

Michael Briginshaw
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By email only: planning@hillington.gov.uk

20 December 2023

Dear Michael Briginshaw,

Location: Broadwater Lake, Moorhall Road, Harefield

Proposal: 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 to be occupied by HOAC and BSC including changing facilities, meeting rooms, storage, Workshop and seasonal worker accommodation (sui generis), activity shelters; installation of pontoons and concrete slipways; boat shed; equipment storage huts (north of lake and at entrance); 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; new access and access road; localised dredging and land reclamation; relocation of existing sailing area and creation of floating and fixed islands within the lake; coach drop off and turning area; vehicle parking; cycle parking; and associated works.

Application No: 2382/APP/2023/2906

Many thanks for giving the RSPB an opportunity to comment on the proposed development at Broadwater Lake, Harefield. The RSPB **objects** to this application due to the potential impacts upon Mid Colne Valley Site of Special

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The RSPB is part of BirdLife International, a Partnership of conservation organisations working to give nature a home around the world.

Scientific Interest (SSSI) as a result of these development proposals. The potential impacts include:

- the direct loss of suitable habitat for designated features of the Mid Colne Valley SSSI
- disturbance to both breeding and non-breeding birds during the Construction and Operational stages of development

Further details of our **objection** are outlined below.

1. Designations and the Application Site

The application site lies within the Mid Colne Valley SSSI, designated for a variety of important features, including:

- Aggregations of non-breeding birds - Tufted duck (*Aythya fuligula*)
- Aggregations of non-breeding birds - variety of wintering species
- Assemblages of breeding birds - Mixed: Lowland open waters and their margins, Lowland fen and Lowland damp grassland
- Assemblages of breeding birds - Mixed: Scrub, Woodland
- Assemblages of breeding birds - variety of species
- Lowland calcareous grassland (CG3-5)

The purpose of SSSIs is defined by the Joint Nature Conservation Committee (JNCC)¹ as *'the fundamental units of our network of protected areas for nature conservation'*. They make a *'major contribution towards the establishment of an ecologically coherent national network of protected areas, and are where the interest is most highly concentrated or of the highest quality. Each SSSI represents a significant component of the biodiversity resource of Great Britain, and its protection is an important part of Great Britain's biodiversity conservation activity.'*

¹ Bainbridge, I., Brown, A., Burnett, N., Corbett, P., Cork, C., Ferris, R., Howe, M., Maddock, A., Mountford, E. & Pritchard, S. (Eds.) (2013) *Guidelines for the Selection of Biological SSSIs - Part 1: Rationale, Operational Approach and Criteria for Site Selection*. JNCC, Peterborough, ISBN 978-1-86107-625-0.

Furthermore, the Department for Levelling Up, Housing & Communities' *National Planning Policy Framework* (NPPF, 2023) outlines national policy for conserving and enhancing the natural environment. Paragraph 180 highlights principles for which Local Planning Authorities should apply when determining planning applications, including:

'a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then planning permission should be refused.'

2. Direct loss of habitat

The RSPB recognises the need for an alternative site for the Hillingdon Outdoor Activities Centre (HOAC) due to the Compulsory Purchase Order (CPO) and works associated with High Speed 2 (HS2). However, the consideration of Broadwater Lake as an alternative site was discounted as part of the HS2 examination process on account of the ecological sensitivity of the site. The RSPB does not consider there to be any justifiable reason, or evidence provided, that would alter the decision made during the HS2 examination process regarding the impact development proposals would have upon Mid Colne Valley SSSI.

The features outlined in *Section 1* for Mid Colne Valley SSSI exhibit the importance of both the open water and mixed woodland/scrub habitats that make up a large percentage of the land within the SSSI. The development proposals for HOAC will result in a direct loss of habitat for breeding and non-breeding birds.

The reduction in open water via land reclamation will impact both breeding and wintering birds using the open water and water's edge habitat for nesting, roosting, and feeding; this includes Tufted Duck (*Aythya fuligula*), a key wintering species for the SSSI designation.

The development of the facilities proposed on the peninsula in the south-eastern section of the site will impact breeding birds using the woodland and scrub

habitat through direct loss of habitat to hardstanding and construction of the facilities.

Para 7.5.5 of the Applicant's Environmental Statement states '*avoidance measures comprise primary (inherent design) mitigation and these allows impacts to be avoided entirely.*' The RSPB does not agree with this statement, as not only should the mitigation proposals be considered as mitigation under the Mitigation Hierarchy (as opposed to avoidance), but also the plans contain works (including the loss of 3.1% of water habitat within the SSSI) that will result in the permanent loss of SSSI; this should be considered unmitigable.

3. Disturbance to breeding and wintering birds

Further to our comments outlined in Section 2 relating to direct habitat loss, the development proposals will also result in significant disturbance to breeding birds using both the open water and woodland/scrub habitat of the SSSI. These disturbance impacts are likely to be derived from both water-based and land-based activities due to an increase in use of the site in both the open water (and island) areas of the site, alongside the peninsula and the proposed development area for site facilities, respectively.

Within the *Broadwater Lake SSSI 2023 Breeding Bird Survey* report (Greengage, 2023) it is highlighted that birds are affected by sailing activities at the lake; these conclusion indicate that water-based activities are likely to be a potential point of disturbance on the assemblage of breeding birds using lowland open waters and their margins during the period of activities scheduled between 1st April and 31st September due to the proposed increase in permitted activities taking place during this time period. Broadwater Lake is a key refuge for waterbirds in the Colne Valley as a result of the comparative lack of disturbance and this will be considerably undermined by these proposals. We note that impacts to the South-West London Waterbodies Special Protection Area (SPA) and Ramsar have been screen out, however, we do not consider that it has been sufficiently demonstrated that there is not a link between Broadwater Lake and other suitable sites within this landscape included South-West London Waterbodies given their use by a similar assemblage of birds and the distances that some of these species will travel to feed and roost.

The construction of the Hillingdon Water Sports Facility and Activity Centre on the peninsula, and its use through activities also scheduled to take place between 1st April and 31st September, are likely to also result in significant impacts upon the assemblage of breeding birds using a mixture of woodland and scrub.

The RSPB does not consider that disturbance impacts from both water-based and land-based activities have been addressed by the Applicant, and therefore are likely to have a significant damaging effect on the designated features of the Mid Colne Valley SSSI.

4. Conclusion

Overall, the RSPB considers that the Applicant's proposals will have a significant impact upon the Mid Colne Valley SSSI via direct loss of habitat and a significant increase in disturbance for both breeding and wintering bird features of the SSSI. The RSPB does not consider it possible to mitigate these impacts due to the location of the Application Site within the SSSI itself. The RSPB therefore **objects** to these proposals as they will cause significant damage and harm to a nationally important site, its biodiversity, and is therefore contrary to national policy as defined within para 180 of the National Planning Policy Framework (NPPF, 2023).

We hope you have found these comments useful. Please do not hesitate to get in touch should you wish to discuss any of our comments further.

Yours sincerely

A handwritten signature in black ink, consisting of a stylized 'J' and 'T' followed by a horizontal line.

Jack Thompson

Conservation Officer

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