

PLANNING STATEMENT

In support of the discharge of planning conditions
9 (Bats) and 13 (Contaminated Land)

Application Permission Reference:
924/APP/2022/3603

Denville Hall, Ducks Hill Road,
Northwood, HA6 2SB

HCH PROJECTS

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1. INTRODUCTION

- 1.1. This Planning Statement has been prepared on behalf of Denville Hall Development Ltd in support of an application seeking the discharge of Conditions 9 (Bats) and 13 (Contaminated Land) attached to planning permission ref. 924/APP/2022/3603, granted by the London Borough of Hillingdon on 24 November 2023 for the Demolition of Nos. 48 and 60 Ducks Hill Road together with associated outbuildings and the redevelopment of the site to provide 12 assisted living units (Use Class C2), communal facilities, landscaping and associated works.
- 1.2. The purpose of this submission is to demonstrate that the technical information now submitted fully addresses the requirements of Conditions 9 and 13 and enables the Local Planning Authority to conclude that the relevant pre-commencement requirements have been satisfactorily addressed.
- 1.3. The application is accompanied by the following technical documents:
- **Bat Emergence Survey Report**, The Ecology Co-operation Ltd, Project No. P11114, dated 16 July 2026.
 - **Site Investigation Report (Revision 3)**, Soil Consultants Ltd, Ref. 10767/JW Rev 2, dated 20 July 2026.
- 1.4. These reports have been prepared by appropriately qualified specialists and provide robust technical evidence demonstrating that the objectives of the planning conditions have been satisfied.

2. CONDITION 9 – BATS

Condition 9

"The development must proceed in accordance with an approved bat mitigation licence issued by Natural England with full details of the mitigation requirements provided to and approved in writing by the Local Planning Authority which shall be submitted and approved prior to the commencement of the development."

Reason

The condition was imposed to ensure that protected bat species are safeguarded during demolition and redevelopment and to secure compliance with national and local planning policies relating to biodiversity and protected species.

2.1. Assessment Against the Requirements of the Condition

Requirement 1 – Updated Ecological Assessment

- 2.2. The applicant commissioned The Ecology Co-operation Ltd to undertake updated bat emergence surveys during the 2026 survey season in accordance with current Bat Conservation Trust Guidelines.
- 2.3. The report explains that previous ecological surveys undertaken in 2018 and 2022 identified moderate bat roost potential associated with the roof void of the flatted block at 48 Ducks Hill Road. Due to the passage of time since those surveys and the intended implementation of the planning permission, updated emergence surveys were considered necessary to determine whether bats were actively roosting within the buildings proposed for demolition.
- 2.4. Two dusk emergence surveys were undertaken during May and June 2026 by licensed ecologists to establish the current ecological status of the buildings.

Requirement 2 – Requirement for a Natural England Bat Licence

- 2.5. The purpose of the updated surveys was to establish whether demolition would affect a bat roost and therefore require a European Protected Species Licence issued by Natural England. The conclusions of the survey are unequivocal.
- 2.6. The report confirms that:
 - no bats were observed emerging from the Flats during either survey;
 - no evidence was identified that the buildings currently support a bat roost;

- common pipistrelle and soprano pipistrelle bats forage across the wider site together with commuting brown long-eared bats, Myotis species and noctule bats; however, these activities relate to the wider landscape rather than occupation of the buildings themselves.

2.7. The report further concludes that:

"As no bat roosts have been identified, it will not be possible to obtain a European Protected Species (EPS) licence for the demolition of the Flats."

2.8. This represents an important material consideration. The wording of Condition 9 anticipated that a Natural England licence would be required because, at the time planning permission was granted, the available ecological information suggested that bat roost potential existed. The updated emergence surveys now demonstrate that no bat roost exists. Consequently, there is no licensable activity under the Conservation of Habitats and Species Regulations and Natural England would not issue an EPS Licence because the statutory tests for licensing are not engaged.

2.9. Accordingly, whilst the wording of the condition refers to the submission of a bat licence, the updated ecological evidence demonstrates that such a licence is neither necessary nor capable of being obtained.

2.10. **Requirement 3 – Mitigation Measures**

2.11. Although no bat licence is required, the ecological report nevertheless specifies appropriate precautionary ecological measures.

2.12. These include:

- careful removal of roof coverings and hanging tiles during demolition;
- cessation of works should bats, or evidence of bats be discovered;
- attendance by a suitably qualified ecologist, if required;
- protection of nesting birds during demolition; and
- incorporation of replacement bird nesting opportunities, where appropriate.

2.13. These measures provide a proportionate ecological safeguard consistent with best practice.

Planning Assessment

- 2.14. The purpose of Condition 9 is to ensure that demolition does not adversely affect protected bat species. The updated Bat Emergence Survey provides the most recent ecological assessment of the site and demonstrates that the buildings proposed for demolition do not support an active bat roost.
- 2.15. Whilst bats continue to forage and commute across the wider site, there is no evidence that demolition would result in the loss of a bat roost or require derogation from wildlife legislation. The updated survey, therefore, supersedes the assumptions upon which the condition was originally imposed.
- 2.16. The submitted report fully satisfies the ecological purpose of the condition by demonstrating that:
- no bat roost exists;
 - no European Protected Species Licence is required;
 - precautionary ecological working methods have been identified; and
 - demolition can proceed without unacceptable impacts upon protected species.
- 2.17. It is respectfully submitted that the objectives of Condition 9 have been fully addressed.

3. CONDITION 13 – CONTAMINATED LAND

Condition 13

“The development shall not commence until a detailed scheme to deal with the identified unacceptable concentrations of contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of the required remediation scheme shall be completed before any part of the development is occupied or brought into use. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A written method statement providing full details of the proposed remediation scheme, and how completion of the remedial works will be verified, shall be agreed in writing with the LPA prior to commencement, along with full details of a watching brief to address

undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If, during remedial or development works, contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.”

Reason

The condition was imposed to ensure that risks associated with contamination are appropriately identified and managed, thereby safeguarding future occupiers, construction workers, controlled waters and the wider environment.

3.1. Assessment Against the Requirements of the Condition

3.2. To satisfy this condition, the applicant commissioned Soil Consultants Ltd to prepare Revision 2 of the Site Investigation Report.

3.3. Revision 2 updates the previous investigations undertaken in 2022 and incorporates additional intrusive investigations, shallow soil sampling, contamination testing, gas monitoring together with a detailed remediation strategy and discovery strategy specifically prepared to address the planning condition.

Requirement (i) – Detailed Remediation Scheme

3.4. The report includes:

- Stage 1 Tier 1 Preliminary Risk Assessment;
- intrusive site investigation;
- laboratory testing;
- contamination testing;
- groundwater and gas monitoring;
- Stage 1 Tier 2 Environmental Assessment;
- refined Conceptual Site Model; and
- detailed environmental assessment.

3.5. The report provides a comprehensive understanding of the site's environmental conditions and forms an appropriate basis for remediation.

Requirement (i)(a) – Written Method Statement

3.6. The condition requires details of the remediation methodology, validation proposals and procedures for dealing with unexpected contamination.

3.7. Revision 2 specifically incorporates:

- Section 8 – Remediation Strategy;
- Section 8.3 – Validation Plan;
- Section 9 – Discovery Strategy.

3.8. These sections provide detailed procedures for:

- removal of contaminated made ground where required;
- replacement with certified clean topsoil and subsoil;
- disposal of excavated materials;
- gas protection measures;
- protection of construction workers;

- validation of remediation works; and
- procedures for dealing with any previously unidentified contamination encountered during construction.

3.9. Accordingly, the report fully addresses the written method statement required by the condition.

Requirement (ii) – Unexpected Contamination

3.10. The submitted Discovery Strategy establishes a robust procedure whereby any contamination encountered during construction that was not previously identified will be investigated and appropriate remedial measures agreed before development continues.

3.11. This provides the contingency mechanism specifically required by the condition.

Requirement (iii) – Verification Report

3.12. The condition requires submission of a Verification Report following completion of remediation works. The submitted report includes a comprehensive Validation Plan, which establishes the methodology by which remediation will be verified.

3.13. The applicant acknowledges that the Verification Report can only be submitted following completion of the approved remediation works and will be provided at the appropriate stage of development.

Requirement (iv) – Imported Soils

3.14. The Remediation Strategy requires replacement materials to comprise certified clean soils together with validation and testing prior to completion of the works. These measures satisfy the requirements relating to imported materials and will be confirmed through the Verification Report.

Planning Assessment

- 3.15. The Site Investigation Report represents a comprehensive geo-environmental assessment prepared by appropriately qualified specialists. The report identifies potential contamination risks, assesses the significance of those risks and establishes a detailed remediation strategy together with validation procedures and contingency measures.
- 3.16. The submitted information, therefore, provides the Local Planning Authority with a clear framework for ensuring that the development proceeds safely and that the completed development will be suitable for its intended use.
- 3.17. The pre-commencement requirements of Condition 13 have therefore been fully addressed. The Verification Report required by Part (iii) will be submitted following completion of the remediation works, as expressly anticipated by the wording of the condition.

4. CONCLUSION

- 4.1. This submission is accompanied by comprehensive technical reports prepared by appropriately qualified ecological and geo-environmental consultants.
- 4.2. The Bat Emergence Survey demonstrates that the buildings proposed for demolition do not support an active bat roost and that there is no requirement for, nor legal basis upon which to obtain, a European Protected Species Licence. Appropriate precautionary ecological measures are nevertheless identified to ensure that demolition proceeds in accordance with best practice and relevant wildlife legislation. The ecological purpose of Condition 9 has therefore been fully satisfied.
- 4.3. The Site Investigation Report (Revision 3) provides a comprehensive assessment of ground conditions and contamination risks together with a detailed remediation strategy, validation methodology and discovery strategy. The report addresses the pre-commencement requirements of Condition 13 and establishes an appropriate framework for remediation and environmental protection throughout the construction process.

- 4.4. The Verification Report required by the condition will be submitted following completion of the approved remediation works.

Table 4.1: Conditions Compliance Summary

Condition Requirement	Submitted Information	Compliance
Condition 9 – Updated ecological evidence	Bat Emergence Survey Report	Confirms no bat roost exists and no EPS Licence is required.
Bat mitigation	Precautionary demolition methodology	Appropriate ecological safeguards identified.
Condition 13(i)	Site Investigation Report Rev 3	Comprehensive site investigation completed.
Condition 13(i)(a)	Remediation Strategy, Validation Plan and Discovery Strategy	Full remediation methodology provided.
Condition 13(ii)	Discovery Strategy	Procedures for unforeseen contamination included.
Condition 13(iii)	Validation Plan	Verification Report to follow completion of remediation.
Condition 13(iv)	Remediation Strategy	Certified clean imported soils and validation procedures specified.

- 4.5. Accordingly, it is respectfully submitted that the information now provided demonstrates that the requirements of Conditions 9 and 13 have been satisfactorily addressed as summarised in table 4.1.

- 4.6. The Local Planning Authority is requested to approve the submitted details and discharge the relevant pre-commencement elements of those conditions.