

# INDEPENDENT EXAMINATION OF THE ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN

EXAMINER: ANDY MEAD BSc (Hons) MRTPI MIQ

Karen Turrell  
Ellistown & Battleflat Parish Council

Ian Nelson  
North West Leicestershire Council

Examination Ref: 01/AM/E&BNP

28 January 2019

Dear Ms Turrell and Mr Nelson

## ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN EXAMINATION

Following the submission of the Ellistown and Battleflat Neighbourhood Plan (the Plan) for examination, I would like to clarify several initial procedural matters.

### 1. Examination Documentation

I can confirm that I am satisfied that I have received a complete submission of the Plan and accompanying documentation, including the Basic Conditions Statement, the Consultation Statement and the Regulation 16 representations, to enable me to undertake the examination.

Subject to my detailed assessment of the Plan, I have not at this initial stage identified any very significant and obvious flaws in it that might lead me to advise that the examination should not proceed.

### 2. Site Visit

I will undertake a site visit to the neighbourhood plan area during the week commencing Monday 28 January 2019. This will assist in my assessment of the draft Plan, including the issues identified in the representations.

The site visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

### 3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter or matters come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

### 4. Further Clarification

I have a number of questions seeking clarification on various matters for Ellistown and Battleflat Parish Council and North West Leicestershire Council. These are attached in an Annex to this letter.

5. Examination Timetable

My intention is to conduct the examination (including the site visit) and provide a draft report within the next 4 weeks, subject to receiving responses to the questions I have asked by **11<sup>th</sup> February 2019**. An earlier response would be much appreciated and will assist the speedy production of my report.

If you have any process questions related to the conduct of the examination which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure a copy of this letter is placed on the parish council and local authority's websites.

Thank you in advance for your assistance.

Your sincerely

*Andy Mead*

Examiner

## ANNEX

From my initial reading of the Ellistown and Battleflat Neighbourhood Plan and the supporting evidence, I have the following questions and requests in relation to the Plan. I would appreciate if comments from both the Parish Council and North West Leicestershire Council could be received by 11<sup>th</sup> February 2019.

1. I have concerns about the scale of Figure 2 of the Plan for effective development management. Figure 2 shows the Limits of Development at Ellistown. Figure 4 shows the proposed Local Green Spaces (LGS). Therefore, I request that I am provided with a map which combines the proposals onto a Figure 2 Inset map for Ellistown village at the scale of Figure 4, which would show the Parish boundary, the Limits of Development and the two LGS. Figure 4 could remain as it is, but retitled to refer to the evidence document where the various open spaces are listed, including the two sites (13 and 14) which are described as “Not eligible”.
2. Please also provide an Inset Map for the extreme eastern section of Figure 2, where the Limits of Development are irregular.
3. What is the background to the 6.6ha LGS15 Penny Wakefield community woodland? It appears to be defined in the North West Leicestershire Local Plan (NWLLP) Inset 10 as Ec3 – Primary Employment Area. However, it could be land left over after the development of the large warehouse immediately to the east (Amazon?) and so is surplus to requirements. Alternatively, the land may have been part of an arranged community use when planning permission was granted for the warehouse. Should it become LGS, is there any conflict with the Ec3 definition in the NWLLP, the policy for which includes the statement that the Primary Employment Areas defined on the Policies map will be retained for employment generating uses within the Use Classes B1, B2 and B8?
4. Figure 4 of the Plan shows LGS, Sport and Recreation Open Space, Amenity Open Space and the two “Not eligible” sites. Am I correct in assuming that the Open Spaces, other than the LGS, are not intended to have LGS policy applied to them?

