


REPORT TO CABINET

09 December 2020

Subject:	Designation of Nature Conservation Sites
Presenting Cabinet Member:	Councillor Millard – Cabinet Member for Inclusive Economic Growth
Director:	Tammy Stokes – Interim Director Regeneration and Growth
Contribution towards Vision 2030:	
Key Decision:	Yes
Cabinet Member Approval and Date:	Councillor Millard
Director Approval:	Tammy Stokes
Reason for Urgency:	Urgency provisions do not apply
Exempt Information Ref:	Exemption provisions do not apply
Ward Councillor (s) Consulted (if applicable):	Boroughwide
Scrutiny Consultation Considered?	This initiative has not been referred for Scrutiny consideration
Contact Officer(s):	Zoe Wilson Planning Officer zoe_wilson@sandwell.gov.uk

DECISION RECOMMENDATIONS

That Cabinet:

1. Approves the designation of land to the west of Wilderness Lane, Great Barr as a Site of Local Importance for Nature Conservation. (SLINC) (as set out in appendix 1 – Site reference 1 and appendix 2 – Plan 1 of this report).
2. Approves the removal of the Site of Importance for Nature Conservation designation at Axletree Way, Wednesbury and approves the designation of the wider site, including this land, as a Site of Local Importance for Nature Conservation (as set out in appendix 1 – Site reference 2 and appendix 2 – Plan 2 of this report).

1 PURPOSE OF THE REPORT

- 1.1 This report informs Cabinet of the results and recommendations of the ecological surveys carried out for land to the west of Wilderness Lane, Great Barr and land at Axletree Way, Wednesbury. These sites have been identified as having the potential to be designated as nature conservation sites or have had their status amended.
- 1.2 As a result of these surveys and taking into account their recommendations, Cabinet is asked to;
 - approve the designation of land west of Wilderness Lane as Site of Local Importance for Nature Conservation (SLINC)
 - approve the removal of the SINC at Axletree Way and the extension of the SLINC at the wider site, so that the site becomes a SLINC in its entirety.
- 1.3 These recommendations are required to ensure that the Council's Local Plan is based on up-to-date evidence and can continue to be used as the basis for robust and defensible planning decisions.

2 IMPLICATION FOR VISION 2030

- 2.1 The provision of a network of green spaces and nature conservation sites improves the local environment, which in turn makes the borough more attractive as a place to live, work, enjoy recreation in and invest in.
- 2.2 The environmental infrastructure of the borough has the potential to increase levels of physical activity, improve mental health benefits and contribute to environmental benefits, thus contributing to the aim of achieving a healthier population. An attractive environment will significantly improve the prospect of achieving significant numbers of high quality new houses in locations that people wish to live in.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 The Sandwell Site Allocations and Delivery Development Plan Document (SAD DPD) forms part of Sandwell's Local Plan. It sets out land use policies, allocates land for specific uses or purposes and identifies infrastructure requirements to achieve sustainable communities and development within the borough.
- 3.2 Sites of Importance for Nature Conservation (SINCs) and Sites of Local Importance for Nature Conservation (SLINCs) are designations identified in the SAD DPD and form part of the Borough's environmental infrastructure. Environmental infrastructure also includes green space, and Local Nature Reserves (LNRs). Such spaces are of importance as they have the potential to increase levels of physical activity, improve mental health benefits, contribute to environmental benefits, reduce the urban heat island effect, and benefit high quality residential development. The environmental infrastructure of the borough also provides an important ecological and educational resource.
- 3.3 SINCs and SLINCs are not subject to statutory protection. The Government envisages that sites are protected from development through the Local Plan process. The identification and allocation of SINCs and SLINCs within the SAD DPD is therefore crucial in maintaining and enhancing the Borough's environmental infrastructure.

- 3.4 Incorporating environmental infrastructure principles into Local Plan documents will help meet the Black Country Core Strategy vision for environmental transformation.
- 3.5 To complement the existing network of nature conservation sites, the Site Allocations & Delivery DPD (SAD DPD) identified 19 possible new sites which, subject to an ecological survey, had the potential to be new SINC or SLINC. All 19 of these sites have now been surveyed.
- 3.6 An additional potential site at Tanhouse Avenue was identified more recently and has since gone through the relevant process and been allocated as a SLINC. The site at Tanhouse Avenue did not form part of the 19 identified sites within the SADDPD.
- 3.7 In the first three tranches of planned survey work, 14 of the identified sites were surveyed in full. The survey at Wilderness Lane was broken down into two areas. The site to the East of Wilderness Lane has already been assessed. The site west of Wilderness Lane is one of the sites included within this report.
- 3.8 An additional two surveys have been conducted during the first three tranches of survey work. These two sites had existing SINC/SLINC allocations but the surveys that originally informed their SINC/SLINC status were more than 15 years old. These two sites were therefore resurveyed. These two surveys are not included in the 19 potential new sites identified in the SADDPD.
- 3.9 This has completed the survey work for the 19 sites identified as potential Nature Conservation sites. The additional potential site at Tanhouse Avenue, which was identified more recently, has also been completed.
- 3.10 Planning legislation requires that Local Plan allocations and designations are based on robust and up-to-date evidence. Of the two sites identified, both have had an element of SLINC extension. One site has been upgraded to a SLINC in its entirety and the other site has been classed as a SLINC in its entirety with the removal of the SINC.

4 THE CURRENT POSITION

- 4.1 The reports are based on recommendations made by The Wildlife Trust for Birmingham and the Black Country. The recommendation has been endorsed by the Local Sites Partnership (LSP).
- 4.2 The LSP is a group that consists of the four Black Country Authorities, Birmingham City Council, Birmingham and the Black Country Wildlife Trust, EcoRecord, Geodiversity, Natural England, The Environment Agency and botanists. The LSP is responsible for approving any new sites put forward for listing and then ensuring the endorsement/adoption of those sites by their own organisations
- 4.3 Sites of Importance for Nature Conservation (SINC) and Site of Importance for Local Nature Conservation (SLINC) are designations applied to the most important non-statutory nature conservation sites in the West Midlands. Although these sites do not receive statutory protection, they are protected from damaging development by Local Plan policies
- 4.4 There are now currently 33 SINC Designations in Sandwell and 67 SLINC designations. There are two sites, currently identified as potential nature conservation sites, which are deemed worthy of designation, and which are the subject of this report. The locations of these sites are identified in the Site Allocations and Delivery Development Planning Document (SAD DPD).

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

- 5.1 The sites recommended as new nature conservation sites were identified as having the potential to be either SINC or SLINC during the preparation of the Site Allocations & Delivery DPD between 2009 and 2012. The SAD DPD was subject of extensive consultation during its various stages. This included statutory bodies such as Natural England, the Environment Agency, British Waterways (now the Canals & Rivers Trust) as well as ward members and the public.

- 5.2 The Birmingham and Black Country Local Sites Partnership were consulted in the preparation of the surveys and associated reports that form the basis of the above recommendations and their endorsement sought.

6 ALTERNATIVE OPTIONS

- 6.1 The report recommends whether or not to designate the two sites as SLINC's and/or SINC's, in order to provide protection from development. The reasons for opting to designate are set out in the supporting appendices and report.

7 STRATEGIC RESOURCE IMPLICATIONS

- 7.1 The production of survey work and associated reports regarding the potential nature conservation sites are funded through the Regeneration and Planning budget.
- 7.2 The Council's corporate risk assessment strategy has been complied with, to identify and assess the risks associates with this decision/recommendation. This has identified that there are no significant risks that need to be reported.
- 7.3 There are no direct financial implications arising from this report. However, sufficient resources will need to be identified within existing budgets to ensure that the ongoing potential nature conservation site review programme can be completed within an appropriate timescale, as this forms part of our core function.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The current Local Plan for Sandwell includes the Black Country Core Strategy (BCCS), the Sandwell Site Allocations and Delivery Development Plan Document (SAD DPD), and a number of Area Action Plans (AAPs) and Supplementary Planning Documents (SPDs). Details are set out in the approved Local Development Scheme (LDS).
- 8.2 The SAD DPD and associated proposals map provides policy, land use allocations and infrastructure requirements to achieve sustainable communities and development within the borough.

- 8.3 The surveying of the potential nature conservation sites is to provide clarity over their significance and to provide the additional layer of protection that comes with the designation of SINC and SLINC status.
- 8.4 The surveying of existing SINC and SLINC is also essential in order to ensure that such designations are based on robust and up-to-date evidence.
- 8.5 The potential for planning decisions to be challenged increases where it can be shown that Local Plan allocations are based on out-of-date or incomplete information. Ensuring that there is current information relating to the Borough's inventory of nature conservation sites, including SINC and SLINC, reduces this risk.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The sites that are the subject of this report are included in the Site Allocations & Delivery DPD which was subject of a full Equality Impact Assessment prior to its adoption in 2012.

10 DATA PROTECTION IMPACT ASSESSMENT

- 10.1 The recommendations in this report do not result in the collection or retention of personal data.

11 CRIME AND DISORDER AND RISK ASSESSMENT

- 11.1 The designation and de-designation of nature conservation sites does not in itself result in any physical changes to the sites themselves. Therefore, there are no Crime and Disorder issues arising from the recommendations set out in this report.

12 SUSTAINABILITY OF PROPOSALS

- 12.1 The recommendations in this report result from a need to ensure that the evidence that underlies the Local Plan is robust, up-to-date and is in line with current planning and environmental legislation.

13 HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

13.1 Nature conservation sites have the potential to increase levels of physical activity, improve mental health benefits, contribute to environmental benefits, reduce the urban heat island effect, and benefit high quality residential development. The environmental infrastructure of the borough also provides an important ecological and educational resource.

14 IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

14.1 No significant impact has been identified in terms of management or maintenance that results from the sites designation. Both sites fall under the management of Sandwell MBC. The designations should not impact on the management or maintenance of the sites.

15 CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

15.1 Nature Conservation sites, both SINC's and SLINC's, form an important part of the Borough's environmental infrastructure along with green space and Local Nature Reserves. Their contribution to the health, environmental wellbeing and overall attractiveness of the borough is recognised in the Borough's Local Plan.

15.2 The sites that are the subject of this report were surveyed as part of the process of bringing the evidence that underpins the Local Plan up to date and this has resulted in the recommended designations set out above.

15.3 Cabinet is therefore recommended to approve the recommendations and designations of the two sites.

15.4 These designations will be carried forward into the review of the Sandwell Development Plan, which is currently underway.

16 BACKGROUND PAPERS

16.1 Black Country Core Strategy (2011)
Sandwell Site Allocations & Delivery DPD (2012)

- 17 **APPENDICES:**
Appendix 1 - Site Recommendation
Appendix 2 – Site plan

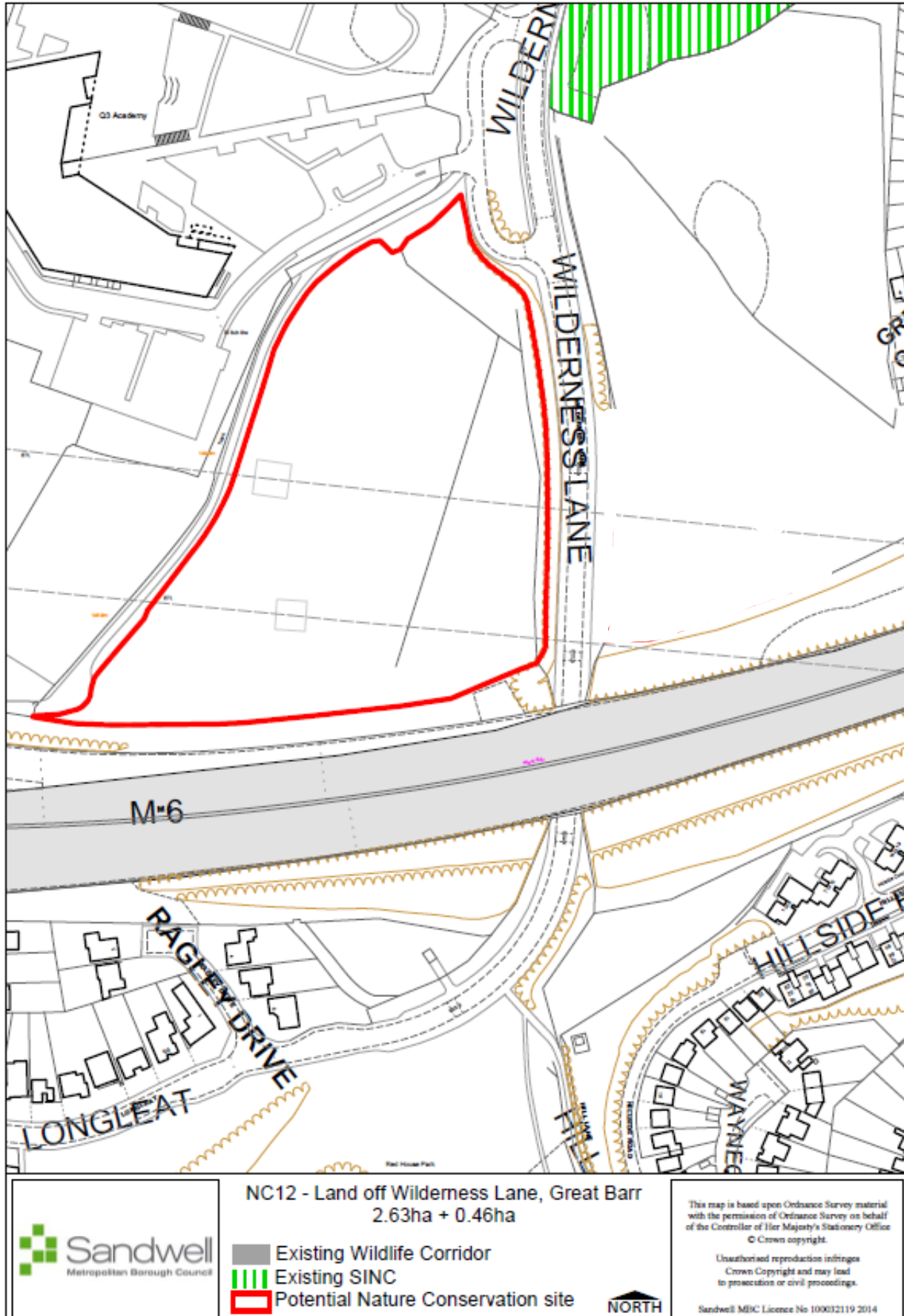
Tammy Stokes
Interim Director – Regeneration and Growth

Appendix 1

Appendix 1: Site Recommendations			
Site	Plan No	Site Description	Recommendation
Land west of Wilderness Lane	1	<p>The survey site comprises broadleaved woodland (semi-natural and plantation) and semi-improved neutral grassland with scattered scrub and tall-ruderal vegetation.</p> <p>The site has developed from open grassland with boundary hedgerows to predominately broadleaved woodland.</p> <p>In addition, the site acts as a 'stepping stone' and green corridor connecting sites of ecological importance such as Peakhouse Farm (SINC) and Wilderness Wood (SINC) to the Sandwell Valley complex in the wider landscape. The proximity of the site to Q3 Academy also provides a potential opportunity for the greenspace to be utilised for outdoor education.</p>	Upgrade and extension to SLINC
Axletree Way	2	<p>The SINC was downgraded due to a loss in some habitat. The wider site however includes a section of the River Tame Corridor, which is an important watercourse for the local area. It is located between two other SLINCs and may act as a stepping stone between the two. The location and topography of the site mean that the site is relatively undisturbed and therefore a refuge for wildlife. The grassland adjoining the site has a number of species of interest including Lady's Bedstraw (<i>Galium verum</i>), Perforate St John's Wort (<i>Hypericum perforatum</i>), Black Knapweed (<i>Centaurea nigra</i>) and Common Bird's-foot-trefoil (<i>Lotus corniculatus</i>).</p>	Downgrade an area of SINC and the extension to SLINC

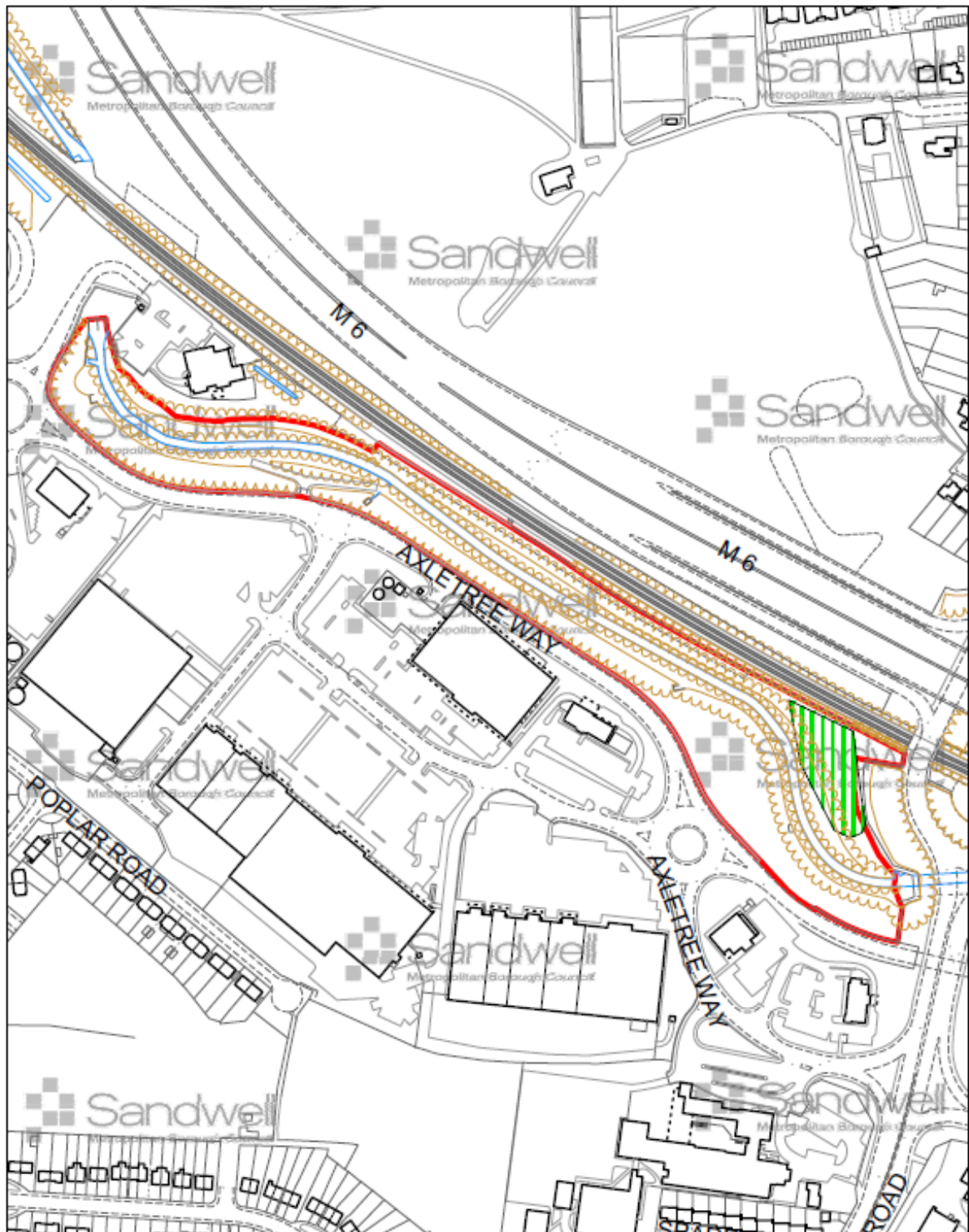
Appendix 2 – Site Maps

Plan 1: Land west of Wilderness Lane





Plan 2: Axletree Way

2020



Axletree Way

-  Potential Nature Conservation Site
-  Existing SINC

Scale



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