

Docking Neighbourhood Development Plan 2023-2039

**A report to the Borough Council of King's Lynn and
West Norfolk on the Docking Neighbourhood
Development Plan**

**Andrew Ashcroft
Independent Examiner
BA (Hons) M.A. DMS M.R.T.P.I.**

Director – Andrew Ashcroft Planning Limited

Executive Summary

- 1 I was appointed by the Borough Council of King's Lynn and West Norfolk in January 2026 to carry out the independent examination of the Docking Neighbourhood Development Plan.
- 2 The examination was undertaken by written representations. I visited the neighbourhood area on 30 January 2026.
- 3 The Plan includes a range of policies and seeks to bring forward positive and sustainable development in the neighbourhood area. There is a very clear focus on safeguarding its rural and landscape character, delivering a housing mix to meet local needs, introducing a principal residency requirement for new dwellings, safeguarding community facilities and designating local green spaces.
- 4 The Plan has been underpinned by community support and engagement. All sections of the community have been actively engaged in its preparation.
- 5 Subject to a series of recommended modifications set out in this report I have concluded that the Docking Neighbourhood Plan meets all the necessary legal requirements and should proceed to referendum.
- 6 I recommend that the referendum area should coincide with the neighbourhood area.

Andrew Ashcroft
Independent Examiner
24 August 2026

1 Introduction

- 1.1 This report sets out the findings of the independent examination of the Docking Neighbourhood Development Plan 2023-2039 (the 'Plan').
- 1.2 The Plan has been submitted to the Borough Council of King's Lynn and West Norfolk (BCKLWN) by Docking Parish Council (DPC) in its capacity as the qualifying body responsible for preparing the neighbourhood plan.
- 1.3 Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to allow local communities to take responsibility for guiding development in their area. This approach was subsequently embedded in the National Planning Policy Framework (NPPF) in 2012, 2018, 2019 2021, 2023 and 2024. The NPPF continues to be the principal element of national planning policy.
- 1.4 The role of an independent examiner is clearly defined in the legislation. I have been appointed to examine the extent to which the submitted Plan meets the basic conditions, the European Convention on Human Rights, and other statutory requirements. It is not within my remit to examine or to propose an alternative plan, or a potentially more sustainable plan except where this arises because of my recommended modifications to ensure that the plan meets the basic conditions and the other relevant requirements.
- 1.5 A neighbourhood plan can be narrow or broad in scope. Any plan can include whatever range of policies it sees as appropriate to its designated neighbourhood area. The submitted plan has been designed to be distinctive in general terms, and to be complementary to the strategic policies in the development plan. It seeks to safeguard its rural and landscape character, deliver a housing mix to meet local needs, introduce a principal residency requirement for new homes, safeguard community facilities, and designate a package of local green spaces.
- 1.6 Within the context set out above this report assesses whether the Plan is legally compliant and meets the basic conditions that apply to neighbourhood plans. It also considers the content of the Plan and, where necessary, recommends changes to its policies and supporting text.
- 1.7 This report also provides a recommendation as to whether the Plan should proceed to referendum. If this is the case and that referendum results in a positive outcome the Plan would then be used to determine planning applications within the neighbourhood area and will sit as part of the wider statutory development plan.

2 The Role of the Independent Examiner

- 2.1 The examiner's role is to ensure that any submitted neighbourhood plan meets the relevant legislative and procedural requirements.
- 2.2 I was appointed by BCKLWN, with the consent of DPC, to conduct the examination of the Plan and to prepare this report. I am independent of both BCKLWN and DPC. I do not have any interest in any land that may be affected by the Plan.
- 2.3 I possess the appropriate qualifications and experience to undertake this role. I am a Director of Andrew Ashcroft Planning Limited. In previous roles, I have 43 years' experience in various local authorities at either Head of Planning or Service Director level, and more recently as an independent examiner. I have significant experience of undertaking other neighbourhood plan examinations and health checks. I am a member of the Royal Town Planning Institute and the Neighbourhood Planning Independent Examiner Referral Service.

Examination Outcomes

- 2.4 In my role as the independent examiner of the Plan I am required to recommend one of the following outcomes of the examination:
- (a) that the Plan as submitted should proceed to a referendum; or
 - (b) that the Plan should proceed to referendum as modified (based on my recommendations); or
 - (c) that the Plan does not proceed to referendum on the basis that it does not meet the necessary legal requirements.
- 2.5 The outcome of the examination is set out in Section 8 of this report.

Other examination matters

- 2.6 In examining the Plan I am required to check whether:
- the policies relate to the development and use of land for a designated neighbourhood plan area; and
 - the Plan meets the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 (the Plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area); and
 - the Plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.
- 2.7 Having addressed the matters identified in paragraph 2.6 of this report I am satisfied that all the points have been met.
- 2.8 Section 98 of the Levelling-up and Regeneration Act 2023 was enacted in March 2026. It requires that a neighbourhood plan:

- so far as the qualifying body considers appropriate, and having regard to the subject matter of the plan, must be designed to ensure that the development and use of land in the neighbourhood area contribute to the mitigation of, and adaptation to, climate change; and
- so far as the qualifying body considers appropriate and having regard to the subject matter of the plan, must be designed to take account of any local nature recovery strategy under section 104 of the Environment Act 2021 that relates to all or part of the neighbourhood plan area.

2.9 I have addressed the matters identified in paragraph 2.8 of this report and have taken account of the information in the Addendum to the Basic Conditions Statement (May 2026). I am satisfied that the submitted Plan complies with these two requirements.

3 Procedural Matters

3.1 In undertaking this examination, I have considered the following documents:

- the submitted Plan
- the Basic Conditions Statement;
- the Addendum to the Basic Conditions Statement (May 2026);
- the Consultation Statement;
- the supporting documents;
- the Strategic Environmental Assessment and the Habitats Regulations Assessment screening report,
- DPC's responses to the clarification note;
- the representations made to the Plan;
- the representation made to the Addendum to the Basic Conditions Statement;
- the adopted King's Lynn and West Norfolk Local Plan 2021-2040;
- the National Planning Policy Framework (December 2024 and August 2026);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 30 January 2026. I looked at its overall character and appearance and at those areas affected by policies in the Plan in particular. The visit is covered in more detail in Section 5 of this report.

3.3 It is a general rule that neighbourhood plan examinations should be held by written representations only. Having considered all the information before me, including the representations made to the submitted plan, I was satisfied that the Plan could be examined without the need for a public hearing.

3.4 The enactment of Section 99 of the Levelling Up and Regeneration Act 2023 on 25 March changed the basic conditions against which a neighbourhood plan is assessed. In order to address this matter DPC produced an Addendum to the Basic Conditions Statement. Targeted consultation took place on the update. Section 4 of this report addresses this matter alongside the broader responses to the Plan.

4 Consultation

Consultation Process

- 4.1 Policies in made neighbourhood plans become the basis for local planning and development control decisions. As such the regulations require neighbourhood plans to be supported and underpinned by public consultation.
- 4.2 In accordance with the Neighbourhood Planning (General) Regulations 2012 DPC has prepared a Consultation Statement. The Statement is proportionate to the Plan and its policies. It includes an assessment of the consultation undertaken during the various stages of Plan production.
- 4.3 The Statement records the various activities that were held to engage the local community in the initial phase of work on the Plan. A table at the end of paragraph 8 sets out an informative sequence of events and activities.
- 4.4 The Statement also comments on the extensive consultation processes that took place on the pre-submission version of the Plan (February to March 2025).
- 4.5 The Statement also outlines the comments received on the pre-submission Plan, and advises about the way in which DPC refined the Plan because of the comments received at this stage. This analysis helps to describe how the Plan evolved and progressed to the submission stage.
- 4.6 From all the evidence provided to me as part of the examination I conclude that the Plan has promoted an inclusive approach to seeking the opinions of all concerned throughout the process.

Representations Received

- 4.7 Consultation on the submitted Plan was undertaken by BCKLWN. For a series of administrative reasons, two separate exercises were undertaken. The second finished on 13 March 2026. In combination these exercises generated comments from the following organisations:
 - Environment Agency
 - Historic England
 - Natural England
 - Norfolk County Council
 - Norfolk Wildlife Trust
 - Sedgeford Parish Council
 - Mather Jamie Chartered Surveyors
- 4.8 Comments were also received from several local people to the first of the two consultation exercises.

- 4.9 Where it is appropriate to do so, I make specific references to some representations in the detailed sections of this report.
- 4.10 A separate consultation exercise was undertaken by BCKLWN on the Addendum Basic Conditions Statement which ended on 19 June 2026. This generated representations from Sedgeford Parish Council and Norfolk County Council.
- 4.11 I have taken account of these various comments in preparing this report.

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

- 5.1 The neighbourhood area is the parish of Docking. It had approximately 1,100 residents in 2021. The parish is 14 miles east of King's Lynn and 12 miles west of Fakenham. It was designated as a neighbourhood area in December 2023.
- 5.2 Docking is the highest village in Norfolk sitting at 83m above sea level. It is linear in form centring along the B1454/Fakenham Road and the B1153/Station Road. The Plan advises that there is a healthy range of core services and facilities in the village including the Bayfield surgery, Docking Primary and Nursery School, St Mary's Church, Docking House (Assisted Living Residence), allotments, playing field/play park, village hall and the Spar village shop and post office.
- 5.3 The remainder of the neighbourhood area is open countryside which is mainly in agricultural use.

Development Plan Context

- 5.4 The development plan covering the neighbourhood area is the King's Lynn and West Norfolk Local Plan 2021-2040. It was adopted in March 2025. Policy LP01 of the Plan provides a spatial strategy for the Borough. It seeks to distribute most of the growth within the most sustainable locations of Kings Lynn, Downham Market and Hunstanton and on the edge of Wisbech, to continue to support their roles as established large settlements.
- 5.5 Outside of these areas, the Plan acknowledges that the Borough's smaller communities vary in size, accessibility, facilities, character, constraints, and opportunities. The impact upon infrastructure capacity and the ability for rural settlements to expand to accommodate the needs generated by new development also varies. The spatial strategy recognises that settlements within the rural area should be allowed to grow appropriately to maintain rural vitality. Policy LP02 – Residential Development on Windfall Sites and Policies LP18-LP21 ensure that this growth is sensitive to place, ensuring that each rural community retains its identity and distinctiveness, built form and character, and is in keeping with each settlement's size, scale of services and infrastructure capacity.
- 5.6 In this context, Docking is identified as one of a series of Tier 4 Key Rural Service Centres. The Plan advises that these Centres are larger villages that provide a good range of services that meet the daily needs of their residents and other nearby villages. Growth will be delivered through a combination of committed developments and site-specific allocations. Policy LP01 advises about the level of housing development which has been developed in the Plan period, other commitments, and any Local Plan allocations in each rural village.
- 5.7 Policy LP03 of the Plan comments about the importance of neighbourhood plans within the development plan in the Borough.

5.8 The Local Plan includes a series of more general policies. The following policies are particularly relevant to the submitted Plan:

- LP07 The Economy
- LP18 Design and Sustainable Development
- LP21 Environment, Design and Amenity
- LP28 Affordable Housing
- LP30 Adaptable and Accessible Homes
- LP39 Community Facilities

5.9 The submitted Plan has been prepared within its wider adopted development plan context. In doing so it has relied on up-to-date information and research that has underpinned existing planning policy documents in the Borough. This is good practice and reflects key elements in Planning Practice Guidance on this matter. The submitted Plan seeks to add value to the Local Plan and to give a local dimension to the delivery of its policies. This is captured in the Basic Conditions Statement.

Unaccompanied Visit

5.10 I visited the neighbourhood area on 30 January 2026. I approached it from Great Bircham to the south. This helped me to understand its position in the wider landscape and its accessibility to the road network (A148).

5.11 I looked initially at the area around the Church and the School. I saw that it is clearly the heart of the community.

5.12 I then walked up to the Railway Inn on Station Road. I saw the range of buildings along Station Road and the newly constructed homes in Sandringham Avenue.

5.13 I then walked along High Street.

5.14 Throughout the visit I looked at the various proposed local green spaces (LGSs). I saw the scale and importance of the Recreation Ground (LGS9), and the Recreation Ground within Monk Close (LGS16).

5.15 I left the neighbourhood area along the B1454 and drove to Sedgeford and Norfolk Lavendar and then to the A149. This part of the visit highlighted the way in which the various communities related one to the other.

6 The Neighbourhood Plan and the Basic Conditions

6.1 This section of the report deals with the submitted neighbourhood plan as a whole and the extent to which it meets the basic conditions. The submitted Basic Conditions Statement and its Addendum have helped considerably in the preparation of this section of the report. They are well-presented and informative documents which are proportionate to the Plan. For clarity the following paragraph and the wider report assesses the Plan against the basic conditions that were enacted on 25 March 2026.

6.2 As part of this process I must consider whether the submitted Plan meets the Basic Conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended). To comply with the basic conditions, the Plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority (or any part of that area), and if it took place, would provide housing;
- not breach, and otherwise be compatible with, the assimilated obligations of EU legislation (as consolidated in the Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023; and
- not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017 (7).

6.3 I assess the Plan against the basic conditions under the following headings.

National Planning Policies and Guidance

6.4 For the purposes of this examination the key elements of national policy relating to planning matters are set out in the National Planning Policy Framework (NPPF) issued in December 2023.

6.5 The NPPF sets out a range of core land-use planning issues to underpin both plan-making and decision-taking. The following are particularly relevant to the Docking Neighbourhood Plan:

- a plan led system– in this case the relationship between the neighbourhood plan and the adopted Local Plan 2021 to 2040;
- delivering a sufficient supply of homes;
- building a strong, competitive economy;
- recognising the intrinsic character and beauty of the countryside and supporting thriving local communities;
- taking account of the different roles and characters of different areas;
- highlighting the importance of high-quality design and good standards of amenity for all future occupants of land and buildings; and
- conserving heritage assets in a manner appropriate to their significance.

- 6.6 Neighbourhood plans sit within this wider context both generally, and within the more specific presumption in favour of sustainable development. Paragraph 13 of the NPPF indicates that neighbourhoods should both develop plans that support the strategic needs set out in local plans and plan positively to support local development that is outside the strategic elements of the development plan.
- 6.7 In addition to the NPPF I have also taken account of other elements of national planning policy including Planning Practice Guidance and ministerial statements.
- 6.8 Having considered all the evidence and representations available as part of the examination I am satisfied that the submitted Plan has had regard to national planning policies and guidance in general terms. It sets out a positive vision for the future of the neighbourhood area within the context of its role in the local settlement hierarchy. It seeks to safeguard its rural and landscape character, deliver a housing mix to meet local needs, introduce a principal residency requirement for new homes, safeguard community facilities and designate a package of local green spaces. The Basic Conditions Statement and its Addendum map the policies in the Plan against the appropriate sections of the NPPF.
- 6.9 At a more practical level, the NPPF indicates that plans should provide a clear framework within which decisions on planning applications can be made and that they should give a clear indication of how a decision-maker should react to a development proposal (paragraph 16d). This is reinforced in Planning Practice Guidance. Paragraph ID:41-041-20140306 indicates that policies in neighbourhood plans should be drafted with sufficient clarity so that a decision-maker can apply them consistently and with confidence when determining planning applications. Policies should also be concise, precise, and supported by appropriate evidence.
- 6.10 As submitted the Plan does not fully accord with this range of practical issues. Most of my recommended modifications in Section 7 relate to matters of clarity and precision. They are designed to ensure that the Plan fully accords with national policy.

Contributing to sustainable development

- 6.11 There are clear overlaps between national policy and the contribution that the submitted Plan makes to achieving sustainable development. Sustainable development has three principal dimensions – economic, social, and environmental. I am satisfied that the submitted Plan has set out to achieve sustainable development in the neighbourhood area. In the economic dimension the Plan includes a policy for employment opportunities (Policy 11). In the social role, it includes policies on local green spaces (Policy 3), on housing mix and affordable housing (Policies 8 and 9), on a principal residency for new dwellings (Policy 9), and on community facilities (Policy 10). In the environmental dimension, the Plan positively seeks to protect its natural, built, and historic environment. It includes specific policies on biodiversity (Policy 1), trees (Policy 2), important local views (Policy 4), and design (Policy 6). DPC has undertaken its own assessment of this matter in the submitted Basic Conditions Statement.

Not have the effect of preventing development from taking place which is proposed in the development plan for the area of the authority

- 6.12 I have already commented in detail on the development plan context in the wider Borough in paragraphs 5.4 to 5.9 of this report.
- 6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. With the incorporation of the recommended modifications in this report I am satisfied that the Plan will not prevent development from taking place in the parish as anticipated by Policy LP01 of the Local Plan. The Addendum to the Basic Conditions Statement advises that the Plan does not allocate less housing than the Local Plan, delete or amend any strategic housing allocation, or introduce a policy which would prevent housing proposed through the development plan from coming forward. It also advises that its housing policies provide local detail on housing mix, affordable housing and principal residence, to be applied alongside the strategic policies of the Local Plan. It concludes that the Plan would therefore not result in less housing being provided than would be the case if the Neighbourhood Plan were not made. I am satisfied that this is a proper assessment of the details in the Plan.

Strategic Environmental Assessment

- 6.14 The Neighbourhood Plan General Regulations 2015 require a qualifying body either to submit an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 or a statement of reasons why an environmental report is not required.
- 6.15 In order to comply with this requirement BCKLWN undertook a screening exercise (January 2025) on the need or otherwise for a Strategic Environmental Assessment (SEA) to be prepared for the Plan. The report is very thorough and well-constructed. It includes the responses received from the consultation bodies. As a result of this process, it concluded that the Plan is not likely to have any significant effects on the environment and accordingly would not require SEA.

Habitats Regulations

- 6.16 The screening exercise also included a separate Habitats Regulations Assessment (HRA) of the Plan. It is similarly very thorough and well-constructed. It advises that there are no designated sites within the neighbourhood area. It also advises that the nearest such designations (The Wash and Norfolk Coast SAC/ SPA/ Ramsar sites) are situated 4km to the north of the Neighbourhood Area. The report identifies that parts of the parish are located within the Wensum catchment (Nutrient Neutrality zone), although this is considered a low-risk zone with Wastewater Treatment Works discharge from the Plan area flowing to the west, into the Heacham River (The Wash) catchment. the Neighbourhood Area is situated around 8km from the River Wensum Special Area of Conservation (SAC), the closest European site within the Wensum catchment (River Tat tributary). Other European sites (The Wash/ North Norfolk Coast SAC/SPA/Ramsar sites) are within 5km (to the north), but separated from the Plan area by a watershed.

- 6.17 The HRA concludes that the Plan is not likely to have significant environmental effects on a European nature conservation site or undermine their conservation objectives alone or in combination taking account of the precautionary principle. As such it concludes that an Appropriate Assessment is not required.
- 6.18 Having reviewed the information provided to me as part of the examination I am satisfied that a proportionate process has been undertaken in accordance with the various regulations. In the absence of any evidence to the contrary, I am entirely satisfied that the submitted Plan is compatible with this aspect of neighbourhood plan regulations.
- 6.19 In a similar fashion I am satisfied that the submitted Plan has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights (ECHR) and that it complies with the Human Rights Act. There is no evidence that has been submitted to me to suggest otherwise. In addition, there has been full and adequate opportunity for all interested parties to take part in the preparation of the Plan and to make their comments known. Based on all the evidence available to me, I conclude that the submitted Plan does not breach, nor is in any way incompatible with the ECHR.

Summary

- 6.20 On the basis of my assessment of the Plan in this section of my report I am satisfied that it meets the basic conditions subject to the incorporation of the recommended modifications contained in this report.

7 The Neighbourhood Plan policies

- 7.1 This section of the report comments on the policies in the Plan. It makes a series of recommended modifications to ensure that they have the necessary precision to meet the basic conditions and can be properly applied as part of the development plan.
- 7.2 My recommendations focus on the policies themselves given that the basic conditions relate primarily to this aspect of neighbourhood plans. In some cases, I have also recommended changes to the associated supporting text.
- 7.3 I am satisfied that the content and the form of the Plan is fit for purpose. It is distinctive and proportionate to the Plan area. The wider community and DPC have spent time and energy in identifying the issues and objectives that they wish to be included in their Plan. This sits at the heart of the localism agenda.
- 7.4 The Plan has been designed to reflect Planning Practice Guidance (Section 41-004-20190509) which indicates that neighbourhood plans must address the development and use of land. It also includes a series of Community Actions.
- 7.5 I have addressed the policies in the order that they appear in the submitted Plan. Where necessary I have identified the inter-relationships between the policies. I then address the Community Actions.
- 7.6 For clarity this section of the report comments on all the policies in the Plan.
- 7.7 Where modifications are recommended to policies they are highlighted in bold print. Any associated or free-standing changes to the text of the Plan are set out in italic print.

The Introduction of the Plan

- 7.8 The initial parts of the Plan set the scene for the range of policies. They do so in a proportionate way. The Plan is presented in an effective way. It makes good use of well-selected maps. A very clear distinction is made between its policies and the supporting text. It also highlights the links between the Plan's objectives and its resultant policies.
- 7.9 The Introduction provides a very effective context to the Plan. Figure 2 identifies the neighbourhood area and paragraph 18 advises about the Plan period. It also comments about the village and its history, an overview of the neighbourhood planning process and the community consultation processes.
- 7.10 The Introduction also comments about the Plan's Vision and the associated objectives. The Vision is as follows:

'Our vision for Docking is that the village stays an agricultural working village and any development coming forward in the next 15 years should not encroach on the countryside whereby it changes the character of our linear village and should strengthen the community by achieving a good balance of housing stock to meet local need and be of a high-quality design whilst respecting our local character and identity.'

The plan will protect and enhance our beloved local environment including our natural and historical built assets by designating a few local green spaces, important views, safeguarding green corridors to promote wildlife enhancements and emphasising the historic core of the area.

The plan supports the local businesses and community facilities present in the village and wishes to retain and support any further economic or community facilities which will benefit the residents.'

- 7.11 The remainder of this section of the report addresses each policy in turn in the context set out in paragraphs 7.5 to 7.7 of this report.

Policy 1: Biodiversity and Green Ecological Corridors

- 7.12 The policy advises that developments where possible within or adjacent to an existing green corridor should use features to enhance the area by incorporating wildlife friendly design features and habitat connectivity. It has separate sections on Biodiversity and on Green Ecological Corridors.
- 7.13 In general terms, the policy takes a positive approach to these matters which is underpinned by the extensive supporting text. In general terms I am satisfied that it has regard to Section 15 of the 2024 NPPF. In this context I recommend that the opening element is modified to allow BCKLWN to apply the policy in a proportionate way. I also recommend other modifications to the wording used in the policy. This includes an acknowledgement in the Green Ecological Corridors section that the ambitions of the policy may not always be practicable.
- 7.14 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

As appropriate to their scale, nature and location, development proposals should respond positively to Design Code DC.19 Biodiversity and Wildlife in the Docking Design Codes and Guidance Report (2024).

In the first bullet point in the Green Ecological Corridors section add 'Wherever practicable' at the beginning

In the second bullet point in the Green Ecological Corridors section replace 'it' with 'they'

Policy 2: Trees

- 7.15 The policy sets out that development proposals should positively consider existing trees. It also sets out guidance about replacement trees when there is no alternative other than to remove existing trees.

- 7.16 In general terms the policy takes a positive approach to these matters which is underpinned by the extensive supporting text. I am also satisfied that it has regard to Section 15 of the 2024 NPPF. In this context I recommend that the opening element is modified to allow BCKLWN to apply the policy in a proportionate way. I also recommend other modifications to the wording used in the policy to bring the clarity required by the NPPF.
- 7.17 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the opening element of the policy with:

As appropriate to their scale, nature and location, development proposals should respond positively to Design Code DC.17 Conserve and enhance existing green and blue infrastructure in the Docking Design Codes and Guidance Report (2024).'

Replace the 'Existing trees' section with:

'Other than householder applications, development proposals should be informed by an arboricultural survey to assess existing trees. Wherever practicable, existing trees (particularly those which demonstrate good arboricultural biodiversity) should be safeguarded and incorporated sensitively into the proposal.'

In the 'Replacement Trees' section replace 'must' with 'should'

Replace the 'New Trees' section with:

'New tree planting will be supported in development proposals to maintain and increase the overall tree canopy cover, and to provide gateway and landmark trees that contribute to local distinctiveness.'

Policy 3: Local Green Spaces

- 7.18 This policy proposes the designation of a package of local green spaces (LGSs) accordance with NPPF requirements. The policy advises that the proposed LGSs will help protect and enhance the natural and built environment.
- 7.19 The policy is underpinned by the comprehensive Local Green Spaces Assessment Update (June 2025). I looked carefully at the proposed LGSs during the visit.
- 7.20 Detailed objections have been made to the proposed designation of LGS2 (Manor Pond, Bradmere Lane) and LGS12 (Grove Field, Mill Lane). I address these proposed LGS in turn.

LGS2 (Manor Pond, Bradmere Lane)

- 7.21 The LGS Assessment advises that the proposed LGS is one of the village ponds which is situated within the heart of the village. It is on Manor Pasture and this large pond sits
- Docking Neighbourhood Plan – Examiner's Report

within grassland surrounded by shrubs and trees. It also comments that it is close to the newly built development on Pound Lane which was a site allocation in the Local Plan and the recreational ground is south of this site.

- 7.22 An agent acting for the owner of the land comments that:

‘There is no demonstrable evidence to support how the pond is special to the local community or holds local significance. The pond does not have any recreational value as it is inaccessible. The pond does not have any historic significance and there is no objective evidence to assess the pond’s ecological significance.’

‘The pond does not perform all the functions of a Local Green Space designation, and there is no rationale provided for the extent of designation being proposed, which does not follow any physical boundaries for 3 of its 4 sides.’

- 7.23 In its response to the clarification note, DPC commented that:

‘LGS2 the Pond West of Bradmere was identified as it has become a breeding ground for migrating Toads and should therefore be protected against any future development of the Manor Pasture field.’

- 7.24 I have considered this proposed LGS very carefully. Based on the information in the Assessment and my own observations I am satisfied that in reasonably close proximity to the community it serves (2024 NPPF107a) and that it is local in character (NPPF107c). However, I am not satisfied that it is demonstrably special to a local community and holds a particular local significance (NPPF 107b). The pond occupies part of an agricultural field and is not significant in the landscape. Whilst I note DPC’s commentary on the ecological conditions in the pond, the issue of migrating toads is addressed under separate legislation. On this basis I recommend that the proposed LGS is deleted from the Plan.

LGS12 (Grove Field, Mill Lane).

- 7.25 The LGS Assessment advises that the proposed LGS is within the core of the village and within 300m walking distance to other community facilities and residential dwellings. This open Pasture field is the historic setting for Grove Farmhouse and the Grove Cottages within Village Conservation Area with rural views towards the park and the aspect is enjoyed by local walkers using Mill Lane & Little Lane as a circular walk or accessing the Mill Lane byway popular with dog walkers.

- 7.26 An agent acting for the owner of the land comments that:

‘The field is located within the Docking conservation area. Whilst it is historically connected to the Grove Farmhouse, it performs more of an agricultural use as opposed to having any recreational, beauty or wildlife value. There is no functional relationship between this parcel and any surrounding properties, and no public access to the site.’

No assessments have been undertaken to determine the site’s biodiversity or wildlife value.

There is no local significance to the field, which remains in private ownership and is used for occasional grazing, with no public access.'

- 7.27 In its response to the clarification note, DPC commented that:

'LGS12 Grove Field was identified by the Community as being an important Open Green Space seen from both Mill Lane and Little Lane with views towards The Park and enhances the character and surrounding properties, therefore should be protected against any future development especially due to limited highway access.'

- 7.28 I have considered this proposed LGS very carefully. Based on the information in the Assessment and my own observations I am satisfied that in reasonably close proximity to the community it serves (2024 NPPF107a) and that it is local in character (NPPF107c). I have considered carefully the extent to which it that it is demonstrably special to a local community and holds a particular local significance (NPPF 107b). I note the agent's commentary about the agricultural nature of the proposed LGS. Nevertheless, based on the information in the Assessment and my own observations I am satisfied that it is demonstrably special to a local community and holds a particular local significance. It occupies an important part of the historic core of the village and provides a sense of openness. It is a key element of the character of the Conservation Area.

- 7.29 I am also satisfied that the proposed LGS has taken account of paragraph 106 of the 2024 NPPF. In my assessment its designation would be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. I am also satisfied that the proposed LGS is capable of enduring beyond the end of the Plan period. No evidence has been presented to the contrary.

The other proposed LGSs

- 7.30 I am satisfied that the other proposed LGSs meet the criteria in the 2024 NPPF for such designations.
- 7.31 In general terms the final part of the policy takes the matter-of-fact approach as set out in paragraph 108 of the NPPF. Nevertheless, I recommend that its wording is modified to bring the clarity required by the NPPF and to reflect the recommended deletion of LGS2.
- 7.32 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Delete LGS2 (Manor Pond)

Replace the final part of the policy with: 'Development proposals in the designated Local Green Spaces will be managed in accordance with national policy for Green Belts.'

Policy 4: Protection of Important Local Views

- 7.33 This policy seeks to protect important local views and ensuring that proposals demonstrate that they are designed and sited to avoid harm to the identified important views and the landscape setting they sit within.
- 7.34 I looked at the proposed views during the visit. I noted their scale and significance and the way in which they captured the relationship between the village and the surrounding countryside.
- 7.35 In general terms, the policy takes a positive approach to these matters which is underpinned by the extensive supporting text. I am also satisfied that it has regard to Section 15 of the 2024 NPPF. In this context I recommend that the final part of the policy is recast to bring the clarity required by the NPPF. Its general approach remains unaffected.
- 7.36 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the final part of the policy with:

‘Development proposals should demonstrate that they are sited and designed to be of a form and scale that avoids or mitigates any harm to the key views. Development proposals that would unacceptably affect these key views will not be supported.’

Policy 5: Dark Skies

- 7.37 This policy seeks to safeguard the dark skies environment of the neighbourhood area and its natural environment. It acknowledges the potential need for footway lighting for security and safety reasons.
- 7.38 In general terms, the policy addresses dark skies well. However, I recommend that the order of the third and fourth parts is reversed so that the policy has a more natural flow. DPC agreed to this approach in its response to the clarification note. I also recommend that the opening element of the policy is recast so that it has the clarity required by the NPPF and more naturally relates to the development management process.
- 7.39 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

‘Development proposals which would increase the existing footprint on site, should respond positively to Design Code DC.24 Dark Skies in the Docking Design Codes and Guidance Report (2024) and demonstrate how they have addressed the location, height, and orientation of the development concerned to avoid obtrusive light spill from internal and external fittings.’

Replace the third and fourth parts of the policy with:

‘Development proposals should respond positively to best practice guidance for avoiding artificial lighting impacts on bats, birds and other species. Where internal lighting would otherwise cause harm to the landscape, or disturbance and risk to wildlife, proposals should incorporate measures to mitigate pollution from such sources including restricting the size of windows, roof lights and other areas of glazing.

Proposals including external lighting in prominent locations which would be visible from the surrounding landscape will not be supported unless it can be demonstrated that the lighting is essential in the interests of the safety and security of public footways.’

Policy 6: Design

- 7.40 This policy seeks to ensure that all development proposals to be designed to a high standard and be in conformity with the Design Codes and Guidance. It sets out detailed principles and the design aspects which development should have regard to, including materials, roofline, and boundary treatment.
- 7.41 This is an excellent policy which provides a good local response to Section 12 of the 2024 NPPF. It is underpinned by excellent work on the character appraisal.
- 7.42 I recommended that the middle part of the policy (the summary of the key characteristics) is repositioned into the supporting text as it explains what is required by way of information to support a planning application rather than an operating as a land use policy. DPC agreed to this approach in its response to the clarification note. I also recommend that the final part of the policy is recast so that it sets out more clearly what development proposals should achieve, rather than having a focus on what they should avoid.
- 7.43 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Delete the middle section of the policy.

Replace the final part of the policy with:

‘Development proposals should respond positively to the water environment and its networks. As appropriate to their scale, nature and location, proposals demonstrate that they do not result in a detrimental impact on the environment and water infrastructure, including sewers and surface water and other flooding.’

At the end of paragraph 71 of the Plan add the deleted middle section of the submitted policy.

Policy 7: Housing Mix

- 7.44 The Plan advises that the policy will help ensure future development meets the needs of the community and will provide homes a smaller number of bedrooms to help enable residents to access the private housing market. The policy follows the guidance proposals taken from the Housing Needs Assessment (HNA) 2024 to help achieve a balanced mix of housing to meet the needs of the community.
- 7.45 In general terms, the policy takes a positive approach to these matters which is underpinned by the extensive supporting text. I am satisfied that it has regard to Sections 5 and 8 of the 2024 NPPF. In this context I recommend that the policy is recast to bring the clarity required by the NPPF. Its general approach remains unaffected. As part of the recasting process, I recommend that the reference to the HNA in the policy is repositioned into the supporting text.
- 7.46 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘The mix of houses in development proposals should reflect local housing need using the best available and proportionate evidence.

New residential open market development should incorporate a housing mix whereby at least 85% of homes have three or less bedrooms, unless evidence is provided either showing there is no longer such a local need for smaller dwellings or that such a housing mix would make the scheme commercially unviable.’

At the end of paragraph 83 add: ‘The first part of Policy 7 advises that the mix of houses in development proposals should reflect local housing need using the best available and proportionate evidence. Plainly this is likely to change throughout the Plan period. However, at this stage, the Docking Housing Needs Assessment (2024) will be acceptable and appropriate evidence.’

Policy 8: Affordable Housing

- 7.47 The Plan comments that the policy follows the guidance taken from the HNA 2024.
- 7.48 The Plan advises that the policy conforms with the 2024 NPPF paragraphs 61 and 63 which set out how planning policies should reflect the different needs regarding size, type, and tenure in the community. On the one hand I am satisfied that the approach taken in the policy is entirely appropriate. However, on the other hand, I have considered carefully the extent to which it brings any added value to national and local planning policies. On the balance of the evidence, I am satisfied that this is the case. Furthermore, Policies 7-9 provide a comprehensive package of measures affecting the mix and availability of housing in the neighbourhood area. Nevertheless, I recommend that the final part of the policy (on Local Plan affordable housing standards) is deleted. This acknowledges that there is no need for a neighbourhood plan policy to repeat the

approach already captured in the Local Plan. In addition, paragraph 95 of the Plan already highlights this important element of the Local Plan.

- 7.49 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Affordable homes should be incorporated into the overall layout of housing proposals and should not be readily differentiated from the open market homes by their design, quality, location and distribution within a site.

Development proposals for affordable should demonstrate that the properties will remain affordable in perpetuity and affordable housing will be secured through a legal agreement.’

Policy 9: Principal Residence Requirement

- 7.50 This Plan advises that this policy will help ensure future development in the parish meets the needs of the community by the application of a principal residency approach for new housing. This is to ensure that the future housing stock is not taken for holiday lets or second home ownership which comprise a large proportion of the current housing stock, including those in the new residential estates. The policy has been informed through resident views and other data sources.
- 7.51 This is a distinctive local policy that is underpinned by the Evidence Base Paper.
- 7.52 I have considered the policy’s approach to a principal residency requirement very carefully. The supporting text comments in detail about the number of second homes in the parish. In addition, similar policies apply in neighbourhood plans elsewhere in the Borough.
- 7.53 The supporting text takes a balanced approach to the social issues which arise from the popularity of the parish to people looking to buy a second home. Paragraph 100 comments about local feedback in the 2024 Community Survey. Paragraph 101 comments about the benefit of second homes and tourism in the parish and paragraph 102 acknowledges that such a policy will apply only to new homes and will not affect the existing building stock. Paragraph 103 concludes that if further housing is granted in the parish this should be for people who wish to live in the village permanently and need a home full time.,
- 7.54 On the balance of the evidence, I am satisfied that the policy is both appropriate and evidence-based. I am also satisfied that the policy provides sufficient clarity for the BCKLWN to implement the policy in a clear and consistent way throughout the Plan period. Moreover, it follows the same format of policies in other parts of the Borough and in locations experiencing similar pressures elsewhere in England.

- 7.55 In this context I am satisfied that the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Policy 10: Protected Community Facilities

- 7.56 The Plan advises that this policy protects six community facilities within the parish. The Plan advises that the policy conforms with paragraph 98 of the 2024 NPPF which states that planning policies should guard against the unnecessary loss of valued facilities and services particularly where it would reduce the community's ability to meet its day-to-day needs
- 7.57 I saw importance of the various community facilities during the visit I note the connection made by the policy to relevant Local Plan policies.
- 7.58 In general terms the policy takes a positive approach to this matter and has regard to Section 8 of the 2024 NPPF. In this context, I recommend that the second part of the policy is recast to bring clarity about the Local Plan policies against which the six community facilities would be safeguarded.
- 7.59 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

**‘The Plan identifies the following community facilities (as shown in Figure 27):
[List the six facilities from the submitted policy]**

Development proposals that would result in the loss of the community facilities will not be supported in accordance with the criteria set out in Policy CS13 of the Core Strategy and Policy DM9 of the SADMP Plan.’

Policy 11: Employment Opportunities

- 7.60 The Plan advises that this policy supports proposals for the expansion or creation of new community facilities or employment opportunities where they conform to other relevant policies. The Plan also strongly supports any proposals that will bring employment and spaces for the community to gather in the village.
- 7.61 In general terms, the policy takes a positive approach to employment and has regard to Section 6 of the 2024 NPPF. In this context I recommend that the second, third and fourth part of the policy are recast to bring the clarity required by the NPPF and to allow BCKLWN to be able to apply its contents through the development management process. The recommended modification to the second part of the policy acknowledges that proposals for outdoor seating or street furniture may be permitted development.

- 7.62 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of each of the three dimensions of sustainable development.

Replace the second, third, and fourth parts of the policy with:

‘Insofar as planning permission is required, proposals to provide outdoor seating or street furniture as part of employment development should respond positively to Design Code DC09 and ensure that the materials used complement their surroundings.

Onsite parking for employees and visitors should accord with the Norfolk County Council Parking Standards and have appropriate boundary treatments which reflect the character area within which the development is located.

Proposals for employment and spaces for the community to gather, (including a café, food establishment or community hub with informal meeting workspaces), will be strongly supported.’

Policy 12: Access and Movement

- 7.63 The Plan advises that this policy sets out that any major development within the existing footway network, or adjacent, will be expected to provide new or improved links to the network which are safe and accessible for all (including disabled, pram and pushbike users). In addition, it comments that active travel routes should deliver improved accessibility and connectivity including using specific materials such as non-slip surfaces.
- 7.64 In general terms, the policy takes a positive approach to access and has regard to Sections 8 and 9 of the 2024 NPPF. In this context I recommend that the policy is recast to bring the clarity required by the NPPF and to allow BCKLWN to be able to apply its contents through the development management process. The recommended modifications to the policy acknowledge the need for its proportionate application. As part of the recasting, I recommend that the third part of the policy is deleted and repositioned into the supporting text. This recognises that it is a process issue that supports the approach taken in the second part of the policy.
- 7.65 Otherwise, the policy meets the basic conditions. It will contribute to the local delivery of the social and the environmental dimensions of sustainable development.

Replace the policy with:

‘Proposals for new built development should respond positively the Access & Movement Design Codes DC04-DC06 in the Docking Design Codes Document.

Major development proposals within or adjacent to the existing footway network should provide new or improved links to the network which are safe and accessible for all (including disabled, pram and pushbike users).

As appropriate to their scale, nature and location, development proposals should: [add a and b from the submitted policy].’

At the end of paragraph 113 add: ‘Policy 12 comments about active travel routes. Wherever practicable, active travel routes should deliver improved accessibility and connectivity by using materials which are non-slip and are permeable.’

Community Actions

- 7.66 The Plan includes a series of Community Actions. As paragraph 14 advises they are non-land use planning matters that have been identified by the community as the Plan was prepared. They are shown in a separate colour from the land use planning policies and are incorporated on a themed basis throughout the Plan after the relevant policies.
- 7.67 I am satisfied that the Actions are locally-distinctive and appropriate to be included in the Plan.
- 7.68 National policy comments that community aspirations should be included in a separate section of a neighbourhood plan to ensure that they are distinct from the land use policies. On balance, I am satisfied that the way in which the Plan has incorporated the community actions is appropriate. I have come to this judgement for three related reasons. The first is that in most cases the community actions consolidate the approach taken in the relevant land use policies. The second is that the community actions are shown in a different colour to the land use policies. The third is that paragraph 14 explains the Plan’s approach to this matter. Nevertheless, I recommend that the text for the Actions is shown in standard rather than bold text. This will reinforce the Plan’s approach that they are not land use matters.

Use standard rather than bold text for the wording of the Community Actions.

Other Matters – General

- 7.69 This report has recommended a series of modifications both to the policies and to the supporting text in the submitted Plan. Where consequential changes to the text are required directly because of my recommended modification to the policy concerned, I have highlighted them in this report. However other changes to the general text may be required elsewhere in the Plan because of the recommended modifications to the policies. It will be appropriate for BCKLWN and DPC to have the flexibility to make any necessary consequential changes to the general text. I recommend accordingly.

Modification of general text (where necessary) to achieve consistency with the modified policies.

8 Summary and Conclusions

Summary

- 8.1 The Plan sets out a range of policies to guide and direct development proposals in the period up to 2039. It is distinctive in addressing a specific set of issues that have been identified and refined by the wider community. It seeks to safeguard its rural and landscape character, deliver a housing mix to meet local needs, introduce a principal residency requirement for new homes, safeguard community facilities and designate a package of local green spaces.
- 8.2 Following my independent examination of the Plan I have concluded that the Docking Neighbourhood Development Plan meets the basic conditions for the preparation of a neighbourhood plan subject to a series of recommended modifications.

Conclusion

- 8.3 On the basis of the findings in this report I recommend to the Borough Council of Kings Lynn and West Norfolk that subject to the incorporation of the modifications set out in this report that the Docking Neighbourhood Development Plan should proceed to referendum.

Referendum Area

- 8.4 I am required to consider whether the referendum area should be extended beyond the Plan area. In my view, the neighbourhood area is entirely appropriate for this purpose and no evidence has been submitted to suggest that this is not the case. I therefore recommend that the Plan should proceed to referendum based on the neighbourhood area as approved by the Borough Council in December 2023.
- 8.5 I am grateful to everyone who has helped in any way to ensure that this examination has run in a smooth and efficient manner.

Andrew Ashcroft
Independent Examiner
24 August 2026