

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 04 March 2024

Report Title

Rotherham Local Wildlife Sites 2024 boundaries

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Assistant Director Approving Submission of the Report

Simon Moss, Assistant Director, Planning, Regeneration & Transport

Report Author

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Ward Affected

Dinnington
Rawmarsh East

Report Summary

This report seeks approval of an update to the Local Wildlife Sites Series in Rotherham with the inclusion of two new Local Wildlife Sites:

- LWS 201 Throapham Orchard (Dinnington Ward)
- LWS 207 Banana Plantation (Rawmarsh East ward)

This will form part of the environmental evidence for the Local Plan and be used in the determination of relevant planning applications.

Recommendations

1. That LWS 201 Throapham Orchard and LWS 207 Banana Plantation be added to the Rotherham Local Wildlife Sites list, using the boundaries shown in Appendix 1.

List of Appendices Included

Appendix 1 LWS Boundary Maps (LWS 201 Throapham Orchard, LWS 207 Banana Plantation)

Appendix 2 Local Wildlife Sites Series 2024

Appendix 3 Equality Part A – Screening

Appendix 4 Carbon Impact Assessment

Background Papers

National Planning Policy Framework

https://assets.publishing.service.gov.uk/media/65829e99fc07f3000d8d4529/NPPF_December_2023.pdf

Rotherham Local Wildlife Sites System

<https://www.rotherham.gov.uk/downloads/file/691/local-wildlife-system-parts-1-and-2>

Consideration by any other Council Committee, Scrutiny or Advisory Panel

N/A

Council Approval Required

No

Exempt from the Press and Public

No

Rotherham Local Wildlife Sites 2024 boundaries

1. Background

- 1.1 Rotherham's Local Wildlife Sites, along with Regionally Important Geological Sites, form part of Rotherham's 'Local Site system' and are included in the Non-Statutory Protected Sites designation shown on the Local Plan Policies Map (adopted June 2018). Rotherham's Local Wildlife Site series identifies sites of substantive nature conservation value in accordance with Defra best practice. The Council's Cabinet approved the adoption of the Rotherham Local Wildlife Site system and the initial series of site boundaries in 2008 (17 December 2008, minute 139).
- 1.2 The Local Site system is intended to be comprehensive and allows for the inclusion of new sites and changes to existing sites throughout the plan period. As a result of evidence and analysis, new information has become available prompting an update to the existing series.
- 1.3 During 2024 two new sites were proposed by the Local Wildlife Sites Panel as candidate Local Wildlife Sites. Both sites are allocated as Greenspace in the Local Plan. The data for each site was then assessed against the Rotherham Local Wildlife Site selection criteria (see link in Background Papers) by the Council Ecologist. Having met the criteria, it is now proposed that the two sites are added to the existing Local Wildlife Site series.
- 1.4 It is proposed to add LWS 201 Throapham Orchard and LWS 207 Banana Plantation to the existing Rotherham's Local Wildlife Sites series. The boundaries of these new sites are shown at Appendix 1. LWS 201 Throapham Orchard (located near Manor Lane, Dinnington S26 2UR at visual centre) is a traditional orchard on the Magnesian Limestone of Rotherham. LWS 207 Banana Plantation (located near Victoria Road, Rawmarsh S62 6BA at visual centre) is a small site comprising a curved (banana-shaped) ridge with an associated broad-leaved plantation designed to screen the adjacent housing from the view over the Aldwarke Steelworks.
- 1.5 The updated Local Wildlife Sites series, including their indicative location map, is shown at Appendix 2.

2. Key Issues

- 2.1 The Rotherham Local Wildlife Sites Panel has endorsed these two sites as being of Local Wildlife Sites value. Designation of the sites would be made in accordance with the Delegation Scheme as set out in the Council's Constitution.
- 2.2 The assessment confirmed that both sites demonstrated substantive nature conservation value by meeting at least one of the selection criteria. The Local Wildlife Sites Panel has endorsed these local wildlife sites selection

which is based upon the agreed, published criteria in respect of the substantive biodiversity interest present on site.

2.3 The approval of these sites as Local Wildlife Sites and integration of their boundaries into the Local Plan will ensure that relevant planning policies are considered in the determination of planning applications relating to the sites. It will assist the Council to comply with national planning policy provisions regarding the natural environment, including a requirement to ensure the use of up to date evidence, protecting sites of nature conservation value, and establishing coherent ecological networks and contribute towards the Council's enhanced Biodiversity Duty (Environment Act 2021).

3. Options considered and recommended proposal

3.1 Option 1: approve the inclusion of the new Local Wildlife Sites into Rotherham's Local Site System

The Rotherham Local Wildlife Sites Panel is an expert wildlife conservation panel who have assessed this site in accordance with agreed, externally verified methodology, using new knowledge obtained. The sites' approval and integration into planning policy would contribute towards the robustness of the Local Plan.

3.2 Option 2: do not include the new sites

Not including the new Local Wildlife Sites would mean the Local Site System is not kept up to date. The sites have been identified and agreed by the Local Wildlife Sites Panel as meriting inclusion. The Council would not be abiding by the relevant legislation and the requirement to maintain an up to date system.

3.3 Option 1 is the recommended option.

4. Consultation on proposal

4.1 The Council's Greenspaces service, who are the land managers of both the sites, have been contacted to notify them of the proposed designation. No objections have been raised.

4.2 Dinnington and Rawmarsh East ward members were consulted on the proposed Local Wildlife Sites. Comments received were supportive of the designations.

5. Timetable and Accountability for Implementing this Decision

5.1 If approval is given, the additional Local Wildlife Sites will be integrated immediately into the planning system and will be considered when determining planning applications. This will include:

- Updating the Council's website to provide information regarding the additional Local Wildlife Sites.
- Updating the Council's online mapping system to include up to date boundaries regarding Local Wildlife Sites.

6. Financial and Procurement Advice and Implications

- 6.1 The costs associated with this Officer Decision will be contained within the approved revenue budgets of the Planning and Green Spaces services.
- 6.2 There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

- 7.1 The designation does not bring extra legal requirements on how the land needs to be managed; though there is an expectation that the site will be managed positively for nature conservation (see Environment Act 2021). Any existing legislation that applies to the site will remain in force.

8. Human Resources Advice and Implications

- 8.1 There are no human resources implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 Local Wildlife Sites add to the local character and distinctiveness of an area contributing to a sense of place. A thriving, wildlife-rich environment is considered to benefit both physical and mental health.

10. Equalities and Human Rights Advice and Implications

- 10.1 An initial screening equality analysis has been completed (Appendix 3). There are no detrimental impacts on equalities or human rights identified, and the designation of the Local Wildlife Sites may encourage more positive management of the site.

11. Implications for CO2 Emissions and Climate Change

- 11.1 A Carbon Impact Assessment has been carried out (Appendix 4). The proposed addition of LWS 201 Throapham Orchard and LWS 207 Banana Plantation to the Rotherham's Local Wildlife Sites series is not considered to have any significant implications for CO2 emissions and climate change.
- 11.2 However, the sites' designation may have some indirect benefits. Local Wildlife Sites in Rotherham are designated for their ecological interest: protecting these habitats' ecological condition may also conserve their capacity for carbon sequestration.
- 11.3 As per the framework for Rotherham's Local Wildlife System, the appraisal of sites should be kept valid and up to date through continuous ecological monitoring. Additional monitoring of sites' annual carbon sequestration and total carbon storage would increase the Council's capacity to value

ecosystem services and natural capital and could inform future carbon impact assessments.

12. Implications for Partners

12.1 None identified.

13. Risks and Mitigation

13.1 The operation of a Local Site System enables the Council to demonstrate compliance with current legislation and planning policy, including the need to have a robust evidence base. Designation is based primarily on scientific reasoning and in accordance with national best practice (see the Background Paper: Rotherham Local Wildlife Sites System), The system includes all sites that qualify. This can create a conflict of interest between Local Site status and potential for development, as Local Site status will be a designation within the Local Plan and will be a material consideration when determining planning applications. However, the additional proposed Local Wildlife Sites are allocated as Greenspace where there are substantial planning policies which already restrict development.

13.2 The designation does not bring extra legal requirements on how the land needs to be managed; though there is an expectation that the site will be managed positively for nature conservation (see Environment Act 2021). Any existing legislation that applies to the site will remain in force.

14. Accountable Officers

Simon Moss, Assistant Director, Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

| | Named Officer | Date |
|--|----------------------|-----------------------------|
| Chief Executive | Sharon Kemp | Click here to enter a date. |
| Strategic Director of Finance & Customer Services (S.151 Officer) | Judith Badger | Click here to enter a date. |
| Head of Legal Services (Monitoring Officer) | Phillip Horsfield | Click here to enter a date. |

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