

**EXPLANATION OF APPLICATION
REQUIREMENTS
NATIONAL AND LOCAL**

**FOR PLANNING AND OTHER
APPLICATIONS
SUBMITTED UNDER THE
TOWN AND COUNTRY PLANNING
ACTS**

For Leicestershire and Rutland
Local Authorities

Adopted 1st July 2013



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Explanation of National Validation Requirements

1.	<p>Design and access Statement</p> <p>A Design and Access Statement is required to accompany applications for</p> <ol style="list-style-type: none"> a) Listed Building Consent b) Major Development; c) Development is in Conservation Area consisting of <ol style="list-style-type: none"> (i) the provision of one or more dwellinghouses; or (ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more. <p>But not where the application is for planning permission which is</p> <ol style="list-style-type: none"> a) for permission to develop land without compliance with conditions previously attached,; b) a renewal of a planning permission which has not expired c) for engineering or mining operations; d) for a material change in use of the land or buildings; e) for development which is waste development. <p>A Design and Access Statement is a short report to accompany and support a planning or Listed Building Consent application that should</p> <ol style="list-style-type: none"> 1) explain the design principles and concepts that have been applied to the development; 2) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account; 3) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account; 4) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and 5) explain how any specific issues which might affect access to the development have been addressed. <p>Applications for Listed Building Consent (or a combined application for Listed Building Consent and planning permission) should also address :</p> <ol style="list-style-type: none"> i. the special architectural or historic interest of the building and how this is to be preserved or enhanced; ii. the particular physical features of the building that justify its designation as a Listed Building; iii. the building's setting; and, iv. where appropriate, how the proposed approach to access has balanced the duties imposed by the Disability Discrimination Act 1995 and the particular historical/architectural significance of the building.
2.	<p>Standard application form</p> <p>Since April 2008, all applications are preferred to be presented on the standard "1APP" application form, which is available electronically or on a form "to substantially the like affect". Applicants are encouraged to submit applications electronically wherever possible, as this provides opportunities for improved efficiency and reduced costs for both applicants and the Council. If submitted electronically paper copies are not required. The submission of a paper based application is still possible but the statutory requirement for a valid paper based application requires one original and three additional copies of the completed standard application form and documents to be submitted unless specified by the authority. In some circumstances you may be requested to submit more than four sets of document copies.</p>
3.	<p>Location Plan</p> <p>All applications must include copies of a location plan based on an up-to-date map. This should be to a standardised metric scale preferably 1:1250 or 1:2500 and normally on A4 or A5 sized paper. In exceptional circumstances plans of other scales may also be required. Plans should wherever possible show at least two named roads and surrounding buildings. The properties shown should be numbered or named to ensure that the exact location of the application site is clear.</p> <p>The application site should be edged clearly with a red line. It should include all land necessary to carry out the proposed development – for example, land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings. A blue line should be drawn around any other land owned by the applicant, close to or adjoining the application site.</p>
4.	<p>Site Plan</p> <p>The site/block plan should be drawn to a standardised metric scale preferably 1:100 or 1:200. On larger sites a master plan may be submitted at a scale of 1:500 or similar. All such plans should</p>

	<p>accurately show :</p> <ol style="list-style-type: none"> a) The direction of North. b) The proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries <p>and the following, unless these would NOT influence or be affected by the proposed development :</p> <ol style="list-style-type: none"> c) All the buildings, roads and footpaths on land adjoining the site including access arrangements. d) All Public Rights of Way crossing or adjoining the site. e) The position of all trees on the site, and those on adjacent land that could influence or be affected by the development. f) The extent and type of any hard surfacing. g) Boundary treatment including the type and height of walls or fencing where this is proposed. h) The position of any river, pond or other water feature on or adjacent to the site. <p>Local planning authorities need to take a proportionate approach. Where it is clear that information would not be relevant to the determination of the application, it should not be required from the applicant. For example, it should not be necessary for an applicant to provide detailed information on elevations of existing buildings on the site if these will not be altered by the development proposal, or detailed information on site boundary treatments if these are entirely unaffected by the development.</p>
5.	Ownership Certificates
	<p>In accordance with Article 12 of The Town and Country Planning (Development Management Procedure)(England) Order 2012, the local planning authority must not entertain an application for planning permission unless the relevant certificates concerning the ownership of the application site have been completed. All applications for planning permission must therefore include the appropriate certificate of ownership. An ownership certificate A, B, C or D must be completed stating the ownership of the property. For this purpose an 'owner' is anyone with a freehold interest, or leasehold interest the unexpired term of which is not less than seven years. Ownership certificates must also be completed for applications for listed building consent, and conservation area consent for demolition. These ownership certificates are part of the standard application form.</p>
6.	Notice(s)
	<p>A notice to all owners of the application site must be completed and served in accordance with Article 11 of The Town and Country Planning (Development Management Procedure)(England) Order 2012. Site owners are freeholders and leaseholders with at least seven years of the leasehold left unexpired.</p>
7.	Agricultural Land Declaration
	<p>In accordance with Section 66 of the Town and Country Planning Act 1990 all agricultural tenants on a site must be notified prior to the submission of a planning application. Applicants must certify that they have notified any agricultural tenants about their application, or that there are no agricultural tenants on the site. The certificate is required whether or not the site includes an agricultural holding. It is incorporated into the standard application form, and must be signed in order for the application to be valid.</p> <p>No agricultural land declaration is required if the applicant is making an application for the approval of reserved matters, renewal of temporary planning permission, discharge or variation of conditions, tree preservation orders, conservation area consent for demolition, listed building consent, a lawful development certificate, prior notification of proposed agricultural or forestry development, a non-material amendment to an existing planning permission, or express consent to display an advertisement.</p>
8.	Fee
	<p>Planning applications incur a fee except where exempt by legislation. These are set out in The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012. The Planning Portal includes a fee calculator for applicants. Each local planning authority is also able to advise applicants on specific cases.</p>

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Explanation of Local Validation Requirements

PLANS	
9	Existing and Proposed Elevations
	<p>These should be drawn to a standardised metric scale preferably 1:50 or 1:100, include critical external dimensions (heights/ width/length etc.) and clearly show the proposed works in relation to what is already there. All sides of the proposal must be shown and these should indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors. Blank elevations must also be included; if only to show that this is in fact the case.</p> <p>Where a proposed elevation adjoins another building or is in close proximity, the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property. It will not be necessary for an applicant to provide detailed information on elevations of existing buildings on the site if these will not be altered by the development proposal.</p>
10	Existing and Proposed Floor Plans
	<p>These should be drawn to a standardised metric scale preferably 1:50 or 1:100, include critical external dimensions (width /length etc.)And should explain the proposal in detail. Where existing buildings or walls are to be demolished these should be clearly shown. The drawings submitted should show details of the existing building(s) as well as those for the proposed development. New buildings should also be shown in context with adjacent buildings (including property numbers where applicable).</p>
11	Existing and Proposed Site Sections, Finished Floor and Site Levels
	<p>These should be drawn to a standardised metric scale preferably 1:50 or 1:100, include critical dimensions and should show a cross section(s) through the proposed building(s). In all cases where a proposal involves a change in ground levels, illustrative drawings should be submitted to show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided.</p> <p>Full information should also be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development. Such plans should show existing site levels and finished floor levels (with levels related to a fixed datum point off site) and also show the proposals in relation to adjoining buildings. This will be required for all applications involving new buildings. In the case of extensions to existing buildings, the levels may be evident from floor plans and elevations, but particularly in the case of sloping sites it will be necessary to show how proposals relate to existing ground levels or where ground levels outside the extension would be modified. Levels should also be taken into account in the formulation of Design and Access Statements.</p>
12	X-section detail of proposed windows and doors
	<p>These details are required in relation to Listed Building Consent applications or where planning permission is required for the alterations/replacement of windows and doors in a Listed Building or conservation area. These should be drawn to a standardised metric scale preferably 1:50 or 1:20, include critical dimensions and should show a cross section(s) through any proposed windows or doors.</p>
13	Roof Plan
	<p>This should be drawn to a standardised metric scale preferably 1:50 or 1:100 include critical dimensions and is used to show the shape of the roof. It is typically drawn at a scale smaller than the scale used for the floor plans. Details such as the roofing material, vents and their location are typically specified on the roof plan.</p>
DOCUMENTS/REPORTS/SURVEYS/ASSESSMENTS	
14	Affordable Housing Statement
	<p>Paragraph 50 of the National Planning Policy Framework states that where local plan policies or Supplementary Planning Document (SPD) guidance requires the provision of affordable housing the Local Planning Authority may require information concerning both the affordable housing and any market housing e.g. the numbers of residential units, the mix of units with numbers of habitable rooms and/or bedrooms, or the floor space of habitable areas of residential units, plans showing the location of units and their number of habitable rooms and/or bedrooms, and/or the floor space of the units. If different levels or types of affordability or tenure are proposed for different units this should be clearly and fully explained. The affordable housing statement should also include details of any Registered Social Landlords acting as partners in the development.</p> <p>In the event that the applicant is seeking to make an exception to the established policies of the Local Plan/Local Development Framework or other SPD guidance on the provision of affordable housing, this will need to be fully justified. Where this is based on a financial case a Viability Assessment shall be carried out by a suitably qualified valuer. Establishing the appropriate level of affordable housing having regard to both financial viability constraints and the expectations of the Council's policies. This can be a complex and time consuming process which may not be accommodated within the normal timescale of a planning application. The applicant should</p>

	therefore seek to agree the scope and methodology of the Viability Assessment with the Council and complete any discussions, as well as the finalised document prior to the submission of the planning application.
15	Air Quality Assessment
	Paragraph 124 of the National Planning Policy Framework requires planning decisions to ensure development is consistent with the local air quality action plan. Where the development is likely to affect or be affected by air quality and is located inside or adjacent to an air quality management area (AQMA), or could in itself result in the designation of an AQMA or where the grant of planning permission would conflict with, or render unworkable, elements of the Local Authority's Air Quality Action Plan, applications should be supported by such information as is necessary to allow a full consideration of the impact of the proposal on the air quality of the area. Where AQMAs cover regeneration areas, developers should provide an Air Quality Assessment as part of the planning application.
16	Biodiversity Survey and Report
	Where the proposed development may have possible impacts on protected species, designated sites and important habitats, a full biodiversity survey and report may be needed. Please refer to <i>Biodiversity Survey and Report / Ecological Survey / Species Survey and Report : Local Requirements for Designated Sites and Priority Habitats / Local Requirements for Protected Species</i> . See guidance below on where, when, how and what to include in a biodiversity survey and report.
17	"Birdstrike" Assessments
	Birdstrikes are one of the major controllable hazards to aviation. Common birds have caused catastrophic accidents to all types of aircraft. Most birdstrikes occur on or near aerodromes but, because birds are very mobile, features far beyond an aerodrome boundary may increase the hazard. If a man made development provides feeding, roosting or breeding opportunities, or shelter and security, it may, depending on the siting of the development and the species it attracts, increase the number of birds visiting or overflying an aerodrome or the number of birds in the airspace used by aircraft. The primary aim is to guard against new or increased hazards caused by development. The most important types of development in this respect are: facilities intended for the handling, compaction, treatment or disposal of household or commercial wastes, which attract a variety of species, including gulls, starlings, lapwings and corvids; the creation or modification of areas of water such as reservoirs, lakes, ponds, wetlands and marshes, which attract gulls and waterfowl; nature reserves and bird sanctuaries; and sewage disposal and treatment plant and outfalls, which can attract gulls and other species. Planting trees and bushes normally creates a bird hazard only when it takes place relatively near to an aerodrome, but a potential starling roost site further away from an aerodrome can create a hazard. Mineral extraction and quarrying can also create a bird hazard because, although these processes do not in themselves attract birds, the sites are commonly used for landfill or the creation of wetland. Department for Transport/Office of the Deputy Prime Minister Circular 01/03 requires East Midlands Airport to 'safeguard' all proposals for developments which are likely to attract birds within 13km of the Airport. The Airport welcomes and encourages pre-application discussions with developers over such schemes in this 13km zone. An assessment of the birdstrike impact of the types of development listed above should accompany any proposals for such developments within 13km of East Midlands Airport. The assessment should include details of pre-application discussions held with the Airport, the individual potential bird attractant features of the proposed development and also whether the development, when combined with existing land features, will make the safeguarded area, or parts of it, more attractive to birds or create a hazard such as bird flightlines across aircraft flightpaths.
18	Building for Life 12 assessment
	Paragraph 56 of the National Planning Policy Framework attaches great importance to design and Building for Life has been updated to follow the framework. All major residential developments in Charnwood, Leicester City and North West Leicestershire areas require an assessment following the Building for Life 12 national standard for well-designed homes and neighbourhoods. Further details on the criteria and assessment requirements can be found on the Design Council's Web site http://www.designcouncil.org.uk/our-work/CABE/Our-big-projects/Building-for-Life/ This may be included where appropriate in the Design and Access Statement. (Should be clearly identified)
19	Coal Mining risk assessment
	Paragraph 121 of the National Planning Policy Framework requires decisions to take account of former activities such as coal mining. A coal mining risk assessment is required to accompany all applications, except for householder applications, located in Coal Mining Referral Areas. This affects applications submitted to NW Leicestershire and Leicestershire County Council See link: http://www.coal.gov.uk/services/planning/development-management-strategy.cfm
20	Economic statement
	Paragraph 205 of the National Planning Policy Framework requires local authorities to be

	<p>sufficiently flexible to ensure development is not stalled. Where the viability of a scheme is considered to be a material consideration then such information should accompany the application. Applications may need to be accompanied by a supporting statement identifying any regeneration benefits from the proposed development, including: details of any new jobs that might be created or supported; the relative floor space totals for each proposed use (where known); any community benefits; and reference to any regeneration strategies that might lie behind or be supported by the proposal. In many cases the Economic Statement may be incorporated within other submitted documents, such as the Planning Statement or Environmental Statement, this should be clearly indicated.</p>
21	Environmental Impact Assessment
	<p>This is not a Local requirement but is a statutory requirement The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 sets out the circumstances in which an Environmental Impact assessment is required. An assessment is required for schedule 1 developments and maybe required for schedule 2 developments. Where EIA is required, Schedule 4 to the Regulations sets out the information that should be included in an Environmental Statement. The information in the Environmental Statement has to be taken into consideration when the Local Planning Authority decides whether to grant planning consent. It may be helpful for a developer to request a 'screening opinion' (i.e. to determine whether EIA is required) from the Local Planning Authority before submitting a planning application. Where EIA is necessary, a 'scoping letter' may also be sent to the Local Planning Authority in accordance with the 2011 Regulations in order to agree the methodology and broad content of the Environmental Statement. In cases where a full EIA is not required, the Local Planning Authority may still require environmental information to be provided.</p>
22	Flood risk assessment
	<p>Paragraph 100 of the National Planning Policy Framework requires local authorities to avoid development in areas at risk of flooding. The Environment Agency has produced maps showing areas prone to flooding. They have identified zones and depending on the scale or vulnerability of the development require a flood risk assessment to be carried out and submitted with applications. Householder and similar minor developments in Flood Zones 2 or 3 are covered by Standing Advice and do not require consultation with the Environment Agency. The Local Authority is however required to check the planning application to ensure that mitigation measures have been incorporated in the submitted details. The following is a link to the Environment Agency's Standing Advice consultation matrix and provides a form to be completed to negate the need for a Flood Risk Assessment. http://www.environment-agency.gov.uk/research/planning/82587.aspx</p> <p>A Flood Risk Assessment (FRA) will be required for development proposals of 1 hectare or greater in Flood Zone 1 and all proposals for new development located in Flood Zones 2 and 3 as designated by the Environment Agency. A FRA will also be required for any development other than minor development in a designated critical drainage area which has been notified to the Local Planning Authority by the Environment Agency. In areas vulnerable to non-fluvial flooding a Flood Risk Assessment may be required in some cases even if outside a designated Flood Zone</p> <p>It should be noted that a flood risk Sequential Test (to be applied by the local planning authority) is applicable to all development proposals (other than applications for minor development and changes of use) occurring within Flood Zones 2 and 3. The guidance on the Environment Agencies web site explains that it is an applicant's responsibility to provide the evidence base upon which a Local Planning Authority decides if a development proposal is sequentially appropriate unless the site has already been sequentially tested through the Local Development Framework process.</p> <p>The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. The FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should include the design of surface water management systems including Sustainable Drainage Systems (SUD's) and address the requirements for safe access to and from the development in areas at risk of flooding.</p> <p>The FRA should be prepared by an applicant in consultation with the Local Planning Authority with reference to their published local development documents and any Strategic Flood Risk Assessment. The FRA should form part of an Environmental Statement when one is required by the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 It is recommended that applicants view the Environment Agency's Flood Risk Standing Advice website www.environment-agency.gov.uk for further advice on Flood Risk assessments and requirements of the Environment Agency.</p>

23	<p>Heritage Statement (including historical, archaeological features and Schedule Ancient Monument)</p>
	<p>Paragraph 128 of the National Planning Policy Framework requires applicants to describe the significance of any heritage assets affected including any contribution to their setting. Heritage Statements are required for applications that affect</p> <ul style="list-style-type: none"> Listed Buildings Conservation Areas Scheduled Monuments Registered Parks & Gardens Registered Battlefields <p>or involve the disturbance of the ground or is located in an area of archaeological potential or subject of major development proposals. Refer to the Leicestershire and Rutland Historic Environment Record.</p> <p>A Heritage Statement is required where appropriate to address the particular circumstances of each application. The level of detail required for each application should be informed by pre application advice, together with Government guidance in the National Planning Policy Framework and the following publications:-</p> <p>English Heritage publications (see www.english-heritage.org.uk)</p> <ul style="list-style-type: none"> • 'A Charter for English Heritage Advisory Services' • 'Informed Conservation' • 'Understanding Historic Buildings: A guide to good recording practice.' • 'The Setting of Heritage Assets' <p>English Historic Towns Forum's (see www.ehtf.org.uk)</p> <ul style="list-style-type: none"> • 'Making Better Applications for Listed Building Consent' <p>Photos of those parts of the building affected by the proposed works should be included. Photos/photomontages may be required to view a proposal in its setting.</p> <p>The scope and degree of detail necessary in a Heritage Statement will vary according to the particular circumstances of each application. The following is a guide to the sort of information that may be required for different types of application.</p> <ul style="list-style-type: none"> • For applications for Listed Building Consent, a written statement that includes a schedule of works to the Listed Building(s), an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the Listed Building or structure, its setting and the setting of adjacent Listed Buildings may be required. A structural survey may be required in support of an application for Listed Building Consent. • For applications for Conservation Area Consent, a written statement that includes a structural survey, an analysis of the character and appearance of the building/structure, the principles of and justification for the proposed demolition and its impact on the special character of the area may be required. • For applications either related to or impacting on the setting of heritage assets a written statement that includes plans showing historic features that may exist on or adjacent to the application site including Listed Buildings and structures, historic parks and gardens, historic battlefields and Scheduled Ancient Monuments and an analysis of the significance of archaeology, history and character of the building/structure, the principles of and justification for the proposed works and their impact on the special character of the Listed Building or structure, its setting and the setting of adjacent Listed Buildings may be required. • For all applications involving the disturbance of ground within an Area of Archaeological Significance as defined in local policies or in other areas the subject of major development proposals or significant infrastructure works, an applicant may need to commission an assessment of existing archaeological information and submit the results as part of the Heritage Statement. • The character and nature of a Heritage Statement should reflect both the particular heritage interest of the site and its surroundings as well as the nature of the proposal itself.
24	<p>Land Contamination Assessment</p>
	<p>Paragraph 121 of the National Planning Policy Framework requires decisions to take into account contaminated land. Should the proposed development area be known to be contaminated or suspected the applicant shall be required to provide sufficient information to determine the existence or otherwise of contamination, its nature and the risks that it may pose and whether these can be satisfactorily reduced to an acceptable level to determine whether the proposed development can proceed. Further guidance 'Model Procedures for Management of Land Contamination' CLR Report 11, is available at:</p>

	http://publications.environment-agency.gov.uk/pdf/SCHO0804BIBR-e-e.pdf
25	Landfill Statement
	<p>Applicants are required to provide sufficient information to enable the waste planning authority to fulfil its requirements under the Landfill (England and Wales) Regulations 2002</p> <p>A planning permission may be granted for a landfill only if the requirement of paragraph 1(1) of Schedule 2 to these Regulations have been taken into consideration</p> <ol style="list-style-type: none"> 1) The distances from the boundary of the site to residential and recreational areas, waterways, water bodies and other agricultural or urban sites; 2) The existence of groundwater, coastal water or nature protection zones in the area; 3) the geological or hydrological conditions in the area 4) risk of flooding, subsidence, landslide or avalanches on the site: and 5) the protection of the natural or cultural heritage in the area <p>Additionally</p> <p>Information is required on the types and quantities of waste both in tonnages and volumes. Pre-settlement / post settlement contours for landraising / landfill. Relevant leachate and gas management systems, litter management, health impact assessment, origin of waste and locations, type and location of the pre-treatment of the wastes by waste – type.</p>
26	Lighting Assessment
	<p>Paragraph 125 of the National Planning Policy Framework requires decisions to limit the impact of light pollution. Proposals involving the provision of publicly accessible developments, in the vicinity of residential property, a Listed Building, a Conservation Area, or open countryside, where external lighting would be provided or made necessary by the development, should be accompanied by details of the proposed external lighting and the hours when the lighting would be switched on. These details should include a layout plan with beam orientation and a schedule of the equipment in the design. Submission of an ‘isolux’ or similar drawings showing the luminance at specified heights above ground level may also be requested for particularly sensitive proposals or sites, such as sports floodlighting in rural or residential areas. ‘Lighting in the Countryside: Towards Good Practice (1997)’ is a valuable guide for local planning authorities, planners, highway engineers and members of the public. It demonstrates what can be done to lessen the effects of external lighting, including street lighting and security lighting. The advice is applicable in towns as well as the countryside.</p>
27	Noise Impact Assessment
	<p>Paragraph 123 of the National Planning Policy Framework requires decisions to take account of noise implications. Application proposals that raise issues of disturbance by noise to the occupants of nearby existing buildings, and for developments that are considered to be noise sensitive and which are close to existing sources of noise should be supported by a noise impact assessment prepared by a suitably qualified acoustician.</p>
28	Open Space assessment
	<p>Paragraphs 73 and 74 of the National Planning Policy Framework require the provision and protection of open space. An assessment is therefore required for all major residential development and for development which affect open spaces. Application proposals should be accompanied by plans showing any areas of existing or proposed open space within or adjoining the application site. Planning permission is not normally given for development of existing open spaces which local communities need. However, in the absence of a robust and up-to-date assessment by the Local Authority, an applicant for planning permission may seek to demonstrate through an independent assessment that the land or buildings are surplus to local requirements. Any such evidence should accompany the planning application.</p>
29	Photographs and Photomontages
	<p>Paragraph 141 of the National Planning Policy Framework requires developers to record heritage assets and paragraph 58 requires decisions be made to ensure developments are visually attractive. Photographs and Photomontages provide useful background information and can help to show how developments can be satisfactorily integrated within the street scene. Photographs should be provided if the proposal involves the demolition of an existing building or development affecting a Conservation Area or a Listed Building. They may form part of the Design and Access Statement or the Heritage Statement.</p>
30	Planning Obligations and Draft Heads of Terms
	<p>Planning Obligations (or Section 106 Agreements under The Town and Country Planning Act 1990) are private agreements negotiated between Local Planning Authorities and persons with an interest in a piece of land (or “developers”), and are intended to make acceptable development which would otherwise be unacceptable in planning terms. Paragraph 203 of the National Planning Policy Framework explains the use of Obligations.</p>

	<p>Whilst they form a vital part of the Development Management framework, they can cause considerable delay to the approval of a planning application. Where they are required it is strongly recommended that a draft Section 106 Agreement or Unilateral Undertaking is submitted with the planning application. If this not possible, a minimum requirement for validation will be the submission of a statement of the proposed draft Heads of Terms, summarising the key obligations within a proposed Agreement or Undertaking.</p> <p>Local Development Plan Documents may contain policies that give details of likely Planning Obligation requirements. Further information on Planning Obligations is available in Community Infrastructure Levy Regulations 2010 and a model Section 106 Agreement is available on the Communities and Local Government website.</p>
31	<p>SAC's (River Mease Catchment Area) report</p> <p>River Mease Special Area of Conservation (SAC) is a European designation, part of which falls within the administrative district of North West Leicestershire. Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Habitats Directive and the designation includes the River Mease and its tributaries. This SAC is also a site of Special Scientific Interest (SSSI).</p> <p>Where development is proposed within the SAC designation in its administrative area, the District Council as the competent authority under the EC Habitats Directive is required to prepare an Appropriate Assessment to assess the impact on the integrity of the European site. Part I B of ODPM Circular 06/2005 Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System describes the procedure for the consideration of plans and projects likely to affect European and Ramsar sites. The procedure is summarised in the flow chart in Figure 1 of ODPM Circular 06/2005.</p> <p>In order to prepare the necessary Appropriate Assessment the District Council requires (Under Regulation 48(2) of the Conservation (Natural Habitats & C) Regulations 2010) and paragraph 118 of the National Planning Policy Framework that in relation to any development within the River Mease Special Area of Conservation Designation, all applications are accompanied by a report demonstrating that the proposed development would have no adverse impact on the integrity alone of the River Mease SAC or in combination with other proposals. Any applicant is likely to need to appoint expertise in ecology, drainage, water quality and or hydrology to assist in the preparation of such a report.</p> <p>The scope of the report should address the following matters:</p> <ul style="list-style-type: none"> - Water Quality (in relation to the relevant targets in the sites conservation objectives) - Water Volumes (in relation to the relevant targets in the sites conservation objectives) <p>For further information go to http://www.nwleics.gov.uk/pages/developments_within_the_catchment_area_of_the_river_mease_special_area_of_conservation</p>
32	<p>Statement of Community Involvement</p> <p>Paragraph 189 of the National Planning Policy Framework requires applicants to engage with the local community before submitting an application. Applications may need to be supported by a statement setting out how the applicant has complied with the requirements for pre-application consultation set out in the Council's adopted Statement of Community Involvement and demonstrating that the views of the local community have been sought and taken into account in the formulation of development proposals.</p>
33	<p>Structural Survey</p> <p>Paragraph 17 of the National Planning Policy Framework encourages the reuse of existing resources, including conversion of existing buildings. A structural survey will be required in support of an application if the proposal involves substantial demolition, or for example, barn conversion applications or development which may affect the structural stability of buildings/structures</p>
34	<p>Special Protection Area (SPA) sites (Rutland Water) report</p> <p>Rutland Water Special Protection Area (SPA) is a European designation, within the administrative area of Rutland County Council. Special Protection Areas (SPAs) are strictly protected sites designated under the EC Habitats Directive and the designation includes Rutland Water and the surrounding area. Rutland Water is also a site of Special Scientific Interest (SSSI) and Ramsar site. Where development is proposed within the SPA designation the County Council, as the competent authority under the EC Habitats Directive, is required to prepare an Appropriate Assessment to assess the impact on the integrity of the European site. Part I B of ODPM Circular 06/2005 Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System describes the procedure for the consideration of plans and projects likely to affect European and Ramsar sites. The procedure is summarised in the flow chart in Figure 1 of ODPM Circular 06/2005.</p>

	<p>In order to prepare the necessary Appropriate Assessment the County Council requires (Under Regulation 48(2) of the Conservation (Natural Habitats &c) Regulations 2010 and paragraph 118 of the National Planning Policy Framework that in relation to any development within the Rutland Water Special Protection Area Designation, that all applications are accompanied by a report demonstrating that the proposed development would have no adverse impact on the integrity alone of the Rutland Water SPA or in combination with other proposals. Any applicant is likely to need to appoint expertise in ecology, drainage, water quality and or hydrology to assist in the preparation of such a report.</p> <p>The scope of the report should address the following matters:</p> <ul style="list-style-type: none"> - <i>Water Quality (in relation to the relevant targets in the sites conservation objectives)</i> - <i>Water Volumes (in relation to the relevant targets in the sites conservation objectives)</i> - <i>Impact of the proposal on wildfowl and other animal species, with particular reference to potential disturbance.</i> <p>For further information on the SPA status of Rutland Water please visit http://www.jncc.gov.uk/pdf/SPA/UK9008051.pdf, and for details of the SSSI status please visit http://www.sssi.naturalengland.org.uk/Special/sssi/sssi_details.cfm?sssi_id=1001220.</p>
35	<p>Telecommunications Development– supplementary information</p>
	<p>Paragraphs 44 and 45 of the National Planning Policy Framework requires planning applications and applications for prior notification by telecommunications code operators for masts and antenna development to be accompanied by a range of supplementary information including the area of search, details of any consultation undertaken, details of the proposed structure, and technical justification and information about the proposed development. Applications shall also be accompanied by a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio-frequency (RF) public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection (ICNIRP).</p>
36	<p>Town Centre Uses –Evidence to accompany applications</p>
	<p>Paragraphs 23 to 27 of the National Planning Policy Framework sets out the key considerations for which applicants should present evidence in order for the local authority ensure the vitality of town centres is retained. The level, type of evidence and analysis required to address the key considerations should be proportionate to the scale and nature of the proposal. A Retail Assessment and/or a Sequential Assessment are required for main town centre uses.</p>
37	<p>Transport assessment</p>
	<p>Paragraph 32 of the National Planning Policy Framework requires a transport assessment to be submitted where the proposed development has significant transport implications and should be proportionate to the proposal. It should cover accessibility, sustainability and mitigation measures. The County Councils define the different types of transport statement needed depending on the development - see their web sites</p> <p>For Leicestershire County Council http://www.leics.gov.uk/index/highways/road_improvements/htd/highway_req_development_part2.htm</p> <p>For Rutland County Council http://www.rutland.gov.uk/development_control/submit_a_planning_application/transport_assessments_travel.aspx</p>
38	<p>Travel Plan</p>
	<p>Paragraph 36 of the National Planning Policy Framework requires a travel plan to be submitted where a development will generate significant amounts of movement. A travel plan is a package of measures or agreed outcomes aimed at reducing reliance on the private motor vehicle and reducing congestion.</p> <p>The County Councils also define when a Travel Plan is required depending on the development - see their web sites</p> <p>For Leicestershire County Council http://www.leics.gov.uk/index/highways/road_improvements/htd/highway_req_development_part2.htm</p> <p>For Rutland County Council http://www.rutland.gov.uk/development_control/submit_a_planning_application/transport_assessments_travel.aspx</p> <p>Further advice is available in Good Practice Guidelines : Delivering Travel Plans Through the Planning Process (CLG and DfT, 2009), also Travel Plans and Planning</p>
39	<p>Ventilation/Extraction statement</p>
	<p>Paragraph 109 of the National Planning Policy Framework requires development not to contribute</p>

	or result in an unacceptable risk of air or noise pollution. Details of the position and design of ventilation and extraction equipment, including odour abatement techniques and acoustic noise characteristics, will be required to accompany all applications for the use of premises for purposes within Use Classes A3 (i.e. restaurants and cafes - use for the sale of food and drink for consumption on the premises), A4 (i.e. drinking establishments – use as a public house, wine-bar or other drinking establishment) and A5 (i.e. hot food takeaways - use for the sale of hot food for consumption off the premises). This information (excluding odour abatement techniques unless specifically required) will also be required for significant retail, business, industrial or leisure or other similar developments where substantial ventilation or extraction equipment is proposed to be installed.
40	Wind Turbines - Aviation Impact Assessment
	Wind powered generator turbines can create certain problems for aviation. In addition to their potential for presenting a physical obstacle to air navigation, wind turbines can affect signals radiated from and received by aeronautical systems, specifically radar systems. Department for Transport/Office of the Deputy Prime Minister Circular 01/03 requires East Midlands Airport to 'safeguard' all proposals for wind turbines within 30km of the Airport. The Airport welcomes and encourages pre-application discussions with developers over proposed schemes in this 30km zone. An assessment of the impact of any wind turbines on the aeronautical systems at East Midlands Airport should accompany any proposals for new wind turbines within 30km of the Airport. The assessment should include details of pre-application discussions held with the Airport as recommended by Renewables UK (previously British Wind Energy Association) and include a copy of the submitted pre-planning proforma for enquiries on all new wind energy developments.
Explanation of other terms, assessments and report	
41	Access Arrangements
	All accesses should be in accordance with the Highway Authorities design guidelines. For Leicestershire (http://www.leics.gov.uk/index/highways/road_improvements/htd.htm) For Rutland applications will be considered on an evidence based design process. Temporary accesses, turning and impact on pedestrian movements should be assessed during the life of the development and construction period.
42	Affordable Housing Market Assessment
	Assessment of the housing market need in the location of the development and how the development would contribute to identified housing needs. This is produced by the local authority.
43	Conservation Area Character Appraisal
	Produced by local authorities can be used to assist in producing Heritage Statement
44	Daylight / Sunlight Assessment
	In circumstances where there is a potential adverse impact upon the current levels of sunlight/daylight enjoyed by adjoining properties or building(s), including associated gardens or amenity space then applications may be assessed taking account of BRE guidelines on daylight assessments or requirements of the Local development plan. It is therefore recommended that applications with such an impact be accompanied by a daylight/sunlight assessment. It should be noted that the grant of planning permission would not confer any immunity on those whose works infringe another's property rights, and which might be subject to action under the Rights of Light Act 1959 . See Building Research Establishments web site
45	Ecological Survey – Biodiversity Survey and Report
	A proposed development should assess the local / national ecological value of the proposed application area. Proposed development should mitigate and enhance ecological value of the land through the proposed development. See guidance below on where, when, how and what to include in a survey and report.
46	Foul Sewerage and Utilities Assessment
	Most new development require connections to existing utility services, including electricity and gas supplies, telecommunications, water supply, foul and surface water drainage and disposal. If an application proposes to connect a development to existing facilities then details of the existing system should be shown on the application drawing(s). It should be noted that in most circumstances surface water is not permitted to be connected to the public foul sewers. Where the development involves the disposal of trade waste or the disposal of foul sewage effluent other than to the public sewer, then a fuller foul drainage assessment will be required including details of the method of storage, treatment and disposal. A foul drainage assessment should

	<p>include a full assessment of the site, its location and suitability for storing, transporting and treating sewage. Where connection to the mains sewer is not practical, then the foul/non-mains drainage assessment will be required to demonstrate why the development cannot connect to the public mains sewer system and show that the alternative means of disposal are satisfactory. Guidance on what should be included in a non-mains drainage assessment is given in DETR Circular 03/99; Building Regulations Approved Document Part H; and in BS6297.</p> <p>If connection to any of the above requires crossing land that is not in the applicant's ownership, other than on a public highway, then notice may need to be served on the owners of that land. Two planning issues arise; firstly, whether the existing services and infrastructure have sufficient capacity to accommodate the supply/service demands which would arise from the completed development, and secondly, whether the provision of services on site would give rise to any environmental impacts, for example, excavations in the vicinity of trees or archaeological remains. The applicant may be required to demonstrate:</p> <ul style="list-style-type: none"> (a) that following consultation with the service provider, the availability of utility services has been examined and that the proposals would not result in undue stress on the delivery of those services to the wider community; (b) that proposals incorporate any utility company requirements for substations, telecommunications equipment or similar structures; (c) that service routes have been planned to avoid as far as possible the potential for damage to trees and archaeological remains; and, (d) where the development impinges on existing infrastructure the provisions for relocating or protecting that infrastructure have been agreed with the service provider.
47	Geotechnical Survey/Stability Report
	This is likely to be the required where the development would affect or be affected by unstable land. This includes sites subject to effects of underground cavities, unstable slopes and ground compression.
48	National Forest and Charnwood Forest area
	Proposal within these areas should take into consideration relevant strategies and planning policies
49	Parking Provision
	<p>Applications may be required to provide details of existing and proposed parking provision. These details should be shown on a site layout plan. Where appropriate, provision should be made for parking spaces for the disabled and visitors. Where parking provision is above or below the standards recommended by the Local Highway Authority (or where there are no standards), the level of provision may need to be justified, taking account of the particularly circumstances relating to the proposed development and site.</p> <p>For Leicestershire http://www.leics.gov.uk/index/highways/road_improvements/htd.htm)</p> <p>For Rutland applications will be considered on an evidence based design process.</p>
50	Planning Statement
	A Planning Statement identifies the context and need for a proposed development and includes an assessment of how the proposed development accords with relevant national, regional and local planning policies. This is particularly important where a proposal does not accord with adopted policies. It may also include details of consultations with the Local Planning Authority and wider community/statutory consultees undertaken prior to submission. Alternatively, a separate Statement of Community Involvement may also be appropriate. Sustainability should be addressed within the statement, including sustainable design and construction of buildings together with provision for on-site renewable energy generation.
51	Protected Species Survey and Report – Biodiversity Survey and Report
	Some proposed developments may need a protected species survey if a) the site contains or is close to a known location for a species, or b) there is a high possibility that a protected species will be present. Please refer to ' Biodiversity Survey and Report / Ecological Survey / Protected Species Survey and Report; Local Requirements for Protected Species '. See guidance below on where, when, how and what to include in a survey and report.
52	Refuse Storage and Recycling facilities
	All proposals involving the creation of new dwellings or new retail, business, industrial or leisure or other similar developments will be required to be accompanied by details of proposed facilities for the storage and collection of refuse, including access for refuse collection vehicles and recycling facilities.
53	Site Waste Management Plan

	<p>The Waste Management Plans Regulations 2008 came into force in April 2008 which means that any construction project in England costing over £300k needs a Site Waste Management Plans (SWMP) before work can begin. The regulations apply to:</p> <ul style="list-style-type: none"> • new build • maintenance • alteration or installation/removal of services such as sewerage, water. <p>Proposed new development should be supported by SWMP of the type encouraged by the code of practice published in 2008 by DEFRA entitled 'Guidance for Site Waste Management Plans'. These do not require formal approval by the planning authority, but are intended to encourage the identification of the volume and type of material to be demolished and/or excavated, opportunities for the reuse and recovery of materials and to demonstrate how off-site disposal of waste will be minimised and managed.</p> <p>All proposed Major developments should aim to reduce the volume of waste provided and landfilled. The waste management plan should identify opportunities for the reuse, recycling, recovery and how off site disposal of waste would be reduced</p> <p>Further information and advice on SWMPs is available at:</p> <ol style="list-style-type: none"> 1. Site Waste Management Plan Regulations 2008 (OPSI website): http://www.legislation.gov.uk/ukxi/2008/314/contents/made 2. Non-statutory guidance for site waste management plans (April 2008, PDF 150 KB): http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-guidance.pdf 3. Toolkits available to assist production of a SWMP (PDF 40 KB): http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-toolkit.pdf 4. Cost benefit analysis for the introduction of SWMPs for the construction and demolition industry (PDF 700 KB): http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-cost-benefits.pdf 5. Questions and answers (PDF 15 KB): http://archive.defra.gov.uk/environment/waste/topics/construction/pdf/swmp-qanda.pdf
54	Summaries of Planning Applications
	<p>The principal aim of a summary is to introduce the scheme to parties who are not familiar with the details of the proposed development and to assist in community involvement in the planning process. Where the supporting information for a major application exceeds 100 pages (excluding the application form itself), applicants should submit a summary of the whole scheme. This summary should be no more than 20 pages long and should provide an overview of the proposal and a clear description of its key impacts. If a development proposal is already subject to Environmental Impact Assessment (EIA), the non-technical summary of the resulting Environmental Statement is likely to provide most of the necessary information. Applicants should simply summarise any other key topics that are outside the scope of EIA. To avoid unnecessary duplication the summary may form part of the Design & Access Statement or Planning Statement, but to assist with validation procedures it should be clearly identified within the document.</p>
55	Sustainability
	<p>It is recommended that a sustainability statement is submitted for all major planning applications to demonstrate the sustainability principles of the proposed development, including the positive environmental, social and economic considerations. This can be included in the design and access statement and should be clearly identified in the document.</p>
56	Tree Survey and Arboriculture implications
	<p>Where there are trees within the application site, or on land adjacent to it that could influence or be affected by the development (including street trees), information is required by the 1APP forms on which trees are to be retained and on the means of protecting these trees during construction works. This information should be prepared by a suitably qualified and experienced arboriculturist. Full guidance on the survey information, protection plan and method statement that should be provided with an application is set out in the current BS5837 'Trees in Relation to Construction – Recommendations'. Using the methodology set out in the BS should help to ensure that development is suitably integrated with trees and that potential conflicts are avoided.</p>
57	Visual Impact Assessment / Landscape Character Assessment
	<p>This is not a requirement but can be produced as a separate assessment or part of the Design and Access Statement. It should include an assessment of the visual impact of the development taking into consideration the existing landscape character and how the proposed development would integrate within the local landscape and environment.</p>

Biodiversity Survey and Report / Ecological Survey / Protected Species Survey and Report

PART I LOCAL REQUIREMENTS FOR PROTECTED SPECIES

Where a proposed development is likely to affect species protected under the [Wildlife and Countryside Act 1981](#) (as amended), the [Conservation of Habitats and Species Regulations 2010](#), the [Protection of Badgers Act 1992](#), and / or species of principal importance listed under Section 41 of the [Natural Environment and Rural Communities Act 2006](#), the applicant must submit an up-to-date Protected Species Survey and Assessment.

Please refer to [Table 1](#) (Column 1) which provides guidance on when a survey is needed for particular species. Please note that this table is intended to assist the identification of a proposal for which a protected species survey will be required. It should be noted that there may be instances which fall outside those described where a protected species survey is required.

Protected species surveys and assessments must be submitted up-front with a planning application. Planning applications cannot be determined until surveys have been done to an acceptable standard, in accordance with paragraph 99 of ODPM Circular 06/2005. Further guidance is available in Government Circular: [Biodiversity and Geological Conservation – Statutory Obligations and their Impact Within the Planning System](#) (ODPM Circular 06/2005, Defra Circular 01/2005) and [Planning for Biodiversity and Geological Conservation: A Guide to Good Practice](#).

The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year, in suitable weather conditions and using nationally recognised survey guidelines/methods where available. See [Table 4](#) for more information on survey times for different species.

Where surveys involve disturbance, capture or handling of a protected species, only a licensed person can undertake such surveys. Licences are issued by Natural England; see the Wildlife Management and Licensing Service

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>.

Further advice on bat surveys, assessment and mitigation is available in the *Bat Protocol*, published by Leicestershire and Rutland Environmental Records Centre

(<http://www.leics.gov.uk/index/environment/naturalenvironment.htm>).

The survey may be informed by the results of a search for ecological data from the local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which species are present and identify their numbers (may be approximate);
- Map their distribution and use of the area, site, structure or feature (e.g. for feeding, shelter, breeding).

Data searches can be carried out by Leicestershire and Rutland Environmental Records Centre

(<http://www.leics.gov.uk/index/environment/naturalenvironment.htm>).

Information on species distribution may also be obtained from the National Biodiversity Network (NBN): www.nbn.org.uk.

The **Assessment** must identify and describe potential development impacts likely to harm the protected species and/or their habitats identified by the survey (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated;
- How species numbers are likely to change, if at all, after development e.g. whether there will be a net loss or gain;
- How features or habitats used by protected species can be enhanced, restored or added to.

It is illegal to disturb protected species or the places in which they live; further information is available from www.jncc.gov.uk. Licences may be needed to carry out work that could affect protected species – further information and downloadable forms are available from the Wildlife Management and Licensing Service of Natural England at

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>

The information provided in response to the above requirements should be consistent with that required for an application to Natural England for a European Protected Species Licence. A protected species survey and assessment may form part of a wider Ecological Assessment and/or part of an Environmental Impact Assessment.

TABLE 1 Local Requirement for Protected Species: Criteria and Indicative Thresholds (Trigger List) for when a Survey and Assessment is required

Column 1 Proposals for Development That Will Trigger a Protected Species Survey	Species Likely To Be Affected And For Which A Survey Will Be Required										
	Bats	Barn Owls	Breeding Birds	Gt. Crested Newts	Otters	★ Dormouse	Kingfisher	Water Vole	Badger	Reptiles	White-cld crayfish
<p>Proposed development which includes the modification, conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:</p> <ul style="list-style-type: none"> all agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with wooden beams; buildings and structures close to woodland, trees and/or water, particularly those with weather boarding, hanging tiles and/or gable ends; all tunnels, mines, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures; all bridge structures, aqueducts and viaducts (especially over water and wet ground). <p>Proposals involving lighting of churches and listed buildings or flood lighting of green space close to woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>								
Proposals affecting woodland, parkland, large gardens with trees or field hedgerows and/or lines of trees with obvious connectivity to woodland or water bodies.	<input type="checkbox"/>		<input type="checkbox"/>			<input type="checkbox"/>			<input type="checkbox"/>		
<p>Proposed tree work (felling or lopping) and/or development affecting:</p> <ul style="list-style-type: none"> mature and veteran trees; trees with obvious holes, cracks or cavities. 	<input type="checkbox"/>		<input type="checkbox"/>								
Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices or caves.	<input type="checkbox"/>		<input type="checkbox"/>							<input type="checkbox"/>	<input type="checkbox"/>
Major proposals within 500m of a pond or Minor proposals within 100m of pond (Note: A major proposals is one that is more than 10 dwellings or more than 0.5 hectares or for non-residential development is more than 1000m ² floor area or more than 1 hectare)				<input type="checkbox"/>							
Proposals adjacent to or affecting rivers, streams, canals, lakes, or other aquatic habitats.	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>
Proposals affecting 'derelict' land (brownfield sites), allotments and railway land.			<input type="checkbox"/>	<input type="checkbox"/>					<input type="checkbox"/>	<input type="checkbox"/>	
Proposed development affecting any buildings, structures, feature or locations where <u>protected species are known to be present</u> *.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
* Confirmed as present by either a data search (for instance via the local environmental records centre) or as notified to the developer by the local planning authority, and/or by Natural England, the Environment Agency or other nature conservation organisation.	Bats	Barn Owls	Breeding Birds	Great Crested Newt	Otters	★ Dormouse	Kingfisher	Water Vole	Badgers	Reptiles	White-cld crayfish

★: Note that Dormice are very rare in Leicestershire and Rutland, and the only recent confirmed records are from a few woodlands to the south of the two Counties.

Exceptions for When a Full Species Survey and Assessment may not be required

- Following consultation by the applicant at the pre-application stage, the LPA has stated in writing that no protected species surveys and assessments are required.
- Evidence is provided in e.g. the form of a letter or brief report from a suitably qualified and experienced person, or a relevant local nature conservation organisation, that no protected species are present.

PART II LOCAL REQUIREMENTS FOR DESIGNATED SITES AND PRIORITY HABITATS

Where a proposed development is likely to affect designated sites and priority habitats, the applicant must submit an *Ecological/Geological Survey and Assessment*.

Please refer to [Table 2](#) and [Table 3](#).

The **Survey** should be undertaken and prepared by competent persons with suitable qualifications and experience and must be carried out at an appropriate time and month of year (see [Table 4](#)); in suitable weather conditions and using locally or nationally recognised survey guidelines/methods where available.

Further information on appropriate survey methods can be found in *Sources of Survey Methods* compiled by the Institute of Ecology and Environmental Management; available at: <http://www.ieem.net/surveymethods.asp>.

The survey may be informed by the results of a search for ecological and/or geological data from a local environmental records centre. The survey must be to an appropriate level of scope and detail and must:

- Record which habitats and features are present on and, where appropriate, around the site;
- Identify the extent/area/length present;
- Map their distribution on site and/or in the surrounding area shown on an appropriate scale plan.

The **Assessment** should identify and describe potential development impacts likely to harm designated sites and priority habitats (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated;
- How area (hectares) of priority habitat on the site are likely to change after development e.g. whether there will be a net loss or gain;
- How designated sites and priority habitats can be enhanced, restored or added to.

Information on **Local Wildlife Site criteria** for Leicester, Leicestershire and Rutland is available from Leicestershire and Rutland Environmental Records Centre (<http://www.leics.gov.uk/index/environment/naturalenvironment.htm>). Existing environmental information may be available from Local Record Centres, Wildlife Trusts, and Local RIGS Groups etc. Also online information on internationally and nationally designated sites can be found at: www.natureonthemap.org.uk

TABLE 2 Local Requirements for Designated Sites and Priority Habitats Criteria (Trigger List) for When a Survey and Assessment are Required

1. DESIGNATED SITES	
Internationally designated sites	Special Protection Area (SPA) Special Area of Conservation (SAC) Ramsar Site
Nationally designated sites	Site of Special Scientific Interest (SSSI) National Nature Reserve (NNR)
Regionally and locally designated sites	Local Wildlife Site (formerly known as Site of Importance for Nature Conservation) Local Nature Reserve (LNR)
2. PRIORITY HABITATS (Habitats of Principal Importance for Biodiversity under S.41 of the NERC Act 2006)	
<ul style="list-style-type: none"> • Arable field margins • Eutrophic standing waters • Hedgerows • Inland rock outcrop • Floodplain grazing marsh • Lowland calcareous grassland • Lowland dry acid grassland • Lowland fens • Lowland heathland 	<ul style="list-style-type: none"> • Lowland meadows • Lowland mixed deciduous woodland • Mesotrophic lakes • Open mosaic habitats on previously developed land • Ponds • Reedbeds • Rivers • Wet woodland • Wood-pasture and parkland
3. OTHER BIODIVERSITY HABITATS	
(as identified by the Local Biodiversity Partnership - see paragraph 84 ODPM Circular 06/2005)	
<ul style="list-style-type: none"> ▪ Mature Trees ▪ Fast-flowing streams ▪ Spring and flushes ▪ Sphagnum ponds 	

Exceptions When a Full Survey and Assessment May Not Be Required

International and National Sites: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national or international importance.

Regional and Local Sites and Priority Habitats: A survey and assessment will not be required where the applicant is able to provide copies of pre-application correspondence with the Local Planning Authority's ecologist (where employed), or ecological advisor and/or the local Wildlife Trust that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance or any other priority habitats or listed features.

TABLE 3 Local Requirements For Designated Geodiversity Sites Criteria (Trigger List) for when an Assessment is required

1. DESIGNATED SITES	
Nationally designated sites	Site of Special Scientific Interest (SSSI) National Nature Reserve (NNR)
Regionally and locally designated sites	Regionally Important Geological Site (RIGS) Local Nature Reserve (LNR)

Exceptions When a Full Survey and Assessment May Not Be Required

International and National Sites: A survey and report will not be required where the applicant is able to provide copies of pre-application correspondence with Natural England, where the latter confirms in writing that they are satisfied that the proposed development will not affect any statutory sites designated for their national importance.

Regional and Local Sites: A survey and report will not be required where the applicant is able to provide copies of pre-application correspondence with appropriate local geological experts (such as the Local RIGS Group) that they are satisfied that the proposed development will not affect any regional or local sites designated for their local nature conservation importance.

TABLE 4 - ECOLOGICAL SURVEY SEASONS

Key: Optimal Survey Time ■
 Extending into ■

	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
Badgers												
Bats Hibernation Roosts												
Bats Summer Roosts												
Bats Foraging/ Commuting												
Birds Breeding												
Birds Over Wintering												
Dormice												
Great-Crested Newts												
			AQUATIC			TERRESTRIAL						
Otters												
Reptiles												
Water Voles												
White-Clawed Crayfish												
Habitats/Vegetation												

Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Figure 2
- Surveys conducted outside of optimal times (Figure 2) may be unreliable. For certain species (e.g. Great Crested Newt) surveys over the winter period are unlikely to yield any useful information. Similarly negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost is protected whether any bats are present or not).
- Local Biological / Environmental Records Centre may have useful existing information and records.