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PLANNING AND DEVELOPMENT COMMITTEE

8 DECEMBER 2022

SUPPLEMENTARY AGENDA

PART I

3. 21/01283/FPM NORTH CAR PARK, SIX HILLS HOUSE, SIX HILLS WAY, STEVENAGE

To consider the erection of a 10 storey building comprising of 94 no. flats which consists of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works.

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Supplementary Agenda Published 8 December 2022

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Planning Committee

Supplemental Agenda

Meeting date	8 December 2022
Officer	Linda Sparrow
Agenda Item	North Car Park, Six Hills House, Six Hills Way
Proposal	Erection of a 10 storey building comprising of 94 no. flats which consists of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works
Reference	21/01283/FPM
ADDENDUM INFORMATION	

Sunlight and Daylight

Since the time of submission of this application, the Building Research Establishment (BRE) have produced updated guidance on the assessment of daylight and sunlight. As such the guidance referred to in point 7.5.5 of the committee report has been superseded with "Site Layout Planning for Daylight and Sunlight June 2022" which includes updated methodologies for assessing the provision of daylight and sunlight to habitable rooms within proposed developments but does not make fundamental changes to the way in which impacts on existing residential properties are assessed.

Accordingly, the applicant was asked to provide an updated daylight and sunlight assessment for this application. A response was received on 30 November 2022 whereby the applicant's professional advisor on such matters, Herrington Consulting Limited, advised that a full updated report is not necessary. They have advised the following:

"The Guidelines are not just used as a tool to assess the adequacy of daylight and sunlight provision to new development. They are in fact used to inform the design process and as is very often the case, there are numerous design iterations before a compliant scheme is achieved. These design iterations are informed by the analysis we undertake during the design process. Therefore, in the case of the Six Hill development, the design was informed and shaped by the 2011 version of the BRE Guidelines.

Based on the assessment that was carried out at that time, it was possible to demonstrate that the habitable rooms within the proposed development met the requirements for the provision of good levels of natural daylight and sunlight. Whilst the assessment methodologies adopted in the updated version of the BRE Guidelines have changed during the period over which the application has been determined, the principle of providing adequate natural daylight to habitable spaces has not. In my professional opinion, I therefore believe that the aspirational targets set out within the original and updated versions of the BRE Guidelines will be met".

In this regard, it is not considered that the updated guidance from the BRE would result in fundamental changes to the assessment provided in points 7.5.5 to 7.5.11 in the committee report.

For completeness, the full response from Herrington Consultants is attached to this addendum.

Flood Risk and Drainage

As advised in points 7.9.5 and 7.9.6 of the committee report, the drainage strategy was amended to reflect comments made by the Council's drainage consultant. The drainage consultant has now

assessed the revised strategy and have advised that they are satisfied with the scheme and recommend approval, subject to conditions. The key points of the revised strategy are as follows:

1. Designed for the 1 in 100 +40% climate change rainfall event; testing of the 1 in 1000 event and a blockage event would not give rise to flooding on site.
2. Blue roof incorporated into the design; two areas of blue roof combined with a green roof to provide multiple benefits.
3. Underground attenuation tank still required but outside of the 20m distance from the boundary which Network Rail requires.
4. For rainfall events exceeding the design of 1 in 100 + 40%, an overflow pipe form the underground tank will activate and discharge into the sewer.
5. Permeable paving provided on north-western corner of the site.
6. Applicants structural engineer has confirmed that the basement design can withstand the added weight of the blue roofs.
7. Agreement with Thames Water for a build over agreement is progressing but not finalised. Sight of the agreement to be included in any conditions imposed.
8. Updated Surface Water Management Strategy has been informed by site investigations and CCTV surveys so is acceptable.
9. The red line boundary of the site does not include the location of the underground attenuation tank. No confirmation of why this has been the case.
10. Applicant maintains position that the ground is unsuitable for low infiltrations rates and risk of mobilising contaminants in the soil.
11. Risk of groundwater flooding is considered by the applicant to be low but this has not been possible to verify. Given the potential major implications to the basement design that groundwater could pose, and the presence of a basement assessment to accompany the application, we assume that this matter has been suitably considered by the applicant and would be revisited and mitigated as part of the detailed design if necessary.
12. Estimated betterment has been re-calculated but still over estimated. Notwithstanding this, the proposed discharge rates are deemed suitably low such that further objection on this matter is unlikely to result in any changes to the scheme being necessary.
13. Inspection and maintenance of the SuDS to be secured through section 106 legal agreement.
14. Updated strategy still indicates flooding of ground floor car park could occur during exceedance events. The potential need for measures to prevent exceedance rainfall events flowing into the basement is not mentioned in the revised strategy.

With the exception of the potential for infiltration, for which no reason has been given as to why the red line could not be extended into an area covered by the blue line (and the 2016 application) thus opening the possibility that infiltration could be possible, all other matters have been addressed sufficiently to enable conditional approval to be recommended.

The previously applied conditions read as follows:

15 No development shall take place until a final design of the drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is occupied. The scheme shall include:

- Updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus climate change event, including infiltration options.
- Updated full detailed surface water drainage plan showing the proposed discharge point, the location of the proposed SuDS features, any pipe runs and size.
- Detailed engineered drawings of the proposed SuDS features including their, size, volume, depth and any inlet and outlet features including any connecting pipe runs along with all corresponding detailed calculations/modelling.
- Exceedance flow paths for surface water for events greater than the 1 in 100 year plus climate change.

REASON:- To prevent flooding by ensuring the satisfactory storage of and disposal of surface water from the site. To reduce the risk of flooding to the proposed development and future users.

16 Upon completion of the drainage works, a management and maintenance plan for the SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- Provision of complete set of as built drawings including the final drainage layout for site drainage network.
- Maintenance and operational activities for the lifetime of the development.
- Arrangements for adoption and any other measures to secure the operation of the scheme throughout its lifetime.

REASON:- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

The new conditions, as provided by the Council's drainage consultant, are as follows:

15 The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Management Strategy carried out by Herrington Consulting Limited dated 23 May 2022 (Issue 5, Revision 3).
Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure no increase in flood risk elsewhere and deliver betterment wherever possible by ensuring the satisfactory management and disposal of surface water from the site; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

16 No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site, prepared in accordance with the approved Surface Water Management Strategy carried out by Herrington Consulting Limited dated 23 May 2022 (Issue 5, Revision 3), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the following principles:

- limiting the surface water run off generated by the 1 in 100 year + 40% climate change critical storm to a rate of 4.4 l/s or less, in accordance with an agreement from the relevant body to whom discharges would occur
- providing attenuation on-site for all rainfall events up to and including the 1 in 100 year + 40% climate change event; and
- a combined blue and green roof for the main building and permeable paving in the northwest corner.

The scheme shall also provide the following:

- an updated detailed surface water drainage plan, showing all proposed discharge points, SuDS features and pipe runs (with sizes);
- detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features, including any connecting pipe runs along, with all corresponding detailed calculations/modelling;
- Details of groundwater management measures, as necessary;
- updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus 40% climate change event;
- updated detailed exceedance flow path drawings for surface water for events greater than the 1 in 100 year plus 40% climate change event, including any measures necessary to ensure that run-off into the basement(s) would not occur;
- evidence of agreement (of principle and rates) from Thames Water to discharge to their sewer network;
- evidence of agreement from Network Rail for any element of the surface water drainage scheme within 30m of the railway boundary;
- evidence of the build-over agreement with Thames Water for the existing sewer.

The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure no increase in flood risk elsewhere and deliver betterment wherever possible by

ensuring the satisfactory management and disposal of surface water from the site; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

17 Prior to the beneficial occupation of the development to which this permission relates, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
- maintenance and operational activities;
- arrangements for adoption; and,
- any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority. **Reason:** To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

For completeness, the full response from the drainage consultant is attached to this addendum.

Comments from Herts County Council Growth and Infrastructure Unit

Following publication of the committee report, an email was received from Herts County Council's Growth and Infrastructure Unit to advise of errors as follows:

- Paragraph 5.7.2 - indexation for our monitoring fee was incorrectly stated at the time of our response, can this please be revised from RPI 1Q2020 to July 2021.
- Paragraph 7.3.12 - the Hertfordshire County Council tool kit is referenced. The toolkit is old guidance, our response is based on the guide to developer infrastructure contributions. Please can this be revised
- Paragraph 7.3.12 - please update the table to include HCC monitoring fee of £340 per trigger within S106

Accordingly, point 7.3.12 should be read as follows:

7.3.12 In addition to affordable housing, financial contributions are also required in accordance with Hertfordshire County Council's guide to developer infrastructure contributions and contributions to Stevenage Borough Council. These financial contributions are set out in the table below:-

Stevenage Borough Council	**Financial Obligation**
Travel Restriction Monitoring	£12,0000
Hertfordshire County Council	
Travel Plan	£6,000
Primary Education	£242,215
Monitoring fee	£340.00 per trigger point
Total	**£260,215**

Alessandro Penna
CIAO
203/213 Mare Street
Hackney
E8 3JS

Date: 30 November 2022
Planning Ref: 2022/0988
Our Ref : sph/1421/15005

Dear Alessandro

Daylight and Sunlight Assessment – Six Hills Way, Stevenage, Hertfordshire SG1 1ST

Further to the correspondence between yourself and Linda Sparrow, Senior Planning Officer at Stevenage Borough Council, on the 22nd November 2022, we understand that the Council have raised questions over the fact that the submitted daylight and sunlight assessment is based on a now outdated guidance document.

I have looked back at the report that we have prepared for this project and our most recent revision was issued on the 29th September 2021 and this accompanied the planning application that was submitted in November 2021.

The September 2021 report was prepared using the Building Research Establishment, entitled 'Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice', Second Edition, 2011. This was the most recently published guidance document available at that time.

In June 2022, the updated Third Edition of the BRE Guidelines was released. This includes updated methodologies for analysing the provision of daylight and sunlight to habitable rooms within the proposed development but does not make fundamental changes to the way impacts on neighbours are assessed.

The important point here is that the Guidelines are not just used as a tool to assess the adequacy of daylight and sunlight provision to new development. They are in fact used to inform the design process and as is very often the case, there are numerous design iterations before a compliant scheme is achieved. These design iterations are informed by the analysis we undertake during the design process. Therefore, in the case of the Six Hill development, the design was informed and shaped by the 2011 version of the BRE Guidelines.

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Based on the assessment that was carried out at that time, it was possible to demonstrate that the habitable rooms within the proposed development met the requirements for the provision of good levels of natural daylight and sunlight. Whilst the assessment methodologies adopted in the updated version of the BRE Guidelines have changed during the period over which the application has been determined, the principle of providing adequate natural daylight to habitable spaces has not.

In my professional opinion, I therefore believe that the aspirational targets set out within the original and updated versions of the BRE Guidelines will be met. Therefore, based on numerous other situations where this scenario has arisen since the release of the new guidelines, I would strongly recommend that the Council accept that the scheme has been designed in accordance with the guidelines that were current at the time the application was submitted.

Yours sincerely

Simon Herrington BEng CEng MICE CWEM MCIWEM

Appendix – Rights to Light Assessment Options

Overview

Generally, the balance for the need for light to existing buildings, and the need for new buildings is addressed through the planning system. However, it must be remembered that the planning system gives protection but not rights. Thus, when planning permission is applied for, a local planning authority will want to see evidence of the effect it will have upon the neighbouring properties, including, in many cases, the light and other amenities that those properties currently have.

An important consideration here is that for planning purposes, it is general practice to ignore non-habitable rooms, such as bathrooms, hallways, stairways and landings etc. However, any of these windows can obtain an easement of light, for which the term “rights to light” is a synonym. An easement of light is a right to light through a window, where that light has passed over a neighbour’s land.

The House of Lords established the principle that, in the context of a right to light, a nuisance is to be judged not by how much light is taken away from a room, but by how much light will be left and whether there will be “*sufficient light according to the ordinary notions of mankind for the comfortable use and enjoyment of his house as a dwellinghouse, if it is a dwellinghouse, or the beneficial use and occupation of the house if it is a warehouse, shop or other place of business*”. If the room retains adequate light, then no nuisance will be caused. Essentially, a developer is able to take away some of his neighbours’ light as long as an adequate amount will remain.

This last point is very important because the test for adequacy used for rights to light is different to the principles adopted for a daylight/sunlight assessment, which focusses on the magnitude of change, rather than the adequacy of light retained. Consequently, the methodologies for assessing impacts are notably different. The assessment techniques used for daylight/sunlight studies place much less reliance on detailed survey information than a RTL study would and therefore the quality and level of accuracy of a daylight/sunlight model is likely to be less than for a RTL study.

In practice, the use of a more detailed survey for a daylight/sunlight study, which may for example pick up elevation detail for all neighbouring properties, would only improve its quality, albeit the survey costs may be greater than required at the planning stage. However, it would not be appropriate to base a RTL study on a daylight/sunlight model that was created using limited topographical information and estimated window positions. Therefore, to avoid abortive survey costs and time delays, it is important to carefully consider RTL risks from the outset, so if at a later date, the daylight/sunlight model needs to be relied upon to support a RTL study, it has been built to an appropriate standard.

The options set out below have therefore been carefully considered to allow specialist RTL advice to be utilised at optimum stages within a development and to ensure that the most cost-effective strategy is identified.

Option 1 - Desktop Indicative Rights to Light Appraisal

This would be informed by the work carried out as part of the Daylight and Sunlight assessment with the objective being to provide a realistic insight into potential risks, either at the early stages of a development or as the project progresses. This would take the form of short note setting out the following:

- where material Rights to Light (RTL) risks are likely to exist;
- an impression of how significant they are, i.e. is there risk of injunction;
- an initial 'ball-park' estimate of potential compensation;
- proactive and commercial advice as to how to resolve risks. For example, design change, negotiation to secure release, insurance etc, as well as advice on practical next steps such as what further information or analysis might be required.

The fees to undertake this appraisal would be £410 plus VAT.

Taking into account the indicative nature of this assessment it is important to understand and acknowledge the following caveats:

- advice provided under this option cannot officially be relied upon. It is intended purely as initial guidance that is always subject to confirmation;
- this would be a desktop study and as such, a site visit by the RTL specialist is not included and therefore suitable imagery must be available to enable a meaningful review; and
- this would not include a review of the legal title for the site or surrounding properties.

Notwithstanding this, by drawing on a wealth of experience, this initial desktop appraisal will provide a practical and commercial approach to addressing RTL risks in the early stages of the development, and if necessary, will provide robust advice on developing a strategy to resolve these risks.

Option 2 – Early Involvement Assessment

Whilst the Indicative RTL appraisal summarised in Option 1 represents excellent value, it is nevertheless a review of the scheme that is being submitted for planning. If, however, from the outset there is a strong indication that RTL could present significant constraints to the design process, it is often prudent to identify potential RTL risks at the beginning of the design phase and set out an appropriate strategy to manage these.

One of the most important advantages of this approach is that can often inform the level of detail needed in the modelling of the neighbouring buildings and the level and quality of survey information required. This can therefore avoid the frustration and abortive costs associated with having to commission further surveys and amend or rebuild the 3D model used for the Daylight and Sunlight assessment to ensure that it is sufficiently accurate to be relied upon in court. Typically, a Daylight and Sunlight assessment model would be based on a less comprehensive survey and is therefore unlikely to meet the quality criteria expected of a RTL model. Whilst this approach is more expensive from the outset, in the long run it can result in significant savings in time and money if RTL risks are identified as a principal constraint to developing the site.

Obviously, if from the Early Involvement Assessment, it is clear that RTL risks are low, then decisions regarding the level of survey detail required can be more robustly informed.

The fees associated with this RTL option are very much dependent on the scale and nature of the development and the number of windows likely to be impacted etc. Typically, for an initial assessment at the commencement of our engagement, the cost to provide a short note highlighting potential RTL risks and setting out recommendations for survey requirements and a strategy for mitigating or managing these risks would be between £250 and £400 plus VAT.

From this point forward, the level of input from the RTL specialist will vary depending on the complexity of the development and the degree of risk associate with the proposed scheme. At this point we would therefore provide a bespoke quotation for the remaining stages.

Option 3 – Post-planning RTL Study

This could be required where Option 1, or other circumstances may have dictated the need to carry out a detailed RTL study after the scheme design has been fixed and the Daylight and Sunlight assessment has been completed. Depending on the level of survey information that was available at the time of building the 3D model for the daylight/sunlight assessment, this may require additional survey work and amendments or modifications to the original model. At this stage it is essential that to ensure the model can be relied upon by the RTL specialist, it will need to upgraded form being 'fit for planning purposes' to 'legally robust'. Obviously, this would not be required if the appropriate modelling specification had been identified through the Option 2 approach.

Again, the level of involvement will be dependent on the complexity of the development and the potential RTL risks and therefore we would provide a bespoke quotation for this option upon request.

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Planning And Regulation
Assistant Director, Planning & Regulation - Zayd Al-Jawad

Stevenage BOROUGH COUNCIL

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Technical note: 21/01283/FPM (10-Storey Building, Six Hills Way)

Application No:	21/01283/FPM
Proposal:	Erection of a 10-storey building comprising of 94 no. flats which consists of 11 no. studios, 36 no. 1 bedroom and 47 no. 2 bedroom units, associated parking, access and ancillary works
Location:	North Car Park Corner of Six Hills Way and London Road, Stevenage, SG1 1AT

This review is based upon the information available at the time of the review. Our review has considered the technical content of the information provided but has not extended to review of the drainage modelling or output sheets – we have assumed that the report has been prepared by suitably qualified personnel and undergone appropriate internal review process before issue.

This review follows an earlier response to the same application[1], the proposals for which have since been amended in response to those earlier comments. This TN considers the amendments only.

Overview of documents reviewed

The following documents have been reviewed:

- Letter to Planning and Regulation at Stevenage Borough Council, prepared by Herrington Consulting Limited, 23 May 2022, reference EC/1421/14295;
- Surface Water Management Strategy for the Proposed Development at Six Hills Way, Stevenage, Hertfordshire, prepared by Herrington Consulting Limited for L.C. (Herts) Ltd, 23 May 2022 and Issue 5 (Rev 3) (parts 1 and 2); and Email thread between Creative Ideas & Architecture Office Ltd and Hydrock (applicant's structural engineers who prepared the Basement Assessment), dated 9 and 13 June 2022), forwarded to the case officer at Stevenage Borough Council.

Site setting

The site is currently part of the hardstanding car park for Six Hills House. The Network Rail East Coast Mainline passes along the Western Boundary of the site. To the north is Six Hills Way public highway, east is Six Hills Common and London Road, and to the south is the rest of the existing car park for Six Hills House. The development proposals are for the erection of a 10-storey building and associated works.

[1] Stevenage Borough Council, 2022. Technical note: 21/01283/FPM (10-Storey Building, Six Hills Way). Document Ref: 808065-WOOD-TN-OW-00004_P01, prepared by Wood, March 2022.

Review of updated information provided

Updated drainage strategy

We welcome the comprehensive update to the Surface Water Management Strategy and the accompanying letter which sought to address each of the concerns raised in response to the original Surface Water Management Strategy in turn. Following review of the Herrington Reports, we note that:

1. The drainage system has been designed for the 1 in 100 +40% climate change rainfall event. The reports indicate that testing of the 1 in 1000 event and a blockage event indicate no flooding on site, thus addressing the requirements to consider both flood risk on-site and flood risk elsewhere.

2. A blue roof has been incorporated into the Surface Water Management Strategy, which would provide attenuation for the majority of the proposed development. We gather that two areas of blue roof are proposed, providing attenuation capacities of 68.7m^3 (peak discharge rate of 0.9 l/s) and 10.7m^3 (peak discharge rate of 0.8 l/s). The blue roof would be combined with a green roof to provide multiple benefits.

3. An underground tank would still be required (under the building) to limit discharges for other areas of development, but this has been reduced in size and located more than 20m away from the Network Rail boundary and outside of the sewer easement boundary. We gather that an attenuation capacity of 10.69 m^3 would be provided, with rates limited to 2.5 l/s (1 in 2 year event), 3.8 l/s 1 in 30 year event) and 4.4 l/s (1 in 100 + 40% climate change).

4. For rainfall events that exceed the design event (1 in 100 + 40%), an overflow pipe from the underground tank (150mm) will activate and will discharge water directly into the sewer. The reports advise that the system has been tested for both the 1 in 1000 event and for a blocked flow control and indicates no flooding would occur under these scenarios. There appears to be a typo for the elevation of the overflow pipe in the updated Indicative Drainage Layout drawing included in Appendix A.4, we assume this should read 89.43m AOD, rather than 59.43 m AOD.

5. Permeable paving has been provided in the north-western corner of the site. It is unclear as to whether the permeable paving indicated along the northern side of the site is intended to be delivered as part of the development – it is outside of the red line as indicated in the development proposal drawings included in Appendix A.1 of the updated Surface Water Management Strategy.

6. It is indicated that the basement assessment would need to be updated to reflect the latest Surface Water Management Strategy proposals, including the incorporation of the Blue Roof. However, as discussed in Section 0 below, subsequent correspondence provided by the applicant's structural engineers indicate that an update is not necessary.

7. Thames Water correspondence relating to the build-over agreement for the existing sewer is progressing, which has been taken by the applicant as an agreement in principle to the development.

8. The updated Surface Water Management Strategy has been informed by site investigations and CCTV surveys.

9. The applicant has chosen not to extend the red line boundary to include the location of the tank as indicated in the 2016 application. This choice not to extend the red line into an area covered by the blue line boundary has resulted in *'insufficient space within the red line boundary to [provide an infiltration SuDS feature and still] comply with Building Regulations'*. The reason for not extending the red line has not been given.

10. The statement that the ground is considered unsuitable based on low infiltration rates and the risk of mobilising contaminants in the soil, as provided in the original Surface

Water Management Strategy, but unsupported by any details regarding the ground investigation, has been repeated.

11. The risk of groundwater flooding is considered by the applicant to be low on the basis of groundwater being encountered at approximately 15m below ground level. It has not been possible to verify this because Appendix A.6 (Site Investigations) was omitted from the updated Surface Water Management Strategy. Given the potential major implications to the basement design that groundwater could pose, and the presence of a basement assessment to accompany the application, we assume that this matter has been suitably considered by the applicant and would be revisited and mitigated as part of the detailed design if necessary.

12. Estimated betterment has been recalculated but has still been overestimated. Existing rates have still been calculated by the modified rational method, which, as previously advised, is not an approach recommended by the SuDS Manual. Furthermore, the Thames Water advice that the existing rate should be considered to be 1 in 20 year rate has not been taken into account. Notwithstanding this, the proposed discharge rates are deemed to be suitably low such that further objection on this matter is unlikely to result in any changes being necessary to the design.

13. Inspection and maintenance is to be secured as part of the Section 106.

14. Section 4.8 of the updated Surface Water Management Strategy still indicates that flooding of the ground floor car park could occur during exceedance events, despite the subsequent paragraph indicating that no flooding would occur during the 1 in 1000 or blocked flow control scenarios. The potential need for measures to prevent exceedance rainfall events flowing into the basement is not mentioned.

With the exception of the potential for infiltration, for which no reason has been given as to why the red line could not be extended into an area covered by the blue line (and the 2016 application) thus opening the possibility that infiltration could be possible, all other matters have been addressed sufficiently to enable conditional approval to be recommended.

Structural capability of the proposals to accommodate the blue roof

The updated drainage strategy includes a blue roof, which provides the storage attenuation for the 1 in 100 + 40% climate change rainfall event on the roof of the building. The Surface Water Management Strategy report indicated that an update to the Basement Assessment (and wider structural design) may be necessary to accommodate the additional loads. However, subsequent emails forwarded to the Council from the applicant's structural engineers (Hydrock to Creative Ideas & Architecture Office Ltd, 13 June 2022) who prepared the Basement Assessment indicate that no update would be necessary, on the basis that *"the current design can absorb the impact of the blue roof on the loads"*. It was acknowledged that *"the 10th floor roof loading will need to be increased locally to allow for this live load event."* It is the responsibility of the applicant/developer to ensure that the structural design of the building is appropriate to accommodate a fully laden blue roof.

Stakeholders

It remains the responsibility of the applicant to consult, gain agreement and obtain consents as necessary from all relevant stakeholders as per their advice. This includes Network Rail's advice (as referred to in our response to the original Surface Water Management Strategy) that *"any attenuation scheme within 30m of the railway boundary must be approved by Network Rail in advance"* and with Thames Water Utilities Limited in relation to build over of their existing sewers and the proposed connection for discharge of surface water.

Conditions

Condition 1 – in accordance with the approved Surface Water Management Strategy

The development permitted by this planning permission shall be carried out in accordance with the approved Surface Water Management Strategy carried out by Herrington Consulting Limited dated 23 May 2022 (Issue 5, Revision 3).

Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure no increase in flood risk elsewhere and deliver betterment wherever possible by ensuring the satisfactory management and disposal of surface water from the site; to maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

Condition 2 – drainage scheme design

No development shall take place (including site clearance) until a final detailed design for the drainage scheme for the site, prepared in accordance with the approved Surface Water Management Strategy carried out by Herrington Consulting Limited dated 23 May 2022 (Issue 5, Revision 3), has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the following principles:

- limiting the surface water run off generated by the 1 in 100 year + 40% climate change critical storm to a rate of 4.4 l/s or less, in accordance with an agreement from the relevant body to whom discharges would occur
- providing attenuation on-site for all rainfall events up to and including the 1 in 100 year + 40% climate change event; and
- a combined blue and green roof for the main building and permeable paving in the northwest corner.

The scheme shall also provide the following:

- an updated detailed surface water drainage plan, showing all proposed discharge points, SuDS features and pipe runs (with sizes);
- detailed engineered drawings of the proposed SuDS features including their size, volume, depth and any inlet and outlet features, including any connecting pipe runs along, with all corresponding detailed calculations/modelling;
- Details of groundwater management measures, as necessary;
- updated surface water drainage calculations and modelling for all rainfall events up to and including the 1 in 100 year plus 40% climate change event;
- updated detailed exceedance flow path drawings for surface water for events greater than the 1 in 100 year plus 40% climate change event, including any measures necessary to ensure that run-off into the basement(s) would not occur;
- evidence of agreement (of principle and rates) from Thames Water to discharge to their sewer network;
- evidence of agreement from Network Rail for any element of the surface water drainage scheme within 30m of the railway boundary;
- evidence of the build-over agreement with Thames Water for the existing sewer.

The approved drainage scheme shall be implemented in full prior to the beneficial occupation of the development to which this permission relates and shall be permanently retained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants; to ensure no increase in flood risk elsewhere and deliver betterment wherever possible by ensuring the satisfactory management and disposal of surface water from the site; to

maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

Condition 3 – SuDS Maintenance
Prior to the beneficial occupation of the development to which this permission relates, a management and maintenance plan for the approved SuDS features and drainage network must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- provision of a complete set of as built drawings, including the final drainage layout for the site drainage network;
- maintenance and operational activities;
- arrangements for adoption; and,
- any other measures necessary to secure the operation of the scheme throughout its lifetime.

The approved plan shall be fully implemented from the date of approval and thereafter for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.
Reason: To maximise the use of SuDS in the interests of mitigating the risk of flooding to the site itself and downstream; to prevent pollutants entering the public water supply and nearby watercourses; and to maximise the sustainability of the development.

Informative

For further advice on what should be covered in a Drainage Strategy can be found at the following locations online

i. Hertfordshire County Council, Surface water drainage webpage, including LFRMS2 (including SuDS policies), guidance for developers, and ordinary watercourses. Available online at https://www.hertfordshire.gov.uk/services/recycling-waste-and-environment/water/surface-water-drainage/surface-water-drainage.aspx#DynamicJumpMenuManager_1_Anchor_2.

    a. Further information on the requirements for a full planning application can be found at https://www.hertfordshire.gov.uk/media-library/documents/environment-and-planning/water/surface-water-drainage/guidance-for-developers.pdf. Appendix 1, developer's checklist

ii. Stevenage Borough Council, Lead Local Flood Authority (LLFA) webpage, surface water drainage advice, available online https://www.stevenage.gov.uk/planning-and-building-control/planning/lead-local-flood-authority-llfa.

iii. Department for Levelling Up, Housing and Communities and Ministry of Housing, Communities & Local Government, Planning Practice Guidance – sustainable drainage systems. Available online https://www.gov.uk/guidance/flood-risk-and-coastal-change#sustainable-drainage-systems.

iv. CIRIA SuDS Manual (C753), Available for free download online. https://www.ciria.org/ItemDetail?iProductCode=C753&Category=BOOK&WebsiteKey=3f18c87a-d62b-4eca-8ef4-9b09309c1c91

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