

Individual Executive Decision Notice

Report title	Changes to Nature Conservation Site Designations	
Decision designation	GREEN	
Cabinet member with lead responsibility	Councillor Stephen Simkins Deputy Leader: Inclusive City Economy	
Wards affected	Bilston East, Blakenhall, Bushbury North, East Park, Ettingshall, Fallings Park, Oxley, Penn, Spring Vale, St Peters, Tettenhall Wightwick	
Accountable Director	Richard Lawrence, Director of Regeneration	
Originating service	City Planning	
Accountable employee	Michele Ross	Lead Planning Manager – Sub-Regional Strategy
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Report has been considered by	Regeneration Leadership Team	25 January 2022
	Strategic Executive Board	27 January 2022

Summary

On 24 July 2013, Cabinet delegated authority to the Cabinet Lead and Director responsible for Planning to authorise amendments to Site of Importance for Nature Conservation (SINC) and Site of Local Importance for Nature Conservation (SLINC) boundaries, and designation of new SINC and SLINC, where these have been endorsed by the Birmingham and Black Country Local Sites Partnership (LSP) and following consultation with local ward Councillors and other organisations and land owners where relevant. A number of amendments to SINC and SLINC designations across Wolverhampton have been endorsed by the LSP following ecological and geological survey and the relevant consultation has taken place, therefore approval is sought to amend these SINC and SLINC boundaries for use in the planning process.

Recommendation for decision:

That the Deputy Leader: Inclusive City Economy, in consultation with the Director of Regeneration:

1. Approve the amended SINC and SLINC boundaries for use in the planning process as set out in Table 1 and Appendix 1 to this report.

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Signature
Name of Cabinet Member

Date:

Signature
Name of Director

Date:

1.0 Background

- 1.1 It is a requirement of Natural Environment and Rural Communities (NERC) Act 2006 that all public bodies must have regard to biodiversity conservation when carrying out their duties and functions. A key biodiversity duty for the Council is to identify, survey and protect sites which are of importance for nature conservation and implement management plans for these sites. These sites are protected by national and local planning policy, primarily Policy ENV1 of the Black Country Core Strategy.
- 1.2 Whilst Wolverhampton has no nationally designated sites, it has nearly 100 sites of regional and local nature conservation and geological value – SINC (Sites of Importance for Nature Conservation) and SLINC (Sites of Local Importance for Nature Conservation). Many of these sites are owned and managed by the Council. The Council aims to carry out regular ecological and geological surveys of sites, to reflect any change in value or extent and to identify any new SINC / SLINC. Ecological and geological survey reports are taken to the Birmingham and Black Country Local Sites Partnership (LSP) for endorsement, to ensure consistency across the sub-region.
- 1.3 In 2013, Cabinet agreed to allow SINC / SLINC designations to be made through delegated authority, subject to the survey reports and LSP recommendations being made publicly available, and subject to consultation with local ward members and other organisations and land owners where relevant.
- 1.4 A rolling programme of ecological and geological surveys has been underway since the system was established, funded from a number of sources. In recent years, this programme has included surveys of sites under consideration for development through the Black Country Plan (BCP) review process. It is important that up-to-date evidence and SINC / SLINC designations are in place to support the BCP as it proceeds to Publication stage in summer 2022.

2.0 Proposed Changes to SINC and SLINC Designations

- 2.1 There are 28 sites which have been subject to ecological or geological survey during 2008-2021 and where, following consideration of the survey results, the LSP have endorsed a change in SINC or SLINC designation. The LSP survey reports are available on the Council's website at: www.wolverhampton.gov.uk/planning/planning-policies/evidence-base-studies and are also held by EcoRecord, the Birmingham and Black Country ecological records service. The changes in designation are summarised in Table 1 and are shown on Map 1 and individual plans provided in Appendix 1 to this report.

Table 1 Changes to SINC and SLINC Designations

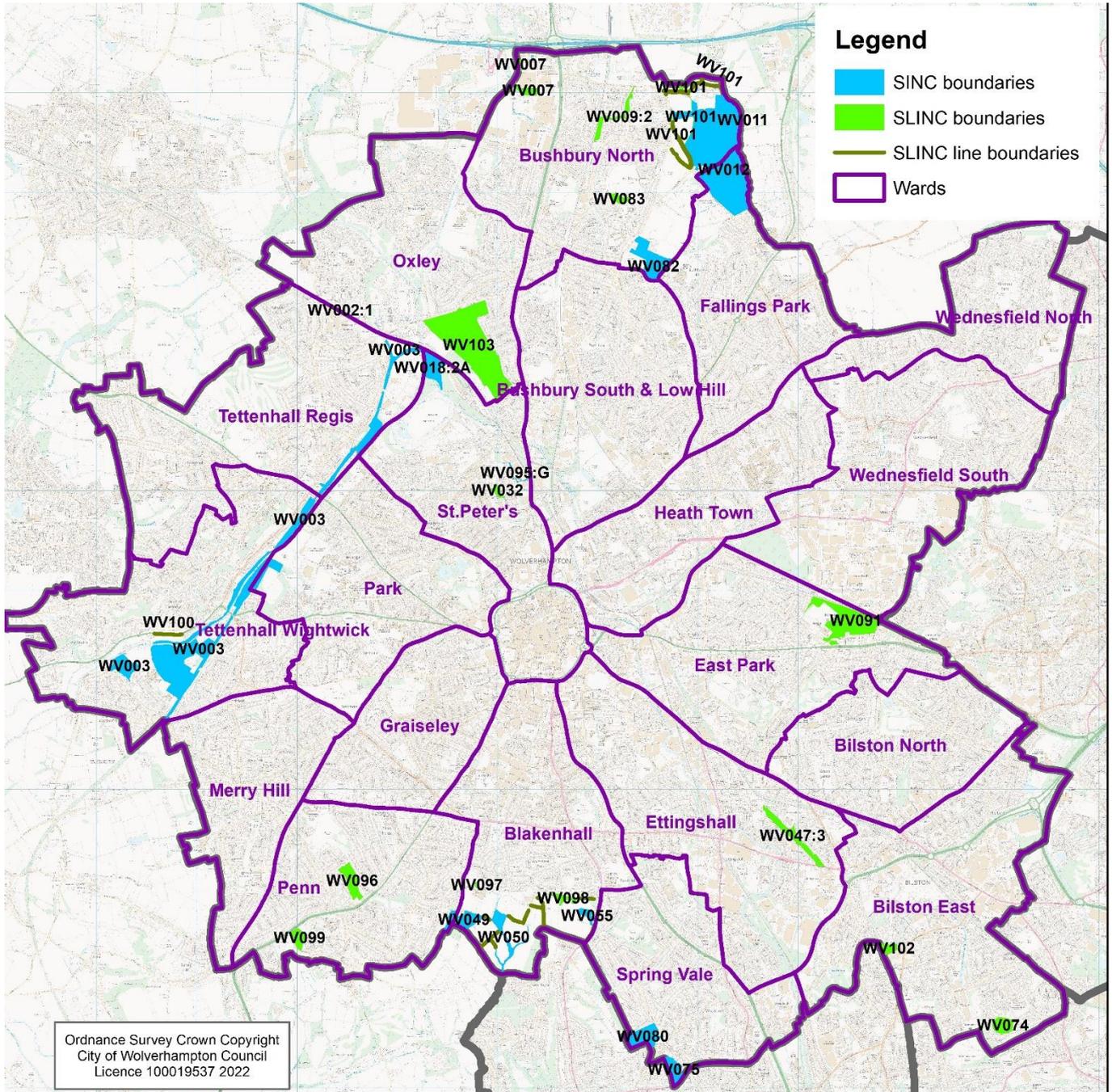
Site Ref	Name of Site (Ward)	Proposed Designation	Change
WV002:1	Barnhurst Bridge Cutting (Oxley)	SLINC (geological)	Downgrade from SINC to SLINC (2008 survey)
WV080	Beacon Hill Cemetery (Spring Vale)	SINC (geological)	New SINC (2009 survey)
WV100	Bridgnorth Road Hedge (Tettenhall Wightwick)	SLINC	New SLINC at Wightwick Mill Field (2018 survey)
WV082	Bushbury Hill (Bushbury North / Fallings Park)	SINC (geological)	New SINC (2009 survey)
WV097	Colton Hills School Pond (Blakenhall)	SLINC	New SLINC (2018 survey)
WV047:3	Dudley- to Priestfield Railway, North (Ettingshall)	SLINC	Extension of SLINC boundary by 1 ha (2016 survey)
WV095:G	Dunstall Hill Trading Estate (St Peters)	SINC (geological)	New SINC (2008 survey)
WV032	Dunstall Hill Wood (St Peters)	SLINC	Extension of SLINC (2011 survey)
WV075	The Gorge, Cinder Hill (Spring Vale)	SINC (geological)	Extension of SINC boundary (2008 survey)
WV017	Grassy Lane (Fallings Park)	None	Removal of SLINC designation (2018 survey)
WV102	Highfields Park (Bilston East)	SLINC	New SLINC (2019 survey)
WV018:2A	The Holdings at Oxley North (St Peters)	SINC	Extension of SINC boundary (2010/2011 surveys)
WV011	Moseley Hall (Bushbury North)	SINC	Extension of SINC boundary (2019 survey)
WV101	Farmland west of Moseley Hall (Bushbury North)	SLINC	New SLINC (2019 survey)

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WV091	Neachells Lane Open Space (East Park)	SLINC	Changes to SLINC boundary (2020 survey)
WV083	Land at Northwood Park (Bushbury North)	SLINC	New SLINC (2011 survey)
WV010	Land at Northwood Park Road (Bushbury North)	None	Removal of SLINC designation (2019 survey)
WV012	Northycote Farm (Fallings Park)	SINC / None	Extension of SINC boundary to cover majority of former SLINC; removal of designation from remainder of former SLINC (2018/2019/2020 surveys)
WV103	Oxley Park Golf Course (Oxley)	SLINC	New SLINC (2020 survey)
WV055	Park Hill (Blakenhall)	SINC (geological)	Amendments to SINC boundary (2011 survey)
WV099	Land at Penn Road (Penn)	SLINC	New SLINC (2018 survey)
WV074	Rocket Pool (Bilston East)	SLINC	Extension to SLINC boundary (2010 survey)
WV049 (part), WV050, WV051, WV053, WV055	Sedgley Park (Blakenhall / Penn)	SINC / SLINC	Changes to boundaries of Ashen Coppice SINC, Park Coppice SINC, Park Hill SINC & part of Colton Hills SINC and new SLINC areas (2018 survey)
WV003 (part)	Smestow Valley (Tettenhall Wightwick)	SINC	Changes to SINC boundary at Wightwick Mill Field (2018 survey) Extension of SINC boundary to include Former Wolverhampton Environment Centre site (2015 survey)
WV009:2	Land East of Stafford Road (Bushbury North)	SLINC	New SLINC (2011 survey)

WV007	Land West of Stafford Road (Bushbury North)	SLINC	Changes to SLINC boundary (2020 survey)
WV096	Woodlands Walk (Penn)	SLINC	New SLINC (2015 survey)

Map 1 SINC and SLINC boundaries following changes set out in Table 1



- 2.2 The changes set out in Table 1 include the designation of nine new SLINCs and three new geological SINCs, and extensions to existing boundaries. Only two small SLINCs have been de-designated.
- 2.3 Where sites are privately owned, permission was obtained for the necessary survey work to take place. The survey reports and LSP recommendations were subsequently sent to the land owners or their agents and no objections have been raised to any of the designations set out in this report.
- 2.4 Consultation was undertaken with Ward Councillors during February 2022. One objection was made to the proposed changes to designations set out in this report. This was from Cllr Collinge (Oxley Ward), who objected to the de-designation of two small areas of SLINC at Grassy Lane (2018 survey) and Land at Northwood Park Road (2019 survey), on the grounds that the value of these sites could be re-instated through better management and that there should be public consultation on these changes because they reduce protection for parts of sites proposed for housing allocation in the Draft Black Country Plan.
- 2.5 In response, the delegation provided by Cabinet in 2013 allows for all types of change to nature conservation designations in Wolverhampton to be made on the basis of robust evidence and following transparent scrutiny by the Birmingham and Black Country Local Sites Partnership. The two de-designations are important to provide a sound and consistent evidence base in support of the Black Country Plan review, and do not preclude retention and improved management of the relevant habitat features. Therefore, no amendments are proposed to the changes set out in Table 1.
- 2.6 Tettenhall Wightwick Ward Councillors have also requested that the whole of the Former Wolverhampton Environment Centre site (WV003) is surveyed as soon as possible to provide any necessary extra protection and to inform the Black Country Plan review. This is because the central part of the site was not surveyed in 2015 and it is likely that there have been significant changes to the extent and nature of the ecological value of the site since the last survey, due to demolition of buildings and habitat improvement works.

3.0 Evaluation of alternative options

- 3.1 The following alternative options have been considered:
- Option one would be to make no change to the existing SINC and SLINC designations. This could result in challenges to the existing SINC and SLINC designations and to any planning decisions made which are based on these designations.
 - Option two would be to implement the recommendations of this report. This would result in a more robust ecological and geological evidence base for planning decisions, including the Black Country Plan review.

4.0 Reasons for decision

- 4.1 Option two (to implement the recommendations of this report) has been selected because the adoption of up-to-date SINC and SLINC designations would result in a more robust ecological and geological evidence base for planning decisions, including the Black Country Plan review.

5.0 Financial implications

- 5.1 The costs associated with survey work commissioned to support the SINC and SLINC designations referred to in this report have been met from the approved revenue Planning budget.

[VS/18022022/W]

6.0 Legal implications

- 6.1 The legal context is set out in the body of the report, in line with the appropriate delegation in line with the constitution, otherwise there are no legal implications arising from this report.

[TC/25012022/B]

7.0 Equalities implications

- 7.1 Having up-to-date SINC and SLINC designations provides supporting evidence for the emerging Black Country Plan. An equalities impact assessment will be produced for each iteration of the Plan as part of the Sustainability Appraisal. A SINC or SLINC designation is a material planning consideration in the determination of planning applications to be weighed in the balance alongside the Council's duties under the Equalities Act.

8.0 All other Implications

- 8.1 The provision of up-to-date information to support SINC and SLINC designations in the City will have positive environmental implications. A Sustainability Appraisal (SA) is being carried out throughout the Black Country Plan process. SA is a process for evaluating the environmental consequences of proposed policies and proposals to ensure sustainability issues are fully integrated and addressed at the earliest appropriate stage. The overall aim of the SA process is to inform and influence the development of the Plan and maximise its sustainability value.
- 8.2 There are no human resources implications arising from the recommendations of this report.
- 8.3 A number of the SINC and SLINC designations are located on Council-owned sites. No immediate impacts have been identified resulting from designation in terms of the management or maintenance of these sites. However, future use of these sites will need

to take into account the designations and the survey report management recommendations, as appropriate.

8.4 There are no health and well-being implications arising from the recommendations of this report.

9.0 Schedule of background papers

9.1 Cabinet Report (24 July 2013): "Birmingham and Black Country Biodiversity Action Plan"

10.0 Appendices

10.1 Appendix 1: SINC and SLINC Designation Plans