

Report to Cabinet

7 February 2024

Subject:	Designation of Nature Conservation Sites
Cabinet Member:	Cabinet Member for Regeneration and WMCA Councillor Peter Hughes
Director:	Director Regeneration and Growth Tony McGovern
Key Decision:	Yes Type (c) - an executive decision which is likely to be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.
Contact Officer:	Public Rights of Way Officer/Planning Policy Officer, Zoe Wilson, zoe_wilson@sandwell.gov.uk Peter Simpson, peter_simpson@sandwell.gov.uk

1 Recommendations

1.1 That approval be given to the Site Recommendations as detailed in Appendix A which include:

- The extension of the SINC at Land at Beaconview Road.
- The extension of the SINC at Ridgeacre Branch Canal.
- The SINC at Gower Branch Canal maintaining its current status and boundary.
- The SLINC element at Galton Valley be upgraded to SINC status, so that the entire site will be a SINC. A small section in the centre of the site to be deleted.
- The upgrading of part of the SLINC to a SINC at Thimblemill brook (West). This will extend the extent of the SINC and reduce the size of the SLINC element.



- The upgrading of the SLINC to a SINC at Haden Hill Park so that the entire site is a SINC. No action to be taken regarding the PSI, as this did not meet the required standards.
- The extension of the SLINC at Dudley to Priestfield Disused Railway, with an amendment to the boundary to exclude a building.
- To maintain the status and boundary of the SLINC at Bradley Locks.
- To maintain the status and boundary of the SLINC at Broadwell Park.
- To maintain the status and boundary of the SLINC at Market Place, Tame Valley.
- To maintain the status and boundary of the SLINC at Ocker Hill Balancing Pool.
- To maintain the status and boundary of the SLINC at Woden Road South.
- To maintain the status and boundary of the SLINC at Thimblemill brook (East).
- To delete the entire SLINC at Dixon's Branch Canal

1.2 That the Director Regeneration & Growth be authorised to make the necessary changes to the Sandwell Local Plan Proposals Map to reflect the designations identified in the report.

2 Reasons for Recommendations

2.1 This report informs Cabinet of the results and recommendations of the ecological surveys carried out for land at;

- Beaconview Road (SINC)
- Ridgeacre Branch Canal (SINC)
- Gower Branch Canal (SINC)
- Galton Valley (SINC/SLINC)
- Thimblemill brook (West) (SINC/SLINC)
- Haden Hill Park (SINC – part, SLINC – Part, PSI – Part)
- Dudley to Priestfield Disused Railway (SLINC)
- Bradley Locks (SLINC)
- Broadwell Park (SLINC)
- Market Place, Tame Valley (SLINC)



- Ocker Hill Balancing Pool (SLINC)
- Woden Road South (SLINC)
- Thimblemill brook (East) (SLINC)
- Dixon's Branch Canal (SLINC)

2.2 These sites all have existing designations, and in some cases, a Potential Site of Interest (PSI) as part of the survey area as well.

2.3 Of the 14 sites identified, two of the existing SINC's have been extended, one SINC maintains its current status and boundary, three of the sites have had part or all of the SLINC element upgraded to a SINC, one site with an existing SLINC has been extended, six existing SLINC's maintain their current status and boundary and one existing SLINC has been deleted.

2.4 Beaconview Road was identified as a SINC due to its significant and contiguous block of broadleaved woodland, alongside an unmodified and aesthetically appealing section of the River Tame. It is also a highly accessible, well used and valued public open space.

2.5 It is recommended to extend the SINC to include the semi-natural woodland which is of good quality, and merges well into plantation broadleaved woodland within the existing SINC.

2.6 Ridgeacre Branch Canal was identified as a SINC due to its diverse and complex suite of habitats. The site is directly connected to the Snowhill to Wolverhampton Railway (a designated SLINC) with further connections to the south and west via hedgerows. Although this site links to other sites of interest, it is very linear and surrounded by dense areas of built development. Its therefore an extremely important natural habitat within an otherwise densely built up area. It is recommended to extend the SINC into the PSI (beyond the canal terminus at the eastern end of the site), as natural succession has progressed into these areas.

2.7 Gower Branch Canal was identified as a SINC as it has a high degree of ecological connectivity with wildlife sites to the north, west and east. Five uncommon / axiophyte species were also recorded within the latest



survey. Natural grassland and aquatic / emergent vegetation are found throughout the site and are bounded by dense scrub and significant areas of broad-leaved woodland. It is recommended to maintain the SINC status of the site and its current boundary.

- 2.8 Galton Valley was identified predominantly as a SINC due to the high levels of ecological and social interest. There is also a section of the site that is currently identified as a SLINC. The recommendation is to maintain, extend and upgrade the site to a SINC in its entirety, with the exception of the area including the building / hard surfaces in the centre of the site, which is to be downgraded and deleted from the designation. The recommendation to upgrade the SLINC section to SINC was due to the progression of habitat, which has advanced towards broadleaved woodland, and neutral grassland which has succeeded to scrub.
- 2.9 The majority of Thimblemill Brook (West) is currently identified as a SINC, with a small section of SLINC to the eastern boundary. It is recommended to amend the allocation in the following way: Part deletion, extension, and upgrade. Part of the boundary to the eastern section of the site, currently a SLINC, should be deleted due to residential development that has taken place. The other section towards the eastern boundary of the site, which is also currently a SLINC, should be upgraded and integrated in to the wider SINC, including the path currently dividing the two sections of the site. This will make the entire site of SINC status.
- 2.9 This recommendation is being made despite evidence of a decline in habitat quality since the sites original designation as a result of a lack of/poor management (this decline is reflected by the site scoring mostly Mediums against the Ecological Criteria). The position of the Birmingham & Black Country Local Site Partnership is that the designation status of a site should not be downgraded when a decline in habitat quality is a result of a lack of/poor management.
- 2.10 Whilst work is needed to improve the site, it is still well-connected to the wider landscape, is of importance to the local community and is reasonably diverse. There is no significant difference in the composition or quality of habitats between the eastern and western sections of this



site, and both are in such close proximity as to render them effectively identical in social, cultural, geological and historical significance. Therefore, it follows that both aspects of the site should be included in the same designation (in this case, being of SINC value).

2.11 The survey carried out at Haden Hill Park includes the designated SINC (part), SLINC (part), and a previously unsurveyed PSI. The recommendation is to combine and upgrade the SLINC into the wider SINC, so that the entire site becomes classified as a SINC. This is a large site and is a key steppingstone for wildlife along the narrow River Stour Valley (SINC/SLINC) wildlife corridor that itself connects to other medium sized steppingstones in the surrounding area within a largely urban area. The continued succession of previous parkland and plantation woodlands is increasing the naturalness and aesthetic appeal of the site. Whilst some of the habitats identified in the SLINC would not meet requirements individually, they contribute to the wider diversity of the site and overall connectivity and size of the site, hence the recommended SINC status overall. The PSI was also assessed but was not found to meet criteria for designation.

2.12 The survey carried out at Dudley to Priestfield Disused Railway recommends that the current SLINC is extended to include the area which has developed through natural succession, which has advanced over the years along the section of disused railway. It has also been recommended that the boundary is amended to exclude the area which now comprises a building. Natural succession towards broad-leaved woodland is increasing the naturalness and aesthetic appeal of the site and it is important to maintain and extend the current size of the area in order for it to continue functioning as an important ecological corridor and local wildlife site.

2.13 The survey carried out at Bradley Locks SLINC has identified the natural succession that has advanced with both sides of the canal, now dominated by maturing broadleaved woodland. The extent of swamp habitat is valuable in a local context although some habitat management intervention will be required to maintain open water and more open habitats such as semi-improved neutral grassland. Management



intervention should be carried out in tandem with appropriate ecological monitoring to retain key habitats but also being aware of possible presence of legally protected species such as Great Crested Newt, Water Vole and Bat species. It is recommended that the site retain its SLINC status within its existing boundary.

- 2.14 The survey carried out at Broadwell Park SLINC recommends that the site retain its current SLINC status within the existing boundary. The ecological isolation of this site serves to highlight the relative importance of Broadwell Park as an existing SLINC within the local area. It is enhanced by having the key ecological corridor and habitat of the River Tame flowing along its western boundary. Furthermore, this is a highly accessible site and provides an important fragment of semi-natural habitat which is likely to be used by local office and factory workers, as well as the nearby local community.
- 2.15 Market Place, Tame Valley is identified as a SLINC and the survey report recommends that the site retain its current status and boundary. There is a good range of habitat and species diversity within a small site, which benefits from good ecological connectivity and a relatively unmodified section of the River Tame. The site acts as a key steppingstone between the Sheepwash LNR and the Tame valley towards Ocker Hill. It is also easily accessible and well-utilised by the local community.
- 2.16 Ocker Hill Balancing Pool is identified as a SLINC, most notable for an area of standing open water alongside the River Tame which forms the west and northern boundary. It is recommended that the site retains its current status and site boundary. Extension would be difficult as the site is situated to the north-east of Ocker Hill, with the Balancing Pond SLINC bounded immediately to the east by a railway line with a large asphalt plant beyond that; to the south is a National Grid complex which includes part of the SLINC and contains a mosaic of semi-improved neutral grassland, dense and scattered scrub and broadleaved woodland. The River Tame flows along the western boundary and, further west before reaching the A41 trunk road, is a complex of scrub, woodland and tall ruderal vegetation that acts as an effective buffer and ecological corridor to the SLINC itself.





- 2.17 Woden Road South is currently identified as a SLINC and it is recommended that the site retain its current status and site boundary. It is a large and valuable area of highly accessible public open space, which is well used, within the south-east of Wednesbury. Woden Road South SLINC is surrounded by dense areas of housing, a school to its west and east, and industrial units towards its northern boundary. However, it is linked to Hydes Road Pool and other semi-natural habitat to the south and south-west. Although there is a good level of species and habitat diversity, it does not meet species/ habitat criteria to be designated a SINC. It is therefore recommended to retain its SLINC status.
- 2.18 Thimblemill brook (East) is identified as a SLINC and it is recommended that the site retain its current SLINC status and site boundary. The site has a high degree of access and is ranked very highly in a historical and cultural context. The site merits SLINC status as a steppingstone for species along the Thimblemill Brook Valley and between several nearby local wildlife sites (potential and current). It is also a central point for nearby Local Wildlife Sites. It provides a locally important fragment of semi-natural habitat either side of Thimblemill Brook.
- 2.19 Although its scores are low for several of the key ecological criteria, it is an important and likely valuable natural asset for the local community and should be retained as a SLINC. It is also used by the local community and a focus for environmental action such as litter picking.
- 2.20 Dixon's Branch Canal was identified as a SLINC, but it is recommended that the entire site have its status removed with the deletion of the SLINC. The site has now been built over with a residential development with just a remnant boundary hedgerow of the original SLINC remaining.
- 2.21 The reports are based on recommendations made by The Wildlife Trust for Birmingham and the Black Country. The recommendation has been endorsed by the Birmingham and Black Country Local Sites Partnership (LSP).



- 2.22 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 SINCs and SLINCs, reduces this risk.
- 2.23 Incorporating environmental infrastructure principles into Local Plan documents will help meet the current Black Country Core Strategy vision for environmental transformation as well as the vision identified in the emerging SLP.
- 2.24 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.
- 2.25 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 How does this deliver objectives of the Corporate Plan?

	<p>The Best Start in Life for Children and Young People Nature Conservation Sites can add educational value through the provision of green infrastructure and an important ecological resource</p>
	<p>People Live Well and Age Well 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.</p>



4 Context and Key Issues

Context

- 4.1 Sites of Importance for Nature Conservation (SINCs) and Sites of Local Importance for Nature Conservation (SLINCs) are designations identified in the SAD DPD and also the emerging Sandwell Local Plan (SLP), and form part of the Borough's environmental infrastructure. Potential Sites of Interest (PSIs) are not identified in the Local plan as they have not been subject to survey but have been highlighted as sites that may be worthy of designation.
- 4.2 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 and emerging SLP is therefore crucial in maintaining and enhancing the Borough's environmental infrastructure.
- 4.3 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.
- 4.4 The Birmingham and Black Country Local Sites Partnership (LSP) was consulted in the preparation of the surveys and associated reports that form the basis of the above recommendations and its endorsement sought.
- 4.5 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.



- 4.6 The Sandwell Local Plan is the emerging planning document which will replace the Black Country Core Strategy and the SAD DPD. The Sandwell Local Plan will continue to set out land use policies, allocating land for specific uses or purposes as well as identifying infrastructure requirements to achieve sustainable communities and development within the borough.
- 4.7 To ensure the designation of nature conservation sites remain valid and up to date, survey work has been carried out on existing SINC and SLINC. This ensures we have an up to date, defensible and robust evidence base

Background

- 4.8 All of the surveys carried out had existing designations with two of the sites also including a PSI. 10 of the 14 sites had not been surveyed since the late 1990's, one had last been surveyed in 2010/11, with the remaining three sites being surveyed in 2016, which is itself seven years ago. The PSIs which had been identified in two of the sites had not previously been surveyed.
- 4.9 Planning legislation requires that Local Plan allocations and designations are based on robust and up-to-date evidence.
- 4.10 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.
- 4.11 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.



Resources

- 4.12 The production of survey work and associated reports regarding the potential nature conservation sites are funded through the Regeneration and Planning budget.
- 4.13 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.
- 4.14 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.

5 Alternative Options

- 5.1 The alternative is to not commission survey work, which would result in an out of date evidence base and the potential for SINC's and SLINC's to be at greater risk of being lost

6 Implications

Resources:	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.
Legal and Governance:	National planning policy sets out clear expectations for local authorities to take a strategic approach to the environment and biodiversity. Survey and resurvey work on sites of ecological interest and value should contribute to current and emergent development plan documents (such as the emergent Local Plan and



	<p>important supplementary planning documents). S.40 of the Natural Environment and Rural Communities (NERC) Act (2006) requires all public bodies to have regard to biodiversity conservation when carrying out their functions – commonly referred to as the ‘Biodiversity duty’. These designations support the Council in the discharge of this obligation. The continued monitoring of the status of nature conservation sites and identifying new sites is also part of the requirements of The Conservation of Habitats and Species Regulations (2010). Arrangements for the designation and protection of sites for planning purposes falls outside of the scope of this report and is instead undertaken the development and review of the emergent Local Plan.</p>
Risk:	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.
Equality:	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.
Health and Wellbeing:	The maintenance of Nature Conservation sites will have a positive impact on the health and well being of the population through providing a green network of sites for Biodiversity
Social Value:	Nature Conservation sites improve the social value of the area by providing green and natural spaces, which is positive for health and well-being.
Climate Change:	Nature Conservation Sites are addressing Climate Change and link strongly to Biodiversity Net Gain (BNG)
Corporate Parenting:	There are no corporate parenting implications arising from the recommendations contained in this report.



7. Appendices

Appendix A - Site Recommendations

Appendix B – Site plans

8. Background Papers

Black Country Core Strategy (2011)

Sandwell Site Allocations & Delivery DPD (2012)

Emerging Sandwell Local Plan (Draft) (2023)



APPENDIX A

Site Recommendations

- Land at Beaconview Road - Extension of the SINC.
- Ridgeacre Branch Canal - Extension of the SINC.
- Gower Branch Canal – Maintain the SINC within the existing boundary .
- Galton Valley - Upgrade the existing SLINC to a SINC status, so that the entire site will be a SINC. A small section in the centre of the site to be deleted.
- Thimblemill brook (West) – Maintain the status of the SINC. Upgrade part of the SLINC to a SINC and delete the section that has been built over. Overall, this will increase the extent of the SINC and make the site a SINC in its entirety.
- Haden Hill Park - Upgrade the SLINC to a SINC so that the entire site is a SINC. No action to be taken regarding the PSI, as this did not meet the required standards.
- Dudley to Priestfield Disused Railway - Extend the SLINC and amend the boundary to exclude a building.
- Bradley Locks - Maintain the status and boundary.
- Broadwell Park - Maintain the status and boundary.
- Market Place, Tame Valley - Maintain the status and boundary.
- Ocker Hill Balancing Pool - Maintain the status and boundary.
- Woden Road South - Maintain the status and boundary.
- Thimblemill brook (East) - Maintain the status and boundary.
- To delete the entire SLINC at Dixon's Branch Canal.

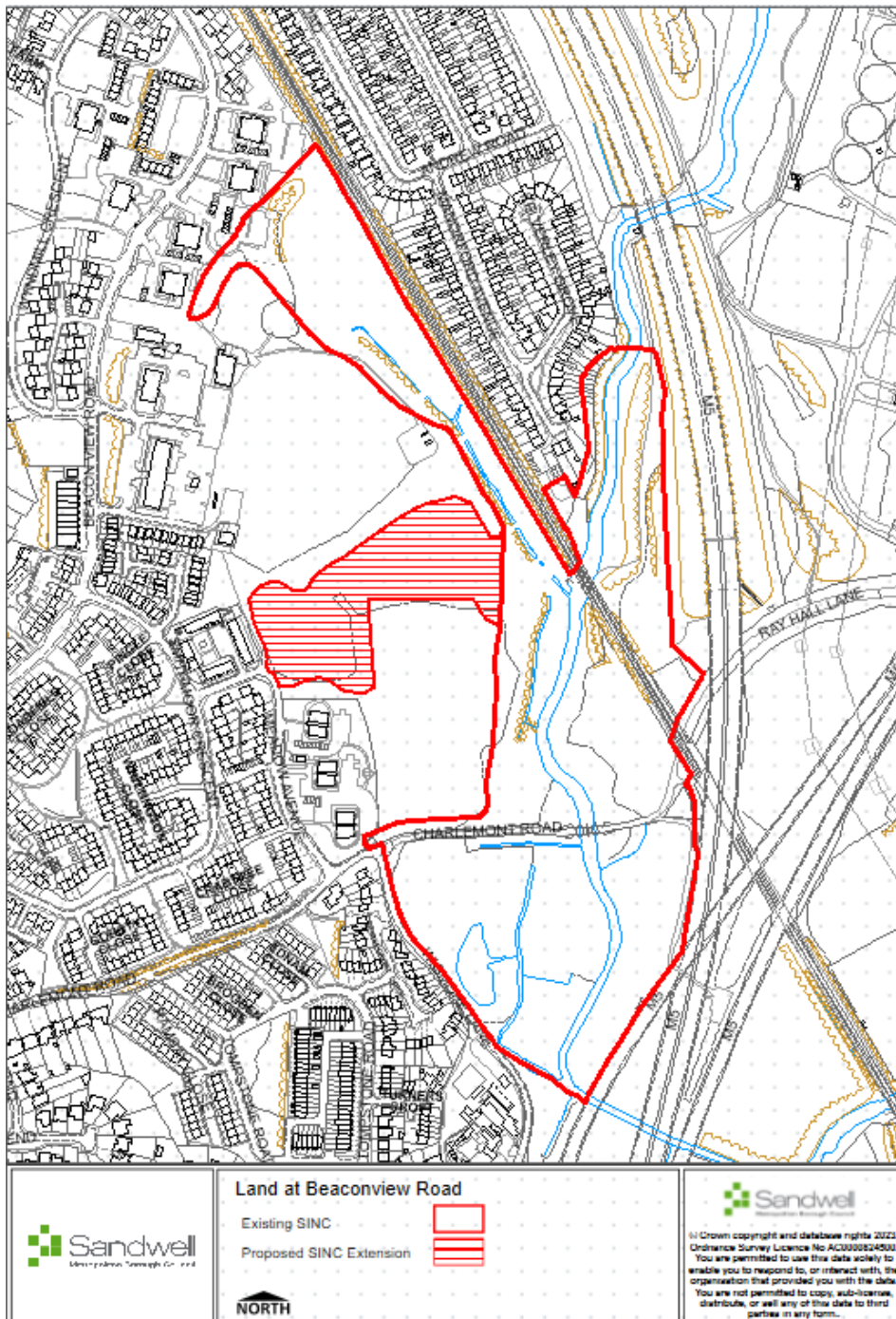


APPENDIX B

Site Plans

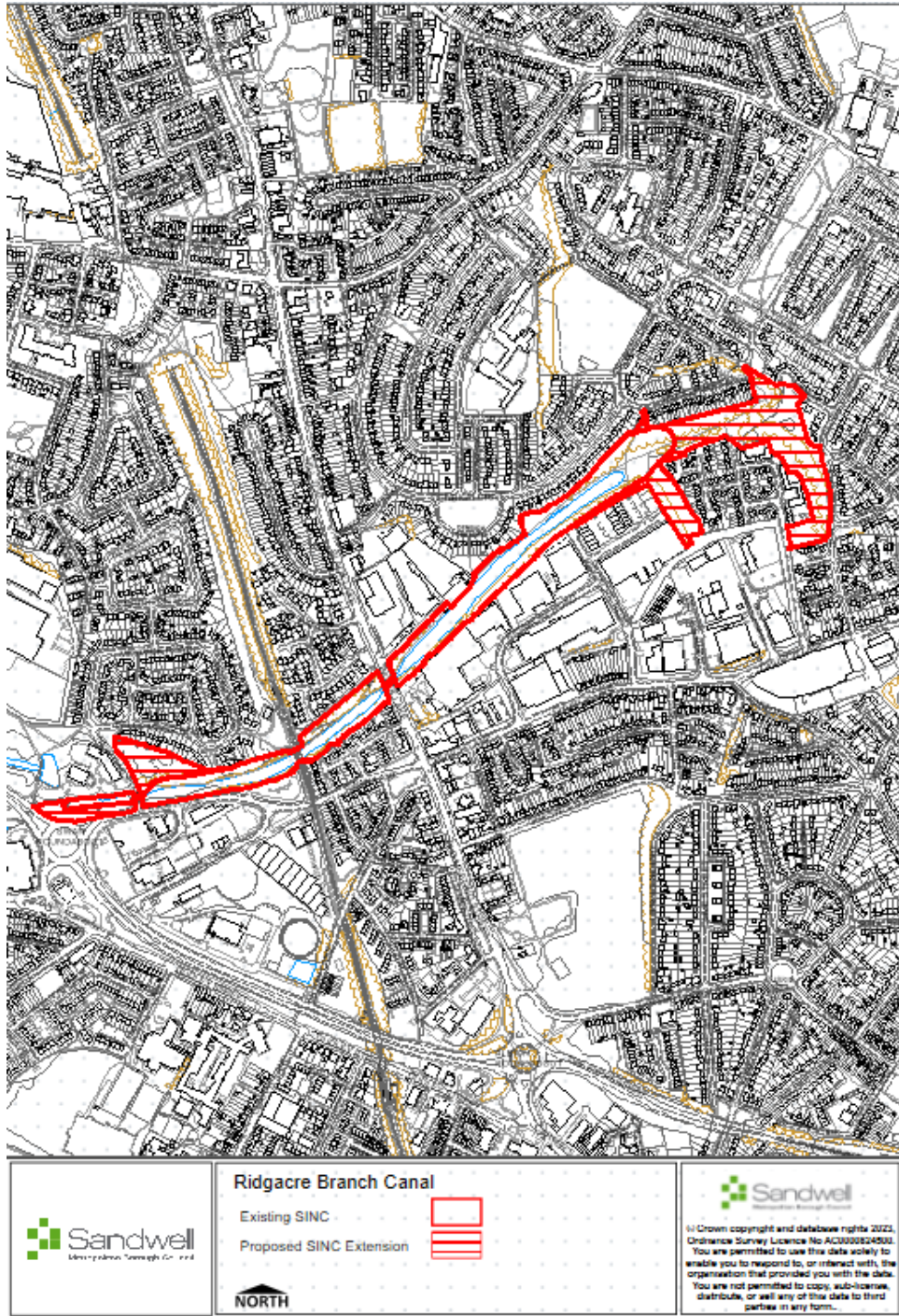
Site 1: Land at Beaconview Road:

Recommendation: Extension



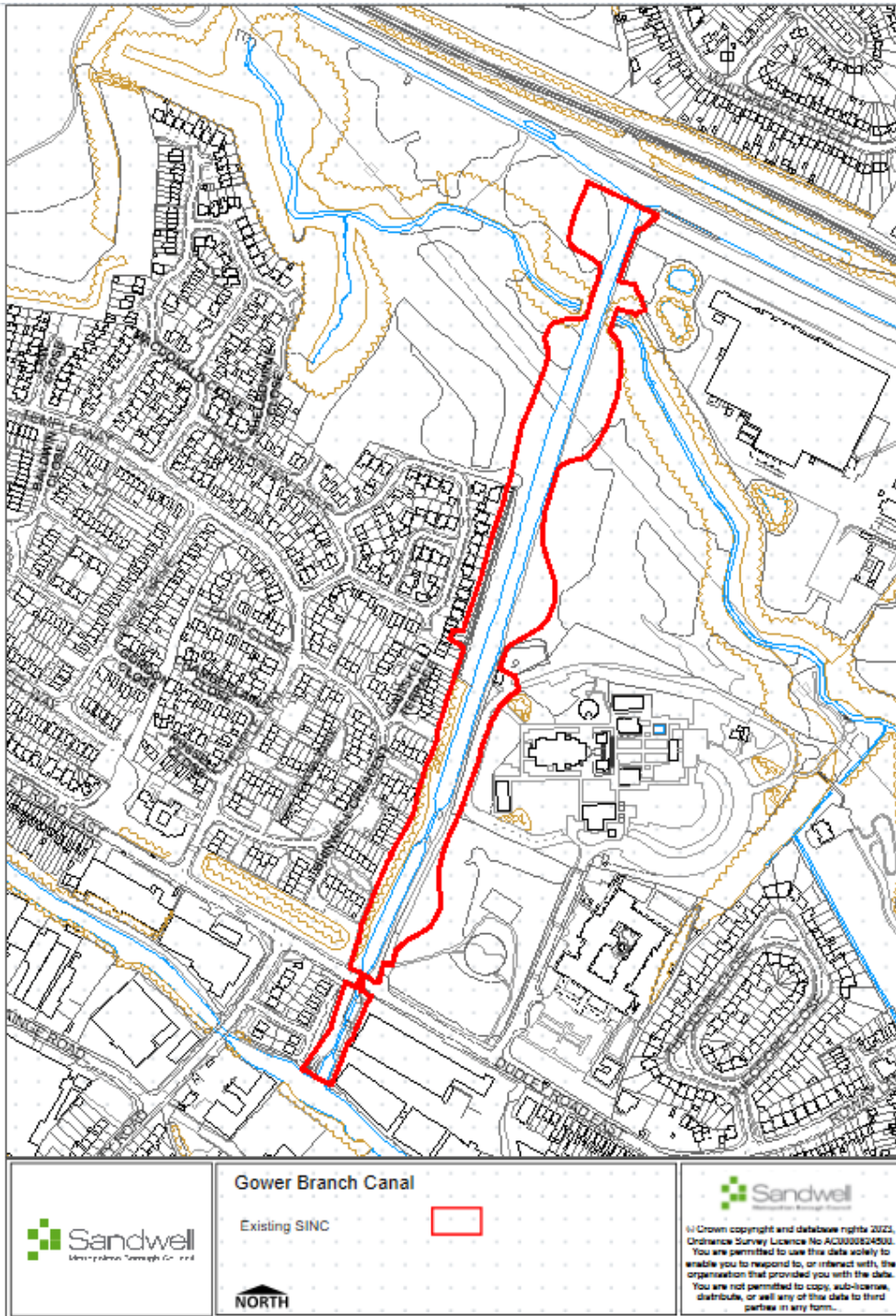
Site 2: Ridgacre Branch Canal

Recommendation: Extension



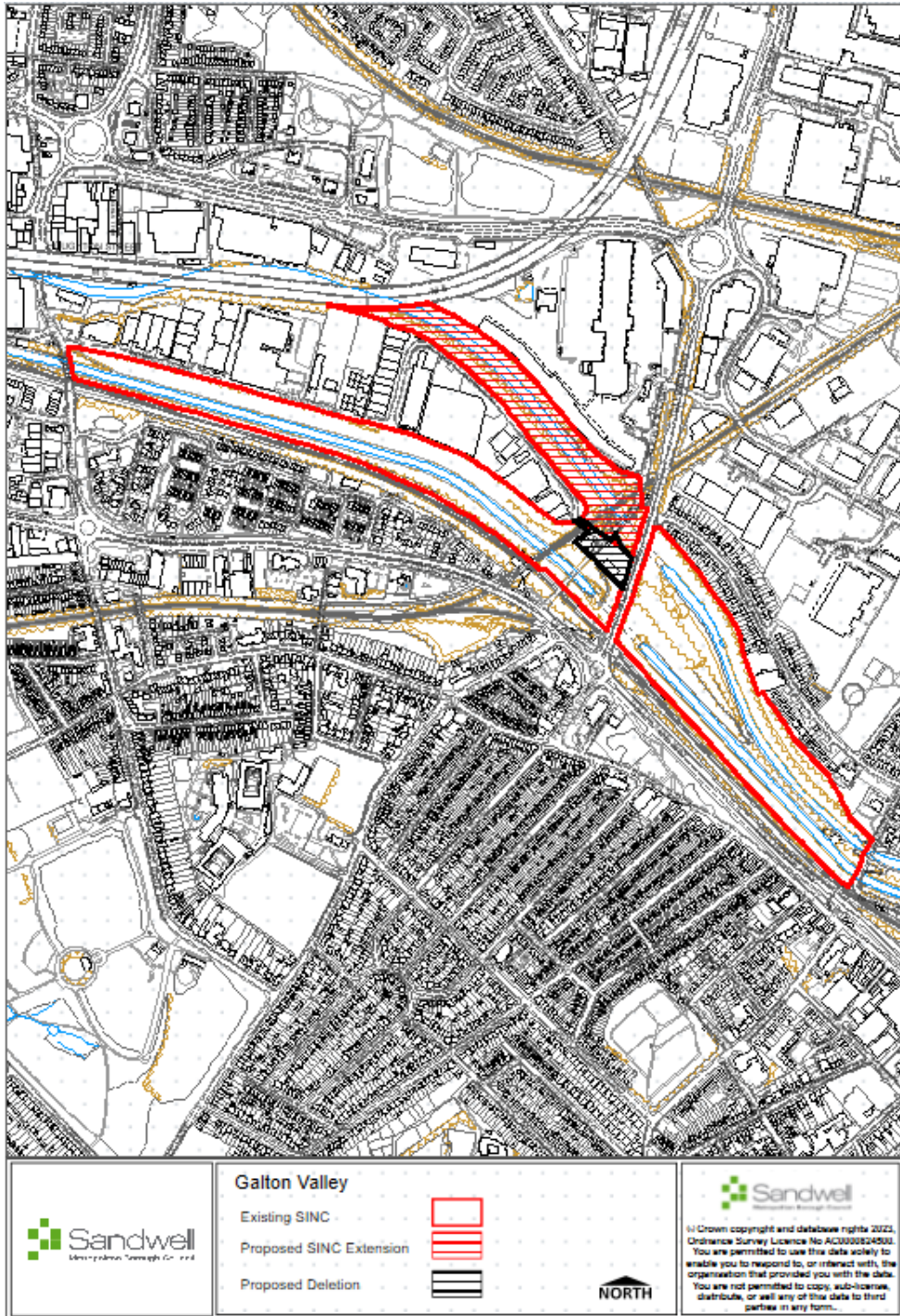
Site 3: Gower Branch Canal

Recommendation: Maintain boundary and status



Site 4: Galton Valley

Recommendation: Extension, upgrade and part deletion



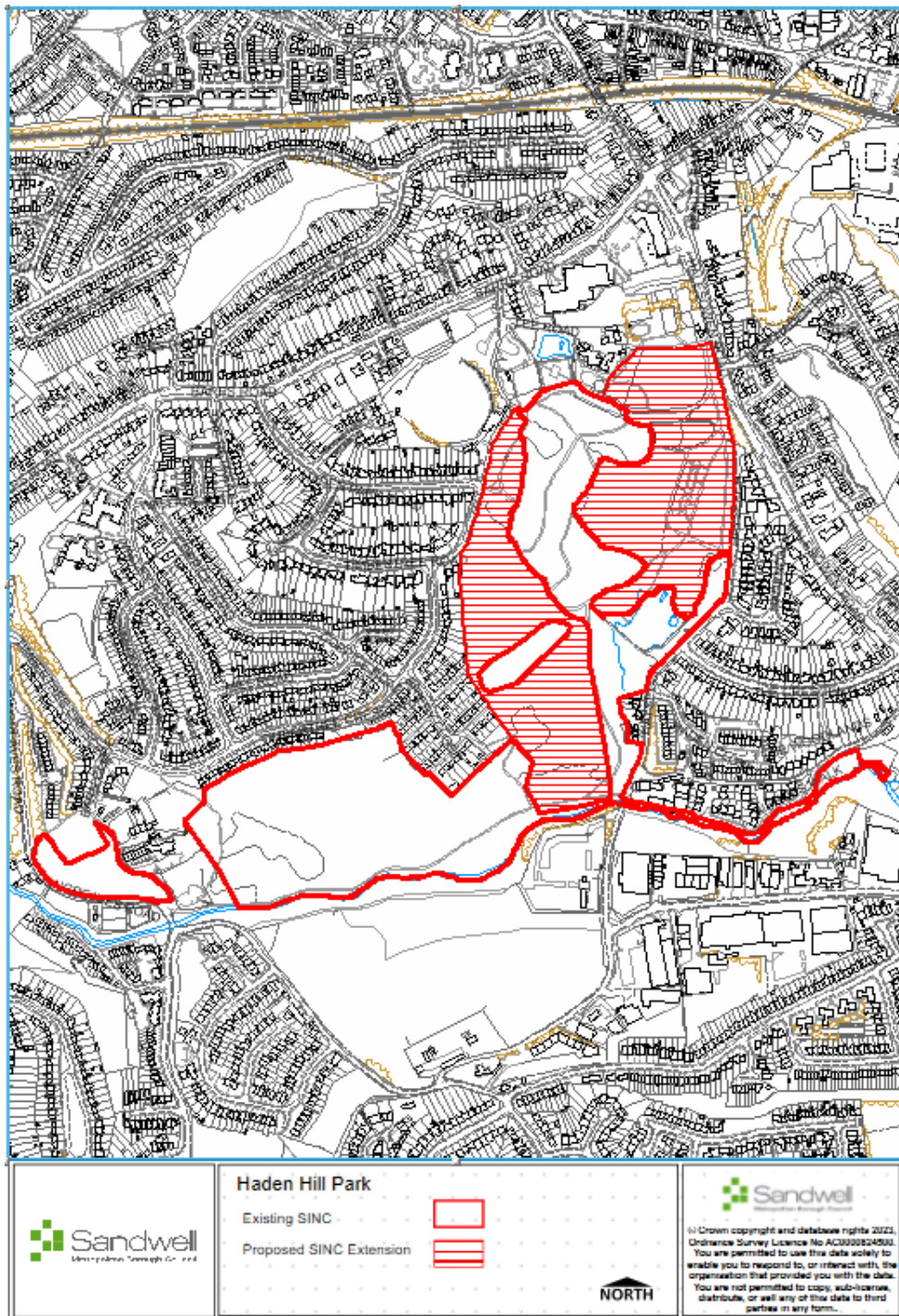
Site 5: Thimblemill Brook (West)

Recommendation: Part deletion, Extension, and upgrade



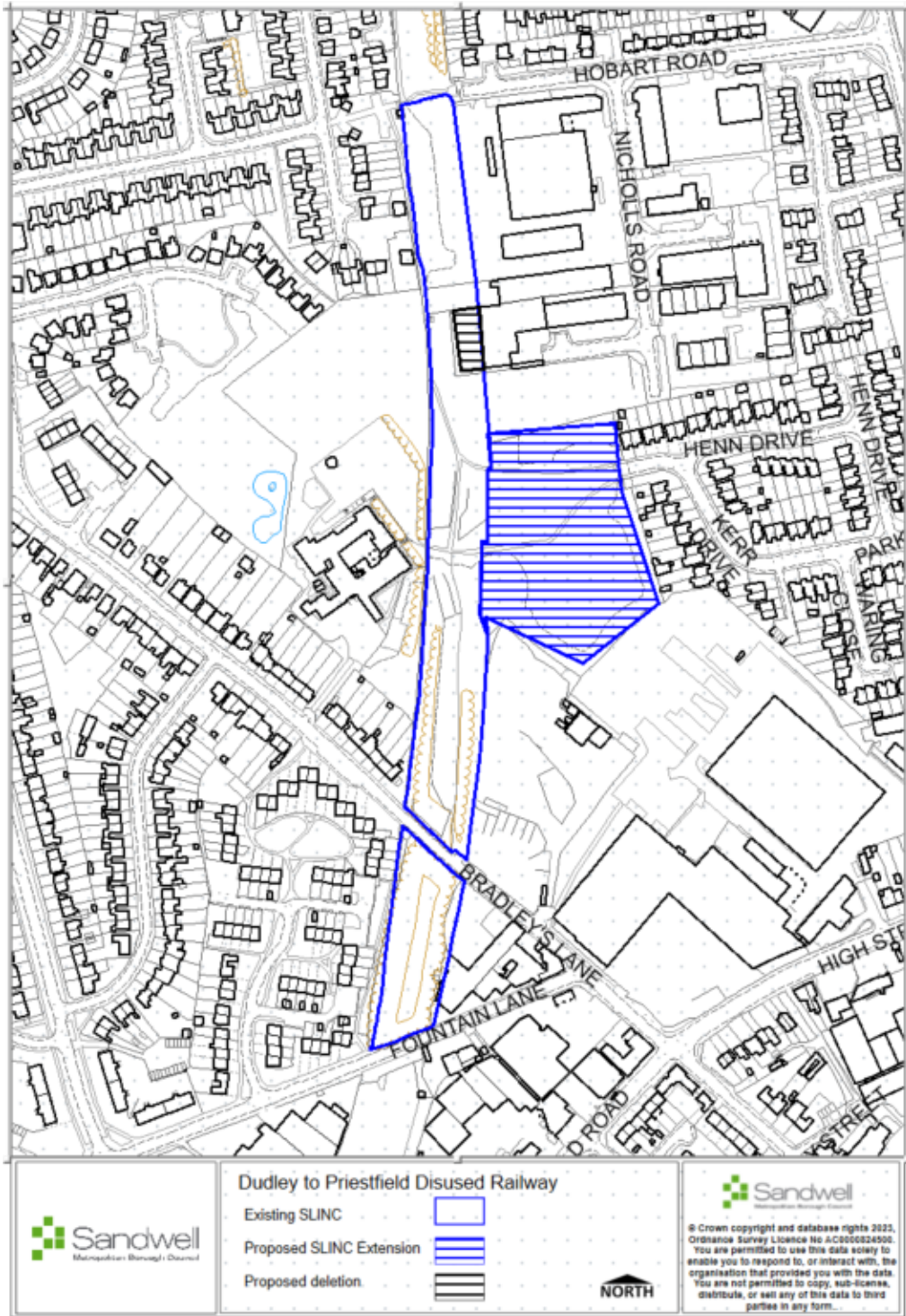
Site 6: Haden Hill Park

Recommendation: Upgrade SLINC to SINC



Site 7: Dudley to Priestfield Disused Railway

Recommendation: Upgrade SLINC to SINC



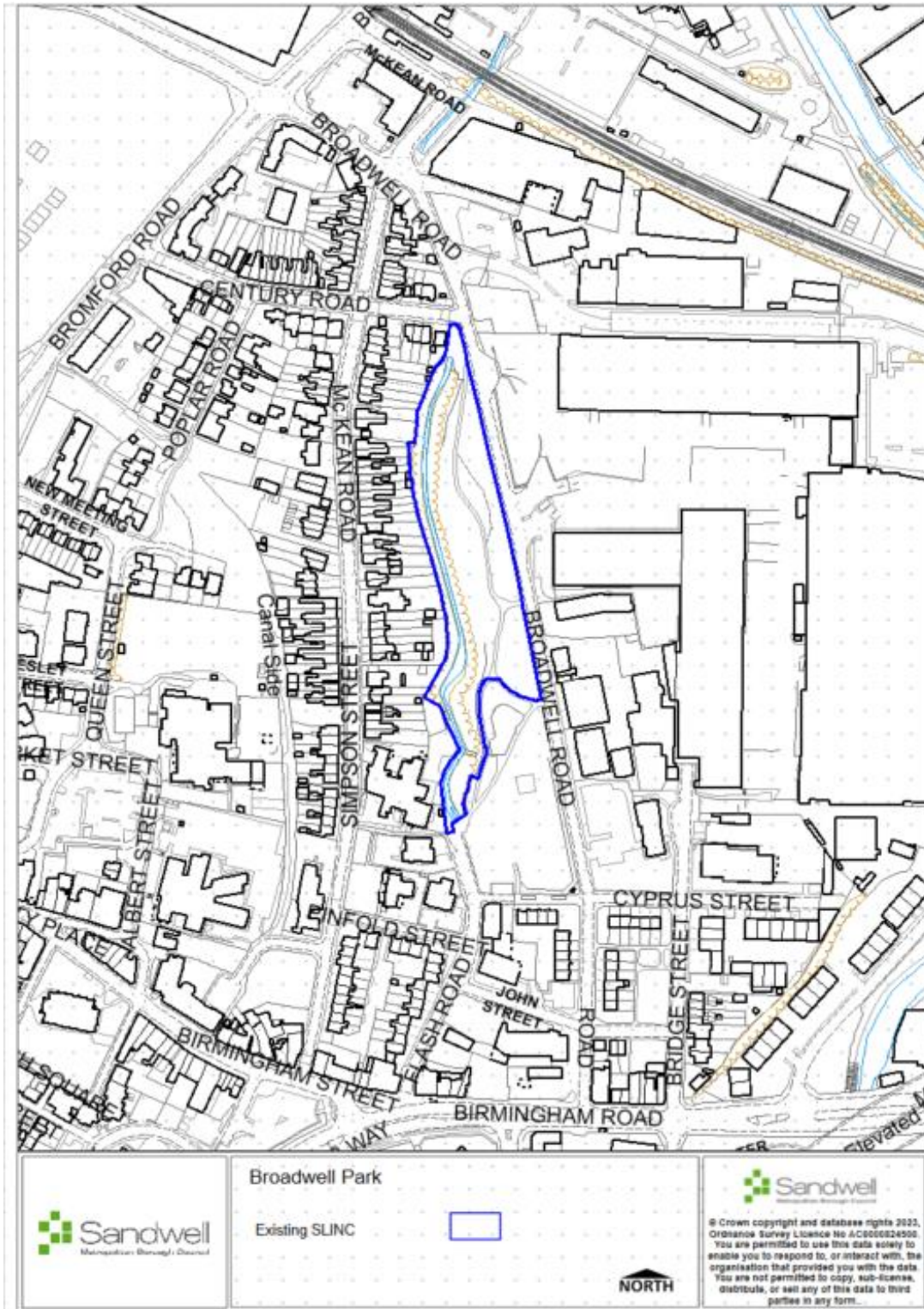
Site 8: Bradley Locks

Recommendation: Retain SLINC with existing boundary.



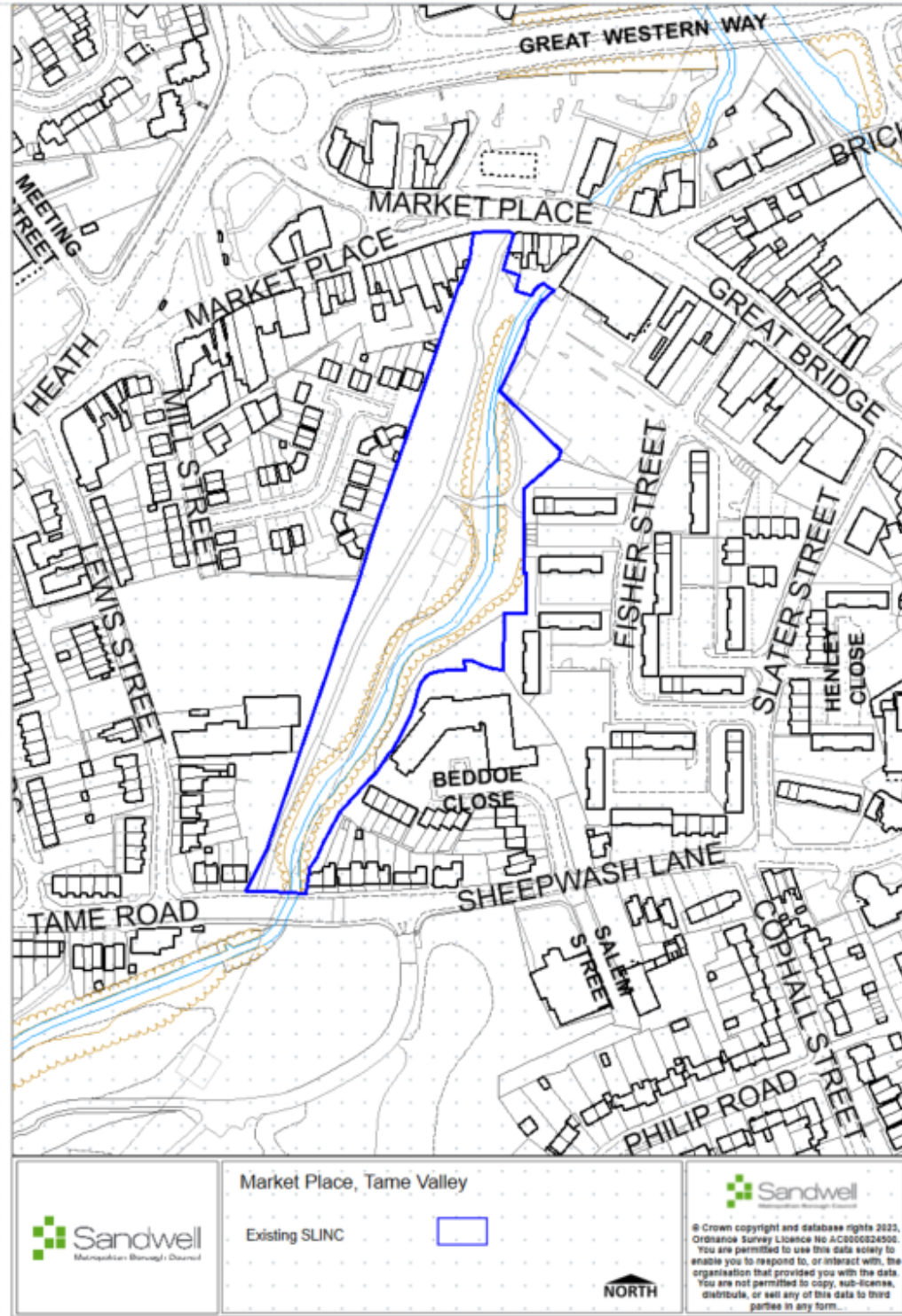
Site 9: Broadwell Park

Recommendation: Retain SLINC with existing boundary.



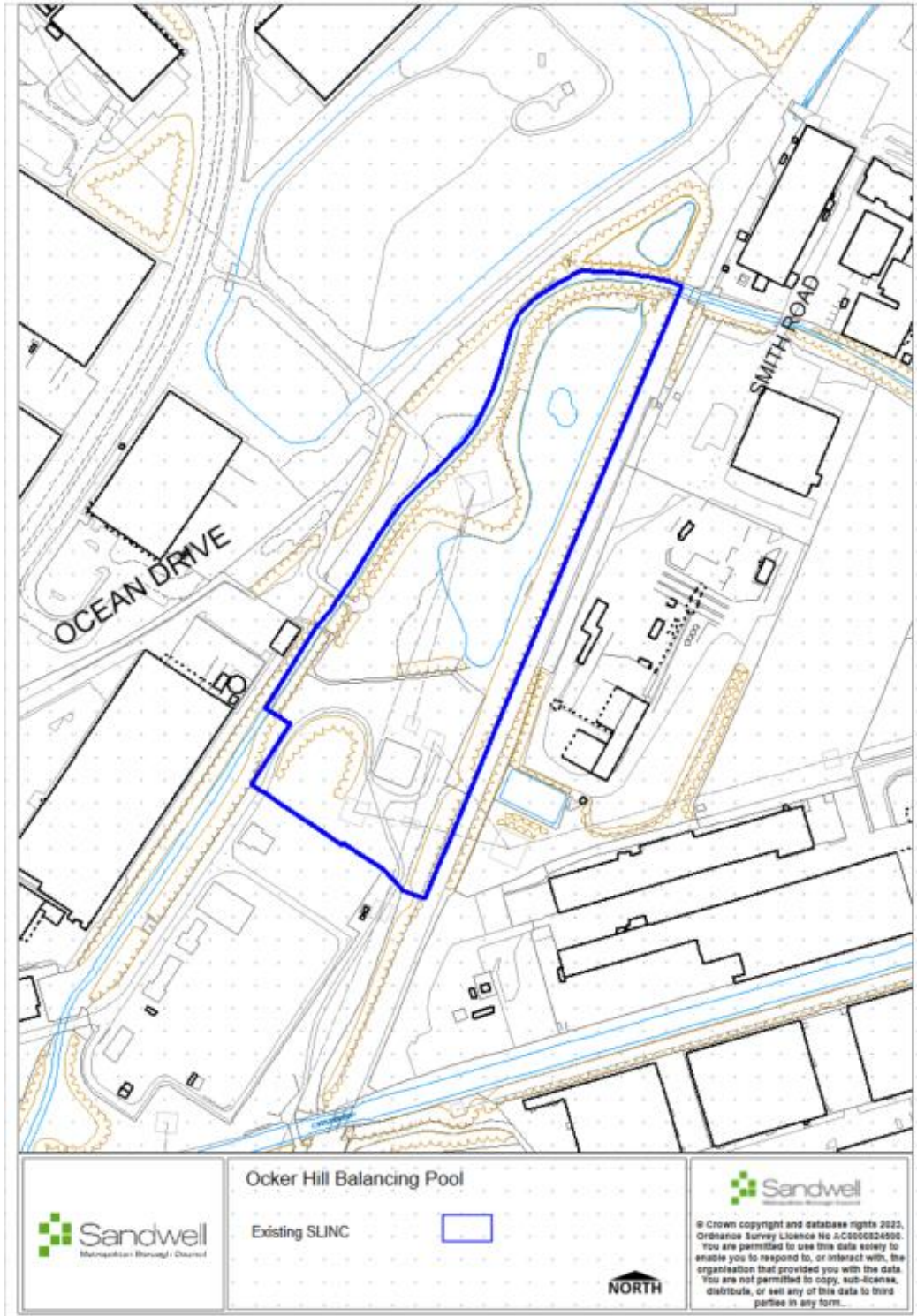
Site 10: Market Place, Tame Valley

Recommendation: Retain SLINC with existing boundary.



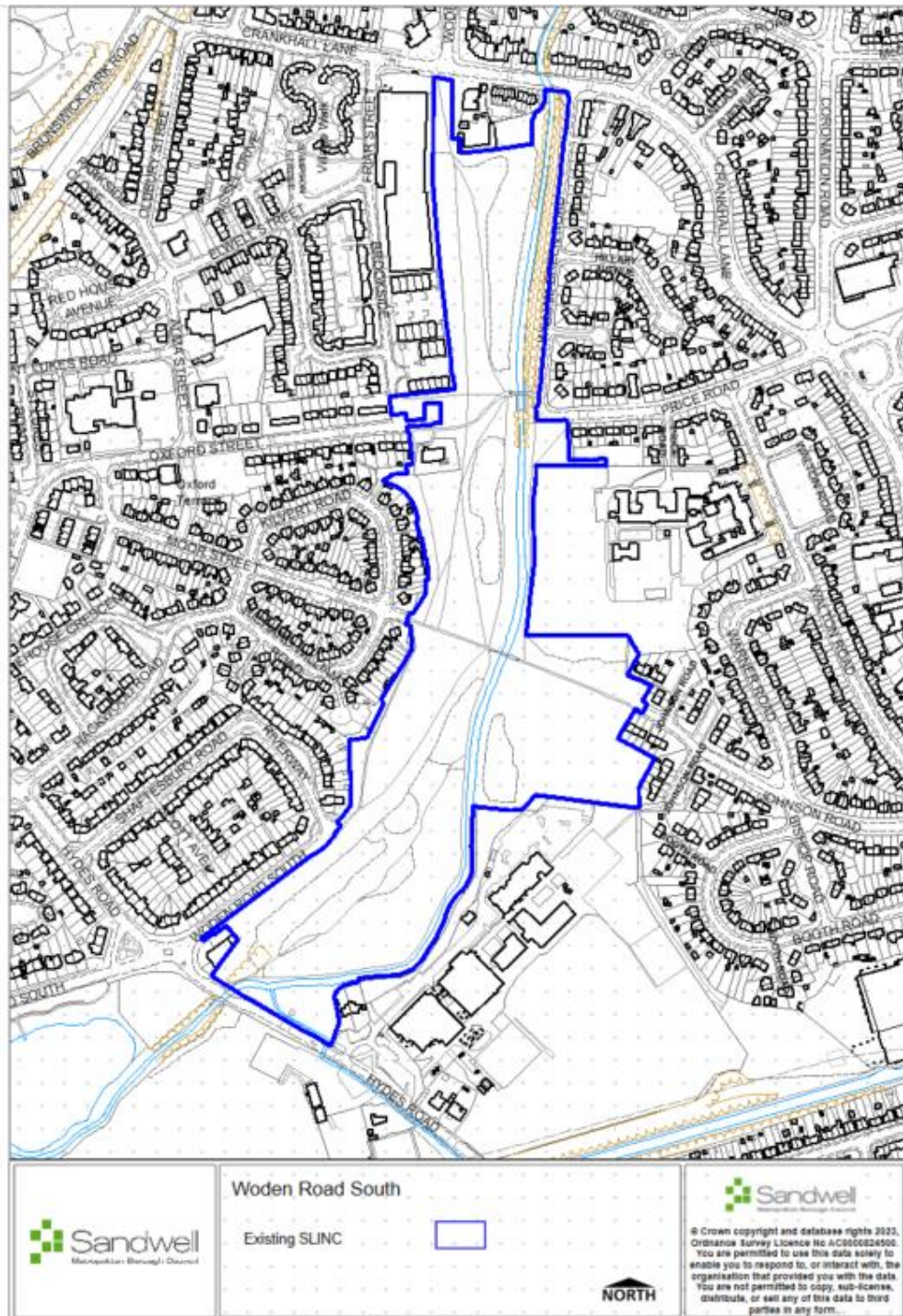
Site 11: Ocker Hill Balancing Pool

Recommendation: Retain SLINC with existing boundary.



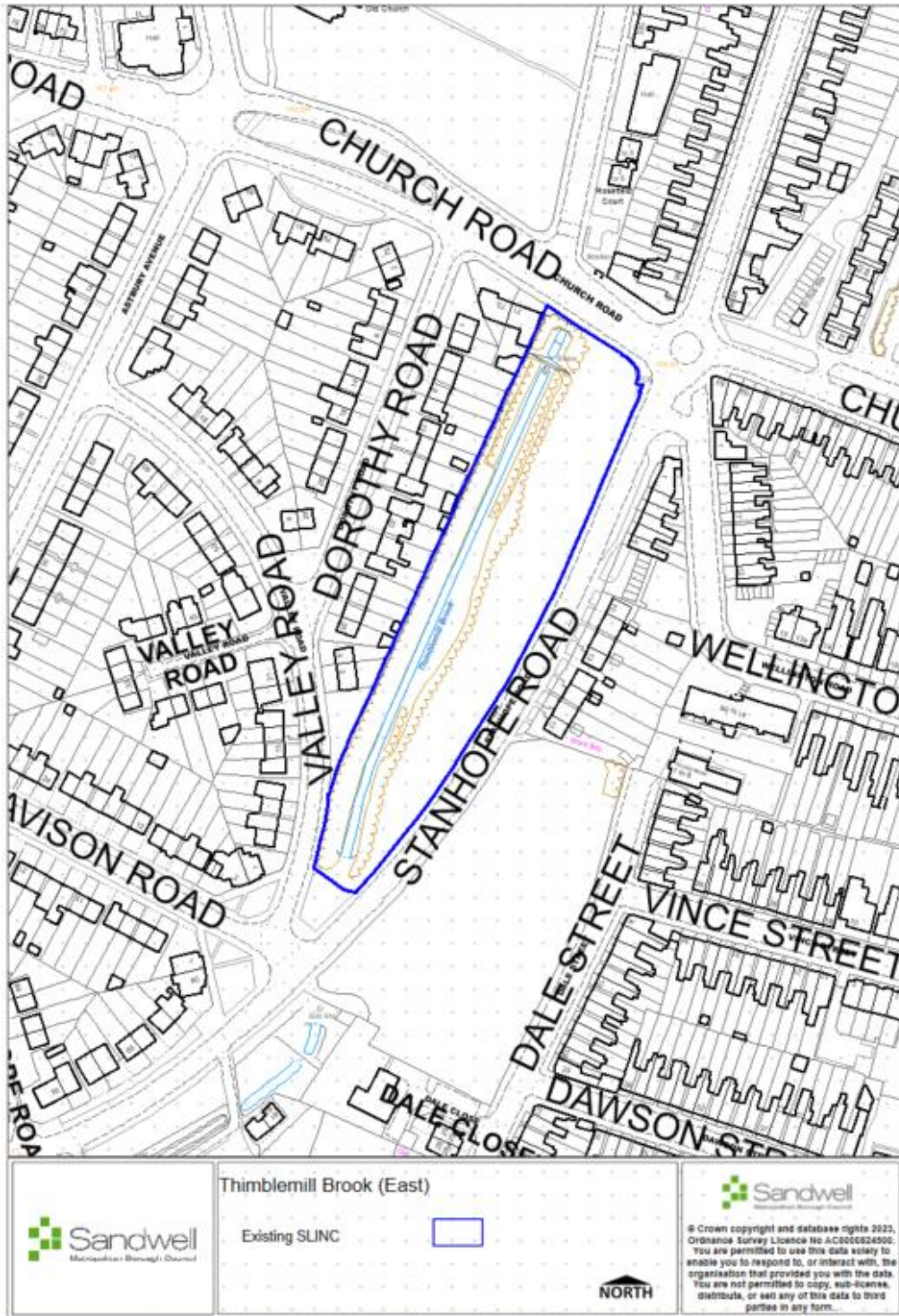
Site 12: Woden Road South

Recommendation: Retain SLINC with existing boundary.



Site 13: Thimblemill Brook (East)

Recommendation: Retain SLINC with existing boundary.



Site 14: Dixon's Branch Canal

Recommendation: Retain SLINC with existing boundary.

