



Ellistown & Battleflat Neighbourhood Development Plan – Final Decision Statement

1. Summary

- 1.1 Following a positive referendum result North West Leicestershire District Council is publishing its decision to 'make' the Ellistown & Battleflat Neighbourhood Development Plan in accordance with Regulation 19 of the Neighbourhood Planning (General) Regulations 2012. The Ellistown & Battleflat Neighbourhood Development Plan forms part of the Development Plan for North West Leicestershire District.

2. Reasons for Decision

- 2.1 The Ellistown & Battleflat Neighbourhood Plan meets the Basic Condition and its promotion process is compliant with legal and procedural requirements. Paragraph 38A(4)(a) of the Planning and Compulsory Purchase Act 2004 requires the Council to make the Neighbourhood Plan if more than half of those voting in the referendum have voted in favour of the Plan being used to help decide planning applications in the area. The Plan was endorsed by more than the required threshold in the referendum on 27 June 2019.

3. Background

- 3.1 In December 2013 Ellistown & Battleflat successfully applied for the designation of a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.
- 3.2 In September 2018, Ellistown & Battleflat Parish Council submitted the Examination Version of the Plan to the District Council. It underwent a period of consultation from 27 September 2018 to 8 November 2018. North West Leicestershire District Council appointed an Independent Examiner, Mr Andrew Mead, to assess whether the plan met the basic conditions required by legislation and whether the plan should proceed to referendum.
- 3.3 The Examiners report concluded that, subject to modifications, the Ellistown & Battleflat will meet the necessary basic conditions and subject to these modifications being made should proceed to a referendum based on the Ellistown & Battleflat Neighbourhood Area.
- 3.4 A referendum was held on 27 June 2019, and the question asked at referendum was:-
"Do you want North West Leicestershire District Council to use the Neighbourhood Plan for Ellistown and Battleflat to help it decide planning applications in the Neighbourhood Area?"
- The turnout was 13% and 87% of those who voted were in favour of the Neighbourhood Plan.
- 3.5 North West Leicestershire District Council has assessed that the Plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU obligation or any Convention rights (within the meaning of the Human Rights Act 1998).
- 3.6 In accordance with the regulations the Ellistown & Battleflat Neighbourhood Plan is 'made' and planning applications in the Neighbourhood Area must be considered against the Ellistown & Battleflat Neighbourhood Plan, as well as other existing planning policy, including the North West Leicestershire Local Plan.