



Local Plan Review

West Lynn:

Flood Risk Sequential Test

28 March 2022

1. Introduction

The draft Local Plan Review (July 2021) includes two site specific allocations at West Lynn¹:

- E1.14 West Lynn – West of St Peter’s Road; and
- E1.15 West Lynn – Land at Bankside [former Del Monte Factory site]

These sites have been rolled forward from the current Local Plan; the 2016 Site Allocations and Development Management Policies (SADMP) Plan².

Nevertheless, at the Pre-Submission Draft Local Plan Review Regulation 19 consultation (August/ September 2021), the Environment Agency (EA) objected to the continued inclusion of site allocation E1.15 (former Del Monte Factory site) on the following grounds (although the EA was satisfied that the sequential test for E1.14 had been met):

- Located directly adjacent to the flood defences therefore the failure and overtopping of the defences will have immediate impacts to the development
- No justification re flood risk sequential test and exception test; cf policy E1.14
- Potential to impact the operation and maintenance of the flood defences
- **Given that the housing allocations within the Local Plan exceed what is required, expect the LPA to present strong evidence that there is a need for this allocation**

In response to the final point (above), this report provides a flood risk sequential test for West Lynn. West Lynn forms part of the broader King’s Lynn urban area, being situated on the west bank of the River Great Ouse but falling within the boundaries of the unparished area of King’s Lynn town. The spatial development strategy requires that a part of the growth planned for the King’s Lynn area should be accommodated in West Lynn, entailing the need to allocate sites for development within the settlement.

As stated, the EA’s Regulation 19 representation specifically objected to site E1.15 and not E1.14. The EA is not convinced that site E1.15’s status as a derelict brownfield site capable of achieving a high density, waterfront development provides strong enough justification for the site allocation, without

¹ <https://west-norfolk-consult.objective.co.uk/kse/event/36371/section/s1625822757755#s1625822757755>

²

sufficiently robust flood sequential and exceptions tests having both been passed.

1.1 Flood risk sequential test

The National Planning Policy Framework (NPPF)³ and Planning Practice Guidance (PPG) include a requirement for development to undertake a flood risk sequential test, to steer new development to areas with the lowest risk of flooding from any source. The NPPF states that: “*Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding*” (paragraph 162).

The Borough Council has prepared a Strategic Flood Risk Assessment (SFRA)⁴, to inform the Local Plan Review (LPR). This collates available data regarding the extent and nature of flood risk from all sources of flooding, now, and in the future and forms the basis by which the sequential test may be undertaken.

1.2 West Lynn – potential alternative sites

The SFRA has been prepared on the basis of Ordnance Survey grid squares. West Lynn, with the majority of the King’s Lynn urban area, is wholly situated within KL_44⁵. The entire West Lynn built up area is assessed at being at **medium risk of flooding**⁶; that is, Flood Zone 3 but mitigated through flood defences, equivalent to Flood Zone 2. However, the flood defences, which form the eastern boundary of site E1.15 are designated Flood Zone 3. The importance of the defences and the need to ensure that these are adequately protected underpins the EA’s objection.

To overcome the objection, it is necessary to undertake a systematic assessment of potential development sites at West Lynn. In addition to current site allocations (E1.14 and E1.15), four potential alternative sites at West Lynn have been identified through the HELAA (2020) and subsequently Regulation 19 consultation (see Table 1, below).

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

4 https://www.west-norfolk.gov.uk/info/20173/information_for_planning_agents/391/flood_risk_assessment_-_level_1

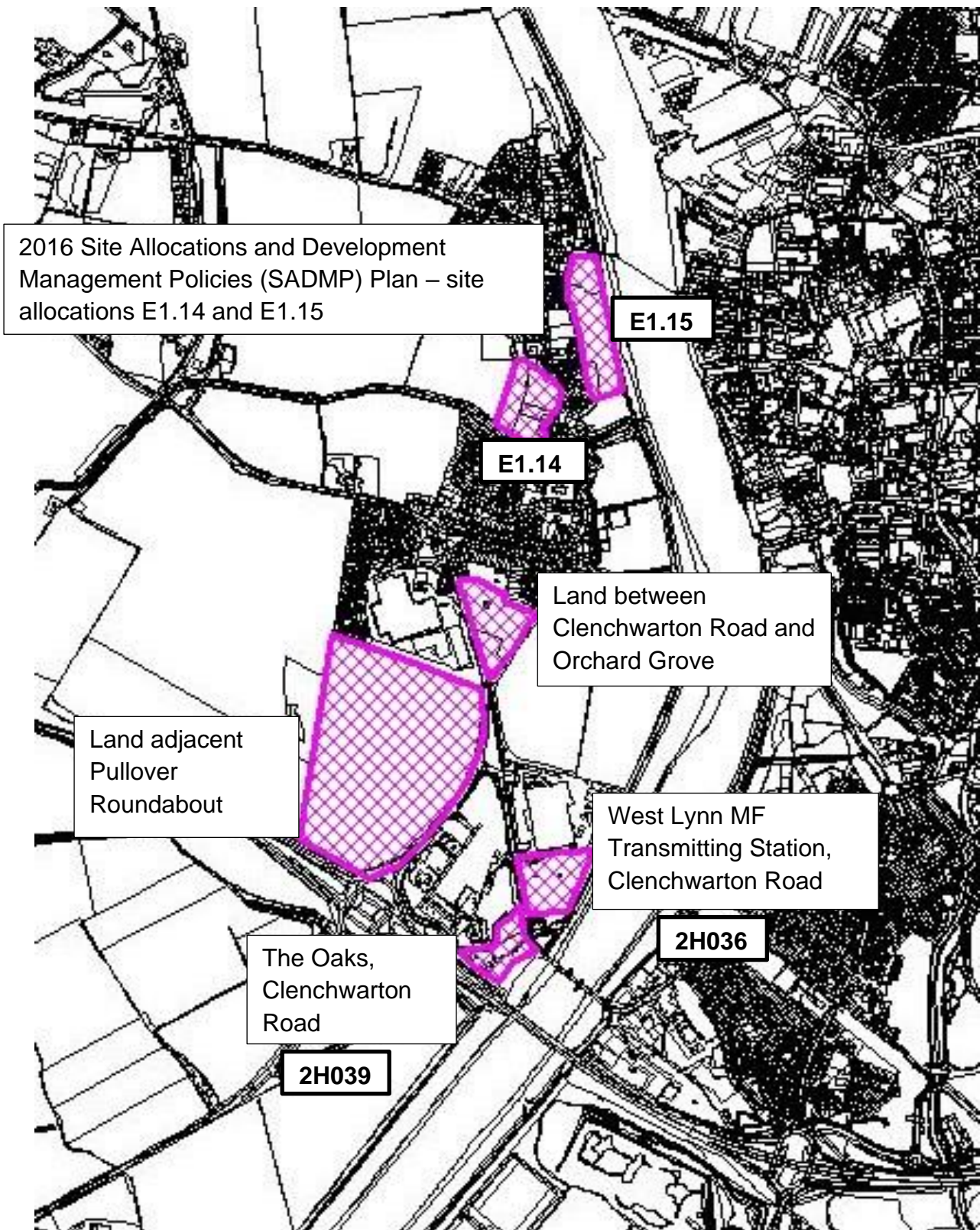
5 https://www.west-norfolk.gov.uk/site/custom_scripts/static_content/strategic_flood_risk_assessment/FinalPDFs/2017s5962%20Appendix_A_KL_44.pdf

6 <https://check-long-term-flood-risk.service.gov.uk/map?>

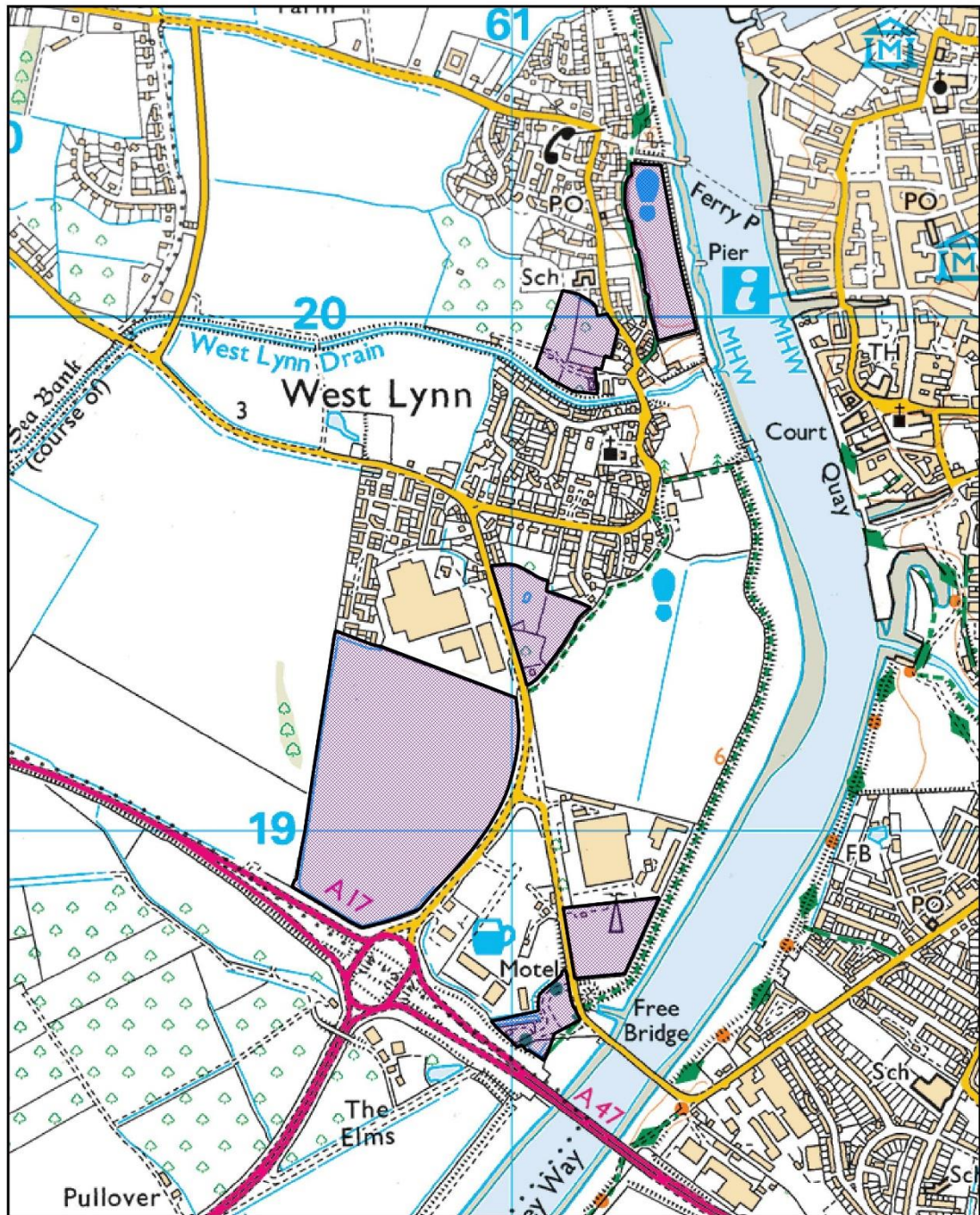
Table 1				
Site name/ address	Proposed use	Area (ha)	HELAA/ Regulation 19 reference	Notes
West Lynn MF Transmitting Station, Clenchwarton Road	Employment Land	1.97	2H036	Potential employment use only
The Oaks, Clenchwarton Road	Employment Land / Housing	1.58	2H039	Potential employment use only
Land adjacent Pullover Roundabout	Commercial – distribution centre	17.4	420	Put forward for employment uses only
Land between Clenchwarton Road and Orchard Grove	Housing		332	Planning permission granted for butchers shop on part of site, 8 March 2022 (21/01771/F)

Potential sites are shown on the potential development sites map, below. A more detailed analysis of site E1.15, compared to other potential site allocations is set out in section 2, below.

West Lynn – potential development sites [not to scale]



West Lynn – potential development sites [shown on Ordnance Survey base map]



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West Lynn – sites considered for flood risk sequential test (March 2022)



1:10,000

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28/03/2021

2. West Lynn – sequential test

Sites E1.14, E1.15 and the four potential alternative sites in/ around West Lynn are subject to systematic assessment. This involves shortlisting potential alternative sites.

2.1 Shortlisting sites

The long list of sites in/ around West Lynn runs to six possible sites (including the two SADMP site allocations). Table 2 provides a systematic assessment, whereby potential development sites could be discounted or taken forward for further detailed consideration.

Table 2				
Site name/ address	EA Flood Zone Status/ defined risk	Analysis of surface water/ other flood sources	Detailed/ qualitative analysis	Discount (Y/N)
E1.14 West Lynn - West of St Peter's Road (2ha)	Flood Zone 3 – areas benefitting from flood defences – medium flood risk	Site situated between Primary School and West Lynn Drain to the south. It is bisected by a north/ south watercourse, which is identified as having medium/ low surface water flood risk.	Site has been considered by EA through the Local Plan process. The EA has concluded that the sequential and exceptions tests that informed the decision for the 2016 SADMP to allocate the site remain appropriate; such that no objection was raised to its continued allocation for residential development. The site is already committed, and it is anticipated that a scheme will be delivered during the remaining period for the Local Plan Review (to 2036). E1.14 is not a suitable alternative to the Bankside site (E1.15), as this is already allocated/ committed.	Y

Table 2				
Site name/ address	EA Flood Zone Status/ defined risk	Analysis of surface water/ other flood sources	Detailed/ qualitative analysis	Discount (Y/N)
<i>E1.15 West Lynn - Land at Bankside (2.6ha)</i>	<i>Flood Zone 3 – areas benefitting from flood defences – medium flood risk Western boundary (functional flood defences) in Flood Zone 3 (high risk)</i>	<i>Site mostly free of identified surface water flood risk. A few isolated pockets of medium risk identified, while at the northern site boundary a small area of high surface water flood risk is identified, which could require mitigation.</i>	<i>The former Del Monte Factory site was allocated as due to its status as a derelict brownfield site capable of achieving a high density, waterfront development. This remains the Borough Council's position, although it is recognised that to be retained in the Local Plan Review the site would need to be supported by a significantly robust evidence base. The GIS system "QGIS", identifies the site at potential risk from fluvial and tidal breaches in the event of a failure in flood defences. This differs from other sites in and around West Lynn which are largely unaffected by these possible risks.</i>	<i>N</i>
West Lynn MF Transmitting Station, Clenchwarton Road	Flood Zone 3 – areas benefitting from flood defences – medium flood risk	Site mostly free of identified surface water flood risk, although EA data and the SFRA identify small parts at risk of surface water flooding, particularly at the southern edge.	The 1.97 (~2) ha site is situated adjacent to the established East Coast Business Park. The site is situated some distance away from the main built-up area of West Lynn, in the area dedicated to non-residential uses (car dealerships; builders' merchants etc). It was assessed through the HELAA and found to be potentially suitable for employment uses but not housing.	Y
The Oaks, Clenchwarton Road	Flood Zone 3 – areas benefitting from flood defences –	Site mostly free of identified surface water flood risk, although EA data and the SFRA identify small parts at risk of surface water flooding, particularly around minor/	The 1.58 ha site is situated between Clenchwarton Road and the A47 King's Lynn Bypass. It is some distance away from the main built-up area of West Lynn, in an area consisting of non-residential uses	Y

Table 2				
Site name/ address	EA Flood Zone Status/ defined risk	Analysis of surface water/ other flood sources	Detailed/ qualitative analysis	Discount (Y/N)
	medium flood risk	other water courses that form site boundaries.	(car dealerships; service area etc). It was assessed through the HELAA and found to be potentially suitable for employment uses but not housing.	
Land adjacent Pullover Roundabout	Flood Zone 3 – areas benefitting from flood defences – medium flood risk	Site mostly free of surface water flood risk, although EA data and the SFRA identify small pockets of low/ medium surface water flood risk	Site situated to the west of Clenchwarton Road, opposite Freebridge service area. If developed, it could form a link between the main West Lynn built up area and Freebridge employment area. The site has been promoted as a new distribution centre and could form a link between the main built up and employment areas of West Lynn. Nevertheless, the site has not been promoted for residential use and it sits between major commercial premises. Therefore, it would be separated from the established residential area, so is not considered to be a suitable potential replacement for E1.15.	Y
Land between Clenchwarton Road and Orchard Grove	Flood Zone 3 – areas benefitting from flood defences – medium flood risk	Site mostly free of surface water flood risk, although pockets of higher surface water flood risk are identified within the site boundaries.	The site is a triangular greenfield site, but surrounded by built development on two sides. It is therefore well related to the existing built up area. The site is of a similar area to E1.15. It has been actively promoted through the Local Plan Review and part of the site has current permission for a business use (butchers). It could be considered	N

Table 2				
Site name/ address	EA Flood Zone Status/ defined risk	Analysis of surface water/ other flood sources	Detailed/ qualitative analysis	Discount (Y/N)
			<i>as an additional site allocation, or alternative to E1.15.</i>	

2.2 Comparison of shortlisted sites

The shortlisting assessment above has discounted all, except one site (Land between Clenchwarton Road and Orchard Grove), as possible alternatives to E1.15. This is necessary to determine whether Land between Clenchwarton Road and Orchard Grove would represent a suitable sequentially preferable replacement for E1.15 (Table 3, below).

Table 3		
Measure	E1.15 West Lynn – Land at Bankside [former Del Monte Factory site]	Land between Clenchwarton Road and Orchard Grove
EA Flood Zone (fluvial/ coastal) – EA/ SFRA	Flood Zone 3 – areas benefitting from flood defences – medium flood risk	Flood Zone 3 – areas benefitting from flood defences – medium flood risk
Surface water flood risk – EA/ SFRA	Site mostly free of identified surface water flood risk. A few isolated pockets of medium/ higher risk.	Site mostly free of identified surface water flood risk. A few isolated pockets of medium/ higher risk.
Other sources of flood risk – SFRA	Risk from potential fluvial/ tidal flood breaches, to active flood defences	Tidal river hazard mapping area (tidal flood breaches)
Status of land	Previously developed land; already committed for residential development (2016 SADMP)	Greenfield land
Development viability	Site remediation costs likely to be significant; e.g. decontamination. Capacity may be limited due to needs for sufficient safeguarding/ buffer zones for flood defences.	Site actively promoted at Regulation 19 consultation stage; potential partners/ promoters being assembled.
Recent planning history	Old Dredging and Construction site, Land east of St Peter's Road (south of former Del Monte site) –	Land At Clenchwarton Road (0.4ha) –

Table 3		
Measure	E1.15 West Lynn – Land at Bankside [former Del Monte Factory site]	Land between Clenchwarton Road and Orchard Grove
	<ul style="list-style-type: none"> • 12/01728/FM – Proposed care village • 06/02260/FM – 149 dwellings <p>Both schemes lapsed/ not implemented; similar issues of development viability likely to affect E1.15.</p>	<ul style="list-style-type: none"> • 21/01771/F – Proposed Butchers Shop and Associated Facilities • 16/00572/FM – Proposed residential development (refused) <p>Recent consent for butcher’s shop (March 2022) identifies significant development constraints; e.g. County Wildlife Site designation that could affect possible development of the whole site. If scheme implemented, this will significantly reduce potential development capacity.</p>

2.3 Qualitative analysis of shortlisted sites

The comparative assessment at Table 3 (above) raises potential concerns that site E1.15 could fail to meet the sequential test, given that Land between Clenchwarton Road and Orchard Grove be a possible viable alternative site to deliver the housing requirements for West Lynn as set out in the Local Plan. Such an argument was put forward by the promoters of the site through the Regulation 19 consultation⁷ for the Local Plan Review (August/ September 2021).

Table 3 highlights specific concerns regarding each site, as follows:

E1.15 West Lynn – Land at Bankside [former Del Monte Factory site] –

- Risk from potential fluvial/ tidal flood breaches, to active flood defences

⁷ <https://west-norfolk-consult.objective.co.uk/kse/event/36371/peoplesubmissions/section/s1625822757756?consultation=s1625822757756>

- Site remediation costs/ development viability

Land between Clenchwarton Road and Orchard Grove –

- Greenfield site
- Significant development constraints; e.g. County Wildlife Site designation.

The issues of development viability and implications for flood defences affecting the former Del Monte Factory site are long recognised and understood. The implications for flood defences should be understood and viable solutions put forward (through cooperation between the Environment Agency, landowner and Borough Council) before development could take place.

By contrast, the possible alternative site, Land between Clenchwarton Road and Orchard Grove is situated within the same EA Flood Zone but does not contain functioning flood defences. However, this greenfield site is constrained by other factors such as local ecology. Part of the site has been recently consented for a new butcher's shop, while other parts of the site are designated County Wildlife Site. This is likely to reduce the development capacity; such that it is questionable whether the potential alternative site represents a realistic alternative to E1.15.

3. Conclusions

3.1 Sequential test

The flood risk sequential test has been systematically followed for West Lynn, with reference to alternative possible sites that have been actively promoted since the inception of the Local Plan Review (October 2016). Most sites are already allocated (E1.14) or discounted as being unsuitable for residential development.

Just two sites were identified for further, more detailed consideration:

- E1.15 West Lynn – Land at Bankside [former Del Monte Factory site]; and
- Land between Clenchwarton Road and Orchard Grove

3.2 Recommendation

For the Local Plan to be sound, the proposed site allocations (E1.14 and E1.15) must pass both the flood risk sequential and exceptions tests. The sequential test must be fulfilled in the first instance before the site could be considered through the exception test.

Whether or not the sequential test is satisfied is a matter of judgement as to whether reasonable and appropriate sites are available in areas with a lower probability of flooding (i.e. Land between Clenchwarton Road and Orchard Grove). In this case, all but one of the potential alternative sites were discounted through the initial shortlisting process. This initially identified Land between Clenchwarton Road and Orchard Grove as a **possible** alternative site allocation, as this does not include active flood defences (assessment of flood risk from other sources, as specified in the SFRA) are broadly equal.

Upon closer examination (Table 3), it is not considered that the possible alternative site represents a realistic alternative to E1.15. This site itself has significant biodiversity constraints (County Wildlife Site) and part is already committed for an alternative use. It is not therefore considered that this alternative site represents a suitable alternative to E1.15.

On the basis of this assessment, it is concluded that there are no suitable alternative site allocations to E1.15. Therefore, the sequential test has been passed.