

Borough Council of King's Lynn & West Norfolk

South Wootton Neighbourhood Plan Review – Decision Statement

January 2023

Borough Council of
**King's Lynn &
West Norfolk**



Borough Council Decision: South Wootton Neighbourhood Plan Review

Neighbourhood Planning (General) (Amendment) Regulations 2012

Name of neighbourhood area	South Wootton Neighbourhood Area
Neighbourhood area date of designation	2012
Parish Council	South Wootton Parish Council (SWPC)
Commencement of Plan Review	November 2021
Consideration of Review (SWPC/ Borough Council of King's Lynn and West Norfolk)	2022
Decision	20 th January 2023

1.0 Introduction

- 1.1 The Town and Country Planning Act 1990 (“the 1990 Act”), as amended, states that the Council has a statutory duty to assist communities in the preparation of neighbourhood development plans and to take the plans through a process of examination and referendum. The Localism Act 2011 (Part 6 Section 3) details the Local Planning Authority 's responsibilities under Neighbourhood planning.
- 1.2 The Neighbourhood Planning Act 2017 (Schedule A2) identifies the circumstances that can arise as qualifying bodies seek to review made neighbourhood plans. This new Schedule to the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”) Section 38A (11A) introduces a process for the modification of neighbourhood areas where a neighbourhood development order or plan has already been made in relation to that area.
- 1.3 The South Wootton Neighbourhood Plan passed its referendum with an 90% vote in favour on a turnout of 23% on 12th November 2015; the plan was then adopted officially on 23rd November 2015. South Wootton Neighbourhood Planning Group and the Qualifying Body (SWPC) has undertaken a review of the Neighbourhood Plan, proposing amendments to several existing policies and/ or the supporting text in the current Plan.
- 1.4 When updating a neighbourhood plan there are three types of modification which can be made which will then determine the process the neighbourhood plan will follow. The modifications are:

- 1) Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
 - 2) Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
 - 3) Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.
- 1.5 Assessment and consideration of the three types of modification have been taken within the neighbourhood plan review by the Borough Council of King's Lynn & West Norfolk (BCKLWN), in association with the Qualifying Body. Further details about this process are set out in section 2.0, below.

2.0 South Wootton Neighbourhood Plan Review process

- 2.1 In November 2021, South Wootton Parish Council (SWPC) wrote to BCKLWN, outlining a series of proposed changes to the Plan, that were being sought by the Parish Council (Qualifying Body). An initial assessment of the South Wootton Neighbourhood Plan Review (SWNPR) was undertaken by BCKLWN in December 2021, which found that most changes proposed to the SWNP are minor (non-material) factual changes and amendments. However, proposed changes to policies H1, H2 and S2 were found to be material modifications (category 2), requiring examination.
- 2.2 In January 2022, BCKLWN sought legal advice about the implications of the proposed changes to the Plan put forward by SWPC. This confirmed that the Parish Council (Qualifying Body) would need to consult upon proposed changes to policies H1, H2 and S2 in the adopted (2015) Neighbourhood Plan, that the Borough Council deemed to be material.
- 2.3 In March 2022, BCKLWN wrote to SWPC, to confirm its findings. The Parish Council was keen to avoid the need to examine the SWNPR. In June 2022 BCKLWN officers met with representatives of the Parish Council and Neighbourhood Planning Group, to review the initial proposed changes and

identify which of these would represent minor (non-material) modifications (category 1) and those that would need to be withdrawn (category 2) to avoid the need for examination.

- 2.4 Further exchanges and discussions between the parties (SWPC and BCKLWN) culminated in agreement that the changes to policies H1, H2 and S2 should be withdrawn. During autumn 2022 the Parish Council also undertook an assessment of the 2015 Neighbourhood Plan, to ensure this is compatible with the National Planning Policy Framework (NPPF), 2021 update.
- 2.5 These discussions and assessment have allowed for the Borough Council to update the review of the South Wootton Neighbourhood Plan. In October 2022, BCKLWN wrote to the Qualifying Body, to confirm that all the remaining proposed changes are minor (non-material) modifications (category 1), which would not require examination.
- 2.6 In completing the review, BCKLWN identified several further minor modifications (category 1) updates to the Neighbourhood Plan. This was completed by January 2023, allowing the Borough Council to issue this Decision Statement. A full schedule of specific modifications for the SWNPR is set out in the Annex to this statement (below).

3.0 Decision Statement

- 3.1 Agreement between South Wootton Parish Council and the Borough Council was reached on 19th January 2023, with written confirmation from the Qualifying Body (Parish Council) that the Proposed Modifications to the South Wootton Neighbourhood Plan (set out in the Annex to this Statement), should be “made”. The Proposed Modifications are all minor (non-material) modifications, which do not represent material changes policies in the Plan, as made on 23rd November 2015.
- 3.2 In accordance with the 2004 Act Schedule A2 paragraph 14, BCKLWN has decided to make modifications to the Neighbourhood Plan, as referred to in the Annex to this statement. These changes fulfil the basic conditions for Neighbourhood Development Plans (“Neighbourhood Plans”), set out in legislation.
- 3.3 The Neighbourhood Planning (General) Regulations 2012 require the local planning authority to outline what action to take in response to the Review of the South Wootton Neighbourhood Plan 2015-2026. The Review has been undertaken in accordance with the Neighbourhood Planning Act 2017 (Schedule A2).
- 3.4 The South Wootton Neighbourhood Plan Review 2015-2036 will be “made” by BCKLWN, in accordance with paragraph 10 of Schedule 4A to the 1990 Act in relation to a neighbourhood development plan. The Borough Council has accepted all the modifications to the plan review set out in the Annex to this report, as recommended in Section 38A of the 2004 Act (11A) Schedule A2 Paragraph 14.
- 3.5 Following the modifications made, the South Wootton Neighbourhood Development Plan Review will meet the basic conditions:
- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - b) The making of the neighbourhood plan contributes to the achievement of sustainable development;
 - c) The making of the neighbourhood plan is in general conformity with the strategic policies contained in the King’s Lynn and West Norfolk Local Plan - Core Strategy (2011) and Site Allocations and Development Management Policies Plan (2016);
 - d) The making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations; and;

- e) The making of the neighbourhood plan is not likely to have a significant effect on a European site either alone or in combination with other plans and projects.

3.6 It is recommended that the South Wootton Neighbourhood Plan Review be brought into legal force with effect from this decision statement being signed. The reason being that the amended South Wootton Neighbourhood Plan Review 2015-2036 meets the basic conditions and other legal requirements, and follows the modification route category 1 whereby examination is not required.

Decision made by:

Geoff Hall
Executive Director Environment and Planning
20th January 2023

Annex: Assessment of Modifications to the South Wootton Neighbourhood Plan 2015

Borough Council of
**King's Lynn &
West Norfolk**



South Wootton Neighbourhood Plan Review 2015-2036 (January 2023)

In November 2021, six years after adoption of the first Neighbourhood Plan for South Wootton, the Parish Council (Qualifying Body) proposed a review of the Neighbourhood Plan, to bring this up to date, in line with the latest Local Plan and national planning policies (e.g. National Planning Policy Framework update, July 2021). The 2017 Neighbourhood Planning Act¹ introduced specific provisions for reviewing Neighbourhood Plans.

Dependent upon the nature of any such review, the legislation allows for three typologies of modifications. These will then determine the process the neighbourhood plan will follow. The modifications are:

- a) Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.
- b) Material modifications which do not change the nature of the plan or order would require examination but not a referendum. This might, for example, entail a design code that builds on a pre-existing design policy. Or a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.
- c) Material modifications which do change the nature of the plan or order would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

¹ <https://www.legislation.gov.uk/ukpga/2017/20/contents>

The assessment below will consider each of the Parish Council’s proposed modifications in turn, providing an analysis of each and a conclusion regarding to which category each should fit.

Key to assessment/ schedule below:	
Changes proposed by South Wootton Parish Council (SWPC) are shown in blue/ bold and/ or strikethrough .	Changes proposed by the Borough Council of King’s Lynn and West Norfolk (BCKLWN) are shown in red/ bold and/ or strikethrough

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
1 Introduction (p5-6)	<p>Additional text, providing an overall explanation and justification for the Neighbourhood Development Plan (NDP) review:</p> <p><i>The SWNP covering the period 2015 – 2026 was adopted by the Kings Lynn & West Norfolk Borough Council and came into effect on the 23rd November 2015. In 2021, it was decided to review and update the present Plan in line with the Borough Council’s Local Plan Review to roll forward to 2036, taking into account the views of residents previously expressed.</i></p> <p><i>Since the Plan was published, major developments have been approved in South Wootton. These amount to about 1250 over 1,200 new properties, primarily, on west of Hall Lane and Nursery Lane and North East King’s Lynn (land at Knight’s Hill), respectively. The Borough Council’s Local Plan Review has indicated that there will be no more major developments in South Wootton.</i></p>	Overall explanation and justification for the NDP review	<p>The proposed additional paragraphs at the end of section 1 (Introduction) provide a clear rationale for the review. They explain the nature of this; e.g. taking the South Wootton NDP forward 10 years (to 2036), to correspond with the emerging Local Plan Review.</p> <p>This text is factual and explanatory in nature.</p>	Yes, with the addition further minor (factual) modifications, with reference to numbers of units consented on strategic (major) Local Plan site allocations	<div style="border: 1px solid black; background-color: #90EE90; padding: 5px; text-align: center;"> 1: minor (non-material) modifications </div>

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	<p><i>In future, it is anticipated that any further development in South Wootton will consist of infill and possibly very small-scale developments, if appropriate.</i></p> <p><i>The proposed changes and additions to the existing Plan are deemed to be minor. As a result, it is expected that the revised Plan can be adopted by the Borough Council without being subject to an independent inspection or referendum.</i></p>				
3. Plan Content and Status (p10)	<p>Additional and amended text, providing an overall explanation and justification for the Neighbourhood Development Plan (NDP) review:</p> <p><i>If the Neighbourhood Plan successfully passes the referendum, it becomes part of the official development plan for the Parish, alongside the Borough Local Plan (consisting of the Core Strategy and (subject to adoption) the Site Allocations and Development Management Policies Document². The development plan is the starting point for any decisions on planning applications, though other material planning considerations, including the National Planning Policy Framework, must also be taken into account. In the event of any conflict between the policies in the Neighbourhood Plan and the Local Plan, the most recent one prevails.</i></p>	<p>Overall explanation for the NDP review and how this relates to the emerging BCKLWN Local Plan Review</p>	<p>The proposed additional paragraphs at the end of section 3 (Plan Content and Status) provide a clear rationale for the review. They explain the nature of this; e.g. taking the South Wootton NDP forward 10 years (to 2036), to correspond with the emerging Local Plan Review.</p> <p>This text is factual and explanatory in nature, although it needs correction, given the recent publication (July 2021) of the NPPF update.</p>	<p>Yes, with the addition further minor (factual) modifications, explaining the context for the Plan review and removing outdated material/information</p>	<p>1: minor (non-material) modifications</p>

² Until the Site Allocations Document is adopted, a few saved policies of the Borough 1998 Local Plan also remain part of the development plan.

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	<p><i>The existing 2015 Plan, having been adopted and incorporated into the Borough Council's Local Plan statutory development plan, already forms part of the starting point in determining planning applications, although other material planning considerations, including the National Planning Policy Framework, must also be taken into account. It is proposed to roll This update/ revision rolls forward the revised Plan to 2036, in line with the Borough Council's emerging Local Plan Review (as submitted in March 2022).</i></p> <p><i>The updated Plan is the starting point for any decisions on planning applications in South Wootton, though other material planning considerations, including the NPPF (February 2019 July 2021) must be taken into account. In the event of any conflict between the policies in the revised Plan and the Borough Council's Local Plan, the most recent one prevails.</i></p>				
4. Plan Development (p11-12)	<p>Additional text, providing an overall explanation and justification for the Neighbourhood Development Plan (NDP) review:</p> <p><i>The existing first Plan was supported by a majority of residents who voted in the referendum, and it was formally adopted by the Borough Council in November 2019 2015. The minor revisions of the Plan have been carried out by members of the Parish Council in association with the Borough Council and are compatible with national policy</i></p>	Overall explanation and justification for the NDP review	<p>The proposed additional paragraph at the end of section 4 (Plan Development) provides a clear rationale for the review. It explains the nature of this; i.e. undertaking a review to ensure the NDP accords with updated national policy (NPPF).</p> <p>This text is factual and explanatory in nature, although it needs correction, given the recent publication (July 2021) of the NPPF update.</p>	Yes, with the addition further minor (factual) modifications, explaining the context for the Plan review	1: minor (non-material) modifications

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
	<i>(NPPF, 2019 2021 update) and the views of residents as previously expressed.</i>				
5. The Vision: South Wootton 2036	Initial proposal for additional text, providing an overall explanation and justification for the Neighbourhood Development Plan (NDP) review, with reference to Climate Change (subsequently deleted): <i>Consideration should be given to measures to mitigate the consequences of Climate Change.</i>	Overall explanation and justification for the NDP review initially proposed for addition in Plan Vision, but subsequently deleted.	The proposed additional paragraph at the end of section 4 (Plan Development) provides a clear rationale for the review. It explains the nature of this; i.e. undertaking a review to ensure the NDP accords with updated national policy (NPPF). However, it represents an addition to the Plan Vision; therefore a material change to the strategy itself. Accordingly, the Parish Council accepted, as at December 2022, that this could entail examination and therefore proposed deletion. Accordingly, this earlier proposed additional paragraph is not being taken forward, although reference to Climate Change mitigation in the vision represents a recognition of NPPF requirements.	Yes. The previous proposal for addition of a reference to Climate Change would represent a material amendment to the Plan, so the Parish Council decision not to take this forward is accepted.	No modification taken forward
6 Objectives (p13)	Updated introductory text re revised Plan end-date: <i>The aim of the Plan is to realise a Vision for South Wootton up to and beyond 2026 and further to 2036. Objectives are:...</i>	Updated introductory text re revised Plan end-date	Factual update, to explain that the Plan objectives are extended to the revised end date (2036).	Yes	1: minor (non-material) modifications

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Policy E5 – New growth areas	<p>New policy criterion; addition to E5:</p> <p><i>Any new estate developments shall include planting programmes incorporating native arboreal species to enhance the landscape character.</i></p> <p>Planning proposals in growth area that include external lighting must utilise types of lighting such as light emitting diode down lighting or other measures such as low level lighting to avoid light spillage beyond the application site.</p>	Proposed introduction of additional development management criterion; to address/ manage issues of light pollution etc	<p>The proposed additional criterion is a significant addition to Policy E5, in recognition of the significant impacts that light pollution may have on both residential amenity and (potentially) the impacts of lighting upon broader (macro) issues such as climate change.</p> <p>This would represent a material modification to the Neighbourhood Plan, which could strengthen Policy E5 but in turn would entail independent examination. However, this criterion is repeated elsewhere in the Neighbourhood Plan and is better included within Policy H 2 - Encouraging High Quality Design. There is no need to repeat such criteria more than once, as the policies of the development plan as a whole (i.e. all relevant Local and Neighbourhood Plan policies) need to be referenced in decision making.</p>	No – new policy criterion is repeated in Policy H 2 - Encouraging High Quality Design, where this additional criterion is better positioned.	No modification taken forward
7.2 Policies for Housing	<p>Proposed replacement text, providing an overall explanation and justification for the Neighbourhood Development Plan (NDP) review:</p> <p>In 2013, the Borough Council's Detailed Policies & Sites Preferred Options document reduced the potential scale of development in the two Growth Areas in South Wootton to 300 homes west of Hall Lane and 600 in the Knight's Hill area. These numbers were confirmed in the Pre-Site Allocations & Development Management Policies Plan submitted by the Borough Council in 2015. Both locations</p>	Factual updates, regarding delivery of major development schemes within South Wootton Parish	<p>The proposed update to section 7.2 are factual, explaining the current position with regards to strategic Local Plan (SADMP) site allocations. These factual updates do not represent material modifications to the Neighbourhood Plan.</p> <p>This text is factual and explanatory in nature, although it needs correction, given the adoption of the SADMP in 2016 and the granting of outline planning permissions for</p>	Yes, although additional/ updated explanation and contextual background information have been added, to explain the implications for	1: minor (non-material) modifications

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
	<p>are to be subject to detailed assessment, master planning and appraisal as set out in the representations of South Wootton, North Wootton and Castle Rising Parish Councils.</p> <p>In 2013, the BC's Detailed Policies and Sites Preferred Options and SADMP documents showed two major Growth areas in South Wootton, namely, Knight's Hill and west of Hall Lane and Nursery Lane. In 2018/2019, outline planning applications Between 2018 and 2020, outline schemes were approved for around 1230 homes on the major Local Plan site allocations west of Hall Lane and Nursery Lane and at Knight's Hill (E3.1 and E4.1, respectively), subject to detailed assessment, master planning and appraisal as set out in the presentations of North Wootton, South Wootton and Castle Rising Parish Council's. In 2021, reserved matters were granted for site E3.1 and phase 1 of E4.1, together with a small development of 28 homes has been completed on land east of Nursery Lane (the nine-acre field).</p> <p>The Neighbourhood Plan recognises that development on the scale required consented will have a profound effect on the village and its community over the coming years. It provides an opportunity for holistic planning to create high quality, attractive places to live, in which a sense of community is retained, and the natural infrastructure and environment is enhanced.</p> <p>The Borough Council's emerging Local Plan Review has indicated there will be no more further site allocations for</p>		all the strategic site allocations at South Wootton, since 2018.	the major strategic Local Plan allocations for South Wootton. This builds upon the Parish Council's proposed text amendments.	

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	<i>major developments in the period covered by the plan review.</i>				
Policy H 1 – Growth Areas	<p>Additional policy criteria, highlighting local housing needs and requirements:</p> <p><i>Housing in the new growth areas should provide all sections of the population with dwelling appropriate for their needs and a good quality of life, by providing the right mix of housing in terms of size, tenure, design and affordability.</i></p> <p><i>To meet the needs of all sections of the community, especially young adults and the elderly, starter homes and properties which would enable residents of all ages to remain within the Parish.</i></p> <p><i>Detailed proposals for the “Strategic” housing areas at Hall Lane, South Wootton and Knights Hill (insofar as it is within the Neighbourhood Plan boundary), will be master plan led. These will be prepared by developers for approval by the Borough Council in consultation with South Wootton Parish Council.</i></p> <p><i>South Wootton Parish Council has agreed to discontinue previous proposals for additional Policy H1 criterion. Therefore, no material modifications to H1 are now proposed.</i></p>	Greater detail regarding delivery of housing on strategic Local Plan site allocations to meet local community needs	<p>The proposed additional policy criteria at Policy H1 are intended to provide greater clarification about meeting the needs of all elements of the community within the Parish.</p> <p>These policy objectives are supported, in principle, although they represent material additions to the Plan as a whole and would therefore need to be subject to independent examination. However, they would not represent a fundamental change in direction; rather a greater clarification of the adopted strategy.</p> <p>Regarding the individual criteria, the 2nd paragraph makes reference to bungalows; too narrow and prescriptive a definition. It would be more robust to specify “specialist housing to meet the needs of the most vulnerable people (e.g. adapted bungalows)”, which provides for the necessary flexibility.</p>	Yes – subject to proposed modifications regarding policy criteria	<div style="border: 2px solid black; background-color: yellow; padding: 5px; text-align: center; width: fit-content; margin: 0 auto;">2: material modifications</div> <p style="text-align: center;">No modification taken forward</p>
Policy H 2 – Encouraging	Additional policy criteria, to strengthen development management criteria within the Neighbourhood Plan, giving greater prominence to climate change in decision making:	Additional criteria, giving	The draft Neighbourhood Plan review recognises the need to duly respond to	Yes	

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
High Quality Design	<p>d) external lighting should utilise types of lighting such as light emitting diode down lighting or other measures such as low-level lighting to avoid light spillage beyond the application site; and</p> <p>e) To support the Borough Council Local Plan and encourage the reduction of Carbon Emissions and introduce where possible, solar panels, waste water heat recovery or low carbon heating.</p> <p>South Wootton Parish Council has agreed to discontinue previous proposals for additional Policy H2 criterion. Therefore, no material modifications to H2 are now proposed.</p>	greater prominence to climate change in decision making	<p>updated Local Plan and NPPF strategic policies.</p> <p>The proposed criteria give greater prominence to obligations such as mitigating the effects of climate change. The proposed additional criteria are material policy changes giving recognition to these requirements, but do not fundamentally alter the direction of Policy H2. Rather, these recognise the need to incorporate an appropriate range of development management criteria.</p> <p>Criterion (d) is also repeated in draft updates to policies E5 and H3, but there is only need to specify these once, and H2 is considered the most appropriate place.</p>		<p>2: material modifications</p> <p>No modification taken forward</p>
Policy H 3 - Infill Developments	<p>Additional policy criteria, to strengthen development management criteria within the Neighbourhood Plan, giving greater prominence to climate change in decision making:</p> <p>e) external lighting should utilise types of lighting such as light emitting diode down lighting or other measures such as low-level lighting to avoid light spillage beyond the application site.</p>	Proposed introduction of additional development management criterion; to address/ manage issues of light pollution etc	<p>The proposed additional criterion is a significant addition to Policy H3, in recognition of the impacts of lighting upon broader (macro) issues such as climate change.</p> <p>This would represent a material modification to the Neighbourhood Plan, which could strengthen Policy H3 but in turn would entail independent examination. However, this criterion is repeated elsewhere in the Neighbourhood Plan and is better included within Policy H 2 - Encouraging High Quality Design. There is no need to repeat such</p>	No – new policy criterion is repeated in Policy H 2 - Encouraging High Quality Design, where this additional criterion is better positioned.	No modification taken forward

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
			criteria more than once, as the policies of the development plan as a whole (i.e. all relevant Local and Neighbourhood Plan policies) need to be referenced in decision making.		
7.4 Policies for Society, Community and Culture	Additional text, to explain recent priority infrastructure projects supported by the Parish Council: <i>...The Parish Church is well supported, Scouting and Guiding are active locally, and sport is popular (the Parish Council has in the past discussed an extension to the village hall to accommodate further activities). At present...</i>	Additional explanatory text/ background information	The proposed deletion of references to Post Office services in the policy is an update regarding projects that the Parish Council is currently supporting. This represents factual information and as such does not materially change any Neighbourhood Plan policies.	Yes	1: minor (non-material) modifications
Policy S 2 – Community infrastructure	Discontinuation of earlier proposed change – retention of final bullet point: “expansion of post office services”. South Wootton Parish Council has agreed to discontinue previous proposals for additional Policy S2 criterion. Therefore, no material modifications to S2 are now proposed.	Additional criterion, updating community infrastructure priorities for the Parish	The proposed additional criterion represents an update re local community infrastructure priorities. These infrastructure priorities may be funded through CIL, so the proposed deletion of Post Offices services from the list represents a material change to the Neighbourhood Plan, although it is not a fundamental change to the direction of the Plan.	No – earlier proposed change (deletion of final bullet point) not to be taken forward	No modification necessary
7.5 Priorities for Transport (p25)	Additional explanatory text, to explain the implications of Climate change, with particular reference to traffic generation: <i>The local highway authority is Norfolk County Council, which is responsible for all transport policies and maintenance issues in the parish. The Parish Council has a consultative and advisory role through the county councillor and county</i>	Updated text, with reference to Climate Change	The addition of explanatory text with specific reference to Climate Change reflects the 2021 NPPF and recognises potential practical solutions that could be delivered through the planning system.	Yes	1: minor (non-material) modifications

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
	<p><i>staff. The Parish Council would wish to be consulted at an early stage to ensure that transport infrastructure is appropriate and sustainable to meet the particular requirements of the local community.</i></p> <p><i>The Parish Councils welcomes the Borough Council's efforts to mitigate the effects of Climate Change including the introduction of Electric vehicles and charging points, ground and air pumps for buildings and measures to reduce Air Pollution.</i></p>				
8. Annex: Other Community Aspirations	<p>Additional explanatory text, to explain the current position regarding community infrastructure projects (in this case, NHS primary healthcare relocation):</p> <p><i>In 2021, a planning application was submitted for the relocation of St James Medical Practice to a site south of Hall Lane, which the Parish Council supported in principle. The application was approved by the Borough Council and construction began in November 2022. This will provide a significant amenity for existing and new residents of South Wootton.</i></p>	Factual update/ background information	<p>The proposed additional text re the relocation of the Medical Practice is factual, explaining the current position regarding this NHS project. Such factual updates do not represent material modifications to the Neighbourhood Plan.</p> <p>This text is factual and explanatory in nature, although it has been updated to reflect recent approval for the scheme and commencement of construction.</p>	Yes	1: minor (non-material) modifications
10-12	<p>Factual updates; re 2036 Neighbourhood Plan end date and status of the Local Plan Review. Amended references to redundant strategies and evidence base documents:</p> <ul style="list-style-type: none"> • 2021 NPPF • 2016 SADMP 	Factual update/ background information	<p>Various detailed text amendments are highlighted and may be incorporated into the Neighbourhood Plans as non-material factual updates. However, it is important to check the list of evidence documents and add any others that may be of relevance.</p>	Yes	1: minor (non-material)

Section	Specific modification to the South Wootton Neighbourhood Plan (made November 2015), first proposed by Qualifying Body (South Wootton Parish Council), November 2021	Summary modification	BCKLWN analysis of specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
	<ul style="list-style-type: none"> Deletion of references to redundant 1998 Local Plan and 2007 Strategic Housing Market Assessment 				modifications

Other Minor (non-material) Modifications, put forward by the local planning authority (January 2023)

Section	Further specific modification to the South Wootton Neighbourhood Plan (made November 2015), proposed by BCKLWN, January 2023	Summary modification	BCKLWN explanation for specific modification	Does BCKLWN agree with the modification?	Typology of modification (1, 2 or 3; above)
1 Introduction (p5)	<p><i>The South Wootton Neighbourhood Plan (the Plan) is a new type of planning document based on the views of our local community. It is part of the Government's new approach to planning introduced through the 2011 Localism Act, which aims to give local people more say about how their area is developed.</i></p> <p><i>This is particularly important for South Wootton as the parish is again under considerable development pressure, primarily as a result of its location, in which two areas for urban expansion have been identified in the King's Lynn and West Norfolk Borough Council's Core Strategy (2011), the strategic part of the Local Plan policies that sets the overarching strategic policies for the Plan. The Core Strategy Inspector did not examine the individual site</i></p>	<p>Updates, recognising passage of time (over 10 years) since introduction of Neighbourhood Planning and Core Strategy.</p> <p>The bulk of the Neighbourhood Plan</p>	<p>Clarification that Neighbourhood Planning, having been in place for over 10 years (introduced through the 2011 Localism Act), should no longer be referred to as "new".</p> <p>It is also considered that additional explanation is required as to the context of the Core Strategy, in setting the overall strategic planning framework for the Neighbourhood Plan.</p> <p>The first Neighbourhood Plan also includes extensive background/ explanation regarding the Plan making process 10 years ago. It is considered that this is largely extraneous/ superseded, given the "making" of the</p>	n/a	1: minor (non-material) modifications

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	<p><i>characteristics, but he said that the Growth Areas identified were “appropriate to accommodate housing of the scale proposed.”</i></p> <p><i>The Borough Council’s ‘Detailed Policies & Sites – Preferred Options’ (2013) consultation document reduced the potential scale of development to 300 and 600 homes on the two sites, west of Hall Lane and North East King’s Lynn (land at Knight’s Hill), respectively. These numbers were confirmed in the document, ‘Site Allocations and Development Management Policies’ submission for examination by the Borough Council in April 2015. The site-specific part of the Local Plan, the “Site Allocations and Development Management Policies” (SADMP) Plan, was adopted in September 2016 and allocated land for development of 300 and 600 homes on the two sites, west of Hall Lane and North East King’s Lynn (land at Knight’s Hill), respectively. These sites have since been consented, for 575 and 654 dwellings respectively (total 1,229).</i></p> <p><i>The first Neighbourhood Plan covers the same period as the Borough Council’s Core Strategy and will end in 2026. The Plan has been was developed by a small team of parish councillors, volunteers and the Clerk, taking into account the views of residents expressed, particularly in response to the questionnaire distributed in February 2013. Additional comments and suggestions have been incorporated into the final document.</i></p>	<p>making process took place around 10 years ago, so this background detail should be deleted/ updated (as appropriate)</p>	<p>Neighbourhood Plan in 2015 and subsequent SADMP adoption (2016).</p>		

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	<p>An independent Examiner recommended a number of changes to the Plan to make it conform to the statutory requirements. A local referendum will now be held in the Parish, and if more than 50% of those who vote agree, the Plan becomes part of the statutory development plan for the parish (alongside the Borough Local Plan). By contrast the previous South Wootton Parish Plan and Village Design Statement were only advisory publications. The approved Plan will implement the Vision which residents have for South Wootton and shape its future to 2026.</p>				
2 Village Locality (p8)	<p>South Wootton, as a location, provides an important segment of the housing choice available in the King's Lynn area, and as so much of the housing in the parish dates from the past 45 years it is generally of the best standard. Whilst affordable housing provision for the King's Lynn built up area is 15% of new allocated housing areas, for South Wootton the level has been set at 20%. Work opportunities, sub-regional public services, and retailing are within the built up area of King's Lynn, but the Community Identity of the parish stands separately and must be encouraged and enhanced by the provision of further community services and leisure facilities in relation to any new development. At the time of the 2011 census, the village population was 4247; currently there are 1825 residential properties. At January 2023, there were 1,838 residential properties registered for Council Tax within the Parish.</p>	Factual update – latest information re current No of households/ residential properties	Factual update, setting out current data re current No of properties registered for Council Tax.	n/a	1: minor (non-material) modifications

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4. Plan Development (p11)	<p><i>From the outset of the plan-making process, the Parish Council decided that the community would be involved as fully and as soon as possible. The first Plan was prepared over a three-year period (2012-2015) and included extensive community engagement, throughout. A Statement of Community Involvement was issued early in 2013 (see Evidence Base). Public consultations had begun in November 2012. Planning Group meetings were held every fortnight. Progress in plan-making was reported to the monthly meetings of the Parish Council, in its regular Newsletter, in a special Neighbourhood Plan Newsletter and through the Church's Contact Magazine</i></p> <p><i>An important part of the plan-making process was to test evolving policies against</i></p> <ul style="list-style-type: none"> <i>● National Planning Policy</i> <i>● The Borough Council of King's Lynn & West Norfolk Core Strategy</i> <i>● EU Legislation</i> <i>● Human Rights Obligations</i> <i>● appropriate contribution to achievement of sustainability</i> <p><i>A questionnaire survey was carried out in February 2013. Some 484 questionnaires were returned, which represented a response rate of 27.2%. After taking into</i></p>	Deletion of text explaining the consultation process for the first Neighbourhood Plan – replacement by single sentence	<p>The first Neighbourhood Plan includes extensive explanatory/ background text, regarding the consultation processes for preparation of this (2012-2015).</p> <p>This is largely extraneous to the Plan review, so it has been suggested that this be replaced by a single summary sentence, covering the process prior to “making” the Plan: “<i>The first Plan was prepared over a three-year period (2012-2015) and included extensive community engagement, throughout</i>”.</p>	n/a	1: minor (non-material) modifications

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	<p>account the responses from the questionnaire, a draft document was prepared and delivered to all residents and relevant consultees in February 2014. A six week period was allowed for responses after which the document was revised to incorporate the comments and recommendations expressed.</p> <p>The revised draft was then submitted for a pre-submission check (suggested and paid for by the Borough Council) by an independent reviewer provided through the Neighbourhood Planning Independent Examiner Referral Service, NPIERS, in September 2014. In his report, the reviewer suggested some minor corrections to the text and additions to the Maps for clarity. The recommendations were incorporated into the final document, which was then submitted to the Borough Council for examination by an independent examiner.</p> <p>The Examiner recommended a number of relatively minor changes to the Plan to ensure it met the statutory requirements, and that subject to these changes the plan should proceed to a local referendum of the Parish. The Borough Council accepted these recommendations, and the Plan has been amended accordingly.</p>				

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	<i>The Plan will now be the subject of a local referendum of registered voters in the parish. If it is supported by a majority of those voting in the referendum, it will be formally brought into force by the Borough Council.</i>				
5. The Vision: South Wootton 2036 (p12)	<i>This statement is based on consultations carried out amongst parish residents for the first Plan, in November 2012 and March 2013. It defines what the residents of South Wootton wish their parish to be like up to 2026 and beyond. The revised Plan is a continuation of this Vision, taking this forward to 2036. It provides the framework for the objectives and policies which follow.</i>	Additional preamble text, to explain how the Plan Vision is being taken forward to 2036	Additional contextual information, explaining how the previous Plan Vision remains unaltered, continuing to 2036	n/a	1: minor (non-material) modifications
7. Neighbourhood Planning Policies (p13-14)	<i>To meet the objectives set out above policies have been designed to ensure that new development enhances the setting and character of the village, promotes a sense of community, and provides for the social and economic needs of residents. Infrastructure mentioned in the Plan, and considered to be fundamental to the implementation of the Borough Council of King's Lynn & West Norfolk Core Strategy and to physical growth, will be delivered through the Site Allocations & Development Management Policies Document in accordance with the Local Plan and</i>	Updated text, including cross reference to the 2022 Infrastructure Delivery Plan	Factual text updates, providing cross reference to current Infrastructure Delivery Plan. This is necessary to explain the context for infrastructure delivery in/ around South Wootton/ Neighbourhood Area.	n/a	1: minor (non-material) modifications

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	<p>Infrastructure Delivery Plan³ (September 2022). These essential projects in the parish include improvements to schools, medical/dental facilities, and local roads and transport which go with development on this scale and which will be decisions of the Borough Council, Norfolk County Council and/ or the Health Authorities.</p>				
<p>7.1 Policies for the Environment (p14)</p>	<p>The location of South Wootton has now put considerable pressure on the natural environment of the parish, especially at the edges of the built-up area. There is no little brownfield redevelopment land available in the parish area. The Neighbourhood Plan seeks to conserve and enhance the environmental setting of South Wootton in line with the Borough Council's Core Strategy document...</p> <p>The Borough Council's previous (1998) Local Plan Inset Map for North & South Wootton included character areas [Built Environment type A] which are within the village but protected from development. These same areas have been identified now as were designated 'Local Green Spaces' in the first Plan, whose woodland or open quality is essential to the character of the village, whether or not there is public access in future. The revised Plan will continue these designations.</p>	<p>Text updates, in the interest of clarity</p>	<p>The reference to no brownfield land is considered misleading, as it is unlikely that there are absolutely no brownfield sites. Instead, a replacement reference to "little" available brownfield land is considered to better reflect the actual situation at South Wootton.</p> <p>The first Neighbourhood Plan was prepared at the time some saved policies from the 1998 Local Plan remained in force. These were all replaced when the SADMP was adopted (September 2016).</p> <p>The reference to the 1998 Local Plan could be retained for context, to explain how Local Green Spaces were chosen.</p>	<p>n/a</p>	<p>1: minor (non-material) modifications</p>

³ https://www.west-norfolk.gov.uk/download/downloads/id/7285/bcklwn_infrastructure_delivery_plan_-_2022.pdf

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Policies E1, E3/ 7.6 Proposals (Policies) Map	References to the Proposals Map have been replaced by reference to the Policies Map, in policies E1, E3 and section 7.6.	Updated references, to Policies Map	The Updated (2012) Local Planning Regulations changed references to the statutory development plan maps, from “Proposals Map” to “Policies Map”. These changes are reflected in the updated Plan text.	n/a	1: minor (non-material) modifications
Policy B5 (p22)	<i>Proposals for local small scale storage/light industrial units/offices units/offices (Use Classes B1, B8) within the identified growth areas will be acceptable subject to the following criteria:</i>	Update, to reflect 2020 Use Classes Order	The Use Classes Order was revised, incorporating Use Class B1 into the new broad town centre E Class use. Therefore, the reference is outdated; therefore proposed for deletion.	n/a	1: minor (non-material) modifications
7.4 Policies for Society, Community and Culture (p23)	<i>Continued house building in the parish, as proposed by the Borough Council, could increase the total population to a conservative estimate of 6,300 by 2026 over the next decade. Pressure on existing services and facilities has already increased with the occupancy of the Wootton Meadows development in 2008 to 2011. Consequently, further house building in the parish will outpace our community facilities, especially new medical and dental services which are needed locally.</i>	Amended population increase estimate	It is suggested that the reference to population increase by 2026 be revised, to reflect the latest (2022) trajectories for delivery of the major strategic site allocations at South Wootton (E3.1/ E4.1).	n/a	1: minor (non-material) modifications

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7.5 Priorities for Transport (p26)	Growth Area SW1 (west of Hall Lane) Development of the strategic Local Plan Hall Lane site allocation (E3.1) will require a distributor road through it from Edward Benerfer Way to Nursery Lane, and this new link will divert and reduce traffic flows in the southern part of Nursery Lane and at its junction with Low Road. Most of the Knights' Hill Growth Area site allocation off Grimston Road (E4.1) is suggested as a vehicle cul-de-sac with one secondary access and connecting to the Ullswater Avenue area only by paths and cycleways (including emergency use).	Modified cross reference to SADMP site allocations (E3.1/ E4.1)	References have been updated, to replace "Growth Area" (2011 Core Strategy) with site specific (2016 SADMP) site references	n/a	1: minor (non-material) modifications
9. Sustainability (p30)	The relevant An updated Strategic Environmental Assessment is contained in the Borough Council's draft Sustainability Appraisal Report (December 2013) for the emerging Local Plan Review was submitted with the Plan in March 2022 and will be updated for the next stage of the Local Plan process (consultation on Main Modifications, mid/ late 2023)⁴ . Natural England has stated they are satisfied that the 2015 Neighbourhood Plan Vision, objectives, and policies generally seek to protect and enhance environmental issues within their remit, such as biodiversity, including designated sites, green infrastructure, local landscape and access.	Updated reference to Local Plan Review Strategic Environmental Assessment (SEA)/ Sustainability Appraisal	The emergence of an updated Sustainability Appraisal/ SEA for the emerging Local Plan should be recognised in the updated Neighbourhood Plan Review. A cross-reference has been added accordingly	n/a	1: minor (non-material) modifications

⁴ https://www.west-norfolk.gov.uk/info/20079/planning_policy_and_local_plan/629/sustainability_appraisal

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10. Risk Assessment (p30)	<i>The Plan has been subjected to a risk assessment in order to identify threats that could destabilise the Parish's Vision for South Wootton 2026 and affect its delivery. As this Plan review represents a continuation of the first Plan Vision to 2036, it is considered that this risk assessment remains valid.</i>	Reference to extended Plan period (to 2036)	The risk assessment for the first Neighbourhood Plan relates to the Plan period to 2026. Given that the period is to be extended, additional explanatory text is necessary to explain the implications for this, in terms of the Plan Vision.	n/a	1: minor (non-material) modifications

Conclusions

The majority of changes proposed to the South Wootton Neighbourhood Plan are minor (non-material) factual changes and amendments. Of the proposed modifications first put forward by the Parish Council and Neighbourhood Plan Review Team in November 2021, only changes to policies H1, H2 and S2 were considered of any substance, and all are considered relatively minor. However, these changes are all material modifications which do not change the overall Vision, direction or nature of the Plan, but would meet the threshold for re-examination but not a referendum.

Amendments to policies E5 and H3 previously proposed by the Parish Council/ Neighbourhood Plan Team would be deemed material, although these are unnecessary, given that they merely repeat a proposed new criterion at Policy H2(e), regarding external lighting and utilising types of lighting such as light emitting diode down lighting.

Following discussions between the Parish Council and BCKLWN during 2022, in December 2022 the Parish Council and Neighbourhood Plan Review Team have agreed to withdraw proposed material changes to the Plan Vision and policies H1, H2 and S2.

Further minor modifications were proposed by BCKLWN in January 2023, to reflect the latest position and/ or current context for the Plan. These changes were all endorsed by the Parish Council (Qualifying Body), allowing BCKLWN to “make” the South Wootton Neighbourhood Plan Review (2015-2036).

