

Growth & Environment

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Contact: SuDS and Watercourses Team
FRMConsultations@hertfordshire.gov.uk

Your ref: 25/00104/FP
Date: 5 May 2026

Dear Tom

RE: 25/00104/FP-Residential development to provide 9 flats with associated vehicular parking and access via existing dropped kerb from King James Way with ancillary bike and refuse store-Land To The Rear Of Banyers Hotel King James Way Royston Hertfordshire SG8 7BZ

Thank you for your consultation on the above site. We have reviewed the application as submitted and wish to make the following comments.

This is a full planning application for Residential development to provide 9 flats with associated vehicular parking and access via existing dropped kerb from King James Way with ancillary bike and refuse store.

We still have serious concerns regarding this development as the site is located within a surface water flow path and is itself plus the access and egress at risk of surface water flooding. We would also advise that the LPA consider if this site has sufficiently investigated the sequential test for development at this location. The proposed access and egress routes do not adequately ensure the safety or free movement of occupants during flood events from the site or the wider area. The safety of occupants must be guaranteed for the lifetime of the development, and therefore we suggest that this site is not developed for residential or other vulnerable uses. The current proposal also suggests that it would increase flood risk elsewhere.

The applicant is required to ensure that safe access and egress can be achieved. The documents supplied indicate that National Planning Policy Framework (NPPF) gives an exception to development that can mitigate the risk. However, paragraph 175 of NPPF states that no land raising, access and egress, built development or other vulnerable uses should not be at risk from any source of flooding. SuDS must be available for use at the design storm event and so cannot be placed in a flow path or area at risk of flooding, hence SuDS can be seen as "other vulnerable use". Planning

Practice Guidance (PPG), paragraph 27 does indicate if mitigation can be undertaken an exemption can be applied. However, NPPF is very clear that flood risk should not be increased elsewhere and paragraph 47 of PPG states that emergency access and egress include the free movement of people (including the emergency services) during a design flood event.

The current Flood Risk Assessment (FRA) fails to demonstrate how flood risk is not increased elsewhere by modifying the surface water flow path. It also only suggests that mitigation for flood risk to the proposed residential buildings is raising thresholds 150mm above surrounding ground levels, however, the depth of flooding is unknown. The more recent letter to support the FRA indicates the new Environment Agency Flood Map but only shows the 1% AEP flood event without climate change. The majority of the site plus the access and egress from the site (King James Way) is at risk of flooding when considering climate change. The 0.1% AEP surface water flooding can as a proxy for the 1% AEP plus 40% climate change in the absence of site specific modelling data.

We advise that you as Local Planning Authority, ensure that this application passes the sequential test.

We **object** to this planning application in the absence of an acceptable and Drainage Strategy relating to:

- The development is at risk of surface water flooding and may increase the risk elsewhere.
- The development not complying with NPPF, PPG or local policies: *Policy NE8: Sustainable drainage systems (Reducing Flood Risk)*, *Policy NE9: Water quality and environment*, *Policy SP12: Green infrastructure, biodiversity and landscape*.

Reason

To prevent flooding in accordance with National Planning Policy Framework paragraphs 181, 182 and 187 by ensuring the satisfactory management of local flood risk, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

LLFA still requires the objection noted in the technical response dated 15 July 2025 to be addressed. The issues include:

1. Evidence to prove that the development will not increase flood risk elsewhere is required. LLFA could not agree with the applicant on the response provided, changing a greenfield site to a more vulnerable use (residential housing) in a location where majority of the site is under flood risk is not in line with NPPF or PPG. An explanation and detailed evidence backing the claims of applicant that this will create betterment of flood risk elsewhere is required.

2. Information on safe access and egress (including free movement from the area) to show how the development will be safe for its lifetime should be submitted. Safe access passing through a depth of flood water is not acceptable, further clarification and proof that the access and egress proposed for the site is acceptable is required.
3. If the sequential test and exception test are passed, then other flood resilience such as managing the flow path, raised finished floor levels above the expected flood level and demonstrate how access for emergency services (both vehicular and pedestrian) can be achieved, will be required. It may also need to be shown how mitigation will be implemented to prevent an increase of flood risk elsewhere.
4. LLFA still requires an Infiltration test to BRE365 standard (or equivalent) for the site. An infiltration rate of 1×10^{-6} m/s can be used if infiltration testing cannot be undertaken but there also needs to be a 'Plan B' proven to allow discharge of runoff from the site (e.g. to a watercourse or a surface water sewer – including in principle acceptance from the sewerage undertaker). A detailed report of the infiltration tests are required and the worst infiltration rate for the site is required to be used for design.
5. If infiltration is not found viable according to BRE365 at the site, then an alternative method of surface water discharge will be required. Greenfield runoff rates would need to be calculated for the site, and any new method would need to have a discharge rate limited to the greenfield runoff rate. This may include the provision of a surface water sewer with appropriate permission to connect to the nearest Thames water surface water sewer. It should be noted, connection to the foul sewer is not acceptable (as SuDS Standard 1). A proven method and disposal location for surface water generated from any development must be supplied.
6. The drainage strategy drawing provided should be appropriately labelled with pipe numbers matching with the corresponding drainage calculations. Currently the drawing **titled “Indicative Drainage Strategy, by encon, dwg no.DR-D-1001,Rev A** and pipe numbering in the calculations cannot be compared.

Informative

Both FEH13 and FEH22 are currently accepted to support drainage modelling calculations. For the avoidance of doubt the use of FSR and FEH1999 data has been superseded and therefore, use in rainfall simulations are not accepted.

Please note if, you the Local Planning Authority review the application and decide to grant planning permission, notify the us (the Lead Local Flood Authority), by email at FRMConsultations@hertfordshire.gov.uk.

Yours sincerely

Raima

Raima Prasad
SuDS and Watercourses Support Officer
Growth and Environment

Annex

The following documents have been reviewed.

- Sequential test statement, by Barker, dated October 2025, reference: 25/00104/FP