

BRAUNSTONE TOWN COUNCIL

PLANNING & ENVIRONMENT COMMITTEE – 26th OCTOBER 2023

Item 15 – Motion on Notice from Council: Woodland off Brockenhurst Drive, Braunstone Town

Purpose

To consider a Motion on Notice referred from Council on 21st September 2023 relating to the protection of woodland off Brockenhurst Drive, Braunstone Town.

Background

Council on 21st September 2023 received and approved the following Motion on Notice submitted by Councillor Nick Brown and seconded by Councillor Anthea Ambrose (Council Minute 6167):

1. that this Council notes:
 - a) that 4.6 acres of amenity woodland situated between the western end of Brockenhurst Drive and Lubbesthorpe Way, known locally as the ‘Ransom Field’, has been placed up for sale and advertised under the heading of ‘Commercial Development’;
 - b) that on Blaby District Council’s constraints map, the eastern part of the site is located within flood zone 3 which means it is land at the highest risk of flooding. The land to the south of the site is a local wildlife site;
 - c) the land to the north of the site is Mossdale Meadows park and is owned by Braunstone Town Council;
 - d) that this is now one of the few remaining wildlife habitats within the parish of Braunstone Town and there was local public concern over the proposed sale and potential loss of such habitat should any development occur on the site;
 - e) the Town Council’s stated aims to protect and enhance natural habitats and biodiversity as set out in its Environment and Biodiversity Strategy adopted in April 2022; and
 - f) the site is part of an area of undeveloped land which spans from Kingsway North to Fosse Park. This is a significant wildlife corridor in what is otherwise a suburban landscape.

2. that Planning & Environment Committee:
 - a) support adoption of policies and actions to protect said site from development;
 - b) support the inclusion of the site as designated as a natural wildlife site and be designated as such within the new Blaby District Local Development Plan; and
 - c) write to Blaby District Council and Leicestershire County Council to request them to support the above aims.

For information, the Council also resolved that Policy & Resources Committee be asked to write to the landowners or their agents to request consideration of transfer of the land to public ownership (Policy & Resources Committee will consider this question).

In accordance with Standing Order 5.9; Councillor Nick Brown, as the mover of the motion at Council, may attend the meeting to explain the motion to Committee but shall not be able to vote (unless officially substituting at the meeting for a member of the Committee).

Responding to the Motion

Essentially, the Committee is being asked to write to Blaby District Council and Leicestershire County Council to ask them to support the following aims:

- a) support adoption of policies and actions to protect the woodland at the end of Brockenhurst Drive from development; and
- b) support the inclusion of the site as designated as a natural wildlife site and be designated as such within the new Blaby District Local Development Plan.

Blaby District Council consulted on the new local plan options document between January and March 2021; a copy of Braunstone Town Council's consultation response to the proposals (approved by Committee on 11th March 2021 – Minute 201, 2019 – 2021) is attached at Appendix 1.

At that point, the Woodland at the end of Brockenhurst Drive had not been included as a location for future development; neither is it included in the current local plan as a potential site for development, a copy of the map is attached at Appendix 2.

Progress with the New Local Plan has been delayed due to the programme of work for the sub-regional strategic evidence that supports the Leicester and Leicestershire Statement of Common Ground in relation to the housing requirement for Leicester City. The commencement of the next stage of the local plan review is dependent upon the outcome of the sub-regional work.

As well as areas for growth, the new Local Plan will identify areas to protect and enhance. The current Local Plan Core Strategy includes several strategic greenfield designations – Green Wedges, Areas of Separation and Countryside – as areas where built development is generally restricted. An extract from the Local Plan Core Strategy is attached at Appendix 4. Thorpe Astley Park, including the new parkland off Meridian Way, is designated in the current local plan as an Area of Separation. Aylestone Meadows is designated as Green Wedge.

It is recommended that Blaby District Council considers the Woodland off Brockenhurst Drive along with the area of undeveloped land which spans from Kingsway North to Fosse Park and includes Mossdale Meadows, Merrileys and the Osiers, as a significant wildlife corridor in a suburban landscape, and considers it for

designation under the local plan reviews as either “Green Wedge” or an “Area of Separation”.

The role of the County Council would be limited at this stage, who are unlikely to wish to compromise their ability to objectively consider and respond to any planning application which may be received. . The rear of the woodland site off Brockenhurst Drive is designated as a flood risk area. If a planning application was to be received, the County Council as the lead flood authority would need to review the flood risk and mitigations. Similarly the access arrangements would need to be reviewed by the County Council as the highways authority. The County Council does have Services and Strategies relating to the natural environment, nature and biodiversity and it would be appropriate to ask the County Councillor for the Division to pursue support with the relevant service areas at the County Council for the objectives set out in the motion.

Again, the District Council as a planning authority are unlikely to wish to compromise their ability to objectively consider and respond to any planning application which may be received. One area where more immediate action could be taken is tree preservation. The interactive map on the District Council’s website does not indicate that there are any trees preserved at the Woodland off Brockenhurst Drive. Whereas, Foxholes Spinney, Long Spinney, Wood Close Plantation and the Osiers, do include protected trees. Therefore, it seems appropriate to request the District Council to investigate the potential of tree preservation orders for the site.

Recommendations

1. That Blaby District Council be asked to:
 - a) consider, as part of its review of the Local Plan, the Woodland off Brockenhurst Drive along with the area of undeveloped land which spans from Kingsway North to Fosse Park, and includes Mossdale Meadows, Merrileys and the Osiers, for designation as either “Green Wedge” or an “Area of Separation” in the new Local Plan, and
 - b) consider the trees located on the Woodland site, off Brockenhurst Drive, for protection using Tree Preservation Orders;
2. that the local County Councillor for Braunstone Division be asked to seek support from the relevant County Council Services for the natural environment, nature and biodiversity, for the proposals in 1 above; and
3. that Braunstone Town Council reinforce the proposals in 1 above when further consulted by the local planning authority at the next stages of the Local Plan Review.

Reasons

1. The woodland off Brockenhurst Drive and the area of undeveloped land surrounding it was a significant wildlife corridor in a suburban landscape and needed to be protected to preserve species and wildlife habitats, landscape and geology and to improve bio-diversity.
2. To obtain the professional support of the relevant County Council services for nature and the environment to protect the area now and in the future.

3. To ensure that Braunstone Town Council, having identified the importance of the site and the surrounding landscape, pursue its protection when consulted on the review of relevant policies.



BRAUNSTONE TOWN COUNCIL

www.braunstonetowncouncil.org.uk

Darren Tilley – Executive Officer & Town Clerk

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Our Ref: DT
Your Ref:
When calling please ask for: Darren Tilley

Dear Sir / Madam,

Re: Blaby Local Plan Options Document Consultation

Thank you for providing an opportunity for Braunstone Town Council to comment on the new Local Plan Options Document. The consultation proposals were considered by our Planning & Environment Committee on Thursday 11th March 2021.

Further to the comments the Town Council made on the first consultation on the Plan in Summer 2019, the Town Council wishes to highlight the following general points:

1. While there are no proposed sites in Braunstone Town; there are sites (housing, employment and mixed use) proposed in the surrounding area; including Enderby, Leicester Forest East, Kirby Muxloe and Lubbesthorpe. These proposals mean there will continue to be implications for the Town and the local neighbouring parishes from development in terms of traffic growth, air quality and pressure on services. Development needs to be sustainable and the Climate Change/Sustainability Policy Objectives set out on pages 34 and 35 need to be translated into an assessment criteria not just for the site as an option but in order to assess the specific development proposals which are subsequently submitted for the site and the impact/loss of opportunity on the surrounding area. For example, potential housing site LFE18 is adjacent to the Motorway; this will expose residents to noise and pollution. This site should be used to plant trees to protect the amenity enjoyed by the residents of the existing housing in Leicester Forest East.
2. The impact of the District meeting Leicester's unmet housing need (page 16 of the consultation document and question 2) needs to be revisited. With climate change, online shopping and the significant impact of the Covid-19 pandemic on retail and working arrangements, many analysts are calling into question the future of the Central Business District in its current form. Town and City Centres were already undergoing rapid transformational change and in order for them to have a future, there are calls for them to become mixed use areas: housing, employment, leisure and retail. With this in mind, Blaby District Council should seek a review with the Councils in the housing market area with a view to Leicester and towns in Leicestershire meeting a proportion of the housing and other employment need in their Central Business Districts.
3. In addition to the above, highlighting the impact of on-line shopping and the Covid-19 pandemic upon retail; developments in the Motorway Retail Area, which currently are required to be large units, are called into question. With increased working from home and on-line shopping, sites need to be identified in towns, villages and neighbourhoods

for local shops and other services which can be accessed on foot or other sustainable transport.

4. Sites need to be chosen in the context of a plan to deliver the associated infrastructure and Public Services. Local Plans and Local Transport Plans need to be more integrated into a local planning process. Too often the Highways and Transport Authority do not have strategic plans in place to deliver a fit for purpose transport network, including public transport and cycle routes, in response to growth in particular areas. The District Council should invite and encourage the County Council to work up these plans in conjunction with the Local Plan making process. Such plans should be available for consultation and implemented in conjunction with each other and covering the same plan period.
5. Further to the point above, there are no plans to address the effect of the accumulation of smaller scale and infill developments upon the local transport network and the provision of local public services. Utilising Community Infrastructure Levy would be one way to address this type of development; which should be at least considered in the Principal Urban Area, even if it is less appropriate than Section 106 for the District as a whole.

I hope the above is useful in developing the Local Plan and responding to growth in the context of protecting and enhancing the environment and providing the associated infrastructure and services.

If you have any queries concerning the Town Council's response, please do not hesitate to contact me.

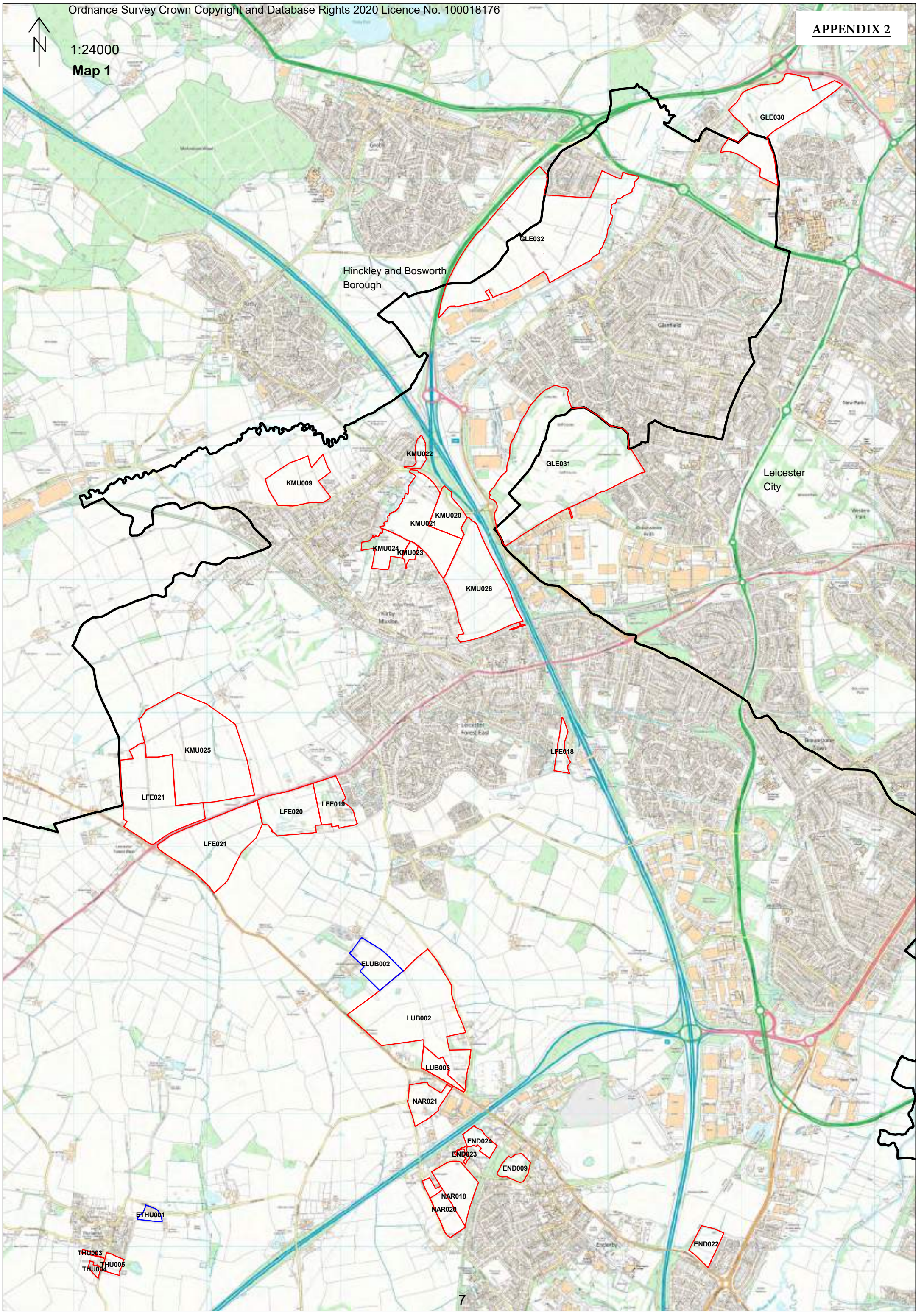
Yours sincerely



Darren Tilley
Executive Officer & Town Clerk

Blaby Local Plan Options Consultation
Blaby District Council
Council Offices
Desford Road
Narborough
Leicester
LE19 2EP

1:24000
Map 1




Hinckley and Bosworth
Borough


Leicester
City

Map 1

Blaby District Local Plan POLICIES MAP
Adopted Copy
February 2019



Key to Maps



GENERAL

- Blaby District Local Plan Boundary
- Settlement Boundaries (CS1, DM1)

HOUSING

- Housing Land Allocation (SA1, SA2)
- Lubbockthorpe Sustainable Urban Extension (SA3)

EMPLOYMENT

- Employment Land Allocation (SA3)
- Lubbockthorpe Strategic Employment Site (CS4)
- Key Employment Sites (CS5, SA4)

SHOPPING

- Retail Centres (CS13)
- Neighbourhood Pockets (DM6)
- Primary Shopping Frontages (DM5)
- Secondary Shopping Frontages (DM5)
- Meridian Leisure Area (CS12)
- Motorways Retail Area (CS13)

COUNTRYSIDE AND OTHER OPEN LAND

- Green Wedges (CS16)
- Areas of Separation (CS17)
- Countryside (CS18, DM2)

CONSERVATION AND ENVIRONMENT

- Conservation Areas (CS20, DM12)
- Scheduled Monuments (CS20, DM12)
- Green Infrastructure Assets (CS14)
- Green Infrastructure Routes (CS14)
- Local Nature Reserves (CS19)
- Sites of Special Scientific Interest (CS18)
- Local Green Space (included for information purposes please see Blaby Neighbourhood Plan)

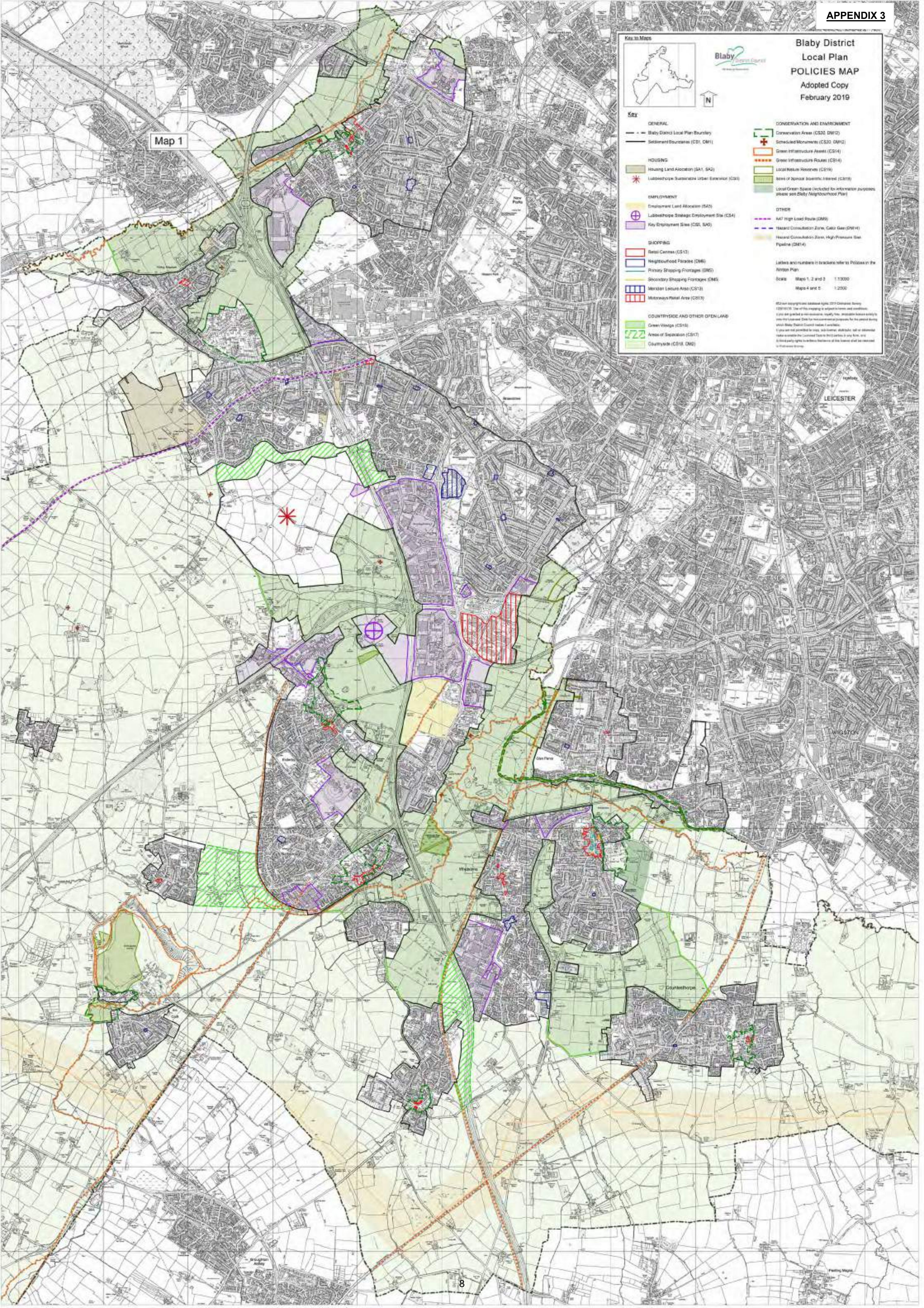
OTHER

- A47 High Load Route (DM3)
- Hazard Consultation Zone, Cable Gas (DM14)
- Hazard Consultation Zone, High Pressure Gas Pipeline (DM14)

Letters and numbers in brackets refer to Policies in the Action Plan.

Scale: Maps 1, 2 and 3: 1:10,000
Maps 4 and 5: 1:2,500

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**EXTRACT FROM CURRENT
BLABY DISTRICT LOCAL PLAN CORE STRATEGY**

Policy CS16 - Green Wedges

Strategic objectives

- iv) To maximise sport and recreation opportunities;*
- vi) To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio-diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners;*
- vii) To preserve and enhance the cultural heritage of the District, recognising its contribution to local distinctiveness and to seek design solutions which preserve and enhance heritage assets where they are impacted by development.*
- ix) To minimise the risk of flooding (and other hazards) to property, infrastructure and people; and*
- xi) To deliver the transport needs of the District and to encourage and develop the use of more sustainable forms of transport (including walking, cycling, other forms of non-motorised transport and public transport).*

Green Wedges are important strategic areas. They will be designated in order to:

- Prevent the merging of settlements;**
- Guide development form;**
- Provide a green lung into the urban areas; and**
- Provide a recreation resource.**

Green Wedges will be maintained in the following general locations:

- (a) Between Blaby and Glen Parva (Sence Valley);**
- (b) Between Whetstone, Blaby and Countesthorpe;**
- (c) Between Whetstone, Enderby, Glen Parva, Braunstone, Blaby, Littlethorpe, Narborough and Cosby (Soar Valley South);**
- (d) Between Glenfield, Kirby Muxloe, Kirby Fields and towards Ratby, Groby and Leicester;**
- (e) Between Glenfield towards Beaumont Leys, Anstey and Groby; and**
- (f) From Elvesthorpe towards Barwell and Earl Shilton.**

The need to retain Green Wedges will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of the existing Green Wedges will be formally reviewed through the Allocations, Designations and Development Management DPD.

In addition, opportunities to create new Green Wedges will be explored particularly in areas around the proposed Sustainable Urban Extension to the west of Leicester.

Along with its partners the Council will encourage the active management of land that promotes environmental improvements, recreational facilities (other than built development) and improved access within Green Wedges.

Uses that are appropriately located in Green Wedges include: agriculture (including allotments and horticulture – not garden centres); outdoor recreation (where associated buildings are small in scale); forestry; footpaths, bridleways and cycleways; and, burial grounds.

In circumstances where the development would not be harmful to the functions of Green Wedges, the following uses will be allowed: wind turbines (and other renewable energy facilities that are not within buildings); park and ride schemes; transport infrastructure (including new roads); and mineral extraction.

Land use or development in Green Wedges should:

- a) retain the open and undeveloped character of the Green Wedge;**
- b) retain and create green networks between the countryside and open spaces within the urban areas; and**
- c) retain and enhance public access to the Green Wedge, especially for recreation.**

7.16.1 Green Wedge is an important, long standing policy tool in Leicestershire that in some instances crosses Local Planning Authority (LPA) boundaries, so it is important that the policy approach taken to Green Wedges, where possible, is compatible with that of other LPAs in Leicestershire.

7.16.2 The purposes of Green Wedges are set out in the East Midlands Regional Plan. They are not a landscape designation, but seek to influence the form and direction of urban development. The primary functions are to prevent coalescence of distinct settlements and provide potential as an important recreation resource in areas that are often mainly 'built up'.

7.16.3 To consider a Green Wedge to be functioning effectively, it needs to be fulfilling one or more of the functions set out in the policy.

7.16.4 Currently, around 10% of the District is subject to the Green Wedge designation. In order to meet the development requirements of the

District, the Council recognises that the boundaries of existing Green Wedges need to be reviewed. The Council has undertaken some initial work in reviewing Green Wedges through its Strategic Green Wedge Review. This examined how effectively the Green Wedges are functioning against the purposes as set out in this policy, and consequently identified areas where there might be scope for boundary review (and those areas where there is unlikely to be). The Council will seek to work with the other Leicestershire LPAs in reviewing the boundaries of Green Wedges.

7.16.5 The detailed boundaries of Green Wedges will be formally reviewed through the Allocations, Designations and Development Management DPD.

Delivery

7.16.6 Improved access and recreation opportunities within Green Wedges are addressed by the Stepping Stones Project. This is a partnership of public sector bodies that seek to improve access for all, enhance the environment, improve people's awareness and encourage community participation around Leicester. The Stepping Stones project has a number of 'management strategies' and provides capital funding for projects. There is currently a scheme to improve access and biodiversity along a stretch of the Grand Union Canal which cuts through the Green Wedge. British Waterways are awaiting the right funding programme to help take this forward.

Policy CS17 - Areas of Separation

Strategic objectives

- iv) *To maximise sport and recreation opportunities.*
- vi) *To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners;*

Areas of Separation are areas of open land designated specifically to maintain the character and identity of individual settlements through preventing their coalescence.

The detailed boundaries of the Areas of Separation will be formally reviewed through the Allocations, Designations and Development Management DPD. They will be in the following general locations:

- a) **between Narborough and Huncote**
- b) **between Stoney Stanton and Sapcote**
- c) **between Whetstone and Cosby**

Development will only be allowed in Areas of Separation where it would

not result in the reduction in the separation between the built-up areas of these settlements.

The need to retain Areas of Separation will be balanced against the need to provide new development (including housing) in the most sustainable locations.

In addition, opportunities to designate new Areas of Separation will be explored in association with development growth (including housing and employment) over the plan period.

7.17.1 It is important to note that Areas of Separation are not landscape designations. However, they perform a very important function in ensuring that coalescence between settlements is prevented, and in doing so, they enable distinct communities to retain their identities.

7.17.2 Areas of Separation function at a very localised scale, generally tending to provide a narrow gap between just two settlements. This characteristic clearly differentiates Areas of Separation from other designations which tend to operate over larger areas and can be multifunctional in nature.

7.17.3 Currently, about 0.9% of the District is subject to the Area of Separation policy. The boundaries of the Areas of Separation will be reviewed through the Allocations, Designations and Development Management DPD to ensure that they are still functioning effectively. If this is not considered to be the case in any location, the boundaries can be amended accordingly.

Policy CS19 - Bio-diversity and geo-diversity

Strategic objectives

- v) To improve the design quality of all new developments in the District including the need to design out crime; and*
- v) To protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve bio-diversity, wildlife habitats and corridors through the design of new developments and the management of existing areas by working with partners.*

The District of Blaby has a number of sites of ecological and geological importance of national, regional and local level significance, which the Council will seek to safeguard and enhance.

Where a proposed development on land within or outside a SSSI is likely to have an adverse effect on a SSSI (either individually or in combination with other developments), planning permission will not normally be granted. Where an adverse effect on the site's notified special interest

features is likely, an exception will only be made where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the network of SSSIs. Conditions and / or planning obligations will be used to mitigate the harmful aspects of the development and where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.

Other sites within the District (including Regionally Important Geological Sites, Local Nature Reserves, Local Wildlife Sites and UK and local (Leicester, Leicestershire and Rutland) Bio-diversity Action Plan sites etc), will be protected and enhanced (where appropriate). The Council will seek to resist proposed development on, or affecting such sites, where the development could be alternatively located in less biodiverse / geologically sensitive areas. Where there are no alternative sites available, the designated sites should be retained with appropriate buffering and mitigation measures put in place to avoid / reduce any adverse impacts resulting from the proposal. Where this is not possible, compensatory measures should be sought, including provision of replacement habitats.

The Council will work closely with national and local wildlife organisations, local communities and landowners in order to ensure the creation and designation of new wildlife sites and the identification, restoration, protection and enhancement of existing sites and new priority habitats, where appropriate opportunities arise. The Council will explore the potential for new 'Local Wildlife Sites' in association with major development.

The Council will seek to maintain / extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. These networks should be protected from development. Where development in these areas cannot be avoided, the networks of natural habitats should be strengthened by or integrated within the development. The Council recognises that networks cross Local Authority boundaries, so will work with partners to ensure their maintenance and enhancement.

In terms of species protection, the Council will protect those species which do not receive statutory protection under a range of legislative provisions, but have been identified as requiring conservation action as

a species of principal importance for the conservation of biodiversity nationally. Any development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures.

This Council recognises that previously developed land can be of significant biodiversity or geological interest. Where this is the case, the Council will aim to retain this interest and have it incorporated into any development of the site and / or adopt appropriate mitigation measures.

When considering development proposals of an appropriate type and scale, the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design.

Financial Budget Comparison

for 8. Planning & Environment

Comparison between 01/04/23 and 17/10/23 inclusive. Includes due and unpaid transactions.

Excludes transactions with an invoice date prior to 01/04/23

		2023/2024	Reserve	Actual Net	Balance
8. Planning & Environment					
Income					
807	Projects	£0.00	£0.00	£0.00	£0.00
890	Consumer Products (Sales)				
890/1	General	£0.00	£0.00	£0.00	£0.00
890/2	Poop Scoops	£1,150.00	£0.00	£551.20	-£598.80
890	Total	£1,150.00	£0.00	£551.20	-£598.80
Total Income		£1,150.00	£0.00	£551.20	-£598.80
Expenditure					
8070	Projects				
8070/1	Climate Change	£0.00	£0.00	£0.00	£0.00
8070	Total	£0.00	£0.00	£0.00	£0.00
8190	Professional Fees	£250.00	£0.00	£0.00	£250.00
8440	Waste Services (Dog Bins)	£9,538.00	£0.00	£5,295.33	£4,242.67
8460	Furniture	£2,600.00	£0.00	£3,160.32	-£560.32
8900	Consumer Products (Purchase for resale)				
8900/1	Poop Scoops	£1,100.00	£0.00	£658.50	£441.50
8900	Total	£1,100.00	£0.00	£658.50	£441.50
Total Expenditure		£13,488.00	£0.00	£9,114.15	£4,373.85

Financial Budget Comparison

for 8. Planning & Environment

Comparison between 01/04/23 and 17/10/23 inclusive. Includes due and unpaid transactions.

Excludes transactions with an invoice date prior to 01/04/23

2023/2024

Reserve

Actual Net

Balance

Paid Expenditure Transactions

paid between 16/08/23 and 17/10/23, for the 8. Planning Environment

Start of year 01/04/23

Payment Reference	Paid date	Tn no	Order no	Gross	Vat	Net	Cttee	Details	Heading	
BACS230830N OTICE7214	09/09/23	19110	4404	£1,896.19	£316.03	£1,580.16	8. PE	Notice Board Company (UK) Ltd	2 x notice boards for Withers Way and Mossdale Meadows	8460
BACS230919N OTICE1077	06/10/23	19196		£1,896.19	£316.03	£1,580.16	8. PE	Notice Board Company (UK) Ltd	2 x notice boards for Braunstone Town and horpe Astley	8460
BACS231005J RB6063	13/10/23	19267	4434	£790.20	£131.70	£658.50	8. PE	Mutts Butts / JRB Enterprise LTD	Degradable Poop Scoop Bags - Bag Size 180 x 280 x 380 mm, 17 Micron Thick. 50,000. + Delivery	8900/1
Total				£4,582.58	£763.76	£3,818.82				