

## REPORT FOR SOUTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	16 <sup>th</sup> January 2025
<b>Application Number</b>	PL/2022/03103
<b>Site Address</b>	Land to the East of Wagtails, Southampton Road, Alderbury , SP5 3AF
<b>Proposal</b>	<b>Reduction in contributions for education provision and amendment to the ecological requirements associated with -</b> Outline Application for up to 30 dwellings (as amended) with all matters reserved (except access)
<b>Applicant</b>	1215 Heritage Homes
<b>Town/Parish Council</b>	ALDERBURY CP
<b>Ward</b>	ALDERBURY AND WHITEPARISH – Cllr Britton
<b>Type of application</b>	Outline Planning
<b>Case Officer</b>	Lynda King

### Reason for the application being considered by Committee

Members will recall that the attached officer report for a residential development was considered by the Southern Area Planning Committee on 12<sup>th</sup> September 2024, and was approved subject to a S106 being completed and suitable planning conditions being imposed. The S106 is in the process of being agreed and completed between the parties, and the Council's Education Department have asked to require a reduction in the contribution required for educational provision and the Council's Ecologists have asked to remove the need to deliver the necessary Nutrient Neutrality mitigation from the legal agreement and rely on a Planning Condition and Informative Note to deliver the same requirement.

#### 1. Purpose of Report

The Council's Scheme of Delegation states that the Head of Development Services has the delegated power to adjust legal agreements and planning conditions. Thus, this report is for Members to note the adjustment to the education provisions and the substitution of a condition for the nutrient neutrality obligation, and hence officers confirm that the planning permission be APPROVED subject to conditions and a suitable S106 legal agreement as adjusted.

#### 2. Report Summary

The main issues remain as explained in the attached report. This report is related solely to the adjustment to the education contribution and the alteration to the securing of the nutrient neutrality mitigation.

#### 3. Site Description

The site remains as described in the attached report.

#### 4. Planning History

As attached officer report

#### 5. The Proposal

As attached officer report. The only adjustment is to the amount of education contribution required, and the means of securing the nutrient neutrality mitigation.

#### 6. Planning Policy

As attached reports.

#### 7. Summary of consultation responses

As attached report. Members will note that previously the Education Department had assessed that the development needed to make the following contribution towards an educational provision. An Early Years provision of £52,566, and £137,640 towards the provision of Secondary School provision, along with a contribution towards Primary school provision of £150,064. The department have now advised that there is no requirement for the Primary School contribution, whilst maintaining the requirement for contributions towards Early Years and Secondary School provision. Therefore the Education contributions will fall by £150,064 to £190,206.

WC Ecology have advised that the required nutrient neutrality mitigation can be achieved by way of a Grampian-style condition rather than the need to secure this via the S106 legal agreement.

#### 8. Publicity

As per attached officer reports

#### 9. Planning Considerations

##### Adjustment to the Education Contribution

The WC Education department, in their detailed comments on the application, advised in March 2023 in respect of the application that:-

*We have reviewed the amended plans submitted on this application, noting that it has reduced from 32 to 30 units. We have also taken account of the detailed housing mix supplied.*

*I can confirm that although there have been changes to the number/mix of units, they have no material impact upon the outcome of our assessment. Our position regarding primary and secondary school places remains unchanged from that of the earlier consultations i.e. we require the following S106 contributions from this application:*

- *Primary school places – 8 at £18,758 each =*
- *Secondary school places – 6 at £22,940 each=*
  
- *A requirement for developer S106 contributions towards expanding early years provision by 3 places, has also applied. Nicola J Harris, who is the commissioning officer for EY, confirms that it also remains unchanged: a total of 3 early years places at £17,522 each = £52,566.*

*As always, all contributions are subject to indexation and will be secured by an S106 agreement to which our standard terms will apply. I attach the relevant list of caveats to this consultation response.*

However, the Education department advised in respect of the detailed negotiations on the legal agreement that there was no longer a requirement for the Primary School places.

The section 106 agreement heads of terms will need to be adjusted slightly to refer to the adjusted Education requirements, which should read:

**“The Council’s Education department have assessed that the development needs to make the following contribution towards an educational provision. An Early Years provision of £52,566, and £137,640 towards the provision of Secondary School provision.”**

### **Adjustment to the Nutrient Neutrality mitigation delivery**

The Council’s Ecology team initially required that the applicants enter into a legal agreement to secure the necessary mitigation to achieve nutrient neutrality in the River Avon SAC catchment, as well as contributions towards off-site delivery of biodiversity units and the New Forest recreational strategy.

In discussions relating to the provisions within the Agreement, the Council’s Ecologists have advised that the necessary mitigation to achieve nutrient neutrality for the River Avon can be secured via a suitably worded planning condition and informative note to be added to the decision notice, rather than the need for it to be included in the legal agreement. The necessary condition (no. 12) and informative note (6) are already proposed on the draft conditions set out in the Committee Report and will ensure that the residential development cannot commence on the site unless and until the mitigation strategy has been approved by the Council and Natural England.

The section 106 agreement heads of terms will need to be adjusted slightly to refer to the adjusted Education requirements, which should read:

**“The Council’s ecologists require the applicant to enter into an agreement to secure £75,900 for the delivery of biodiversity units, and the payment of £18,000 towards the New Forest protected sites.”**

Consequently, as before, subject to suitable planning conditions and S106, the scheme is therefore considered to accord with National planning guidance, and adopted local planning policies, in particular CP50 & 52, & 69

## **9.2 Other matters**

All other matters and issues remain as indicated by the attached report. Members will recall adding a further Informative Note to the proposal to request that the applicant engage in constructive engagement with the local community prior to the submission of the Reserved Matters application. It is understood from discussions with the applicant’s agent that the applicant is working to achieve that requirement and that there will be community engagement prior to the RM application being submitted.

### Summary

The Council’s Education Officer and Ecologists have made the requests to amend the requirements of the required S106 to ensure that the obligations in the Agreement are fairly related to the proposed development. A positive Habitats Regulations Assessment has been concluded.

Consequently, Members should note that it remains as summarized in the attached officer report that the residential proposal has overcome the previous reasons for refusal and concurs with the previous Appeal Inspector’s assessment of the suitability of the site for development if certain

matters were resolved. Consequently, subject to suitable planning conditions and S106, the scheme is therefore considered to accord with National planning guidance, and adopted local planning policies, including policies CP50 & 52, & 69 of the WCS.

**RECOMMENDATION: THAT MEMBERS NOTE THE REPORT AND ADJUSTMENTS TO THE EDUCATION CONTRIBUTIONS AND THAT THE NUTRIENT NEUTRALITY MITIGATION CAN BE SECURED BY CONDITION ONLY, AND THAT THE 106 AGREEMENT HEADS OF TERMS CRITERIA BE ADJUSTED AS FOLLOWS (HIGHLIGHTED):**

**A)The Council's Education department have assessed that the development needs to make the following contribution towards an educational provision. An Early Years provision of £52,566, and £137,640 towards the provision of Secondary School provision,**

**B)The Council's ecologists require the applicant to enter into an agreement for £75,900 for the delivery of biodiversity units, and the payment of £18,000 towards the New Forest protected sites.**

**AND SUBJECT TO THE FOLLOWING CONDITIONS:**

**1.The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

**2.No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**

**The scale of the development;**

**The layout of the development;**

**The external appearance of the development;**

**The landscaping of the site;**

**The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

**3.An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**

**4.Approved plans**

**The development hereby permitted shall be carried out in accordance with the following approved plans and documents:**

**Site Layout Plan –, received on 13th January 2023**

**Proposed Vehicular Access - drawing no. 11/545/5/R/1B, received on 5th October 2022**

**Root Protection Plan- Drawing No WMC/SSR/PSK/HE/WIA/FTS/1, received on 9TH May 2022.**

**Tree Protective Fencing Plan - Drawing No WMC/SSR/PSK/HE/WIA/FTS/1, received on 9th May 2022**

**REASON:** For the avoidance of doubt and in the interests of proper planning.

**5.** No development above slab level shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and/ the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

**6.** No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**REASON:** In the interests of visual amenity and the character and appearance of the area.

**7.** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials; • minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

**8.** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

**REASON:** To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

9. The detailed landscaping plans to be submitted pursuant to condition no. 7 shall include a plan at not less than 1:200 scale, showing the position of any trees proposed to be retained and the positions and routes of all proposed and existing pipes, drains, sewers, and public services, including gas, electricity, telephone and water. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 2015 (or of any Order revoking and re-enacting or amending that Order with or without modification), no services shall be dug or laid into the ground other than in accordance with the approved details.

**REASON:** To ensure the retention of trees on the site in the interests of visual amenity.

10. No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees has been submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following :-

- A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2013 and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones in accordance with British Standard 5837: 2012;
- A schedule of tree works conforming to British Standard 3998: 2010;- Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and §Details of all other activities, which have implications for trees on or adjacent to the site.
- Day and sunlight calculations must be submitted in accordance with Building Research Establishment guidance and British standards 8206 Part 2:1992 Light for buildings Part 2 - code of practice for daylighting.
- In order that trees to be retained on-site are not damaged during the construction works and to ensure that as far as possible the work is carried no demolition, site clearance or development should commence on site until a pre-commencement site meeting has been held, attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Planning Authority, to discuss details of the proposed work and working procedures.
- Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required should then be submitted to the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not

be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

11. Details of the surface water drainage scheme, (including sustainable drainage details), the foul water drainage scheme and timetables for their implementation, which amplify the information set out in the submitted Flood Risk Assessment, received 2nd May 2023, shall be submitted to the local planning authority for approval with or before the submission of reserved matters. No development shall commence until those schemes have been approved in writing by the local planning authority, and the surface water drainage scheme and the foul water drainage scheme shall then be implemented in accordance with the approved schemes and timetables, and thereafter retained.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

12. The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

**Reason:** To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

13. Prior to the commencement of works, including demolition, ground works/excavation, site clearance, vegetation clearance and boundary treatment works, a Construction Environmental Management Plan (CEMP) shall be submitted to the local planning authority for approval in writing. The Plan shall provide details of the avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- a) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. exclusion fencing.
- b) Working method statements for protected/priority species, such as nesting birds and reptiles.
- c) Work schedules for activities with specific timing requirements in order to avoid/reduce potential harm to ecological receptors; including details of when a licensed ecologist and/or ecological clerk of works (ECoW) shall be present on site.
- d) Key personnel, responsibilities and contact details (including Site Manager and ecologist/ECoW).
- e) Timeframe for provision of compliance report to the local planning authority; to be completed by the ecologist/ECoW and to include photographic evidence. Development shall be carried out in strict accordance with the approved CEMP.

**REASON:** To ensure adequate protection and mitigation for ecological receptors prior to and during construction, and that works are undertaken in line with current best practice and industry standards and are supervised by a suitably licensed and competent professional ecological consultant where applicable.

14. Prior to the start of construction, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP will include long term objectives and targets, management responsibilities and maintenance schedules for each ecological feature within the development, together with

a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

The LEMP shall also include details of the legal and funding mechanism(s) by which longterm implementation of the plan will be secured. The LEMP shall be implemented in full and for the lifetime of the development in accordance with the approved details.

**REASON:** To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit of visual amenity and biodiversity for the lifetime of the scheme.

**15.** Prior to the start of construction, a Reptile Mitigation and Enhancement Strategy Plan shall be submitted to and approved in writing by the Local Planning Authority. The strategy will include long term objectives and targets, management responsibilities and maintenance schedules for reptiles and their habitat within the development, together with a mechanism for monitoring success of the management prescriptions, incorporating review and necessary adaptive management in order to attain targets.

**REASON:** To ensure the long-term management of landscape and ecological features retained and created by the development, for the benefit biodiversity for the lifetime of the scheme.

**16.** No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The submitted details will demonstrate how the proposed lighting will impact on bat habitat compared to the existing situation.

**REASON:** to avoid illumination of habitat used by bats.

**17.** The residential development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

Within 3 months of the development being completed and the housing being brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

**REASON:** To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

**18.** There shall be no burning undertaken on site at any time.

**REASON:** In the interests of the amenities of local residents.

**19.** Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

**REASON:** In the interests of the amenities of local residents

**20.** No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)



- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation
- viii. Where piling is required this must be Continuous flight auger piling wherever practicable to minimise impacts

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

**REASON:** In the interests of the amenities of local residents.

**21.** Concurrent with the reserved matters application a Sustainable Energy Strategy (SES) shall be submitted for the approval in writing by the local planning authority. The SES shall set out the measures to deliver sustainable construction and climate change adaptation, and include an implementation schedule and any approved infrastructure shall be provided in accordance with the approved schedule.

**REASON:** To ensure that the development is carried out to the prevailing sustainable construction and climate change adaptation principles.

**22.** No development shall commence until:

- A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- The approved programme of archaeological work has been carried out in accordance with the approved details.

The programme of archaeological work should comprise the following elements:

- i) Exploratory archaeological investigation through trial trenching prior to the commencement of development
- ii) The archaeological investigation of any areas of archaeological interest identified by the exploratory investigation. This may comprise further investigation prior to the commencement of development in the areas of archaeological interest or monitoring during development.
- iii) A programme of assessment, analysis, and publication commensurate with the significance of the archaeological results.

**REASON:** To enable the recording of any matters of archaeological interest.

**23.** Prior to commencement of the development hereby approved, detailed drawings showing the access arrangement including kerbing, junction radii, and footway extension; together with drainage details and surface material specification, cross sections and long sections, shall be submitted for further approval of the LPA. The work shall be carried out in accordance with the approved details prior to first occupation.

**REASON:** In the interests of Highway safety.

**24.** No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses (including asbestos) has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site and any adjacent sites for at least the last 100 years and a description of the current condition of the sites with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site and the potential impact of any adjacent sites

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be

carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** To reduce the risks associated with land contamination

25.No dwelling shall be occupied until details of the storage of refuse and recycling facilities have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse and recycling storage shall thereafter be maintained in accordance with the approved details.

**REASON:** To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

#### **Informative Notes**

##### **(1) Reference to S106 Agreement**

This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the XXXX.

(2) The development hereby approved could be subject to the Community Infrastructure Levy. Wiltshire Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth.

More information and the charging schedule for CIL can be found using the following link: <http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

(3) The applicant should note that archaeological mitigation required by Condition 22 will include the excavation of a number of areas within the site in advance of development, followed by the assessment, analysis, reporting, publication and archiving of the results. The applicant should not under-estimate the programme and resources required to undertake the full programme of archaeological work, and they may wish to seek the advice of their archaeological consultant in this respect, especially in relation to the postfieldwork assessment, analysis and reporting stages of the programme.

A mitigation strategy could be prepared and agreed in advance of the determination of this application so that the applicant is fully aware of the programme of archaeological work required and the programme and resources required to achieve it. It should also be noted that this site is in a location that is prominent to the general public and passers-by, and it therefore provides an opportunity to engage the local community with the archaeological programme.

(4) A water efficiency calculation will be needed to discharge condition 17. For guidance on how to do this and what is required, please refer to the following document: 'The Building Regulations 2010 – Sanitation, hot water safety and water efficiency', Appendix A (p36-44).

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/504207/BR\\_PDF\\_AD\\_G\\_2015\\_with\\_2016\\_amendments.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504207/BR_PDF_AD_G_2015_with_2016_amendments.pdf)

**(5) To meet the requirement of condition 23 above, the applicant will be expected to enter into a S278 Agreement with the Highway Authority before commencement of works hereby approved.**

**(6) Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.**

**(7) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**

**(8) The Local Planning Authority would wish the applicant to enter into constructive engagement with Alderbury Parish Council and local residents about the form of the proposed residential development prior to the submission of the Reserved Matters application to Wiltshire Council.**