

Delegated

9th May 2011

Report on Update of Sites of Biological Importance

**Report of Executive Director, Economy, Place and Skills and
Cabinet Member for Regeneration and Environment**

Portfolio Holder: Regeneration and Environment

9 May 2011

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Purpose of Report

The purpose of this report is to provide an update on changes, which have occurred to designated Sites of Biological Importance (SBI's) within the borough since 31 March 2010. SBI updates are reported in line with the financial year and the Local Development Framework Annual Monitoring Report (AMR) monitoring period. This SBI update therefore reports received between 01 April 2010 to 31 March 2011. A summary of the 2009 SBI review (received February 2011) is also included for information.

Executive Summary

The Greater Manchester Ecology Unit (GMEU) periodically reviews the SBI's in Greater Manchester and notifies the Authority when there are changes, such as boundary changes. This is in line with the Greater Manchester Ecology Unit 'Selection Guidelines'.

Sites of Biological Importance have different grades which are set out below:

Grade A: of Regional or County Importance

Grade B: of District Importance

Grade C: of importance within the identical geographical locality.

The updates received during 01 April 2010 to 31 March 2011 includes habitat description changes at:

- a) Oozewood Flushes (Grade A)
- b) Crompton Fold Wood (Grade C)
- c) Lords Brook Flushes (Grade C)
- d) Tandle Hill Country Park (Grade B)

The following SBI includes an update to the site boundary and description:

- e) Dark Peak Moors (Grade A) (Peak Park)

The above changes are detailed in Table 1 section 2 of this report. In order for the above sites to continue to be protected by the UDP, it is necessary for any changes, including boundary changes to be formally adopted.

Calf Hey Nab, Plumpton Clough and Buckley Drive Pond were also visited but the habitats did not meet the selection guidelines.

The Greater Manchester Ecology Unit (GMEU) also circulated the 'Sites of Biological Importance in Greater Manchester – 2009 Review'. This summarises the changes to SBIs during 2009.

Recommendations

It is recommended that:

1. Changes to the Sites of Biological Importance listed in table 1 are adopted; and
2. The 2009 SBI Review report is noted.

Report on Update of Sites of Biological Importance

1 Background

- 1.1 This report provides an update on changes, which have occurred to designated Sites of Biological Importance (SBI's) within the borough and received since 31 March 2010. These are sites which have been identified by the Greater Manchester Ecology Unit (GMEU) and are given protection in the Unitary Development Plan (UDP) through Policy OE2.3 which can be viewed online at: <http://www.oldham.gov.uk/living/planbuildmatters/planning-udp.htm>

2 Current Position

- 2.1 Oldham has 36 SBI's. This figure does not include the SBI found in the Peak District National Park. The Greater Manchester Ecology Unit (GMEU) periodically surveys the sites as part of a continuous process, and notifies us when there are changes, such as boundaries or gradings being changed, or where new sites are identified or deleted. Identification of SBI's is done at the higher level and therefore the council is obliged to adopt the changes made to SBI's to enable them to be covered by UDP policy.
- 2.2 The changes to the SBI's are summarised below and a map showing the boundaries of each SBI is attached in Appendix 1.

Table 1. Changes to Sites of Biological Importance

Site	Grade	Change	Area Change (Hectares)	Reason
Oozewood Flushes	A	Description	0	n/a
Crompton Fold Wood	C	Description	0	n/a
Lords Brook Flushes	C	Description	0	n/a
Tandle Hill Country Park	B	Description	0	n/a
Dark Peak Moors (within Peak Park)	A	Description and boundary change	+107.0	Habitat reassessment of Pots and Pans

2.3 The Dark Peak Moors SBI, although within the boundary of Oldham Metropolitan Borough, falls within the Peak Park and planning for that part of the borough is the responsibility of the Peak District National Park Authority. The council should however have regard to the SBI when assessing development proposals.

2.4 The Greater Manchester Ecology Unit (GMEU) also circulated the 'Sites of Biological Importance in Greater Manchester – 2009 Review'. This is usually written up and circulated in 2010. This confirms that during the annual review period (January – December 2009) no new sites were added to the SBI register and no sites were deleted in Oldham. The report highlights major development proposals which GMEU were consulted on involving nature conservation issues. In Oldham this included Metrolink 3b extensions and new football stadium proposals. The report highlights SBI habitat gains, including the Dark Peak Moors. The district fact sheet highlights that between 1984 and 2009 the number of SBIs has increased from 18 to 37 (including the Dark Peak Moors).

3 Options/Alternatives

3.1 Option 1 – To adopt the changes to the Sites of Biological Importance listed in Table 1 and to note the 2009 SBI report.

3.2 Option 2 – Not to adopt the changes to the Sites of Biological Importance listed in Table 1 and not to note the 2009 SBI report.

4 Preferred Option

- 4.1 Option 1 – Option 1 is the Preferred Option. This will ensure the continued protection of SBI's through UDP Policy OE2.3 by formally adopting the above changes.

5 Consultation

- 5.1 The changes, which are the subject of this report, arise from the Greater Manchester Ecology Unit as they carry out their re-surveying of the sites. No consultation has been carried out in the course of preparing this report.

6 Financial Implications

- 6.1 Designation of an SBI brings no statutory protection, and does not allow the authority any additional powers of control over the land. Neither does it involve the authority in any expense as the land remains in its present ownership. Designation does, however, bring additional protection from inappropriate development to the sites through the adopted UDP. (GB)
- 6.2 There are no financial revenue implications attached to the proposed update. (Naomi Coulter Senior Accountant 12/04/2011)

7 Legal Services Comments

- 7.1 In accordance with the Local Authorities (Functions and Responsibilities) (England) Order 2000, changes to SBIs is a matter which can be dealt with by the Cabinet (or individual Cabinet Members in consultation with the Executive Director), as it is not a power or duty relating to a local development document which is a development plan document. (A Evans 20/04/2011)

8 Human Resources Comments

- 8.1 None

9 Risk Assessments

- 9.1 No comments to add (MS 20/04/2011)

10 IT Implications

- 10.1 None

11 Property Implications

- 11.1 SBI's may be found on council owned land, but this particular decision should be made as local planning authority and therefore it would not be appropriate to consider implications for property.

12 Procurement Implications

12.1 None

13 Environmental and Health & Safety Implications

13.1 Changes provide additional protection to existing SBI's.

14 Equality, community cohesion and crime implications

14.1 None

15 Equality Impact Assessment Completed?

15.1 n/a

16 Key Decision

16.1 Yes

17 Forward Plan Reference

17.1 EPS-36-11

18 Background Papers

18.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act :

Name of File:

- Planning Policy Statement 9 'Biodiversity and Geological Conservation'
- Consultation paper on a new Planning Policy Statement: Planning for a Natural and Healthy Environment
- Adopted UDP, Oldham MBC
- Greater Manchester Sites of Biological Importance Selection Guidelines

19 Appendices

19.1 Sites of Biological Importance Maps

19.2 2009 SBI Report