

Individual Executive Decision Notice

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| 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; Bushbury South and Low Hill; | |
| Accountable Director | Richard Lawrence, Director of Regeneration | |
| Originating service | City Planning | |
| Accountable employee | Michele Ross | Lead Planning Manager |
| | Tel | 01902 554038 |
| | Email | Michele.ross@wolverhampton.gov.uk |
| Report has been considered by | Regeneration Leadership Team | 13 February 2023 |
| | Strategic Executive Board | 20 February 2023 |

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. Three amendments to SINC and SLINC designations across Wolverhampton have been endorsed by the LSP following ecological survey in 2022 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.

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 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), subject to the survey reports and LSP recommendations being made publicly available and following consultation with local ward Councillors 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 Local Plan process. It is important that up-to-date evidence and SINC / SLINC designations are in place to support the new Wolverhampton Local Plan.

2.0 Proposed Changes to SINC and SLINC Designations

- 2.1 There are three sites which have been subject to ecological or geological survey during 2022 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 individual plans provided in Appendix 1 to this report. All current SINC and SLINC can be viewed on the interactive Wolverhampton Proposals Map at:

www.wolverhampton.gov.uk/planning/planning-policies/unitary-development-plan-and-proposals-map

Table 1 Changes to SINC and SLINC Designations

| Site Ref | Name of Site (Ward) | Proposed Designation | Change |
|-----------------|---|-----------------------------|---|
| WV105 | Alexander Metals Open Space (Bilston East) | SINC | New SINC (2022 survey) |
| WV104 | Bushbury Pastures (Bushbury South & Low Hill) | SLINC | New SLINC (2022 survey) |
| WV028 | Land South of Citadel Junction (Bilston East) | SLINC | Amendment to existing SLINC (2022 survey) |

- 2.2 The changes set out in Table 1 comprise the designation of one new SINC and one new SLINC and amendments to the boundary of one existing SLINC. Part of the Alexander Metals Open Space site is currently allocated for housing development in the Bilston Corridor Area Action Plan (2014). Following designation as a SINC the site will no longer be suitable for housing development, under Policy ENV1 of the Black Country Core Strategy, and will therefore be removed from the Wolverhampton Strategic Housing Land Availability Assessment when this is updated later in 2023. The site will also not be suitable for consideration for housing development as part of the Wolverhampton Local Plan preparation process.
- 2.3 For the privately owned sites, the survey reports and LSP recommendations have been sent to the land owners and no objections have been raised to the changes to SINC and SLINC designations set out in this report. Consultation was undertaken with Ward Councillors during March 2023 and no objections have been raised to the changes to SINC and SLINC designations set out in this report.

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 Wolverhampton Local Plan.

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 Wolverhampton Local Plan.

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.

[AI/22022023/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 preparation of the emerging Wolverhampton Local 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 Wolverhampton Local 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 One of the SLINC designations is on Council-owned land. No immediate impacts have been identified resulting from designation in terms of the management or maintenance of this site. However, future use of the site will need to take into account the designation 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"
- 9.2 Individual Executive Decision Notice (17 March 2022): "Changes to Nature Conservation Site Designations"

10.0 Appendices

- 10.1 Appendix 1: SINC and SLINC Designation Plans