

STRATEGIC DIRECTOR OF PLACE
ELLISTOWN AND BATTLEFLAT NEIGHBOURHOOD PLAN REVIEW
PRE-SUBMISSION (REG 14) CONSULTATION
22 APRIL 2025

1. The Ellistown and Battleflat Neighbourhood Plan was made on 16 July 2019. The Parish Council is undertaking a review of the Plan, which has now reached the Regulation 14 'pre-submission' stage. Consultation on a draft plan is taking place between **14 March and 27 April 2025**. For general information, the stages of neighbourhood plan preparation are set out at **Appendix A**.
2. The timing of the consultation means there is no available Local Plan Committee to which officers can report the Plan. In addition, it is not appropriate to seek approval of comments on the review from the Portfolio Holder for Planning and Infrastructure, as they are a member of the Parish Council that has prepared the Neighbourhood Plan Review. Therefore, it is within this context that officers are presenting their suggested consultation response for the approval of the Strategic Director of Place, who has the delegated authority to discharge the Council's functions.
3. The Pre-submission version of the Plan can be found [here](#). It is accompanied by four appendices:
 - 1) [Housing Needs Assessment](#)
 - 2) [Design Guidance and Codes](#)
 - 3) [Environmental Inventory](#)
 - 4) [Non-Designated Heritage Asset Assessment Form](#)
4. Officers have reviewed and responded to the plan (Appendix B). The response incorporates feedback from the Council's Development Management team, Affordable Housing Enabling Officer (Appendix C) and Conservation Officer. Any additional, detailed feedback from the Council's Urban Designer will be forwarded to the Parish Council separately.
5. Key issues in the officer response include:
 - 1) The Limits to Development in the Neighbourhood Plan Review do not match the proposed Limits to Development of the draft Local Plan;
 - 2) Significant concerns about the methodology of the Housing Needs Assessment (2024) and the reliance the Neighbourhood Plan places on it;
 - 3) Some policy aspects conflict with the NPPF (Policy ENV6 – Sites of Historic Environment Significance and Policy ENV7 – Non-designated Heritage Assets);
 - 4) Some issues of conformity with the strategic policies of the Local Plan (e.g. Policy H2 – Housing mix; Policy H3 – Affordable housing; Policy SCF1 – Existing Shops and Community Facilities);
 - 5) A number of points made, and changes suggested, seeking or to provide clarification.

Next steps

6. Once the current consultation period ends, the Parish Council will have to consider all of the comments received, including those of the District Council. Following any changes to the Neighbourhood Plan that they believe are necessary, the Parish Council will then submit a revised version to the District Council. At that point, officers will arrange a further stage of public consultation (Regulation 16) and prepare a response to the revised Neighbourhood Plan for Local Plan Committee to consider provided there is an available meeting during the consultation period.
7. Thereafter the Council will appoint an independent examiner (with the agreement of the Parish Council) who will examine the Neighbourhood Plan. The examiner must consider whether the plan meets the 'basic conditions' namely:
 - a) have regard to national planning policies and guidance;
 - b) have special regard to the desirability of preserving listed buildings, their settings and Conservation Areas;
 - c) contribute to the achievement of sustainable development;
 - d) be in general conformity with the strategic policies of the development plan; and
 - e) be in line with EU obligations and human rights requirements.
8. Assuming a favourable Examiner's report, the Neighbourhood Plan can proceed to Referendum and, subject to the result, it will then be confirmed as a 'made' neighbourhood plan and form part of the Development Plan.

Recommendation

That the response in **Appendix B and Appendix C** is agreed as the Council's response to the consultation.