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



Stuart Ashworth
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Docking Neighbourhood Plan 2023-2039, draft submitted 14th August 2025: Legal Check under Schedule 4B of the Town and Country Planning Act 1990

15th September 2025

FAO Annalisa Dovey (Parish Clerk)

Dear Ms Dovey

I write to you on behalf of the Borough Council of King's Lynn and West Norfolk (BCKLWN) to confirm our receipt of the submission version of your draft neighbourhood development plan (Docking Neighbourhood Plan 2023-2039), along with accompanying supporting documentation. Firstly, I would like to wholeheartedly congratulate Docking Parish Council and the neighbourhood planning group on successfully reaching the submission stage (Regulation 15, The Neighbourhood Planning (General) Regulations 2012) of the neighbourhood planning process.

As you may be aware, under Paragraphs 5 and 6 of Schedule 4B of the Town and Country Planning Act (TCPA) 1990 there is now a requirement for BCKLWN, as the local planning authority, to undertake a check of the compliance of the plan along with its process to date. The relevant legal tests are set out in the 1990 TCPA and relevant sections of the Planning and Compulsory Purchase Act (PCPA) 2004. It is then an obligation of the Local Planning Authority (LPA) to issue a written statement clarifying the compliance (or otherwise) of the plan. Accordingly, this letter comprises the formal view of BCKLWN and recommends whether it should be submitted for independent examination.

At this stage it is not a duty of the LPA to consider the plan proposal against the 'Basic Conditions' tests set out under Paragraph 8(2) of the TCPA 1990 (this is the role of the independent examiner). Nevertheless, I can confirm that BCKLWN is of the opinion that the draft Neighbourhood Plan is in general conformity with most relevant national and local strategic policies in force at the time of submission (14th August 2025). The plan as a whole, is considered to be in general conformity with the strategic policies of the Local Plan 2021-2040, adopted 27th March 2025.

The content of the plan is comprehensive, clearly articulated and provides a robust framework for guiding sustainable development within the parish of Docking, and aligning

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with principles of community led planning. It is noted that the proposed Neighbourhood Plan vision focuses upon preserving the villages agricultural character, managing new development and protecting its natural and historical assets while supporting local business and community wellbeing.

I note that your submissions also include the Statement of Basic Conditions (SBC), which provides your detailed consideration of the plan submission against the requirements of the TCPA 1990 and the PCPA 2004. I note that the SBC explains that the Neighbourhood Plan was prepared with reference to the December 2024 version of the NPPF (in force at the time of the Regulation 14 draft plan consultation). However, you should note that the Plan will be examined with reference to the current February 2025 version of the NPPF. The Basic Condition Statement, as submitted, has assessed the NP against the new Local Plan 2021-2040, which reflects the adoption of this in March 2025, shortly before Docking Neighbourhood Plan was submitted and demonstrates the plans consistency with, the up-to-date strategic framework.

Notwithstanding, I am pleased to confirm the following on behalf of BCKLWN:

- The plan **DOES** accord with all relevant provisions of the PCPA 2004 in that it: specifies a plan period; does not include any provision for excluded development; and does not relate to more than one neighbourhood area;
- The plan **DOES NOT** comprise a 'repeat proposal' as defined under Paragraph 5 of the TCPA 1990;
- The submission **DOES** comprise the relevant documentation required under Paragraph 1 of Schedule 4B of the TCPA 1990 and as prescribed by Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ('the Regulations');
- The plan **DOES** comply with all other provisions under section 61E(2), 61J and 61L of the TCPA 1990.

Annex 1 provides an initial check of the contents of the Plan. This provides initial feedback as to where, in officers' professional opinion, the draft Plan could be challenged with reference to the Basic Conditions, or general clarity/ readability.

The next stage in the process is consultation on Docking Neighbourhood Plan 2023-2039, with reference to the Basic Conditions. This statutory consultation will be undertaken under Regulation 16 of the 2012 Neighbourhood Planning (General) Regulations, as amended.

The plan will then be made available for independent examination. The Regulation 16 consultation is provisionally scheduled to take place over a six-week period, from 29th September to 10th November 2025 (inclusive). The Neighbourhood Plan, supporting submission documents and details of how to make representations will be published on BCKLWN's web page.

Alongside the Regulation 16 consultation we will begin the process for the appointment of an independent examiner for the Docking Neighbourhood Plan. The appointed examiner will start the examination soon after the end of the Regulation 16 consultation in November 2025. This would allow the Plan to go to referendum by spring/ summer 2026.

Finally, on behalf of BCKLWN this letter represents the Council's formal view that the draft Docking Neighbourhood Plan 2023-2039, complies with all relevant statutory requirements and can proceed to the next stage of public consultation (Regulation 16) and independent examination.

Please do not hesitate to contact me if you have any further queries regarding the neighbourhood planning process from hereon.

Yours sincerely

Stuart Ashworth

Stuart Ashworth
Assistant Director, Environment and Planning

Annex 1 – Docking Neighbourhood Plan 2023-2039: Initial Submission

Neighbourhood Plan check

Initial review of the submission version Neighbourhood Plan, to accompany Legal Check under Schedule 4B of the Town and Country Planning Act 1990.

Borough Council of King's Lynn and West Norfolk comments on Docking Neighbourhood Plan 2023-2039 (submitted 2025)		
Page No.	Item	Comment
	Overall comments	<p>The Consultation Statement has been reviewed (with other submission documents) and it is noted that all the Borough Council's Regulation 14 comments/ representations have been duly considered. In most cases the Plan has been amended to take account of the comments. Where not fully taken on board, the Consultation Statement provides a clear analysis and rationale for the decision.</p> <p>For presentation purpose BCKLWN would suggest moving "List of Figures" currently on Page 1 and 2 to Page 2 wholly.</p> <p>Additionally, we felt that "Policy Boxes" could benefit from numbering policy paragraphs for ease of use and referencing going forwards.</p>
1-13	Introductory sections	<p>Contextual information provides a useful summary for Docking parish. However, the plan still includes a small number of references to the now superseded Local Plan (2011 Core Strategy/ 2016 Site Allocations and Development Management Policies Plan) and/ or plan policies, at paragraph 109 (p69). These should be removed and/ or referenced "previous Local Plan" throughout the document, as appropriate, as the replacement Local Plan 2021-2040 was adopted on 27 March 2025.</p> <p>Additionally, we recommend removing specific NPPF paragraph references within the text, as in recent years this has been subject to regular updates – paragraphs: 27, 39, 52, 63, 72, 94 and 109. These changes should also help to future-proof the Neighbourhood Plan.</p>
16	Policy 1: Biodiversity and Green Ecological Corridors	<p>It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and changes have been made accordingly. The Consultation Statement clearly explains these changes.</p> <p>Figures 4 and 5 (page 19 and 20 of the Plan) appear to be demonstrated after the policy and just before introduction of another subject. It may be useful if these figures were to be moved under para 34 or 38, however it does not affect the Plans compliance with the regulations and tests.</p>
19	Policy 2: Trees	<p>It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback. Policy 2 is clear and succinct and will provide extra policy protections to the named facilities.</p>
22	Policy 3: Local Green Spaces	<p>It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.</p>

Borough Council of King's Lynn and West Norfolk comments on Docking Neighbourhood Plan 2023-2039 (submitted 2025)

Page No.	Item	Comment
24	Policy 4: Protection of Important Local Views	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback.
30	Policy 5: Dark Skies	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
33	Policy 6: Design	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
35	Policy 7: Housing Mix	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
	Policy 8: Affordable Housing	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
	Policy 9: Principal Residence Requirement	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
	Policy 10: Protected Community Facilities	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly. BCKLWN would suggest separating policy box from the community action box
	Policy 11: Employment Opportunities	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.
	Policy 12: Access and Movement	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly.