# **Design Code**

Public Consultation Statement 2025

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#### 1. Introduction

- 1.1 The Levelling up and Regeneration Act 2023 requires every local planning authority to produce a Design Code for its area.
- 1.2 The Council prepared a Design Code document that was publicly consulted upon between midday on Friday 10 January 2025 until midday on Friday 21 February 2025. It is worth noting that the Design Code was consulted on alongside the New Local Plan and Developer Contributions Supplementary Planning Document.
- 1.3 This Public Consultation Statement (Statement) has been prepared in support of the Council's Design Code.
- 1.4 The public consultation statement sets out the following:
  - The persons that the Council consulted during the abovementioned 6 week public consultation;
  - A summary of the main issues raised by those persons who submitted comments during the consultation period; and
  - How any issues raised during the consultation period have been addressed by the Council.
- 1.5 Appendix 1 of this Statement sets out a summary of all the comments received during the public consultation period and Council officer responses to each of these comments.

#### 2. Public Consultation Period

- 2.1 A public consultation for the Design Code was undertaken by the Council between January and February 2025, as specified in paragraph 1.2 of this document.
- 2.2 In line with requirements, the following persons and bodies were notified via notification letter, send by email or post, of the consultation that was taking place:
  - Duty to Cooperate Partners
  - Specific Consultation bodies
  - General Consultation bodies
  - Other stakeholders held on the local Plan consultation database
- 2.3 The notification letter explained:
  - The purpose of the consultation;
  - How to find further information;
  - The consultation period;
  - How to make representations; and
  - How a person or body could be added to the Council's Local Plan consultation database.
- 2.4 In addition to the notification letter, the Council:
  - Made all elected Council Members aware of the consultation:
  - Advertised the consultation on the Council's website;
  - Made available for inspection hard copied of all relevant information and documentation at public libraries across the Borough and at the Council's Brocks Hill Offices; and
  - Made available for inspection electronic copied of all relevant information and documentation on the Council's website.

## 3. Summary of the Main Comments Raised

- 3.1 A total of 13 persons / bodies submitted representations to the Council relating to the Design Code. Representations were received from:
  - Oadby & Wigston Borough Council's Arboricultural Officer
  - Climate Action Leicester & Leicestershire
  - Define obo Bloor Homes
  - Environment Agency
  - Fisher German obo David Wilson Homes
  - Hinckley & Bosworth Borough Council
  - Historic England
  - Mulberry Land
  - National Highways
  - Natural England
  - Oadby & Wigston Borough Council Regulatory Services
  - Sport England
  - Swifts Planning Ltd
- 3.2 Two representations made no specific comment. The key topics and issues that stakeholders commented on are summarised below in Table 1, together with a general response.
- 3.3 Further details on the issues and topics raised in representations are set out in the Appendices.

Table 1. Summary of topics and points raised in representations

Comment	Response
Requirements for Net-Zero and climate change mitigation	A mix of responses were received, some asking for the Code to push further for more specific requirements, and others wanting to scale back on expectations. The Local Plan sets out Council's policy approach to climate change, energy and renewables. As Local Plan policy takes precedence over the Design Code, the Plan should be referred to.
Driveway layout, street parking and road materials	The Code is a Comply or Justify approach where there maybe site-specific issues that require different design approaches. The Code also makes reference to the need to consider the local highways design guide.
Higher densities for mixed housing	The Local Plan sets out Council's policy approach to housing mix and density on sites. As Local Plan policy takes precedence over the Design Code, the Plan should be referred to. The Design Code's Comply or Justify approach means there maybe site-specific issues that require different design approaches.
Further reference to the historic environment and heritage assets	The Design Code complements, but does not supersede, the Local Plan. Wording in the Code was strengthened.
The building and integration of alleyways	A mix of responses were received, some asking to retain alleyways and others highlighting their design issues. The overall position outlined in the draft Code remains the same.
Planning for future bin arrangements	Further details on bin arrangements for day-to-day storage and use added to the document.
Support for design relating to active travel	Support welcome by the Council.
Further clarity on tree and ecology mix	The Design Code's Comply or Justify approach means there maybe site-specific issues that require different design approaches. Some changes made to ensure longevity of good design.

### 4. How the Comments Raised Have Been Addressed

- 4.1 Having considered the amendment suggested in representations, some minor changes to the report were made. There have been no significant changes made to the consultation document.
- 4.2 A full break-down of representations and changes made to the Design Code are set out in the Appendices.

# **Appendix 1. Comments Received During the Consultation Period and Officer Responses**

Organisation	Comment Made	Officer Response	Change proposed to text
Arboricultural Officer	The increasing presence of in-out driveways is becoming ever apparent across the Borough. Where this occurs on streets we stand to double the amount of driveways to the highway, breaking up frontages, reducing green verges, increasing pressure for highway tree removal. Reducing front garden use and generally eroding the visual amenity value of an area. This makes it look to be an area appear Increasingly car-centric and less pedestrian friendly, they generally stretch out the façade of the property. The increasing presence starts to change the character of an area, which after a certain amount then becomes a reason why a proposal should be considered acceptable.  When only 1 car wide, the second car will have to reverse anyway, and the same area redesigned should allow for ample space to turn.	No change. Guidance on car parking in paras 7.52-7.58 explicitly and approach of design code as a whole would discourage this type of parking solution. However, para 1.14 is clear code is based on a comply or justify approach and there maybe site-specific issues that require this design approach.	None.
Climate Action Leicester & Leicestershire	Our over-riding concern with this design document is the lack of requirements around fabric first/insulation-based energy efficiency, low energy heating systems and solar generation. Therefore, we had expected that this design code would make specifics and set requirements about what this would entail. It fails to do this. Please add in requirements and specifics on insultation,	No change. Policy takes precedence over guidance and are set out in the Local Plan. Design code is aspirational allowing for different responses on different sites. Definitive standards should be set out in Local Plan policy not a design code.	None.

Organisation	Comment Made	Officer Response	Change proposed to text
	solar generation, heat pumps and carreduction measures.	No change. The Local Plan policy on density sets out Council's approach, policy takes precedence over guidance. Design code is aspirational allowing for different responses on different sites.	None.
	Para 1.19 Make it clear that you expect higher than current housing densities at the same time as fitting with the character of existing settlements. What do you require these densities to be on stand-alone sites? We want higher densities of mixed housing (both number of bedrooms, heights, flats, garden size/balconies) and type but with an emphasis on terraced and 3-4 story flats, not semi-detached. This should push densities up to 50-80dph ensuring less land use and encouraging people to walk rather than drive as it would sprawl over less space.	No change. A tree in every garden may not always be the appropriate design solution.	None.
	Para 6.6 2 <sup>nd</sup> bullet point Continuous boundaries of 30+ meter should require a tree/large shrubs in every garden, not just every 4th.	No change. Point addressed in para 7.15.	None.
	Para 6.7 These trees should be chosen for resilience to climate change and	No change. Site specific measures will vary according to each site. It is for the developer	None.

Organisation	Comment Made	Officer Response	Change proposed to text
	variety, and include food eg walnut, sweet chestnut, apple.	to show how their scheme achieves the aims/aspirations of the design code or provide a robust justification for why they cannot. It is not for the design code to set out all requirements, a number of which would be Local Plan policy rather than guidance.	
	Para 7.3 The aspirations in 7.3 are great. They need to contain specifics and requirements. For example: Require specifics such as cross ventilation and window shading to minimise overheating, require fabric first approach to energy efficiency and a list of ways in which a new development could be made less car centric e.g. moving parking areas to edges of new developments – and including trees or solar in parking areas, ensuring frontages have soft landscaping and provide less rather than more off road car parking, blocking through car traffic by making one end of street only open to bikes and pedestrians, ensuring that cycle paths are safely segregated from car use on busier roads. There are examples in our Attachment 1, transport and climate. Re building materials, you should require developers to use low carbon steel and concrete. These are both available and economically viable.	No change. A tree in every garden may not always be the appropriate design solution.	None.

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	You don't have to specify that every development should do every specific thing on your list, but you should say you require them to do a minimum number of the things including from each category e.g. insulation, energy generation, transport mode shift etc.		
	Para 7.6 We are glad to see requirement for swift and bat boxes. However, we would like to see requirement for at least one tree in every garden in addition to one thing for each house from this list.	No change. Although there is no requirement developers can go beyond requirements if site design would be enhanced.	None.
	Para 7.14 Some street trees should be required on smaller/other routes. They reduce flood risk, overheating and also reduce extreme cold in Winter as well as supporting biodiversity and mental health. They also help to make sites less car centric.	No change. Making elements of the list requirements would be policy, policy is set out in Local Plan not a design code.	None.
	Para 7.20 (Elements of a main street) Some of these should be required not just suggested. This includes higher housing density, segregated cycle lanes, street trees	No change. Approach to parking set out in paras 7.52-7.58.	None.
	Para 7.22 This is a good place to add in requirements for parking for a street in order to provide a small separation between homes and parking.	No change. Setting out requirements would be policy, policy is set out in Local Plan not a design code.	None.

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	Para 7.24 Alleyways are essential to provide through routes for pedestrians and cyclists when it comes to crescents and cul-de-sacs. They do need to be safe, so please put in minimum widths and sightlines but ensure that they exist, otherwise you are pushing people towards car use.		
	Para 7.28 Instead of on street parking, communal parking (with trees and/or solar panel coverage) should be provided alongside bin storage. This will help with access for emergency and waste collection as well as allowing for more street trees, safer, cleaner active transport use and discouraging car use.	No change. Approach to parking set out in paras 7.52-7.58.	None.
	Para 7.31 Tree surrounded parking areas can be put on backs as visually they look like gardens. This allows frontages to be greener and more aesthetically pleasing as well as discouraging car use.	No change. Para 6.6 promotes the role of trees as a boundary treatment.	None.
	Para 7.47 These are very good ambitions which we strongly support. However, to be effective when it comes to design it would be useful to have specific requirements in place, eg all closed roads must have cycle links at the closed ends, all new homes must include space for secure and easily accessible from the road cycle storage, etc. As with energy	Support welcomed. No change. Setting out requirements would be policy, policy is set out in Local Plan not a design code.	None.

Organisation	Comment Made	Officer Response	Change proposed to text
	efficiency and generation, you should be requiring a minimum number of actions from a list of specifics, not just be designed to encourage or think about.		
	Para 7.51 Open spaces should be climate-enhanced to reduce both carbon footprints, and the effects of climate change. We would like to see at least 50% tree cover including the use of mini forests and food trees to provide shade, reduce flood risk and surface temperatures, sequester carbon and support nature. This also involves putting in ponds to reduce flood risk, support biodiversity and make surface temperatures less extreme. We also want to see design requirements reducing hard surfaces – use grasscrete, board walks and narrow paths rather than large hard surface areas. Again this will reduce temperatures and flood risk.	No change. Setting a target for tree coverage is policy. Policy is set out in Local Plan not a design code.	None.
	Para 7.53 Spaces between back gardens and corner plots should be used to separate parking from homes. We want grasscrete not block paving, resin (or concrete or tarmac). Garages should be designed to link homes together and increase energy efficiency, car ports should be designed to generate solar energy where possible.	No change. Design code allows for different solutions depending on site circumstances. Proposed wording may not always be appropriate. Policy is set out in Local Plan not a design code.	None.

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	Para 7.56 We do not support on street parking as the convenience encourages car use. Therefore we do not support getting parking spaces as close to front doors as possible. Instead parking as described in 7.54 with trees is much more positive and still allows for car use. Where on street parking is necessary (and this should be specifically limited), it should be interspersed with street trees.	No change. Convenience is an important factor, with an ageing population it is likely to become increasingly important.	None.
Define obo Bloor Homes	Idea of a design code supported and content largely appropriate.	Support welcomed.	None.
	Understand that code takes a comply or justify approach that gives flexibility but feel wording should give greater flexibility by using phrases such as 'developments may consider'.	No change. Desire for flexibility is understood. Design code recognises that circumstances will vary and that on-site reality and design code preferences may not be the same. Design code is meant to be aspirational.	None.
	Plan policy requires compliance with current building regulations (or any successor) but wording of design code at para 7.4 goes beyond this.	Agreed. Will amend wording to be consistent.	Is your development contributing to net zero carbon? If not, why not?
	Para 7.12 Green corridors cannot always be central or continuous - wording should reflect this.	No change. Desire for flexibility is understood. Design code recognises that circumstances will vary and that on-site reality and design code preferences may not be the same. Design	None.

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		code is meant to be aspirational.	
	Street Trees para 7.13, access para 7.26 and layouts para 7.29 these are determined by the relevant local Highways Authority in line with its Highway Design Guide, text should reflect this.	Agreed. Para 4.7 already makes reference to the need to consider the local highways design guide. This para can be enhanced.	Leicestershire Highways Design Guide County-specific advice is set out in this document. There may be situations where there is a conflict between the advice in the Highways Design Guide and this design code. The position of the local highways authority on highways matters will be the primary
	Lighting of open spaces is not always appropriate, text here should offer greater flexibility.	No change. Desire for flexibility is understood. Design code recognises that circumstances will vary and that on-site reality and design code preferences may not be the same. Design code is meant to be aspirational.	consideration.  None.
	Car parking para 7.53 requiring side parking will require large plots affecting density and disrupt building lines. Rear parking can be acceptable.	No change. Desire for flexibility is understood. Design code recognises that circumstances will vary and that on-site reality and design code preferences may not be the same. Design code is meant to be aspirational.	None.
	Paving in para 8.10 permeable paving may not always be appropriate allow flexibility.	No change. Desire for flexibility is understood. Design code recognises that circumstances	

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		will vary and that on-site reality and design code preferences may not be the same. Design code is meant to be aspirational.	None.
Environment Agency	Welcome reference to flood risk in section 2 but would like more text on flooding here.	Support welcomed but EA did not suggest any form of wording they would like to see added.	None.
	Welcome reference to multi-functional infrastructure in Section 3.	Support welcomed.	None.
	Welcome reference to building with nature in Section 4.	Support welcomed.	None.
	Welcome Section 5 on Context	Support welcomed.	None.
	Welcome Section B 7 on major development	Support welcomed.	None.
	Welcome examples listed in Section 7.3	Support welcomed.	None.
	Welcome inclusion of public realm and SuDS within the code.	Support welcomed.	None.
Fisher German obo David Wilson Homes	Insisting on net zero dwellings is overly ambitious and will make many properties unaffordable.	No change. Local Plan policy sets out approach to climate change. This is not a matter for the design code.	None.
			None.

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	While preference for side of plot parking is noted can't always be achieved. Front of plot parking can be improved through landscaping and surface materials.	No change. Design code recognises that circumstances will vary and that on-site reality and design code preferences may not be the same. Design code is meant to be aspirational.	
Hinckley & Bosworth BC	Would welcome clarity on status of design code.	No change. Para 1.8 is clear status is dependent on possible future changes to the planning system introduced by central Government changes in status will be outside of Council's control.	None.
Historic England	Welcome positive approach code takes to development and historic environment.  Para 1.1 welcome ref to conservation areas here	Support welcomed. Support welcomed.	None.
	Para 1.7 list should include references to policies on the historic environment.	Agreed. Change would strengthen document.	The Design Code complements, but does not supersede, the Local Plan. Policies on Sustainable Development, Climate Change, Density, Housing Choice, Active Design and Travel, Open Space, Public Realm, High Quality Design, the Historic Environment, Sustainable design, Green and Blue Infrastructure, Trees & Woodland are likely to be important considerations for the residential development of greenfield sites although any policy may apply.

Organisation	Comment Made	Officer Response	Change proposed to text
	Paras 2.6-2.15 welcome this text but would like para 2.14 to include same information links as in para 2.1 and that reference is made to our own conservation area SPD and the National Heritage list for England.	Support welcomed. Agreed. Will add suggested other references.	Heritage resources should be consulted as part of understanding the context and local identity of sites for development proposals affecting designated heritage assets. These include:  • Leicestershire and Rutland Historic Environment Record • Leicestershire, Leicester and Rutland Historic Landscape Characterisation (2019) • Oadby and Wigston Landscape Character Assessment (2018) (this study is in 3 parts) • Oadby and Wigston Conservation Area SPD • National Heritage List for England
	Section 5 – would like to see the wording on heritage assets currently set out under townscape to be repeated under landscape as there is potential for greenfield development to affect/be affected by heritage assets.	Agreed. Change would strengthen document.	<ul> <li>Landscape</li> <li>Landscape character, setting and history;</li> <li>Topography;</li> <li>Views into and out of site and visual impact;</li> <li>Urban – rural interface;</li> <li>History and heritage assets, such as listed buildings and conservation areas, and their settings</li> </ul>

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			<ul> <li>Ecology and biodiversity, including biodiversity opportunity mapping;</li> <li>Green space, trees, hedgerows (green infrastructure);</li> <li>Hydrology and drainage (SuDS, existing flow paths, watercourses - blue infrastructure);</li> <li>Environmental risks, such as flooding and noise, air and water quality;</li> <li>Microclimate - Light, shade, sunshine and shadows; and colours, textures, shapes and patterns.</li> </ul>
Mulberry Land	There appears to be a conflict between wording of Local Plan policy 2 and design code over its requirement. Clarification needed.  Design code should only be applied to schemes of 500 dwellings or more.	Agreed. The Local Plan does offer flexibility over design requirements and a wording redraft could resolve issue.  No change. There is no requirement for a local authority to set a threshold for its design code	No change to design code amend wording of LP Policy 2 to ensure consistent approach.  None.

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	Number of requirements of the design code will not be applicable at outline stage.	Agreed. Amend para 1.13 to reflect this.	The Reserve Matters or details following applications must reflect the design quality in the original Outline (where known) or Full permission. Outline applications often lack the level of detail that would allow a fully rounded judgement against a design code. The Council will take a pragmatic view on the level of detail it expects from an outline application.
	Many issues will be determined by the relevant local Highways Authority in line with its Highway Design Guide, text should reflect this.	Agreed. Para 4.7 already makes reference to the need to consider the local highways design guide. This para can be enhanced.	Leicestershire Highways Design Guide County-specific advice is set out in this document. There may be situations where there is a conflict between the advice in the Highways Design Guide and this design code. The position of the local highways authority on highways matters will be the primary consideration.
National Highways	NH encourage the borough to support proposals that reduce need for car travel.	No change. Local Plan policies set out approach to reducing the need to travel by car. Not the role for a design guide.	None.
Natural England	In section 4 Guidance include reference to following 3 documents; Natural England's Green Infrastructure Framework: Principles and Standards, Borough Green & Blue Infrastructure Strategy, GI Planning and Design Guide	Agreed. Proposed changes strengthen document.	Add new section 4.9  Green & Blue Infrastructure  Natural England have produced guidance on ensuring new development delivers high quality

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J			infrastructure Natural England's Green Infrastructure Framework: Principles and Standards, GI Planning and Design Guide as well as the Borough's own Green & Blue Infrastructure Strategy
Regulatory Services	Document reads well.	Support welcomed.	None.
	Also, a key point is the design of development should be such that collection vehicles must not have to reverse into a development from a major road or be required to exit a development onto a major road.  Alleyways – Environmental Health	Agreed. Proposed changes to para 7.23 strengthen the document.	Para 7.23 Layouts should be permeable with good connections into the wider street and path network. Connected streets make more efficient use of space and should reduce the reversing of all vehicles. Specifically, roads must be organised so that service vehicles and waste collection vehicles are not required to reverse into a development from a major road or be required to reverse onto a major road from a development. Road layouts should also be designed so that they are easier for delivery services and bus routes to access.
	receive many complaints around crime particularly where they are tucked away and unlit. Graffiti, littering, and dog fouling are all common problems.	Agreed. Para 7.24 discusses issues surrounding alleyways and can be enhanced.	Alleyways are generally perceived as unsafe and encourage loitering due to a lack in opportunities for positive street lighting and natural surveillance. Historically, poor quality narrow alleys across the Borough, especially those located between and behind buildings

Organisation	Comment Made	Officer Response	Change proposed to text
			and in areas leading to public open space, have been found as the symptom of anti-social behaviour issues and many temporarily closed under Police guidance. Graffiti, littering and dog fouling are also common problems.
	Number of bins will likely to be increased.	Noted. Amend text of para 7.59 to reflect this change.	Para 7.59 In order to help meet waste triage targets there is a need for at least waste separation and recycling, as well as planning for the future where garden and food waste are likely to become the norm. This has resulted in an increase in the number of household bins that need to be stored. These all need to be accommodated in ways that allow convenient access but without harming the appearance of buildings and the street scene.
	Many homes have poor arrangements for bin collection and this needs to be improved.	Agreed. Amend text of para 7.59 to reflect this.	Given we have an increasingly older population, homes should be designed with consideration for how bins are stored for day-to-day use, as well as for how and when they are taken out. There should be space to carry bins past parked cars. Consider providing integral storage, such as within a recessed porch or in secure alleys between houses.

Organisation	Comment Made	Officer Response	Change proposed to text
	Waste Guidance has been updated.	Agreed. Para 7.60 weblink has been updated.	Para 7.60 weblink has been updated.
	The design and layout of roads – for bin lorries to service property the roadway should be built and maintained to an adoptable standard (as defined by our Highway Authority). Those that aren't cannot be accessed by our trucks. Block paved roadways may be pleasing to the eye, but our vehicles cannot use them, so kerbside collection will be the nearest road. If the Leicestershire County Council design code has not been followed, block paving may not support the weight of refuse trucks without them causing damage.	Agreed. Proposed changes to paras 8.3 and 8.10 strengthen the document.	Para 8.3 - Carefully consider the use of materials for roofs, walls, windows, the roadway and boundaries and ensure they are appropriate for the site's context and use over time.
	Communal buildings and bins – a real problem and support approach of design code.	Support welcomed.	Para 8.10 added – The roadway should be built and maintained to an adoptable standard, as defined in the Leciestershire Highway Design Guide. Paving materials that can support the weight of service and waste vehicles over time will be more successful in meeting the build quality expected on all new developments. None.
Sport England	SE have recently produced a guidance note on active design and would like to see this document referenced in the design code	Agreed. Proposed change would strengthen document and will be added to Section 4 Guidance.	Add new section 4.10  Active Design  Sport England have produced recent guidance on how design can be used

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			to promote healthy lifestyles. https://www.sportengland.org/guidance- and-support/facilities-and- planning/design-and-cost- guidance/active- design?section=design_code_guidance
Swifts Planning Ltd	Clause 7.6 (page 21) reference to "tree in rear garden, bat/bird/swift boxes/tiles/fascias/ boxes or bee bricks" is welcome but unclear please add "and", i.e. "tree in rear garden, and bat/ bird" (to make it clear it's not a choice between a tree and another feature).	No change. Wording offers a range of options to reflect that sites will differ. Introducing the 'and' would then require every garden to include a tree and that may not always be the appropriate design solution.	None.
	Clause 7.6 please change the first of the two "boxes" references to "bricks" (to reflect that permanent integrated nest bricks, supported by national planning guidance, are preferable to external bird boxes which are easily removed, have a relatively short lifetime and high maintenance requirements and are not supported by national planning guidance).	Agreed. Bricks are superior to boxes.	Amend Clause 7.6 2 <sup>nd</sup> bullet point All dwellings will include one or more of the following: tree in rear garden, bat/bird/swift bricks/tiles/fascias/ bricks or bee bricks. Generally, the Council will expect developers to deliver an equal mix in the delivery of that listed. Where suitably evidenced by need, the proportion may justify deviation;
	Clause 7.6 add ", where applicable to the development, and in line with any ecologist's recommendations" to the end of:  "Generally, the Council will expect developers to deliver an equal mix in the delivery of that listed."	No change. Para 1.14 is clear that design code is based on a comply or justify approach offering flexibility for developers to produce schemes that differ from the design code where they can	None.

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	(because bat/ bird tiles and fascias are niche products that will have very limited applicability, whereas swift bricks for example are a universal nest brick which would have benefit in almost any development.	justify their approach. As such adding 'where applicable' is unnecessary. Para 7.7 already makes it clear that proposals should be supported by an ecological survey.	
	Swift bricks are a universal nest brick for small bird species and should be installed in new developments including extensions, in accordance with best practice guidance such as BS 42021 or CIEEM. Artificial nest cups for house martins may be proposed instead of swift bricks where recommended by an ecologist.	No change. Proposed wording is policy not guidance. This is set out in the Local Plan.	None.
	Existing nest sites for building-dependent species such as swifts and house martins should be protected, as these endangered red-listed species which are present but declining in Oadby & Wigston return annually to traditional nest sites. Mitigation should be provided if these nest sites cannot be protected.	No change. Proposed wording is policy not guidance. This is set out in the Local Plan.	None.