turbidity creation, potential pollution from machinery and noise/vibration will surely negatively impact all species using this SSSI as their refuge or indeed 'residence' if they are species unable to escape such as fish.

v) With few exceptions activity and noise disturbs wildlife whether on land or water. Boat activity will be a year-round activity given the proposals and arrangement with Broadwater Sailing Club and crucially such activity will commence, and could be restricted to, an area that is currently a refuge from such activity. That may mean disturbed birds will actually leave the site. There is existing evidence of birds seeking refuge on this lake when water borne activity commences. They do not get 'used to it' and the likelihood of increased activity will clearly be detrimental. It is not clear exactly what the extent and type of activities that will be undertaken will be limited to but even if water borne activity is restricted to non-powered craft for participants that will not, and cannot apply, to safety boats and that will result in noise and wash being created and that will cause negative impact. The development of a new facility will lead to disturbance

within what is currently a refuge area and in operation the facility will continue to create disturbance within the current area of refuge to birds disturbed by sailing. This is unacceptable and is not address by the impact assessment. The proposed main operational activity at the site will directly conflict with the breeding season of birds, fish and other species resident or visiting species.

vi) This SSSI site is protected by national and local legislation. The Council has a duty to be mindful of that.

The proposed development will result in the loss of current habitat which is suitable for, and already utilised by, visiting and residential species. It is, in part, the very reason the site has the designation. There is no guarantee that attempting to create replacement habitat, especially when near noisy and disturbing activity, will prove to be successful. Simply enhancing what already exists and otherwise leaving the site alone would be a better option.

Summary:

Because of the gravely serious impact on Broadwater Lake, as a key part of the Mid Colne Valley SSSI, this application should be refused and an alternative suitable location for the water activity facility should be found.

ColneCAN recognises the need and benefit for the Watersports Facility and Activity Centre but protecting our water bodies and enhancing the wildlife that uses them are cornerstones of our objective – we cannot agree with proposals that will have such a negative impact on a nationally important site and the most significant anywhere in the Colne catchment.

The negative and potentially disastrous impact on this SSSI means that national planning policy is compromised. This dictates that planning permission must be refused and that a more suitable location be pursued.

A handwritten signature in black ink, appearing to read 'Tony Booker', with a long horizontal line extending to the right.

Tony Booker

For and on behalf of the Colne Catchment Action Network