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Date 6<sup>th</sup> January 2023

Dear David

**RE: 6/2022/1097/OUTLINE (Appeal reference APP/C1950/W/22/3307844) Land to the North of Bradmore Way, Brookmans Park**

Thank you for your consultation on the above site, with the updated information submitted to address comments in relation to the Planning Appeal we received the revised Flood Risk Assessment on the 4<sup>th</sup> January 2023 dated January 2023. We have reviewed the amended information as submitted and wish to make the following comments.

Following a review of the revised documents, the details are in accordance with NPPF and local planning policy SADM 14 'Flood Risk and Surface Water Management' and Policy SP 10 'Sustainable design and construction' subject to the below conditions and we are therefore able to remove our objection to the planning application.

The planning application is classified as a major development and is for outline permission including access with all other matters reserved. NPPF paragraph 167. states '*When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*

*(a) within the site, **the most vulnerable development is located in areas of lowest flood risk**, unless there are overriding reasons to prefer a different location;*

*(b) the **development is appropriately flood resistant and resilient** such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*

*(c) **it incorporates sustainable drainage systems**, unless there is clear evidence that this would be inappropriate;*

*(d) any residual risk can be safely managed; and*

*(e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan. It is important that certain details are confirmed to ensure that the most appropriate drainage scheme can be implemented to ensure there will be no flood risk to the site and the surrounding area and to demonstrate that an appropriate scheme using the key principles of SuDS are feasible'.*

And paragraph 169 states 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:

*(a) take account of advice from the lead local flood authority;*

*(b) have appropriate proposed minimum operational standards;*

*(c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*

*(d) where possible, provide multifunctional benefits'.*

The revised FRA including modelling, outline surface water drainage strategy and suitable mitigation measures submitted as part of the appeal information and received on the 4<sup>th</sup> January following discussions with the LLFA has provided additional information that provides enough details to demonstrate that flood risk would not be increased to the site or the surrounding area if the proposed mitigation measures contained within the FRA are included subject to further details of these being submitted and agreed prior to the commencement of development and concurrently as part of any reserved matters application. These measures need to be maintained and managed in perpetuity for the lifetime of the development. Therefore, to ensure the development does not increase flood risk to others, or others and remains safe the following conditions are recommended.

1. All development shall be constructed in accordance with the submitted and approved Flood Risk Assessment Revision: REV 3.0 (dated January 2023), unless otherwise first approved in writing by the Local Planning Authority.

Reason: To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies SADM 14.

2. Prior to submission of the first reserved matters application involving buildings, roads or other hard surfaces, for the development hereby permitted, details of a scheme for the disposing of surface water by a means of sustainable drainage system shall be submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates (19.30l/s for the 1 in 1 critical storm duration and 22.2 l/s for the 1 in 100 plus cc critical storm duration) as contained within the Flood Risk Assessment dated January 2023 received 04.01.23. The scheme shall be implemented in full in accordance with the approved details prior to first use of the development. The submitted details shall:

- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed Sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters. This shall include the following information:
- Demonstrates that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 critical storm duration.
- Demonstrates that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with NPPF does not leave the site uncontrolled via overland flow routes

Reason: To ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies SADM 14 and SP10.

3. As part of the submission of the reserved matters application for the development hereby permitted, construction drawings of the surface water drainage network, associated sustainable drainage components, flow control mechanisms and a detailed construction method statement (which ensures protection of the surface water drainage system through the whole of the construction as well as ensuring no debris/silt or sediment enters the surface water drainage system), have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies SADM 14 and SP10.

4. The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
  - I. a timetable for its implementation,
  - II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
  - III. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy Policies SADM 14 and SP10

5. Prior to first use of the development a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme, FRA, and flood bypass channel), has been submitted to and approved (in writing) by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and Control mechanism.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policy Policies SADM 14 and SP10

6. As part of the submission of the reserved matters application for the development hereby permitted, calculations, construction drawings including cross sections of the proposed bypass channel and associated flood compensation areas (ensuring water can flow freely in and out of the areas), flow control mechanisms and a detailed construction method statement (which ensures protection of the ordinary watercourse) have been submitted to and approved in writing by the Local Planning Authority. The scheme shall then be constructed in accordance with the approved drawings, method statement and Micro drainage calculations prior to the first occupation of the development hereby approved. No alteration to the approved drainage scheme shall occur without prior written approval of the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies SADM 14 and SP10.

7. The development hereby approved shall not be first occupied until details of the maintenance and management of the ordinary water course, bypass channel and flood compensation areas have been submitted to and approved in writing by the Local Planning Authority. The Bypass channel and flood compensation areas shall be implemented prior to the alteration of the existing access road and prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details in perpetuity.

Reason: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with NPPF and Policies SADM 14 and SP10.

### **Informative**

Erection of any structure that affects the flow in an ordinary watercourse or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is Hertfordshire Lead Local Flood Authority. It is advised to discuss proposals for any works at an early stage of proposals.

Yours sincerely

Katherine Waters  
BSc, MSc, C.WEM, MCIWEM  
Environment & Transport and Sustainable Growth