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Our reference: NE-2023-136465/03
Your reference: 2382/APP/2023/2906
31 March 2026

**Hillingdon Water Sports Facility and Activity Centre, Broadwater Lake Moorhall Road
Harefield, Uxbridge**

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 including changing facilities, meeting rooms, storage, Workshop and seasonal worker accommodation (sui generis), activity shelters; installation of pontoons and slipways; boat shed; equipment storage huts; boat parking and racking areas; camping area; outdoor activity areas; ecological enhancement throughout the site; new pedestrian routes through the peninsula; landscaping including new woodland, dense vegetation screens and boundary treatment; access road; localised dredging and land reclamation; relocation of existing sailing area and creation of floating reedbeds within the lake; coach drop off and turning area; vehicle parking; cycle parking; and associated works. (Re-consultation following submission of amended plans and documents)

Dear Michael,

Thank you for reconsulting us on the above application on 19 March 2026. As part of our response to this application, we have reviewed the information available, including but not limited to the following documents:

- Surface Water Drainage Proposal; Clarification Note, prepared by Weetwood, Ref: 5784, dated: February 2026
- ES Volume 2 Appendix 9.2: Phase I Environmental Desk Study Report prepared by Geo-Integrity, Ref: 23-09-03A, dated September 2023.
- ES Volume 2 Appendix 9.3: Phase II Geotechnical and Geo-Environmental Report - First Phase of Intrusive Investigation Covering Accessible Areas of the Peninsula, prepared by Geo-Integrity, Ref: 23-09-03B, dated September 2023.

- ES Volume 2 Appendix 8.2: Flood Risk, Drainage and Sequential Assessment Final Report v2.1, prepared by Weetwood Services Ltd, Ref: 5784/FRDSA/Final/v2.1, dated, December 2025.
- ES Volume 2 Appendix 8.3: Groundwater Risk Assessment – Broadwater Lake, prepared by: Hydrogeo Ref: HYG1120 dated August 2025.
- Technical Note: Hillingdon Water Sports Facility and Activity Centre (Planning Application Reference: 2382/APP/2023/2906) - dated March 2026
- Outline Mitigation, Enhancement and Management Plan, prepared by rpsgroup, Ref: 794-ENV-ECO-22815, dated: February 2026.
- Hillingdon Water Sports Facility and Activity Centre (HWSFAC): Water Framework Directive Assessment ADDENDUM, prepared by Johns Associates, Ref: no ref, dated: February 2026
- Response to Environment Agency Objection 2, prepared by Quod, Ref: No ref, dated March 2026

Environment Agency Position

Based on a review of the newly submitted information, we are able to **remove our objections to the application, subject to the inclusion of 14 planning conditions on the decision notice of any permission granted.**

Flood Risk

- 1) Secure Implementation of the Flood Risk Assessment

Groundwater and Contaminated Land

- 2) Remediation Strategy
- 3) Verification Report
- 4) Previously Unidentified Contamination
- 5) Groundwater Monitoring Programme
- 6) Piling/Foundation Works Risk Assessment
- 7) Horizontal Directional Drilling scheme to be agreed
- 8) Foul sewer pumping station pollution control measures scheme to be agreed

Biodiversity and WFD Compliance

- 9) Detailed Mitigation and Enhancement Management Plan
- 10) Lake Restoration Strategy
- 11) Detailed Operational Management Plan
- 12) Detailed Construction Environmental Management Plan Legally
- 13) Legally Protected Species Plan Required (European Eel)
- 14) Legally Protected Species Plan Required (Water Vole)

Without these conditions we would object in line with National Planning Policy Framework (NPPF) paragraphs 181, 187 and 193, as well as policies DMEI 7 (Biodiversity Protection and Enhancement), DMEI 10 (Water Management,

Efficiency and Quality), DMEI 11 (Protection of Ground Water Resources), DMEI 12 (Development of Land Affected by Contamination) and DMEI 9 (Management of Flood Risk) of the London Borough of Hillingdon Local Plan Part 2 – Development Management Policies (Adopted 2020).

Further detail is provided on the reason for each condition within the rest of this letter, which we have broken down into subsections for convenience.

Flood Risk

Condition 1 - Secure implementation of the FRA

The development shall be carried out in accordance with the submitted flood risk assessment 'Flood Risk, Drainage and Sequential Assessment' dated August 2025 and the following mitigation measures it details:

- Compensatory storage shall be provided by removing more land than is proposed to be created. This is evidenced by cut and fill analysis which demonstrates a net increase of 716m² of open water on the lake.
- The removal of 3 existing islands and dredging sections of the lakebed will be provide 3608m² of open water, this is greater than the loss of 2892m² from creating a beach on the existing peninsula and an island link.
- At any point there must be no net loss in the flood storage capacity of the lake.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with NPPF paragraph 181 and DMEI 9 (Management of Flood Risk)

Disclaimer

Flood risk modelling undertaken by a third party has been used in support of this application and the Environment Agency has applied a risk based approach to the assessment of this model. In this instance a basic review has been carried out. The Environment Agency has not undertaken a full assessment of the fitness for purpose of the modelling and can accept no liability for any errors or inadequacies in the model.

The clarification note 'Surface Water Drainage Proposal' dated 11 February 2026 details that the latest Upper Colne (2025) model was adapted to compare the existing and proposed scenarios. It concluded that peak lake water levels for the proposed scenario are within 0.5 mm of the peak lake water levels for the existing scenario. We are satisfied that it demonstrates there will be no increase in flood risk downstream from the increased storage capacity.

Groundwater and Contaminated Land

The application's Environmental Statement provides information that the controlled waters risks associated with the proposed development are understood and can be managed. Further detailed information is required; however, we believe that it would place an unreasonable burden on the developer to ask for more detailed information prior to the granting of planning permission but respect that this is a decision for the LPA. Considering the above, the proposed development will be acceptable, if a planning condition is included requiring the submission of a detailed land contamination management strategy. This should be carried out by a competent person in line with paragraph 196 of the NPPF. The Planning Practice Guidance defines a "Competent Person (to prepare site investigation information): A person with a recognised relevant qualification, sufficient experience in dealing with the type(s) of pollution or land instability, and membership of a relevant professional organisation. "<http://planningguidance.planningportal.gov.uk/blog/policy/achieving-sustainable-development/annex-2-glossary/>)"

In addition, we have also recommended several other pre-commencement and compliance conditions that are designed to provide additional confidence that the development works will be completed without detrimentally impacting on groundwater quality / resources.

Without these conditions we would object to the proposed development in line with paragraph 187 of the NPPF because it cannot be guaranteed that the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate or will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

These conditions are also in accordance with policies DMEI 11 (Protection of Ground Water Resources) and DMEI 12 (Development of Land Affected by Contamination) of the LB of Hillingdon Local Plan.

Condition 2 – Remediation Strategy for land potentially affected by contamination

No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the LPA. This strategy will include the following components:

1. Up to date Preliminary Risk Assessment (PRA) and conceptual model following the results of the preliminary exploratory investigation.
2. A detailed site investigation scheme, based on the results from (1) to provide information for a detailed risk assessment to all receptors that may be affected, including those off-site.
3. A tiered risk assessment using the results of the site investigation referred to in (2).
4. An options appraisal including sustainability and treatability studies of the remediation measures required and how they are to be undertaken.
5. A remediation strategy and verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, mitigation, maintenance and arrangements for contingency action.

Any changes to these components require the written consent of the LPA. The scheme shall be implemented as approved.

Reason

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution in line with paragraph 187 of the NPPF. To ensure the development will contribute to and enhance the natural and local environment by remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate in line with paragraph 187 of the NPPF.

Advice on Condition 2

The Phase 1 environmental desk study (Geo-Integrity Ref: 23-09-03A dated September 2023), Phase 2 geo-environmental site investigation (Geo-Integrity Ref: 23-09-03B dated September 2023) and groundwater risk assessment (Hydrogeo Ref: HYG1120 dated August 2025) reports submitted to support the Environmental Statement do go some way to satisfy parts 1,2 and 3 of the above condition. However, we do note that the extent of the intrusive investigations completed at the site to date have been relatively limited. Additional intrusive

investigation works will be needed to fully inform the extent of any remediation that may be required to enable the development to proceed.

Condition 3 – Contamination verification report

Prior to any part of the permitted development being brought into use, a verification report demonstrating the 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 LPA. 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.

Reason

To ensure that the site does not pose any further risk to the land and water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete. This is in line with paragraph 187 of the NPPF.

Condition 4 – Previously unidentified contamination

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 LPA) shall be carried out until further investigation and a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the LPA. The remediation strategy shall be implemented as approved.

Reason

To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 187 of the NPPF.

Condition 5 – Groundwater monitoring programme

The development hereby permitted may not commence until such time as a detailed scheme for groundwater monitoring in respect of contamination has been submitted to, and approved in writing by, the LPA.

The scheme shall, where necessary, be supported by:

- Detailed sampling and analytical schedules.
- Programme for future maintenance and decommissioning.
- Schedule for submission of interim and final monitoring reports.

- Contingency action plan including the list of potential mitigation measures that will be implemented, should unexpectedly changes in groundwater quality be noted as a result of decommissioning or redevelopment works.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reasons

Residual contamination associated with historical quarrying and waste deposition at the site may mobilised because of the site development. In addition, ground engineering activities beneath the water table could potentially cause groundwater pollution. Groundwater quality monitoring will be required to provide information to demonstrate that the redevelopment of the site is not detrimentally impacting on local groundwater quality. To ensure that the site does not pose any further risk to the water environment by managing any ongoing contamination issues and completing all necessary long-term remediation measures. This is in line with paragraph 187 of the NPPF.

Condition 6 – piling / foundation work risk assessment

Piling using penetrative methods beneath the groundwater table hereby permitted by the LPA may not commence until such time as piling / foundation works risk assessment has been submitted to, and approved in writing by, the LPA.

The piling / foundation works risk assessment shall be based on the information submitted as part of the application and, where necessary, supported by:

- A conceptual site model.
- Specification of the type, number and depth of proposed piles.
- An assessment of groundwater pollution scenarios.
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of piling works.
- Timing/phasing arrangements.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing/phasing arrangements contained in the scheme, or any details as may subsequently be agreed, in writing, by the LPA.

Reason

To ensure that the proposed piling, does not harm groundwater resources in line with paragraph 187 of the NPPF.

Advice on Condition 6

Piling using penetrative methods beneath the groundwater table in the chalk aquifer can result in risks to potable supplies by causing localised pollution, mobilising existing contamination, or creating contamination migration pathways between different geological layers.

Groundwater is particularly sensitive in this location because the proposed development site:

- Is within source protection zone 1; and,
- Is located upon principal aquifer.

Condition 7 - Horizontal Directional Drilling scheme to be agreed

The development hereby permitted shall not commence until details relating to horizontal directional drilling has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented, monitored and maintained as approved. The scheme shall include

- Environmental Risk Assessment for the activity and any stabilising agents that may be required to enable the works (for example bentonite slurry, or alternative support polymers).
- A conceptual site model.
- A detailed groundwater monitoring programme including a schedule for submission of interim and final monitoring reports.
- A contingency action plan including the list of potential mitigation measures that will be implemented, should unexpected changes in groundwater quality be noted as a result of horizontal directional drilling.
- Timing/phasing arrangements.

Reason

To ensure that the proposed horizontal directional drilling does not harm groundwater resources in line with paragraph 187 of the NPPF.

Advice on Condition 7

The proposed development involves horizontal directional drilling (HDD) beneath the groundwater table which presents a risk to groundwater quality. Groundwater is particularly sensitive in this location because the proposed development site:

- Is within source protection zone 1; and,
- Is located upon principal aquifer.

Condition 8 – Foul sewer pumping station pollution control measures scheme to be agreed

The development hereby permitted shall not commence until a scheme describing the pollution control measures that will be incorporated into for the foul sewage

pumping station and associated pipeline connections has been submitted to, and approved in writing by, the LPA. The scheme shall be implemented, monitored and maintained as approved.

The scheme should include reference to (but not be limited to):

- Sewage pipe work and storage tanks specifications.
- Pollution prevention measures.
- Pollution control monitoring and maintenance schedules.

Reason

To ensure that the proposed foul sewage pumping station does not harm groundwater resources in line with paragraph 187 of the NPPF.

Advice on Condition 8

The proposed development includes the requirement for the installation of a foul sewer pumping station to enable a connection to the nearest public foul sewer. Without appropriate design, implementation or maintenance pumping stations can present a pollution risk to groundwater. Groundwater is particularly sensitive in this location because the proposed development site:

- Is within source protection zone 1.
- Is located upon principal aquifer.
- Has a very shallow permanent groundwater table.

Water Framework Directive

The Thames river basin management plan (RBMP) requires the restoration and enhancement of water bodies to prevent deterioration and promote their recovery. Without a detailed mitigation, enhancement, and management plan and lake restoration strategy, the proposal may prevent a water body quality element from attaining good status or potential and cause the deterioration of a protected area (SSSI) of Broadwater Lake. This is because mitigation is required to avoid a negative impact to the hydrological and morphological elements such as: loss of shoreline, area of dredging resulting in loss of lake depth variation, increase lake depth, changes to the structure of the lakebed and ongoing recreation activities, long term changes to erosional and depositional patterns, potential for physical damage, poaching/vegetation loss and ongoing bank erosion.

The construction phase of this development could also have an unacceptable effect on the ecological value of Broadwater Lake, ID: GB30641907, requiring a detailed construction environmental management plan to be submitted. As the 'reason for not achieving good (RNAG)' under the Water Framework Directive is recreation, a detailed operational management plan must be in place.

This approach is supported by paragraphs 187, 192 and 193 of the 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. Without these conditions we would object to the proposed development because it cannot be guaranteed that the development will not result in significant harm to Broadwater Lake (GB30641907).

The approach is also supported by Section 40 of the NERC Act 2006 as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

Condition 9 – Detailed Mitigation and Enhancement Management Plan

No development within 8m of the lake shoreline or work within the lake itself shall take place until a detailed Mitigation Enhancement Management Plan (MEMP) has been submitted to, and approved in writing by, the LPA. The detailed MEMP shall be carried out as approved and any subsequent variations shall be agreed in writing by the LPA.

In the WFD addendum [February 2026], it states the following will be included in the MEMP: spatially defined restoration layouts, species palettes, implementation methods and programmes, establishment criteria, monitoring protocols and adaptive management triggers. In addition, the detailed MEMP should provide details specifically for the proposed:

- Restoration of water fringe habitats through rotational branch cutting and marginal planting
- Phased reprofiling of suitable lake edges to create shallow shelves;
- Ecological reinstatement of the former BSC site, including grassland enhancement, native scrub and tree planting, retention of marginal vegetation, and removal of degraded hardstanding;
- Creation of gravel banks and shallow margins within the eastern channel to support aquatic invertebrates and fish;
- Installation of floating reedbeds to improve water quality and provide habitat;
- Removal of redundant shoreline features and islands where these constrain ecological function; and

- Adaptive management informed by structured monitoring (to include shoreline condition surveys, vegetation establishment checks, erosion indicators, recreational pressure assessment, and water quality parameters). Defined trigger thresholds should be defined to enable early intervention if adverse trends emerge)

Reason

To ensure WFD compliance of the development and prevent the deterioration of/jeopardise the attainment of good status of Broadwater Lake, ID: GB30641907, in line with the submitted Water Framework Directive Assessment_Addendum_2.0 proposals. 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 paragraphs 187, 192 and 193, as well as policy DME17: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Condition 10 – Lake Restoration Strategy

No development within 8m of the lake shoreline or work within the lake itself shall take place until a detailed Lake Restoration Strategy has been submitted to, and approved in writing by, the LPA. The Lake Restoration Strategy shall be carried out as approved and any subsequent variations shall be agreed in writing by the LPA.

The Lake Restoration Strategy must include the following details:

- The confirmed length/area of lake edge to be improved
- The planned timeframes for each phase of the restoration work
- Details of the planned long-term water quality monitoring including proposed trigger levels relating to erosion, vegetation establishment, turbidity, chemical parameters or biological indicators, and a proposal for investigation and remediation if these levels are exceeded.
- The outline designs for each phase of the long-term restoration proposal, clearly demonstrating the Water Framework Directive quality element that is being mitigated.
- The designs should include cross sections of the proposed reprofiling and indicative details of the materials to be used.

Reason

To ensure WFD compliance of the development and prevent the deterioration of/jeopardise the attainment of good status of Broadwater Lake, ID: GB30641907, in line with the submitted Water Framework Directive Assessment_Addendum_2.0 proposals. 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 paragraphs 187, 192 and 193, as well as policy DME17: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Condition 11 – Detailed Operational Management Plan

No Water Sport operations shall take place until the submission of a detailed Operation Management Plan (OMP) has been submitted to, and approved in writing by, the LPA. The detailed OMP shall include:

- Confirmation that recreational pressure will be managed through consolidation of activity within the eastern channel and establishment of bird refuge areas (Measure 12), alongside the other operational controls set out in the Outline OMP.
- Detail of how operational disturbance is managed through activity zoning, seasonal controls and adaptive monitoring
- Details of how, during operation the daily activity hours, intensity of use and spatial zoning of water-based activities will be controlled to ensure recreational use remains within environmentally sustainable limits
- Details of how the combination of spatial zoning, seasonal controls, defined access points and adaptive management provides a robust mechanism to prevent deterioration and supports progressive improvement toward Good Ecological Potential in accordance with the Thames River Basin Management Plan.

Reason

To ensure WFD compliance of the development and prevent the deterioration of/jeopardise the attainment of good status of Broadwater Lake, ID: GB30641907, in line with the submitted Water Framework Directive Assessment_Addendum_2.0 proposals. 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 paragraphs 187, 192 and 193, as well as policy DME17: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Condition 12 – Detailed Construction Environment Management Plan

No work within the lake shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to, and approved in writing by, the LPA. The detailed CEMP must include and not be limited to the details that are referenced in the Water Framework Directive Assessment_Addendum_2.0:

- Potential construction-phase risks relating to sediment mobilisation, lakebed disturbance and water quality and measures to control these risks
- Dredging to be limited to defined operational footprints,
- Measures in place to protect ecology during the construction phase
- In-lake construction works will be limited to the agreed seasonal window (typically October–December).

Reason

To ensure WFD compliance of the development and prevent the deterioration of/jeopardise the attainment of good status of Broadwater Lake, ID: GB30641907, in line with the submitted Water Framework Directive Assessment_Addendum_2.0 proposals. 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 paragraphs 187, 192 and 193, as well as policy DME17: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Biodiversity

Legally protected Species – European Eel and Water Vole

The European eel is a protected species under the Eels (England and Wales) Regulations 2009 and is believed to be present at the proposed development site. The Water Vole (*Arvicola amphibius*) is a protected species under Schedule 5 of the Wildlife and Countryside Act 1981, as amended and is believed to be present at the proposed development site and surrounding area.

The proposed development will only be acceptable if planning conditions are included requiring a plan protect both the European eel and the Water Vole. Without these conditions we would object to the proposed development because it cannot be guaranteed that the development will not result in harm to legally protected species.

Condition 13 – Legally Protected Species protection plan required - European Eel (*Anguilla Anguilla*)

No development shall take place until a European Eel Protection Plan detailing the mitigation of damage to populations of European eel, a protected species under Eel (England and Wales) Regulations 2009, and their associated habitat has been submitted to the LPA. The Plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the LPA. The European Eel protection plan shall be carried out in accordance with a timetable for implementation as approved.

It shall include the following elements:

- Outline how any compensatory measures and mitigations are explicitly intended to benefit European eel.
- Details about the location, extent and design of marginal habitat enhancement with reference to their benefit for eels.
- Details about the location, extent and design of artificial submerged refuge structures with reference to their benefit for eels.
- Details of a scheme for the long-term management and protection of the European eel population and its associated habitat.

Reasons

To protect the European eel and its habitat within the development site, and to avoid damaging the site's nature conservation value.

This approach is supported by paragraphs 187 and 193 of the 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. Without this condition we would object to the proposed development because it cannot be guaranteed that the development will not result in significant harm to European eel. The approach is also supported by Section 40 of the NERC Act 2006 as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

The condition is also in accordance with policy DMEI7: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Advice on Condition 13

The European Eel protection plan requested above *could* be submitted as part of a detailed MEMP or be addressed as a standalone document or addendum when applying to discharge the condition.

Condition 14 – Legally Protected Species Plan Required – Water Vole (*Arvicola amphibius*)

No development shall take place until a plan detailing the protection of populations of Water Vole, a protected species under The Wildlife and Countryside Act 1981 as amended and their associated habitat has been submitted to the LPA. The plan must consider the whole duration of the development, from the construction phase through to development completion. Any change to operational responsibilities, including management, shall be submitted to and approved in writing by the LPA. The Water Vole protection plan shall be carried out in accordance with a timetable for implementation as approved.

The scheme shall include the following elements:

- A detailed precautionary method statement to protect this species throughout the construction phase. This should include a pre-commencement check for field signs in accordance with the Water Vole Mitigation Handbook and CIEEM guidance in any areas on the lake shore where construction will take place or impact habitat.
- Details of the habitat improvements proposed for the operational phase designed to increase structural diversity of the habitat, improve burrowing opportunities and expand marginal foraging habitat relative to the existing

baseline. These include removal of artificial shoreline structures at the former Sailing Club frontage; reprofiling of selected banks to create gentler gradients; enhancement and expansion of marginal vegetation; and island edge reprofiling (as proposed within the outline MEMP)

- Details of the proposed long-term riparian management that ensure Water Vole are considered and protected (this may include control of American Mink and ongoing surveys post development).

Reason(s)

To protect the Water Vole and its habitat within the development site, and to avoid damaging the site's nature conservation value.

This approach is supported by paragraphs 187 and 193 of the 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. Without this condition we would object to the proposed development because it cannot be guaranteed that the development will not result in significant harm to Water Vole.

The approach is also supported by Section 40 of the NERC Act 2006 as amended by section 102 Environment Act 2021, which establishes a general duty on public authorities, to conserve and enhance biodiversity through the exercise of its functions.

The condition is also in accordance with policy DMEI7: Biodiversity Protection and Enhancement of the LB of Hillingdon Local Plan.

Advice on Condition 14

The Water Vole protection plan requested above *could* be submitted as part of a detailed MEMP or be addressed as a standalone document or addendum when applying to discharge the condition.

Although surveys on site so far have not indicated presence, Water Vole are known to be present on the River Colne and records indicate that their population is expanding within the area (within 2km of the site). The last full survey undertaken in line with CIEEM guidelines and the Water Vole Mitigation Handbook was carried out in Summer 2023 and are therefore out of date. Follow up surveys have been completed although not in the optimum survey period. A species protection plan will ensure that Water Vole are appropriately considered throughout all phases of the project and habitat improvements are secured to support this species.

Informative

Due to the proximity to the river Colne, a designated main river, a Flood Risk Activity Permit may be required for works within 8m of the river. please include the below informative on the decision notice on any grant of permission.

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any of the following activities:

- erecting any temporary or permanent structure in, over or under a main river, such as a culvert, outfall, weir, dam, pipe crossing, erosion protection, scaffolding or bridge
- altering, repairing or maintaining any temporary or permanent structure in, over or under a main river, where the work could affect the flow of water in the river or affect any drainage work
- building or altering any permanent or temporary structure designed to contain or divert flood waters from a main river
- dredging, raising or removing any material from a main river, including when you are intending to improve flow in the river or use the materials removed
- diverting or impounding the flow of water or changing the level of water in a main river
- quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- any activity within 8 metres of the bank of a main river, or 16 metres if it is a tidal main river
- any activity within 8 metres of any flood defence structure or culvert on a main river, or 16 metres on a tidal river
- any activity within 16 metres of a sea defence structure
- activities carried out on the floodplain of a main river, more than 8 metres from the river bank, culvert or flood defence structure (or 16 metres if it is a tidal main river), if you do not have planning permission (you do not need permission to build agricultural hay stacks, straw stacks or manure clamps in these places)

For further guidance please visit [Flood risk activities: environmental permits - GOV.UK](https://www.gov.uk/guidance/flood-risk-activities-environmental-permits) or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk.

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Advice to Local Planning Authority and Applicant

Requirements under Environmental Permitting Regulations 2016

The applicant has provided document titled 'Response to Environment Agency Objection 2, prepared by Quod, dated March 2026' which confirms:

- 1) Any activity constituting waste disposal, treatment, or deposit for recovery will be undertaken in accordance with the Environmental Permitting (England and Wales) Regulations 2016 (as amended);
- 2) All necessary Environmental Permit(s) will be obtained prior to commencement of the relevant works;
- 3) Any materials proposed for reuse on site will be appropriately classified and tested to demonstrate suitability;
- 4) No materials containing hazardous substances to groundwater, as defined within the [JAGDAG list](#), will be reused, treated or deposited on site as part of the Proposed Development;
- 5) Materials will comply with relevant inert and waste acceptance criteria where applicable; and
- 6) No materials will be reused where they pose a risk to groundwater.

Please be aware that dredged material removed from Broadwater Lake will be controlled waste and the proposed redeposit would not comply with any exemptions or exclusions from the above legislation.

It is critical that only waste that does not pose an intrinsic risk to the environment is treated or redeposited on site due to the extremely high sensitivity of the lake and groundwater which is used for public supply. Any arisings that contain hazardous substances must be removed from site and cannot be treated as part of this development therefore the testing of materials is critical.

The Environmental Permitting (England and Wales) Regulations 2016 state that permitted sites should not harm human health or pollute the environment. The operator is therefore required to have measures in place which will:

- prevent pollution, including to groundwater
- ensure that there is no harm to human health, the quality of the environment, or the surrounding amenity
- ensure that there is no offence to a human sense or damage to material property

We would likely reject any permit application which did not include evidence this can be achieved. The applicant must be aware that a grant of planning permission does not mean that a permit(s) will be forthcoming. We have encouraged you to discuss site specific issues through the **enhanced** permitting pre-application service ([Get advice before you apply for an environmental permit - GOV.UK](#)).

Use of Waste on-site

A deposit of waste to land must either be a disposal or a recovery activity. The legal test for recovery is set out in Environmental Permitting (England and Wales)

Regulations 2016, and is defined in schedule 9 and/ or schedule 1A (Article 3(15) of WFD) as:

“any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.”

We have produced the following guidance which may assist your permit application:

- [Legal definition of waste guidance - GOV.UK](#)
- [Environmental permitting guidance: The waste framework directive - GOV.UK](#)
- [Waste recovery plans and deposit for recovery permits - GOV.UK](#)
- [Waste acceptance procedures for deposit for recovery - GOV.UK](#)

Movement of waste off-site – Duty of Care & Carriers, Brokers and Dealer Regulations

The Waste (England and Wales) Regulations 2011 for dealing with waste materials are applicable to anyone who produces, carries, keeps, dispose, treats, imports or has control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure they deal with it responsibly. They must only pass it to someone authorised to take it. You can find the waste duty of care code of practice here: [Waste duty of care code of practice - GOV.UK](#)

If you need to register as a carrier of waste, please follow the instructions here: [Register or renew as a waste carrier, broker or dealer - GOV.UK](#)

Advice to Local Planning Authority

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures.

Physical barriers, raised electrical fittings, and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. If you'd like to find out more about reducing flood damage, visit the [Flood Risk and Coastal Change pages](#) of the planning practice guidance. Further guidance on flood resistance and resilience measures can also be found in:

- Government guidance on flood resilient construction <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>
- CIRIA Code of Practice for property flood resilience

- https://www.ciria.org/CIRIA/Resources/Free_publications/CoP_for_PFR_resource.aspx
- British Standard 85500 – Flood resistant and resilient construction <https://shop.bsigroup.com/ProductDetail/?pid=000000000030299686>

Flood risk issues not within our direct remit

The following issues are not within our direct remit or expertise, but nevertheless are important considerations for managing flood risk for this development. Prior to deciding this application, we recommend that consideration is given to the issues below. Where necessary, the advice of relevant experts should be sought.

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures
- Details and calculations relating to the structural stability of buildings during a flood
- Whether insurance can be gained or not
- Provision of an adequate means of surface water disposal such that flood risk on and off-site isn't increased

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning or visit [Sign up for flood warnings - GOV.UK](#). It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email, or text message. Anyone can sign up.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families, and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit [Prepare for flooding: Protect yourself from future flooding - GOV.UK](#)

To get help during a flood, visit [What to do before or during a flood - GOV.UK](#)

For advice on what to do after a flood, visit [What to do after a flood - GOV.UK](#)

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

creating a better place
for people and wildlife



our reference number in any future correspondence. Please provide us with a copy of the decision notice.

Should you have any queries regarding this response, please do not hesitate to contact me on HNL.SustainablePlaces@environment-agency.gov.uk, quoting the reference at the beginning of this letter.

Yours sincerely

Harry Scott
Planning Specialist

E-mail: HNL.SustainablePlaces@environment-agency.gov.uk
Telephone: 02030251774