


REPORT TO CABINET

20 March 2019

Subject:	Designation of Weddel Wynd as a “Site of Importance for Nature Conservation” (SINC)
Presenting Cabinet Member:	Councillor Paul Moore – Cabinet Member for Regeneration and Economic Investment
Director:	Director – Regeneration and Growth – Amy Harhoff
Contribution towards Vision 2030:	 
Key Decision:	Yes
Forward Plan (28 day notice) Reference:	SMBC13/03/2019
Cabinet Member Approval and Date:	Councillor Moore
Director Approval:	Executive Director – Neighbourhoods Alison Knight
Reason for Urgency:	Urgency provisions do not apply.
Exempt Information Ref:	Exemption provisions do not apply
Ward Councillor (s) Consulted (if applicable):	Councillor Bill Cherrington, Councillor Jenny Chidley and Councillor Stephen Jones
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:

Approves the designation of Weddell Wynd, in Tipton, as shown on the attached Appendix A, as a 'Site of Importance for Nature Conservation' (SINC)

1 PURPOSE OF THE REPORT

- 1.1 This report informs Cabinet of the result and recommendation of the ecological survey carried out for Weddell Wynd. This site has previously been identified as having the potential to be designated a nature conservation site.
- 1.2 Approval is sought to designate Weddell Wynd as a Site of Importance for Nature Conservation (SINC).
- 1.3 The resulting recommendation is 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 live, work, enjoy recreation or 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 identified 19 sites which, subject to an ecological survey, had the potential to be new SINCs or SLINCs.
- 3.6 11 sites were surveyed in the first tranche of planned survey work, of which Weddell Wynd was one. Two of these sites had existing SINC/SLINC allocations but were resurveyed, as the surveys that originally informed their SINC/SLINC status were more than 15 years old.
- 3.7 Planning legislation requires that Local Plan allocations and designations are based on robust and up-to-date evidence.
- 3.8 Due to the special types of biodiversity found on site, the results from the Weddell Wynd survey were insufficient to determine the level of protection Weddell Wynd required. To determine the correct level of protection, further investigation was required.
- 3.9 An additional survey was carried out for Weddell Wynd by Dudley Countryside Services in July 2017 which found that Weddell Wynd should be upgraded to a SINC.
- 3.10 The boundary of the site is shown on the attached plan (Appendix A). The surveyors' recommendations have subsequently been endorsed by the LSP.

4 THE CURRENT POSITION

- 4.1 The report is based on recommendations made by Alan Preece for Dudley Countryside services. 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, The Wildlife Trust for Birmingham and the Black Country, EcoRecord, Black Country Geodiversity Partnership, Birmingham, Black Country Biodiversity Partnership, 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 Local Importance for 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 71 SLINC designations. There are 11 sites identified as potential nature conservation sites. The locations of these sites are identified in the Site Allocations and Delivery Development Planning Document (SAD DPD)
- 4.5 There are currently no significant development pressures at the Weddell Wynd site.

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 Weddell Wynd as a SINC, 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 will be funded through the Regeneration and Planning target budget.
- 7.2 The Council's corporate risk assessment strategy has been complied with, to identify and assess the risks associated 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 cash budgets to ensure that the ongoing potential nature conservation site review programme can be completed within an appropriate timescale.

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). 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 SINCs and SLINCs, reduces this risk.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 The site that is subject of this report is 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 Weddell Wynd forms part of the Council's open-space portfolio. No significant impact has been identified in terms of its management or maintenance that results from its designation.

15 **CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS**

- 15.1 Nature Conservation sites, both SINCs and SLINCs, 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 site that is the subject of this report was 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 designation set out above.
- 15.3 Cabinet is therefore recommended to approve the designation of the site at Weddell Wynd.
- 15.4 This designation will be carried forward into the review of the Sandwell Development Plan, which has recently commenced.

16 **BACKGROUND PAPERS**

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

17 **APPENDICES:**

Appendix A - Site plan

Appendix B – Birmingham & Black Country Local Sites Assessment Report

Amy Harhoff
Director – Regeneration and Growth