
Meeting of the Cabinet – 22nd September, 2022

Report of the Director of Regeneration and Enterprise

Nature Conservation Sites

Purpose

1. This report informs Cabinet of the results and recommendations of ecological surveys (nature conservation habitat surveys) carried out on a few separate sites that have either previously been identified as having potential to be designated as nature conservation sites, or where they have required up-to-date ecological surveys to ascertain if their previously identified existing ecological habitat status remains valid and appropriate.

The resulting 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.

Recommendations

2. It is recommended Cabinet: -
 - Approve the **designation of a new SLINC** at Culverhouse Drive (Land at Clockfield's)
Land at Uffmoor:
 - Approve the **Proposed extension and upgrade of a section of the Stour Valley SLINC and Stream at Tack Farm SLINC to SINC – to be known as Stour Valley SINC (Tack Farm)**
 - Approve the **designation of Tack Farm Hedges SLINC**
Land at Pedmore Lane:
 - Approve the **extension of the Pedmore Lane SLINC**

More details regarding the boundary changes can be found in section 3 of this report.

Background

3. Sites of Importance for Nature Conservation (SINC's) and Sites of Local Importance for Nature Conservation (SLINC's) are designations identified in Dudley Council's adopted Dudley Borough Development Strategy 2017 (DBDS, 2017) and form part of the Borough's environmental infrastructure. Environment infrastructure also includes green space, community parks, canal corridors, and Local Nature Reserves (LNRs). Incorporating environmental infrastructure principles into Local Plan documents will help meet the existing adopted Black Country Core Strategy 2011 vision for environmental transformation.
4. The most important sites outside the statutory system are designated as SINC for their regionally important nature conservation interest across the West Midlands. SINC's can be designated for both their ecology and geological interest.
5. SLINC's and SINC's do not receive statutory protection but are protected from harm by local policy set out in the Dudley Borough Development Strategy, (DBDS, 2017), the existing adopted Black Country Core Strategy (BCCS, 2011) and the National Planning Policy Framework (NPPF, 2019). Therefore, they are crucial in maintaining and enhancing the Borough's environmental infrastructure and ecological habitats.
6. Other sites that support important wildlife habitat and geological features, form links between protected sites, and are part of the overall network supporting biodiversity are identified as SLINC's. SLINC's are of significance at the Ward to Borough level and frequently form important links between other designated nature conservation sites. Examples of SLINC's that are important linear features are canals and watercourses.
7. It is important that there is a robust, accurate, up-to-date, and defensible evidence base in place in relation to the nature conservation habitat quality, and ecological condition of both existing designated nature conservation sites and those areas of green space which currently have no designated nature conservation value in Dudley Council's adopted Local Plan – DBDS 2017 but may have potential to provide important habitats for wildlife and could therefore be upgraded to SLINC's or SINC's.

8. For these reasons several sites have been subject to an ecological survey by independent suitably qualified ecologists so the Council can ensure that its records and information on the condition and habitat quality of sites is kept up-to-date, and accurate. This is in line with the National Planning Policy Framework (NPPF) 2021 and Dudley Council's Nature Conservation Supplementary Planning Document (SPD) 2016.
9. All the proposals for new designations on the sites included in this report have been endorsed by the Birmingham and Black Country Local Sites Partnership (LSP) which is advisory body made up of ecologists and local representatives to ensure that site selection and designation is constant across the area and that sites are meeting the relevant criteria to be designated as a SINC or SLINC.
10. The report will now deal with each site outlined in the recommendations, to provide more details on the proposed boundary changes:

Clockfields (Culverhouse Drive) Stourbridge

11. This site was surveyed because of a planning application being submitted (P21/0006) to develop 3 dwellings on the western part of the site as seen on plan 1 in Appendix 1. This site is currently denoted as a Potential Site of Interest (PSI), a site which subject to survey could have ecological value and be designated as a nature conservation site.
12. The site comprises planted woodland trees which were planted in 2001 as part of Black Country Urban Forest Program and open areas of neutral grassland. Due to the site's location adjacent to Stourbridge Canal, it is likely to be used by foraging and commuting bats. The site lies adjacent to the Stourbridge Canal and other areas of woodland in an otherwise residential setting, and it is therefore likely to act as an important commuting route in the local ecological network, supporting ecological permeability through the surrounding landscape. The site is also identified as an 'ecological linking area' as part of the Nature Improvement Area Strategy 2017-2022.
13. It is proposed to designate the site as a new SLINC – Land at Clockfields

Land at Uffmoor Lane – Halesowen

14. The site is currently comprised of several existing SINC and SLINC designations. It is proposed to extend and upgrade the current Stour Valley SLINC to SINC. The streams, woodland fringe and surrounding semi-improved grassland show good diversity of woodland and grassland species and occasional ancient woodland indicators. It is a valuable connective feature between habitats and across the landscape, notably the ancient woodlands of Breach Dingle and Uffmoor wood., Including an extension to rationalize the boundary and include the contiguous species rich grassland meadows surrounding the stream course and exclude a small area of arable field.
15. In addition, the hedgerow network is proposed to be designated SLINC as they form valuable wildlife corridors between existing designated sites.
16. The site comprises a large and reasonably diverse area of farmland containing semi-improved grassland, arable fields and broadleaved woodland intersected by streams and a network of hedgerows. The streams with the surrounding woodland fringe and semi-improved grassland, are of interest as they show a diverse range of flora, with many axiophytes recorded. Axiophytes are plants that are indicators of a habitat that is considered to be important for conservation and of a high quality. These features provide valuable connectivity between habitats and are an important wildlife corridor for many faunal species. This site forms an important and direct link to the ancient woodland at Uffmoor Wood and to the ancient countryside of Worcestershire.

Land at Pedmore Lane - Stourbridge

17. This site currently contains a SLINC designation, it is proposed to extend this to encompass undesignated hedgerows, scrub, and woodland areas. This will form a natural corridor between the already designated areas which are at opposite sides of the survey area and will encompass the contiguous habitat adjacent to existing SLINC.
18. Although not in the scope of the survey the site does contain a geological SINC. The dominant habitat is grassland which is low in floral diversity and is predominantly used as grazing pasture for cattle, horses, and sheep. The presence of scrub, hedgerows and mature veteran trees



across the site however add to the ecological value. The social value of the site is high due to its archaeological importance, the majority of the site is not accessible to the general public, but a public footpath does run through the survey area following a long-distance national route The Monarch's Way.

Finance

19. The costs of undertaking the surveys was funded from existing budgets and resources dedicated to the production of Local Plan Documents and other such statutory planning documents. The survey for Culverhouse Drive (Clockfields) was funded by the owner of the site.

Law

20. This piece of work is a key element for the evidence base of Dudley Local Plan work. The surveying of existing SINCs and SLINCs is also essential to ensure that such designations are based on robust and up-to-date evidence.

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.

In addition, the Natural Environment and Rural Communities Act 2006 (NERC Act) and the Wildlife and Countryside Act 1981 (as amended) both place a legal duty on local authorities to conserve and protect biodiversity in the exercise of their functions.

Risk Management

21. There are not considered to be any material risks from this report.

Equality Impact

22. The content of this report complies with the Council's policy on Equality and Diversity given that the Ecological Surveys in question play an important role in helping to conserve and protect important wildlife sites

from inappropriate development pressures within the Dudley Metropolitan Borough.

Human Resources/Organisational Development

23. There are no impacts resulting from the report as any requirements will be managed from within existing resource in line with the timescales outlined.

Commercial/Procurement

24. There are not considered to be any commercial/procurement implications because of this report.

Council Priorities and Projects

25. The Local Development Scheme will play an important part in delivering the spatial and land use aspects of the Dudley Borough Vision and Council Plan 2022-25, particularly as it relates to housing, employment, transport, environment, and education goals. The Black Country Plan and the Brierley Hill AAP review will provide the regeneration framework for areas across the Borough to assist in achieving this.
26. The designation of these sites will assist with current wider Council and Borough activity and projects including:
- Climate Change and our Net Zero target by 2041
 - GP and health provisions
 - Public transport connectivity
 - Green spaces and the safety of the community



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Appendix One – Site Designation Map

