

JBA Project Code	2025s0768
Contract	Garden Lake
Client	National Trust
Day, Date and Time	17/12/2025
Author	Stephen Watkins
Reviewer / Sign off	Jeremy Benn
Subject	Low Risk Impounding Activities Regulatory Position Statement (RPS)

1 Low Risk Impounding Activities Regulatory Position Statement (RPS)

1.1 Introduction

Garden Lake, part of the Stourhead Estate, Wiltshire, is classified as a large, raised reservoir under the Reservoirs Act 1975. In the latest Section 10 report in April 2022 (report of a safety inspection regularly carried out on reservoirs under the Reservoirs Act 1975), the Inspecting Engineer included a Measure in the Interest Of Safety (MIOS) related to seepage observed on site.

JBA Consulting completed engineering designs for maintenance works to address the MIOS, alongside the required environmental reporting. This consisted of sheet piling through the crest of the embankment at the western end of Garden Lake.

It was suggested that an Impoundment Licence may be required for the works to the dams. However, there is a Regulatory Position Statement (RPS)¹ for low-risk impounding activities that the proposed activities come under.

1.2 Proposed works

The Main Dam works are:

- Install a 4m long sheet pile wall for approximately 50m.
- Remediate existing sinkholes

The works to fall under an activity in the low-risk checklist stated in the RPS. Further detail on the works is available in the Buildability Statement.

¹ <https://www.gov.uk/government/publications/low-risk-impounding-activities-rps-302/low-risk-impounding-activities-rps-302>

1.3 Activities

1.3.1 Main Dam

The works to the Main Dam come under the RPS activity '*Maintenance Works*' in the Regulatory Position Statement.

Table 1-1 Conditions for '*Maintenance Works*'

Condition	Evidence	Met?
You must use materials of the same kind as those present in the structure. If use of the materials has been restricted, you must use a suitable similar material.	Materials of the same kind as those present will be used for the repair works. Although an earthwork dam, there is existing steel sheet piling at the furthest extent of the western arm.	Yes
You must not change any dimension of the structure	The works consist of a sheet pile wall, where the top of sheet piling is below the topsoil so there will be no surface change to levels or dimensions.	Yes
You must not change the design or function of the structure	The function of the structure will remain unchanged.	Yes

1.4 General Conditions

In addition to the activity specific conditions, the works must also meet nine general conditions. These are detailed in the below table. Due to the site location environmental and ecological reporting has been completed to ensure that there will be no harm to the surrounding environment. A planning application will be submitted during construction.

Condition	Evidence	Met?
Condition 1 You must ensure that the works do not cause a deterioration in the status of a water body or compromise the delivery of any relevant environmental objective in: Water Environment (Water Framework Directive) (England and Wales) Regulations 2017	The site is within the Stour (Headwaters) River Water Body (GB108043022490) and is underlain by the Upper Hampshire Avon Groundwater Water Body (GB40801G806900). A Water Framework Directive (WFD) Screening report (Doc ref. PXG-JBA-00-GL-TN-EN-4001-WFD_Screening_Assessment) has been undertaken for the proposed works.	Yes

Condition	Evidence	Met?
	The proposed works are not expected to have a significant negative impact on the Garden Lake reservoir, or the status of the screened in WFD water bodies for the following reasons: - The proposal involves works to existing bank modifications, including an embankment. - The footprints of the works are small relative to the water body scale. - Mitigation measures have been outlined in the PEA and EclA for the proposed lowering of the Garden Lake water level. - The water level of the reservoir will return to its existing level following completion of the temporary works. As such, the screening assessment concludes that no further WFD Assessment is required.	
Condition 2 You must keep records from the start of the works for a period of 5 years to show that you have complied with this RPS	Records of the design process are available, and records will be kept throughout the construction process by the contractor and the National Trust.	Yes
Condition 3 You must not cause, or be likely to cause, at any location in the watercourse, harm to freshwater fish, migratory salmonids (salmon and sea trout) or eel resulting from: inhibiting or preventing their upstream or downstream passage disturbance of spawn, spawning fish or spawning area	A Preliminary Ecological Appraisal and Ecological Impact Assessment² (PEA & EclA) has been undertaken by JBA Consulting for the works and assessed that there would be no significant impact on fish as a result of the proposed works. Construction activities will be restricted to the small section of the western arm off of the main lake body and therefore disturbance impacts will be limited to this area. Given the small-scale area of the works boundary in relation to large size of the main body of the lake it is not anticipated that there will be significant disturbance to fish utilising the reservoir, with the ability for	Yes

² PXG-JBA-00-GL-RP-EN-4001-Preliminary_Ecological_Appraisal_and_Ecological_Impact_Assessment

Condition	Evidence	Met?
	fish to move to other areas of the reservoir that are not impacted by the construction activities.	
Condition 4 You must make sure that there is no likely significant effect on any: European site Ramsar site Site of Special Scientific Interest (SSSI) Nature reserve established by a local authority under Section 21 of the National Parks and Access to the Countryside Act 1949 Protected species, flora and fauna and habitats	The proposed site sits within the Garden Lake, Stourhead Local Wildlife Site. Given the nature and small footprint of the proposed works it is not considered that there will be any significant impact to the designated sites. The PEA also assessed the impact to protected species and habitats and set out precautionary mitigation, which will be implemented during the works to ensure no impact.	Yes
Condition 5 You must not have a significant adverse effect on habitats or species included in the list of habitats and species of principal importance in England.	The PEA produced for the site assessed the impact to habitats and species onsite. Mitigation has been given and will be implemented on site.	Yes
Condition 6 You must not carry out any works within 100 metres of a water body that is classified as of 'high ecological status'.	Garden Lake is not a monitored WFD water body. The site is within the Stour (Headwaters) River Water Body (GB108043022490) and is underlain by the Upper Hampshire Avon Groundwater Water Body (GB40801G806900). Both of these water bodies have a Poor ecological/overall status.	Yes
Condition 7 You must not derogate an existing lawful abstraction that is a protected right, whether licensed or an abstraction activity exempt from licensing. You must have regard to: any existing lawful uses other water users, riparian rights or interests	These are vital maintenance works to ensure the Garden Lake is safe. There is no abstraction	Yes

Condition	Evidence	Met?
Condition 8 You must not prevent the following statutory authorities from carrying out their legal obligations: navigation authority harbour authority conservancy authority statutory water undertaker	There are no navigable waterways or ports in proximity to the works, so navigation, harbour and conservancy authorities will not be impacted. The works are vital maintenance works which will not prevent statutory water undertakers carrying out any obligations.	Yes
Condition 9 You must not interfere with the operations of any drainage board for any internal drainage district.	This is area and does not fall within an internal drainage district - Internal Drainage Boards Map - Association of Drainage Authorities	Yes