Walpole Cross Keys Neighbourhood Development Plan Review 2022-2038

A report to the Borough Council of King's Lynn and West Norfolk on the Walpole Cross Keys Neighbourhood Development Plan

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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 review of the Walpole Cross Keys Neighbourhood Development Plan.

2 The examination was undertaken by written representations. I visited the neighbourhood area on 19 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, and identifying key views.

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 Walpole Cross Keys 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
9 June 2026

1 Introduction

1.1 This report sets out the findings of the independent examination of the Walpole Cross Keys Neighbourhood Development Plan 2022-2038 (the 'Plan').

1.2 The Plan has been submitted to the Borough Council of King's Lynn and West Norfolk (BCKLWN) by Walpole Cross Keys Parish Council (WCKPC) 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 development plan. There is a very clear focus on safeguarding the neighbourhood area's rural and landscape character, and identifying key views.

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 WCKPC, to conduct the examination of the Plan and to prepare this report. I am independent of both BCKLWN and WCKPC. 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 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. 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 (April 2026);
- the Consultation Statement;
- the supporting documents;
- the Strategic Environmental Assessment screening report;
- the Habitats Regulations Assessment screening report
- WCKPC's responses to the clarification note;
- the representations made to the Plan;
- the adopted King's Lynn and West Norfolk Local Plan 2021-2040;
- the National Planning Policy Framework (December 2024);
- Planning Practice Guidance; and
- relevant Ministerial Statements.

3.2 I visited the neighbourhood area on 19 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.

The examination process for the review of a neighbourhood plan

3.4 The Neighbourhood Planning Act 2017 identifies the circumstances that might arise as and when qualifying bodies seek to review 'made' neighbourhood plans and introduces a proportionate process to do so based on the changes proposed.

3.5 There are three types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves and as follows:

- minor (non-material) modifications to a neighbourhood plan or order 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; or
- material modifications which do not change the nature of the plan or order and which 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; or

- 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.

3.6 The Modification Statement comments that the modifications to the policies constitute a minor material amendment to the Plan which require examination but not a referendum.

3.7 I have considered this matter very carefully. I have concluded that the significance or substance of the modifications proposed to the Plan by WCKPC is such that both an examination and a referendum are required. In this context, I consider that the proposed modifications are so significant as to change the nature of the Plan. I have reached this decision for two reasons. The first is that Policy 8 of the Plan is a new policy and proposes the identification of a package of important local views. Such a policy approach would affect the use of land within the Plan period. The second is the cumulative effect of the modifications to other policies in the Plan.

3.8 WCKPC acknowledged this conclusion and agreed that the examination of the Plan should proceed on this basis.

Revisions to the Basic Conditions

3.9 The enactment of Section 99 of the Levelling-up and Regeneration Act 2023 on 25 March 2026 changed the basic conditions against which a neighbourhood plan is assessed. In order to address this matter SPC 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. Sections 2.8 and 2.9 of this report have addressed other matters in relation to the contents of a neighbourhood plan as a set out in Section 98 of the Levelling-up and Regeneration Act 2023.

The examination process

3.10 As the BCKLWN website comments I took over the examination of the Plan from John Slater in January 2026. I am grateful for the work that John undertook in the initial phase of the process and I have completed the examination in that context.

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 WCKPC 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. The table after paragraph 8 setting out the sequence of events and activities is particularly informative.

4.4 The Statement also comments on the extensive consultation processes that took place on the pre-submission version of the Plan (October to December 2024).

4.5 The Statement also outlines in detail the comments received on the pre-submission Plan, and advises about the way in which WCKPC 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 that ended in October 2025. A further round of consultation was undertaken to address administrative issues from the earlier exercise and ended in March 2026. These exercises generated comments from the following organisations:

- Anglian Water
- Environment Agency
- Historic England
- Lincolnshire County Council
- Marine Management Organisation
- Natural England
- Norfolk County Council
- National Grid
- Norfolk and Waveney ICB
- Water Management Alliance
- Kings Lynn Drainage Board

4.8 Where it is appropriate to do so, I make specific references to some representations in the detailed sections of this report.

4.9 A separate consultation exercise was undertaken by BCKLWN on the revised Basic Conditions Statement which ended on 19 May 2026. This generated representations from UK Power Networks and the Marine Management Organisation

5 The Neighbourhood Area and the Development Plan Context

The Neighbourhood Area

5.1 The neighbourhood area is the parish of Walpole Cross Keys. Walpole Cross Keys is a small village that lies to the north of the A17 approximately eight miles west of King's Lynn and eight miles northeast of Wisbech. It had a population of 560 persons in 2021. It was designated as a neighbourhood area on 12 November 2013.

5.2 The village is mainly linear in form and contains several community services and local employment including Walpole Cross Keys Primary School, Jephson Hall, Walpole Cross Keys Car Garage, Samuels Family Farm Shop & Butchers. The parish also extends to the south of the A17 along Station Road South and Market Lane.

5.3 The settlement is situated within Flood Zone 3a and the watercourse for flood warning in this area is from the Wash Frontage and the right bank of the Tidal Nene from Walton Dam to Admiralty Point from the Tidal Nene and The Wash and the Wash frontage at Admiralty Point including Tidal River Great Ouse west bank breach to Eau Brink, from the North Sea. Surface water flood risk is an issue in most parts of the neighbourhood area, including within the built-up area around Sutton Road, Little Holme Road, Low Road, Stanton Road South, and Market Lane.

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 Walpole Cross Keys is identified as one of a series of Tier 6 Smaller Villages and Hamlets. The Local Plan advises that Smaller Villages and Hamlets have very limited services and facility provision. Growth will be delivered through committed developments. It also comments that there may also be the delivery of additional growth through windfall development and/or allocations in neighbourhood plans over the Plan period.

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 19 January 2026. I approached it from the A17. This helped me to understand its position in the wider landscape, its proximity to Kings Lynn and its accessibility to the road network.

5.11 I looked carefully at the issues identified in the Plan.

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 the 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 itself.

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. 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;
- 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 2024.

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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 Walpole Cross Keys Neighbourhood Plan Review:

- 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. There is a very clear focus on safeguarding the neighbourhood area's rural and landscape character, and identifying key views. The Basic Conditions Statement maps 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 policies for residential development (Policy 1) and for employment related uses (Policy 10). In the social role, it includes policies on housing mix and affordable housing (Policies 3 and 4), and 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 design (Policy 5), important local views (Policy 8), and dark skies (Policy 9). WCKPC 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 Section 5 of this report.

6.13 I consider that the submitted Plan delivers a local dimension to this strategic context. The Basic Conditions Statement helpfully relates the Plan's policies to policies in the development plan. Whilst the Plan proposes a series of policies relating to its built and natural environment, it does not prevent the potential for new development to come forward for infill development in the village in accordance with Policy LP02 Residential Development on Windfall Sites and Policies LP18-LP21of the Local Plan. In this broader context I am satisfied that the implementation of the Plan will not have the effect of preventing development from taking place which is proposed in the development plan.

Strategic Environmental Assessment

6.14 The Neighbourhood Plan General Regulations 2012 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 (September 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 at the same time. It is similarly very thorough and well-constructed. It advises that the neighbourhood area is approximately 5km from the Wash and North Norfolk Coast Special Protection Area/Special Area of Conservation/Ramsar site.

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 WCKPC have spent time and energy in identifying the issues and objectives that they wish to be included in the review of the 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.

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.

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 initial section 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 makes a very effective use of well-selected maps. A very clear distinction is made between its policies and the supporting text.

7.9 The Introduction sets the scene for the Plan. It provides a concise profile of the neighbourhood area. The 'Overview of Neighbourhood Planning' sets the Plan in a broader national context.

7.10 The section on 'Consultation with the Community' explains how people and organisations were engaged in the preparation of the Plan. It overlaps with the Consultation Statement.

7.11 The sections on Vision and Objectives seek to identify what the Plan is seeking to achieve. The Vision is as follows:

'The local community wish Walpole Cross Keys to continue to thrive as a small rural community where new development in keeping with the village is supported, comprising mixed residential development, further employment uses, new community facilities and improvements to infrastructure.'

7.12 This part of the Plan comments loosely on the neighbourhood area and the Plan period. I recommend modifications to the way in which this information is presented to bring the necessary clarity.

At the end of paragraph 18 add: 'The Plan period is 2022 to 2038. The neighbourhood area is shown on Figure 3.'

7.13 The section on Policy Context comments about the national and the local planning policy context within which the Plan has been prepared.

7.14 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.

General Comments

7.15 The focus of this report is on the new or modified policies in the Plan. Nevertheless, I test the ongoing relationship of the unchanged policies against the basic conditions.

7.16 In some cases I recommend modifications to wording in a policy which is unchanged from made Plan. This reflects the way in which neighbourhood plans are now prepared and examined. These processes have matured significantly since the Plan was made.

Policy 1: New Residential Development in the Neighbourhood Development Plan Area

7.17 This is a modified policy. It advises that proposals for new residential development will need to meet set criteria including being within or adjacent to the development boundaries set in the Plan, take account of the development considerations in table 1 and compromises a form of infill. The policy also encourages the development to be small scale starter homes.

7.18 The first part takes a positive approach and has regard to Section 5 of the NPPF. I recommend that the opening element is reconfigured so that it removes the unnecessary reference to the neighbourhood area. I also recommend modifications to the wording in the second part of the policy to bring the clarity required by the NPPF.

7.19 The third part of the policy did not feature in the made Plan. It comments that that new residential development on viable agricultural land would not be supported. It also prevents the development of housing development on the sites of existing businesses.

7.20 I have considered the third part of the policy carefully. I am not satisfied that it has regard to national policy. The proposed agricultural viability test is unduly onerous and a blanket restriction on the redevelopment of sites currently occupied by businesses would not have regard to Sections 5 and 11 of the NPPF. In these circumstances I recommend the deletion of this part of the policy.

7.21 Otherwise the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the opening element of the first part of the policy with: 'Proposals for new residential development should meet the following criteria:'

Replace the second part of the policy with:

‘The development of small-scale starter homes that would meet specific local housing needs and are aimed at first time buyers will be supported. Such homes should be of 1 to 3 bedrooms and in locations where necessary amenities can be met such as within safe walking distance to a bus stop.’

Delete the final part of the policy

Policy 2: Extensions, Outbuildings and Conversions (including residential and commercial use)

7.22 This is a modified policy. It aims to ensure that future development is in keeping with the character of the village in line with the Walpole Cross Keys Design Guidance and Code. I note that this policy has been revised to respond to Design Code 4 of the Walpole Cross Keys Design Codes and Guidance.

7.23 In general terms the policy takes a positive approach to these matters. It helpfully overlaps with the Design Codes and Guidance. In the round it is a very positive local response to Section 12 of the NPPF.

7.24 I note that WCKPC wishes to increase the strength of the policy wording in the first part of the policy from ‘should’ to ‘must’ to ensure effectiveness. Nevertheless, BCKLWN will determine planning applications on their merits and the use of ‘should’ is the industry standard for such a policy. As such I recommend a modification to the wording used throughout the policy.

7.25 Otherwise the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first and third parts of the policy replace ‘must’ with ‘should’

Policy 3: Housing Mix

7.26 This is a modified policy. The Plan advises that it will help ensure future development meets the needs of the community, including providing a mix of houses which can be easily adaptable for older residents and will provide a smaller number of bedrooms to help enable residents to get on the housing ladder such as younger people.

7.27 The policy follows the guidance proposals taken from the Housing Needs Assessment 2023 to help achieve a balanced mix of housing to meet the needs of the community.

7.28 The policy takes a positive approach to this matter which has regard to Sections 5 and 8 of the NPPF. I recommend a modification to wording of first part of policy so that it places a specific requirement on new housing development. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the first part of the policy replace ‘will need to’ with ‘should’

Policy 4: Affordable Housing

7.29 This is a modified policy. It follows the guidance proposals taken from the Housing Needs Assessment to help achieve a balanced mix of housing to meet the needs of the community. It specifically breaks up the affordable home ownership and affordable rent expected within Walpole Cross Keys.

7.30 I note that this policy has been revised to respond to the housing needs identified in the Walpole Cross Keys Housing Needs Assessment 2023.

7.31 The policy takes a positive approach to this matter which has regard to Sections 5 and 8 of the NPPF. I recommend the replacement of 'permitted' with 'supported' in second and third parts of policy. This reflects the industry wording for a neighbourhood plan policy and acknowledges that it is the role of BCKLWN to determine planning applications through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

In the second and third parts of the policy replace 'permitted' with 'supported'

Policy 5: Design

7.32 This is a modified policy. It encourages all development to be designed to high quality standards and be in conformity with the Design Codes and Guidance document. It sets out detailed clauses and the design aspects which development should have regard to including materials, roofline, and boundary treatments.

7.33 I note that this policy has been revised to respond to Design Code 4 of the Walpole Cross Keys AECOM Design Codes and Guidance. The detailed criteria in the policy are locally-distinctive.

7.34 This is an excellent policy which provides a very positive local response to Section 12 NPPF. In this context, I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy 6: Residential Parking Standards

7.35 This is a new policy. It advises that residential developments should consider the appropriate points made under the design codes document.

7.36 The policy takes a positive approach to this matter, and has regard to Sections 9 and 12 of the NPPF. The policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy 7: Flood Risk and Water Management

7.37 This is a modified policy. The Plan advises that it will help to adapt to climate change and ensure that flood risk is managed appropriately and sustainably with a focus on sustainable drainage and also the guidance from the Design Codes Document.

7.38 The policy takes a positive approach to these matters and has regard to Section 14 of the NPPF. I recommend specific changes to the wording used in the policy to bring the clarity required by the NPPF. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with: 'Development proposals should demonstrate and ensure that any new development does not have a detrimental impact on water infrastructure, including sewers, surface water and other flooding and responds positively to climate change.'

In the third part of the policy replace the opening element with: 'All development proposals should contribute towards effectively managing flood risk. This includes but is not limited to:'

Policy 8: Important Local Views

7.39 New policy. The Plan advises that this policy seeks to protect important local views and ensure that proposals demonstrate that they are designed and sited to avoid harm to the identified important views and their wider landscape setting.

7.40 I looked at the views during the visit. I am satisfied that the policy takes a locally-distinctive approach which is underpinned by the Views Assessment. It has regard to Section 15 of the NPPF.

7.41 In its representation National Grid Electricity Transmission (NGET) comments that:

'As NGET are seeking to construct both converter stations and the Walpole B Substation within the area, we acknowledge the significance of the key views identified in the Walpole Cross Keys Neighbourhood Plan Views Assessment. In particular, views 7 (looking west on Station Road North) and 8 (looking southwest on Station Road South) are potentially impacted by the EGL 3 & 4 development.

Recognising the policy's emphasis on ensuring new development is not visually intrusive, NGET are committed to integrating design measures that respect and mitigate potential impacts on these views. The substation will be thoughtfully sited to minimise its visibility from key vantage points. Moreover, appropriate screening, such as landscaping, tree planting, and sympathetic fencing, will be incorporated to soften its visual impact and ensure it blends harmoniously with the surrounding environment.

Furthermore, the form and scale of the substation and converter stations will be carefully considered to align with existing structures in the area, ensuring it does not dominate or detract from the identified public views. A detailed visual impact assessment will be conducted to demonstrate that all reasonable steps have been taken to avoid or mitigate any adverse effects.'

7.42 I have considered these helpful comments alongside WCKPC's responses to the clarification note. Whilst there is a degree of uncertainty about the impact of the development of the NGET infrastructure, I recommend that the supporting text highlights that its implementation may affect some of the identified views.

7.43 There is a clear relationship between the first and third parts of the policy. Nevertheless, the second part has a general effect and is not addressed in the supporting text. As such I recommend its deletion. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Delete the second part of the policy

At the end of paragraph 75 add:

'National Grid Electricity Transmission (NGET) is seeking to construct both converter stations and the Walpole B Substation within the area, and acknowledge the significance of the key views identified in the Walpole Cross Keys Neighbourhood Plan Views Assessment. In particular, views 7 (looking west on Station Road North) and 8 (looking southwest on Station Road South) are potentially impacted by the EGL 3 & 4 development. Recognising the policy's emphasis on ensuring new development is not visually intrusive, NGET has advised that it is committed to integrating design measures that respect and mitigate potential impacts on these views. The substation will be thoughtfully sited to minimise its visibility from key vantage points. Moreover, appropriate screening, such as landscaping, tree planting, and sympathetic fencing, will be incorporated to soften its visual impact and ensure it blends harmoniously with the surrounding environment. Furthermore, NGET has advised that the form and scale of the substation and converter stations will be carefully considered to align with existing structures in the area, ensuring it does not dominate or detract from the identified public views'

Policy 9: Dark Skies

7.44 This is a new policy. It addresses the presumption against unnecessary lighting that will result in the loss of night-time dark skies. It keeps in mind the need for footway lighting for security and safety reasons.

7.45 This is a good policy which takes account of the dark skies environment in the neighbourhood area. In this context I am satisfied that the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Policy10: Employment Related or Agricultural and Horticultural Related Development

7.46 This is a modified policy. It encourages and supports development or the redevelopment of existing business sites for employment uses and agricultural and horticultural purposes. It also encourages employment related uses and development related to the agricultural and horticultural sector coming forward on suitable sites.

7.47 In general terms the policy takes a positive approach to new employment uses and has regard to Sections 6 and 8 of the NPPF. I recommend the deletion of 'encouraged' from the policy as it has very little effect in a planning policy context. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Replace the first sentence of the first part of the policy with: 'Employment related uses and development related to the agricultural and horticultural sector will be supported on suitable sites (buildings and land).'

Policy 11: Old Station Site

7.48 This policy is unchanged. It supports the enhancement or redevelopment of the site at Old Station for industrial development where a proposal accords with the relevant policies in the Plan. The site is brownfield.

7.49 I looked at the old station site during the visit. I am satisfied that the policy continues to meet the basic conditions. It will contribute to the delivery of each of the three dimensions of sustainable development.

Policy 12: Protection of Community Services

7.50 This policy is unchanged. It protects a list of community facilities which include day to day needs such as the primary school and village hall.

7.51 I saw the importance of the facilities during the visit. I am satisfied that the policy takes a positive approach to this matter which has regard to Section 8 of the NPPF. In this context I correct a typographical error in the first part of the policy and recommend that 'permitted' is replaced with 'supported'. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the second sentence of the first part of the policy with: 'Development proposals which would result in the loss of these facilities or otherwise prejudice their continued use will not be supported.'

Policy 13: Transport and Access

7.52 This is a modified policy. It encourages improvements to the road network if access to existing public transport and footpaths are not compromised. In addition, the policy looks to ensure that proposals should ensure that any requirements generated by the proposed development do not cause significant harm to the highway network, existing highway verges or dykes and development proposals for sites that include Public Rights of Way or are adjacent to them should protect and incorporate them into the scheme.

7.53 In general terms the policy takes a positive approach and has regard to Sections 8 and 9 of the NPPF. In this context I recommend that the first and third parts of the policy are recast so that they have the clarity required by the NPPF and to allow BCKLWN to apply them through the development management process. Otherwise, the policy meets the basic conditions. It will contribute to the delivery of the social and the environmental dimensions of sustainable development.

Replace the first part of the policy with:

'Improvements to the road network will be supported where access to existing public transport and footpaths is not compromised and which respond positively to the rural character and appearance of the area.'

Replace the third part of the policy with:

'Development proposals for sites that include or are adjacent to Public Rights of Way should protect the right of way and, where practicable, incorporate them into the scheme. Where this approach is not practicable, appropriate diversions or new routes that are convenient for users should be provided as part of the development.'

Community Actions

7.54 The Plan includes a series of community actions. They are incorporated on a themed basis throughout the Plan after the relevant policies.

7.55 National policy comments that community actions 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. In have come to this judgement for three 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 they are shown in a different colour to the land use policies. The third is that paragraph 24 of the Plan sets out the distinction between the policies and the actions.

7.56 I am satisfied that the community actions are distinctive to the neighbourhood area.

Other Matters – General

7.57 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 WCKPC 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 2038. 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 review of the Walpole Cross Keys 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 review of the Walpole Cross Keys 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 on 12 November 2013.

. 8.5 I am grateful to everyone who has contributed towards this examination.

Andrew Ashcroft
Independent Examiner
9 June 2026