

APPENDIX 3

Provision of a Schedule of allocated sites at risk of flooding and the Council's approach towards their satisfactory development

Introduction

Included is a detailed schedule of all allocated sites at risk of flooding. This details the nature of flood risk, statutory consultee comments, how this is presented in the SA, the approach within the SADMP, potential flood resilience measures and if appropriate comments that have been made in response from site agents / owners.

A list of all the proposed allocations and the flood risk is provided, as is a table of planning applications on sites that display similar characteristics in terms of location and flood risk as the proposed allocations.

Appendices 3 and 4 of the SADMP set out the BCKLWN's general approach to allocating on sites at risk of flooding. This should be viewed alongside Policies DM21 'Sites in Areas of Flood Risk' and the site policies (E.1 to G.129) which, where appropriate, include criteria around provision of site specific Flood Risk Assessments, etc. More specifically within the Coastal Flood Risk Hazard Zone, policy DM18 should be considered.

Points to note:

- The BCKLWN works closely with all the relevant bodies on matters relating to flood risk- the EA, IDBs, NCC as the Lead Local Flood Authority and Anglian Water Services.
- A significant area of King's Lynn and several settlements within the Borough are at varying degrees of flood risk, identified in the SFRA, EA Tidal River Hazard Mapping etc.
- The BCKLWN agreed an approach to assessing, choosing and allocating sites in areas of flood risk with the Environment Agency. This is set out in Appendix 3 of the SADMP.
- Appendix 4 of the SADMP includes the Flood Risk Protocol (2012) between BCKLWN and the EA on how the Borough Council's SFRA and the EA Tidal River Hazard Mapping will be used in relation to planning applications.
- The Core Strategy policy CS01 states that 'new development is guided away from areas at risk of flooding....recognising development may be required within flood risk areas to deliver regeneration objectives within King's Lynn and maintain the sustainability of local communities in rural areas'.

- Policy CS08 Sustainable Development reiterates policy CS01, and includes criteria for proposals in high flood risk areas.
- There is an agreed Position Statement between BCKLWN and the EA (details are included in paragraph 3.15 of Appendix 3 of the SADMP) which explains our approach to allocating sites in areas of flood risk.
- The SADMP includes policy DM21 'Sites in Areas of Flood Risk', and also many of the site policies (where appropriate) include criteria requesting a site specific FRA as part of the application process.
- The BCKLWN/ EA published the Flood Risk Design Guidance. A proposed amendment to the SADMP is to include a reference to this within policy DM21 (see BCKLWN Examination Issue Statement 2, pages 37-38).
- There is also a specific policy (DM18) on the Coastal Flood Risk Hazard Zone (Hunstanton to Dersingham) in the SADMP. Paragraphs C.18.1 to C.18.9 provide additional information on this and refer to a Coastal Flood Risk – Planning Protocol for the area. The intention is that policy DM18 replaces this.
- The EA have recently produced updated Tidal River Hazard Mapping, this supersedes the earlier version. The EA have reviewed all of the proposed allocations contained within the SADMP, in light of the new mapping, and do not suggest any changes.

Delivery:

- The EA made no objection to any allocations in the Plan. In our towns the EA do make comments on the allocations. In the rural area they 'consider that flood risk to these sites can be adequately addressed at full planning stage by the application to policy DM21'.
- A few of the IDBs have raised concerns at a few specific locations. These are detailed within the following table.
- As of 26 March 2014, DEFRA and the EA require a flood risk assessment for most developments within one of the flood zones. This includes developments:
 - in flood zone 2 or 3 including minor development and change of use
 - more than 1 hectare (ha) in flood zone 1
 - less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (e.g. from commercial to residential),

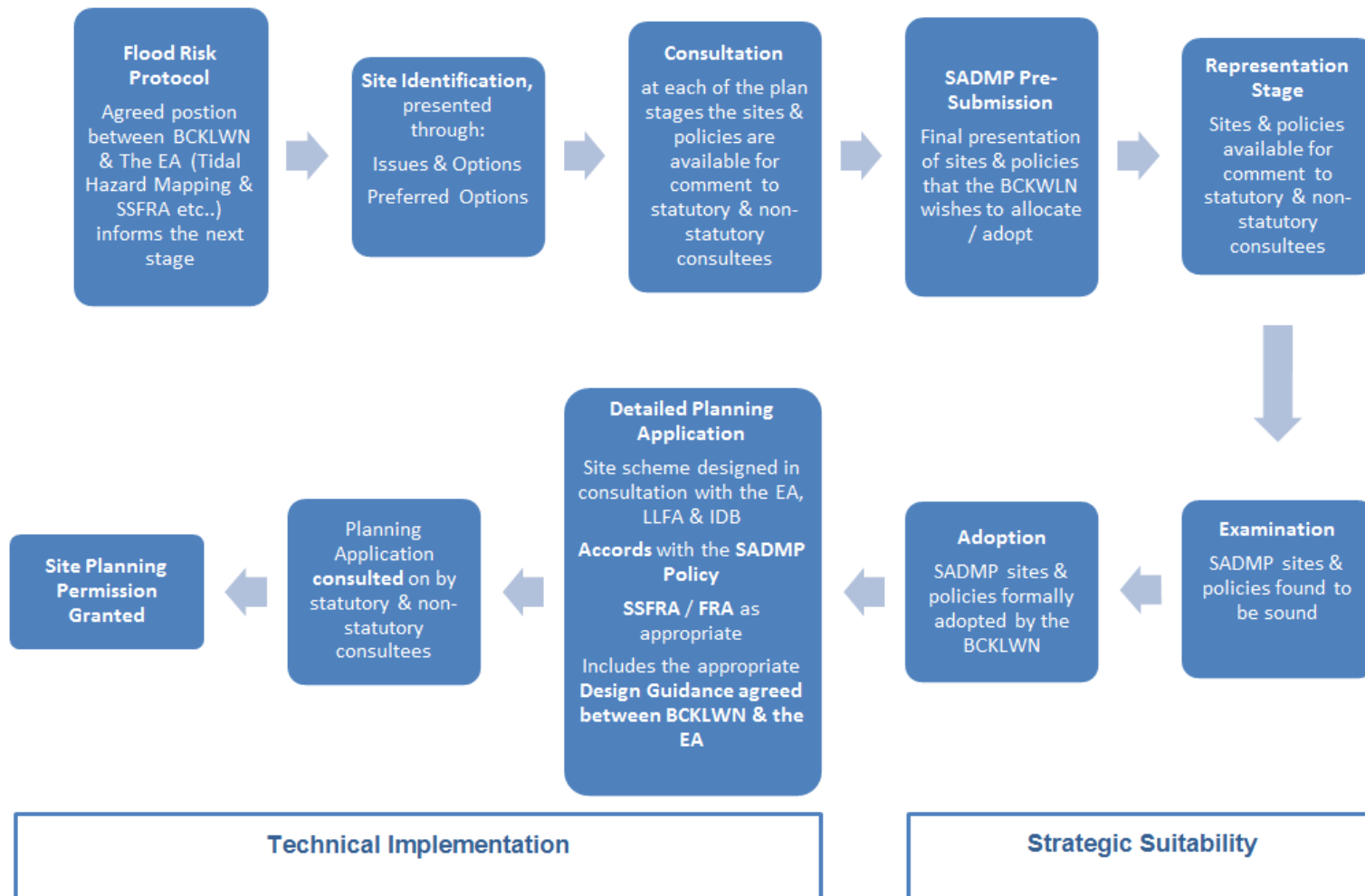
where they could be affected by sources of flooding other than rivers and the sea (e.g., surface water drains, reservoirs)

- in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency

A flood risk assessment is not required for a development that's less than 1 ha in flood zone 1 unless it could be affected by sources of flooding other than rivers and the sea, e.g. surface water drains.

- As this approach is standard practice, the policies for proposed allocation sites within Flood Zone 1 that are over 1 ha do not contain a specific policy item in relation to this, as it will clearly be required at the detailed planning application stage.
- A Surface Water Management Plan (SWMP) is being prepared by the Lead Local Flood Authority (LLFA), Norfolk County Council, for King's Lynn and West Norfolk settlements. This should be available from September 2015. This will identify areas which are particularly vulnerable to surface water flooding. The SWMP may define Critical Drainage Catchments. Any development within them is likely to increase the risk of flooding in the most vulnerable areas if no mitigation takes place.
- From 6 April 2015 sustainable drainage systems are required for developments of 10 or more dwellings, unless it can be demonstrated to be inappropriate. Local planning authorities in considering planning applications will consult with the LLFA on the management of surface water. As this is standard practice, a SUDS policy item is not always present within a site's policy, as this will be addressed at the detailed planning application stage.

Below is a simplified diagram that illustrates the site identification process with regard to flood risk, through to the grant of planning permission.



Conclusion

This document has highlighted the agreed method between BCKLWN & EA for allocating sites in areas at risk of flooding and agreed design guidance for development within areas at risk of flooding. The full schedule to be supplied to the inspector identifies the proposed sites for allocation within the SADMP and the flood risk at these locations also demonstrating that the EA, the overall body responsible for avoiding dangerously located development, do not raise objection to any of the proposed sites for allocation.

There have clearly been applications and permissions granted for similar developments, as proposed by the SADMP, in terms of location, size and flood risk.

Comments received from Internal Drainage Boards as a result of the SADMP representation stage (January / February 2015) have been taken into consideration, and in consultation with our Development Control section and the relevant site agents / owners, the BCKLWN are confident that there are design solutions available. The detail of the schemes can be developed in consultation with Norfolk County Council, as the LLFA, and the relevant IDBs at the detailed design stage, that would inform a detailed planning application, which would be commented upon by the EA and LLFA. This would ensure that the development of the proposed sites for allocation could come forward as envisaged by the SADMP.

The sites appreciation of flood risk as relevant to the allocation of a site in the SADMP has been considered by the EA in their comments. The requirement for a site specific FRA ensures consistency with our agreed protocol and enables detailed technical design solutions to be implemented. Therefore the site specific FRA is not a further constraint to bringing forward development