

## **Written Addendum for 18/01184/FUL**

Late representation from Berwick Town Council regarding the Morrison's development

Our view as officers is that matters have been introduced in the report that require further consultation of the elected members of Berwick upon Tweed Town Council.

1. NCC proposes to undertake the production of a Town Centre Strategy (paras 5.2 to 5.4 of the report) or other interventions with the support of the applicants - as officers we would seek to make approval by Berwick Town Council of the brief for any interventions a condition of the approval of this application. Berwick Town Council is one of the partners in Berwick Coastal Communities Team, who have produced an Economic Plan for Berwick, and is involved in a number of schemes which cover areas touched on by the brief, such as signposting of retail facilities (the Berwick Wayfinding Project - a partnership between Berwick CCT and LNER) which are not mentioned in the draft brief that we have seen. We would be concerned if what is proposed is a project that rehashes existing work undertaken by the CCT and partners, rather than focussing on solutions and deliverable gains for the town. Elected members of BTC were not given the chance to be consulted on this proposed mitigation measure, and we would seek the opportunity to put this before them which could be enabled by way of a condition.

2. The report refers at para 7.109 to improvements to existing bus stops on North Road to accommodate this development. Officers have since clarified that the improvements proposed are not improvements as such, but works to deliver on the Highways Authority's overdue duties under the DDA. Since those works are adjacent to bus shelters that were transferred to BTC by NCC as officers we would recommend that the appropriate conditions be inserted enabling BTC to approve any such work, and to seek a contribution to the maintenance of these bus stops. This is not an exceptional request; there have been previous out of town retail developments in Berwick that have delivered, by way of planning gain new bus stop facilities.

3. The report refers at para 7.108 to provision for a bus turning circle within the site, and to discussions with the existing bus operator to extend their services to the site. NCC officers have clarified that the proposal is for existing commercial services, some of which serve destinations outside Berwick, to be diverted into the site before continuing either to Berwick Town Centre or their eventual destination. This is not a sustainable transport solution for Berwick, since the main service within Berwick is a subsidized service, and calls at locations in Spittal and Tweedmouth which are not served by commercial services using the main arterial roads. In the absence of a clear proposal for sustainable transport within Berwick in the plan we would seek, as officers, the opportunity to further consult our elected members on whether they believe this proposal is genuinely sustainable.

## **Further Conditions Relating to Ecology and Archaeology**

### **County Ecologist**

#### Hedgehog Mitigation

Notwithstanding details contained within the approved documents the following shall be implemented as part of the development hereby approved;

- a) All trenches and excavations deeper than 0.30m left open overnight should have a ramp installed at an angle of no more than 45 degrees to allow the escape of entrapped mammals.
- b) Gaps shall be created and retained in all boundary fences between dwellings to allow the passage of small mammals such as hedgehog. Gaps shall measure no less than 13cm by 13cm.

Reason: to enhance the biodiversity of the site for a UK BAP priority species

#### Details of External Lighting (Bat Mitigation) to be Submitted

Prior to the commencement of the development hereby approved, a scheme to include;

- a) For the installation of any permanent and temporary external lighting on the site. The lighting scheme should be designed so that lighting levels are minimised in accordance with the document 'Bats and Lighting in the UK', Institute of Lighting Engineers and BCT, 2009.
- b) Schedule of operation (including over the construction period); and
- c) Program of delivery.

Shall be submitted to and approved in writing with the Local Planning Authority. The approved scheme shall be implemented in accordance with the program of delivery.

Reason: to prevent the risk of harm to protected species from the outset of the development.

#### Construction Environmental Management Plan (CEMP) to be Submitted

No development shall be undertaken until a construction environmental management plan (CEMP) detailing the following;

- a) Measures to reduce the risk of pollution to the nearby watercourses
- b) Measures to be taken in the event of a pollution incident
- c) Responsible persons and lines of communication; and
- d) The role and responsibilities on site of an ecological clerk of works.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be implemented throughout the construction period.

Reason: To ensure that a watercourse is not polluted or contaminated during development works.

#### Restrict Tree & Vegetation Clearance

No demolition, development, tree felling or vegetation clearance shall be undertaken between 1 March and 31 August unless a suitably qualified ecologist has first confirmed that no bird's nests that are being built or are in use, eggs or dependent young will be damaged or destroyed

Reason: To protect nesting birds, all species of which are protected by law.

#### Badger Method Statement to be Submitted

Prior to commencement of development, a method statement to avoid harm to badger to include;

a) Measures to be taken to reduce the risk of potential harm to badger which may use the area.

Shall be submitted to and approved in writing by the Local Planning Authority. All areas with a risk of supporting badger shall be identified by the project ecologist and shall only be cleared and development in strict accordance with the approved method statement.

Reason: to reduce the chance of harm to a protected species from the outset of the development.

#### Landscape & Ecological Management Plan (LEMP) to be Submitted

Notwithstanding details contained within the application. Prior to construction of the development hereby approved, a landscape and ecological management plan (LEMP) for the area as set out in '9813-68-Rev C - Illustrative Attenuation Pond' to include;

- a) Description and evaluation of features to be established and managed.
- b) Aims and objectives of management.
- c) Appropriate management options for achieving aims and objectives.
- d) Prescriptions for management actions.
- e) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).

- f) Details of the body or organisation responsible for implementation of the plan.
- g) Ongoing monitoring and remedial measures.
- h) details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.
- i) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved LEMP shall be implemented in accordance with the program of delivery and managed accordingly.

Reason: to conserve and enhance the natural environment in accordance with the National Planning Policy Framework.

### **County Archaeologist**

#### Programme of Archaeological Work to be Submitted

A programme of archaeological work is required in accordance with Northumberland County Council Conservation Team (NCCCT) Standards for Archaeological Mitigation and Site Specific Requirements document (dated 31/8/18). The archaeological scheme shall comprise three stages of work;

- a) No development or archaeological mitigation shall commence on the identified site within the document until a written scheme of investigation based on NCCCT Standards and Site Specific Requirements documents has been submitted to and approved in writing by the Local Planning Authority.
- b) The archaeological recording scheme required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.
- c) The programme of analysis, reporting, publication and archiving if required by NCCCT Standards and Site Specific Requirements documents must be completed in accordance with the approved written scheme of investigation.

Each stage shall be completed and approved in writing by the Local Planning Authority before it can be discharged unless dispensed of by way of written approval from the Local Planning Authority.

Reason: The site is of archaeological interest and requires appropriate investigation in accordance with the National Planning Policy Framework.