Date: 23 June 2010
Our ref: B 5.7.50
Your ref: 10/00201/FUL

Kevin Roeton
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Dear Mr Roeton

Proposal: Extension & alterations to dwelling
Location: The Haven, Watery Lane, Sheepy Magna
Reference: 10/00201/FUL

Thank you for your consultation which was received by Natural England on 4 June 2010.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We are working towards the delivery of four strategic outcomes:

- A healthy natural environment;
- People are inspired to value and conserve the natural environment;
- Sustainable use of the natural environment;
- A secure environmental future

Bats are a rare and declining group of species. Hence, all British species of bat are fully protected by the Wildlife and Countryside Act 1981 (as amended) and the Conservation (Natural Habitats &c.) Regulations 1994 making it an offence to intentionally or recklessly kill or injure or disturb these species whilst in a place of shelter or protection.

The building in question clearly has the potential to support a bat roost, but until appropriate survey work has been carried out as recommended in the bat survey report dated 9 April 2010, this cannot be confirmed, and suitable mitigation measures cannot be put in place.

Therefore, based on the information provided, Natural England **objects** to the proposal as inadequate information has been provided with the application to demonstrate whether or not the development would have an adverse effect on species especially protected by law. Our concerns relate to bats. The protection afforded these species is explained in Part IV and Annex A of *Circular 06/*2005 to

PPS9 - Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System. We therefore recommend that the application is refused planning permission unless the applicant submits adequate information to show that the species would not be affected or that potential effects, would be avoided or satisfactorily mitigated.
Surveys, assessments and recommendations for mitigation measures should be undertaken by suitably qualified and experienced persons holding any licences that may be required. Further information about survey methods and mitigation measures may be found on Natural England's web site at www.naturalengland.org.uk

Although the bat report stated that the site would also be assessed for barn owls, the results were not included. Natural England would therefore like this information to be submitted to your authority for consideration.

Mitigation measures for breeding birds should also be included. Natural England recommends that site clearance operations that involve the destruction and removal of vegetation and/or buildings, should not be undertaken during the months of March to August inclusive, except when approved by the Local Planning Authority, to ensure that breeding birds are not adversely affected.

Natural England welcomes the measures to enhance the biodiversity on this site.

The advice given by Natural England in this letter is made for the purpose of the present consultation only. In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be included as a consultee in relation to any additional matters to be determined by Melton Borough Council that may arise as a result of, or are related to, the present proposal. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

I would be grateful if you could forward a copy of the decision notice to me when available, in the meantime, if you have any queries on the above response, please do not hesitate to contact me.

Yours sincerely



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