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



**Stuart Ashworth**  
Assistant Director Environment and  
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**Syderstone Neighbourhood Plan 2022-2038, draft submitted 21<sup>st</sup> February 2025:  
Legal Check under Schedule 4B of the Town and Country Planning Act 1990**

11 March 2025

**FAO Sarah Harvey (Parish Clerk)**

Dear Sarah

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 (Syderstone Neighbourhood Plan 2022-2038), along with accompanying supporting documentation. Firstly, I would like to wholeheartedly congratulate Syderstone 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 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 local planning authority 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 (21<sup>st</sup> February 2025). However, it should be noted that the Neighbourhood Plan will almost certainly be examined with reference to strategic policies in the replacement Local Plan 2021-2040, which is expected to be adopted on 27<sup>th</sup> March 2025.

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Chief Executive – **Kate Blakemore**

We still have a small number of outstanding concerns regarding the Neighbourhood Plan, as submitted; e.g. some detailed policy wording, in the interests of effectiveness (for decision making purposes), and the status of the Syderstone Design Guidance and Codes report, March 2024 (its relationship to the Neighbourhood Plan itself). Further detail is set out in the Council's initial review of the submission Neighbourhood Plan (Annex 1, below).

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 2023 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 (December 2024/ February 2025) NPPF. 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 Syderstone Neighbourhood Plan 2022-2038, 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 proposed to take place between 24<sup>th</sup> March and 12<sup>th</sup> May 2025, inclusive. This will take place over 7 weeks (rather than the statutory 6-weeks minimum), to take account of the Easter and May Bank Holidays. The Neighbourhood Plan, supporting submission documents and details of how to make representations to it will be published on BCKLWN's [Neighbourhood Planning](#) web page.

Alongside the Regulation 16 consultation we will begin the process for the appointment of an independent examiner for the Syderstone Neighbourhood Plan. The appointed examiner will start the examination soon after the end of the Regulation 16 consultation in May 2025.

Finally, on behalf of BCKLWN this letter represents the Council's formal view that the draft Syderstone Neighbourhood Plan 2022-2038, complies with all relevant statutory requirements. 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 – Syderstone Neighbourhood Plan 2022-2038: 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 Syderstone Neighbourhood Plan 2022-2038 (submitted February 2025)		
Page No.	Item	Comment
	Overall comments	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.
1-8	Introductory sections (Para 1-17)	<p>Contextual information provides a useful summary of Syderstone parish. However, the plan includes a small number of references to the current Local Plan (2011 Core Strategy/ 2016 Site Allocations and Development Management Policies Plan), at paragraphs 6, 8, 44, Figure 1 and footnote 11. These should be removed and/ or referenced “previous Local Plan”, as appropriate, as the replacement Local Plan 2021-2040 is due to be adopted at the end of March 2025. Similarly, references to the “emerging Local Plan” (paragraph 11) should be removed.</p> <p>Given that a published version of the replacement Local Plan is expected to be finalised by May/ June 2025 (including re-numbered policies and paragraphs), at this stage it is probably best to remove any specific Local Plan policy references at this stage, to “future-proof” the Plan. It is noted, from the Consultation Statement, that these amendments have mostly been made.</p> <p>However, at paragraph 14 it is suggested that the 3<sup>rd</sup> and 4<sup>th</sup> sentences are deleted, to remove all references to the Core Strategy and Site Allocations and Development Management Policies Plan. Similarly, Figure 1 should be deleted (as this will shortly become obsolete).</p> <p>It is also probably best to remove specific NPPF paragraph references, as in recent years this has been subject to regular updates – paras 28, 30, 42, 52, 57, 66, 75, 90, 99. It may be ok to retain the Appendix C reference, as this provides a specific definition that has been used for the Neighbourhood Plan. These changes should also help to future-proof the Neighbourhood Plan.</p>

**Borough Council of King's Lynn and West Norfolk comments on Syderstone Neighbourhood Plan 2022-2038 (submitted February 2025)**

<b>Page No.</b>	<b>Item</b>	<b>Comment</b>
17	Policy 1: Syderstone's General Design Codes	<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. Where changes are not proposed, the Consultation Statement sets out the reasoning and justification.</p> <p>The preamble/ 1<sup>st</sup> paragraph (2<sup>nd</sup> sentence) should be re-worded to reflect current policy-writing guidance; e.g. "...Appendix B will be used in determining applications. Proposals should give consideration to the following standards:..".</p> <p>It would be useful at Policy 1 to explain the exact status of Syderstone 2024 Design Guidance and Codes document in relation to the Neighbourhood Plan itself. It is emphasised that the Guidance document appears integral to the application of Policy 1, for decision Making.</p>
21	Policy 2: Design (Character Area 1- Historic Core)	<p>It would be useful at Policy 2 to explain the exact status of Syderstone 2024 Design Guidance and Codes document in relation to the Neighbourhood Plan itself. It is emphasised that the Guidance document appears integral to the application of Policy 2, for decision Making.</p>
22	Policy 3: Design (Character Area 2- Post War Development)	<p>It would be useful at Policy 3 to explain the exact status of Syderstone 2024 Design Guidance and Codes document in relation to the Neighbourhood Plan itself. It is emphasised that the Guidance document appears integral to the application of Policy 3, for decision Making.</p>
30	Policy 4: Housing	<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. Arithmetically, the proposed 80% standard could be applied to schemes of 5 or more dwellings.</p> <p>It is accepted that there is no need to reference Custom and Self-Build (C&amp;SB) housing directly within the policy (given that the new Local Plan 2021-2040 will cover this). However, the proposed 80% standard does raise a question; i.e. would this apply to Custom and Self-Build dwellings for schemes of 4 dwellings or fewer?</p>
36	Policy 5: Biodiversity and Green Ecological Corridors	<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. Figures 20-21 show both Green Corridors and Priority Habitats, to which the policy relates, although it only specifically references Figure 20. Both maps should be cross referenced within the policy, for clarity and the avoidance of doubt.</p> <p>2<sup>nd</sup> paragraph (final sentence) – suggested policy wording amendment – replace "...is encouraged", by "...will be supported".</p> <p>Community Action 1: formatting appears to have gone awry – Community Action 1(3) appears to form part of Policy 5 (p38).</p>

**Borough Council of King's Lynn and West Norfolk comments on Syderstone Neighbourhood Plan 2022-2038 (submitted February 2025)**

<b>Page No.</b>	<b>Item</b>	<b>Comment</b>
43	Policy 6: Trees and Hedgerows	<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> <p>4<sup>th</sup>/ 5<sup>th</sup> paragraphs – replace word “must” with “should”. All development plan policy obligations are negotiable through the development management system. If there is no statutory obligation, then a particular course of action/ requirement cannot be insisted upon through a Neighbourhood/ Local Plan policy.</p>
47	Policy 7: Local Green Spaces	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback, the proposed Local Green Spaces being supported by appropriate evidence (2024 LGS assessment).
50	Policy 8: Protection of Important Local Views	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and some changes have been made accordingly (re the Views Assessment document, cross referenced at paragraph 89).
55	Policy 9: Dark Skies	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and changes have been made accordingly.
59	Policy 10: Community Facilities and Employment Services	<p>It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and changes have been made accordingly.</p> <p>Additional query (1<sup>st</sup> paragraph) – Does the reference to onsite parking relate to Local Plan and/ or Norfolk County Council standards? If so, this should be explicitly referenced.</p>
65	Policy 11: Walking and Access	It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback and changes have been made accordingly.
	Design Code Document – Design Code 3:6	<p>It is noted that due consideration has been given to BCKLWN's previous Regulation 14 consultation feedback (including with reference to the Design Code Document). Comments from the Conservation Officer, regarding the implications of Design Code 3:6 for listed buildings, remain unresolved objections at this stage.</p> <p>BCKLWN will consult with the Conservation Team at Regulation 16 stage, to ensure Policy 1 and the Design Code Document appropriately complement one another.</p>