

President: Rt.Hon. the Lord Randall of Uxbridge Kt.PC.

FAO: Richard Weston
London Borough of Hillingdon
Civic Centre
Uxbridge
Middlesex



April 2023

Dear Mr Weston

Scoping Opinion 2382/APP/2023/525

**HILLINGDON WATER SPORTS FACILITY AND ACTIVITY CENTRE, BROADWATER LAKE
MOORHALL ROAD HAREFIELD, UXBRIDGE**

Summary:

The Colne Valley Regional Park (CVRP) **supports HOAC relocation to a suitable site** within the Colne Valley Regional Park.

However, **we object to this proposal because Broadwater Lake is not a suitable site.** It is one of the most important centres for nature conservation in the whole of the Colne Valley Regional Park. It is no exaggeration to say that it is of national and regional importance for nature conservation. The six objectives of the CVRP are a balance of activities and each one should not negate the others. This proposal will almost certainly do that with recreation having a severe impact on biodiversity.

We urge London Borough of Hillingdon to find a more suitable site and offer to work with the Council to achieve this. The previous planning application in 2018, at New Denham Quarry, was a far better option, merely requiring a few, very minor, adjustments. We were disappointed that Hillingdon declined the offer we made in 2018 to talk about this and were shocked to hear early in 2023 that the Council proposes to relocate HOAC to Broadwater Lake. In our view, five years has been wasted: Broadwater's national significance for wildlife means that it is unlikely that a planning application here can be approved with reference to a) National Planning Policy Framework and because b) other suitable sites for HOAC relocation are available in the Colne Valley.

Comment on EIA Scoping Opinion

Para 4.2 The Colne Valley Regional Park is missing from the listed stakeholders engaged with. The Council did finally consult with us, organising a meeting in March 2023. We welcome this engagement but it was far too late, since the plans had already been worked on for many years and were nearing completion without our knowledge or input.

Para 4.5 Alternative Sites. This important section is very light on information. We note it is stated that the planning application will be accompanied by an Alternative Sites Assessment,

Colne Valley Park Trust

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but are concerned that this will only assess "...the most suitable site **within LBH** for the relocation..." (our highlighting). LBH is an administrative boundary that does not reflect the landscape and the way this is actually used by people or how the HOAC relocation site can be accessible for Hillingdon residents. Taking this artificial cut-off excludes a huge number of suitable sites (including the New Denham Quarry) for no good or justifiable reason.

We also look forward to seeing the Alternative Design as part of the ES. Figure 3.1 of the EIA scoping report shows that most of the lake will be used for water sports. This makes no provision for an area large enough to serve as the refuge for waterfowl at Broadwater. I refer the Council to the response to the Scoping Opinion from the Herts & Middlesex Wildlife Trust that makes reference to a 2008 report on waterbird use of the Colne Valley and a subsequent 2022/23 follow up report.

From figure 3.1 it would appear that the sailing club in the northern part of the lake will be demolished and all future activity for sailing rowing and other leisure activities will be based in the southern part and use most of the lake. The southern area appears to be the more sensitive part of the SSSI. This concentration of activities which will operate year round, unlike the existing club, will be more intense and have a much larger impact on the ecology particularly on the overwintering birds.

National Planning Policy Framework

This proposal does not comply with National Planning Policy Framework with reference to the Natural Environment.

NPPF policy 174 states: "*Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) *protecting and enhancing valued landscapes, sites of biodiversity or geological value.....*
- d) *minimising impacts on ... biodiversity..."*

This proposal does not do that. The 2008 waterbirds report (referred to above) states: "Stocker's Lake and Broadwater Lake were the two most significant refuge/roost sites, attracting almost the whole range of species in the valley. These major refuge sites are critical in that they enable birds to exploit a much wider area." Disturbance/destruction of the refuge function which Broadwater Lake provides will affect the ability of the wider Colne Valley to support the regionally and nationally significant community of water birds that it currently does.

NPPF policy 180 states: "*When determining planning applications, local planning authorities should apply the following principles:*

- 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;*
- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other*

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developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;" (our Highlighting).

With regard to para a) we believe that "locating on an alternative site with less harmful impacts" can be achieved. Therefore, a planning application should in due course be refused. It is LBH that has chosen to exclude sites outside the borough from the options appraisal. In our view that is not a good enough reason to cause environmental damage to a Site of Special Scientific Interest, (a protective designation of national importance for wildlife) and an alternative sites assessment that ignores potential sites outside LBH will not be robust in the light of national policy.

With regard to para b) we do not believe that the 'only exception' as highlighted above is met in this case.

NPPF para 182 states "The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site...unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."

With reference to figure 3.1 of the EIA scoping report, we do not think it likely that the assessment can robustly demonstrate that the plan will not "adversely affect the integrity of the habitats site". This is why consideration of, and choosing, one of the alternatives is so important.

At this stage we make no reference to NPPF relating to Green Belt. This is because most, if not all, potential relocation sites are likely to be in the Green Belt. Therefore, this is not relevant to our concerns about why we feel Broadwater Lake is an unsuitable site for HOAC compared to other options.

Conclusion:

In light of the above comments we strongly urge the Council to re-consider a wider range of more appropriate sites for HOAC relocation and to find a suitable site. We would welcome the opportunity to discuss alternative sites with the Council and explore how these can contribute toward achieving the six objectives of the Colne Valley Regional Park.

If, however, the Council intends to proceed with a planning application at Broadwater, we offer to talk to it about mitigation and enhancement opportunities in line with the six objectives of the Colne Valley Regional Park – whilst still making our position of opposition to the principle of the planning application clear.

Yours sincerely



Stewart Pomeroy
Managing Agent

For and on behalf of the Colne Valley Regional Park

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