

Item: 02	Application: S.19/0291/FUL
Address: Stroudwater Canal Phase 1B	

The agent has submitted additional justification statement. Copy available on our website.

Following input from the applicant to provide clarify and allow phased option the recommended conditions have been updated. A complete set is listed below.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in all respects in strict accordance with the approved plans listed below:

Site Location Plan; Submitted December 2021  
Canal Layout and Infrastructure Submitted December 2021

River Frome Cross Sections (P1B-2.17-035 - Rev C);  
River Frome Cross Section Locations (P1B-2.17-034 - Rev C);  
Dimensions of General Arrangement 2 of 2 (P1B-2.17-033- Rev C);  
Dimensions of General Arrangement 1 of 2 (P1B-2.17-032- Rev C);  
M5 Crossing Temporary Works (P1B/2.17/030);  
M5 Crossing General Arrangement (P1B/2.17/029- Rev E);  
Westfield Local Oldbury Aqueduct General Arrangement (P1B-2.17-028 - Rev C);

Cross Sections 8, 9 and 10 (P1B-2.17-026 -Rev D);  
Cross Sections 6 and 7 (P1B-2.17-025 -Rev D);  
Cross Sections 1, 2 and 3 (P1B-2.17-023-Rev D);  
Detail Cross Section 7-13 Location Plan 2 of 2 (P1B-2.17-022-Rev E);  
Detail Cross Section 1-6 Location Plan 1 of 2 (P1B-2.17-021-Rev E);  
Hydes Basin Jetty General Arrangement (P1B-2.17-018-Rev E);  
A38 Footpath Ramps Plan and Section (P1B-2.17-017-Rev D);

Westfield Lower Lock (P1B-2.17-014-Rev D);  
Bristol Road Lock (P1B-2.17-013-Rev D);  
Indicative Inverted Syphon Under Canal (P1B-2.17-012-Rev D);  
Schematic sections 2 of 2 (P1B-2.17-009-C);  
Schematic sections 1 of 2 (P1B-2.17-008-F);  
Schematic cross section locations 2 of 2 (P1B-2.17-007\_Rev E);  
Schematic cross section locations 1 of 2 (P1B-2.17-006\_Rev E);

High Pressure Gas Main Crossing (P1B-2.17-040-Rev B);  
M5 New Mile Bridge (P1B-2.17-036-Rev D);  
General Arrangements 1 of 2 (P1B-2.17-001-Rev F);  
General Arrangements 2 of 2 (P1B-2.17-002-Rev E);  
P1B-2.17-010-Rev D - Working access Junction.pdf  
P1B-2.17-011-Rev C - Temporary Junction  
P1B-2.17-041-Rev D - Permanent Junction  
Cross Sections 11, 12 and 13 (P1B-2.17-027 -Rev D);  
Cross Sections 4 and 5 (P1B-2.17-024 -Rev D);  
Proposed external lighting (C16151-HYD-XX-00-DR-ME-0011).

Landscape masterplan (LUC-10729-LD-PLN-100 - Rev D);  
Landscape general arrangements (LUC-10729-LD-PLN 101 - Rev E);  
Landscape general arrangements (LUC-10729-LD-PLN 102 - Rev E);  
Landscape Visitor building and Hydes basin car park (LUC-10729-LD-PLN-103 - Rev D);  
Landscape Sections (LUC-10729-LD-SEC -104 - Rev E);

Floor Plans (for proposed buildings) (9738-PL102) 17 Dec 2021  
East & West Elevations (for proposed buildings) (9738-PL103) 17 Dec 2021  
North & South Elevations (for proposed buildings) (9738- PL104) 17 Dec 2021  
Shower Block Elevations (for proposed buildings) (9738-PL105) 17 Dec 2021

Reason: To ensure that the development is carried out in accordance with the approved plans and in the interests of good planning.

3. No development shall commence until a detailed Phasing Strategy has been submitted to and approved by the Local Planning Authority. The strategy shall include but not be limited to the phasing of sections of the canal channel, towpath, mooring basin and associated facilities, the temporary accesses, car park and café building and illustrate how these would be delivered. The development shall be implemented in accordance with the approved details.

Reason: To ensure the development is carried out in appropriate phases in accordance with the range and scale of impacts assessed and measured in the Environmental Statement and to ensure the proposed mitigation is provided in a timely manner.

4. The Café hereby permitted shall only be used by a Class E (b) cafe for the sale of food and drink principally to visiting members of the public where consumption of that food and drink is mostly undertaken on the premises and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by The Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order 2021, or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

Reason: In accordance with the submitted details, sustainability and to limit the impact on the health of, vitality and viability of nearby settlements in accordance with Policies CP15 and E111 of the adopted Stroud District Local Plan, November 2015.

5. The Café hereby permitted shall not be open to the public until such time that the canal channel, towpath and mooring basin have been constructed and are fully open to the public to use. Written notification of full construction and first public use shall be given to the Local Planning Authority within 14 days of the event occurring.

Reason: In accordance with the submitted details, as the café is proposed to serve and be associated with the canal, and general sustainability hierarchy in accordance with Policies CP15 and E111 of the adopted Stroud District Local Plan, November 2015.

6. All the moorings hereby approved are non-residential in nature ie not used as a person's sole or main residence as shown on the submitted Mooring basin jetty general arrangement plan ref: P1B/2.17/018 Rev E received on 25 Jul 2023. The owners/operators of the basin shall maintain an up-to-date register of the names of all users of the basin and of their main home addresses, and shall made available within 1 calendar month of a written request by the Local Planning Authority.

Reason: The moorings are located in a rural location and it has not been demonstrated that adequate access, services and infrastructure or ecological mitigation has been provided to be sustainable location for full residential use in accordance with Policies CP15 and E111 of the adopted Stroud District Local Plan, November 2015.

7. Prior to the commencement of the phase of development as defined by condition 3 which includes the new canal channel cut hereby permitted, a canal bank construction design engineering review shall take place and be submitted and approved by the Local Planning Authority. The review shall address

the issues raised in the FRA and demonstrate the suitability and flood resilience of the design. The development shall be implemented in accordance with the approved details.

Reason: To alleviate the increased risk of flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works have implications for flood risk in the locality.

8. Prior to the commencement of the phase of development as defined by condition 3 which includes the café building hereby permitted, details of the finished floor levels of the building and the flood resilience measures which will be installed shall be submitted and approved by the Local Planning Authority. Notwithstanding the details outlined elsewhere in the submission the floor level shall be in accordance with the FRA and demonstrate the suitability and flood resilience of the design. The development shall be implemented in accordance with the approved details.

Reason: To alleviate the increased risk of flooding and encourage flood resilience in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works have implications for flood risk in the locality.

9. Prior to the commencement of any above ground works of the phase of development as defined by condition 3 which includes the basin facilities buildings or café building, details of the precise materials used in the construction of the external surfaces of the development including the finishes and colours shall be submitted to and approved by the Local Planning Authority. This shall include sample panels and/or boards which will be retained on site and made accessible and available for inspection for the period of the construction works. This condition shall apply notwithstanding any indication as to these matters that have been given in the current application. The materials to be used in the development shall be in accordance with the approved details and retained in perpetuity.

Reason: To enable the Local Planning Authority to ensure the satisfactory appearance of the development, in accordance with Policies CP4, CP14, EI11, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015.

10. Notwithstanding the submitted plans, the bund hereby approved shall be limited to a maximum of 4m in height above the existing ground level.

Reason: To ensure the landscape and visual impact remains in accordance with the assessment of the planning application to protect the character and appearance of surrounding area in accordance with Policies ES3, CP14, and ES7 of the adopted Stroud District Local Plan, November 2015.

11. The development hereby approved shall not commence until a timetable for the implementation of the measures specified in the submitted Missing Mile Species Protection, Mitigation and Enhancement Plan (SEI ANNEXE K By LUC in collaboration with Apem Ltd) Rev 2 received on 04 Dec 2023) which is linked to the phasing of development as defined by condition 3, has been submitted to and approved by the Local Planning Authority. The development shall then be carried out in accordance with the approved timetable and the measures implemented in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

12. Prior to the commencement of each phase of development as defined by condition 3, no works shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP) related to that phase has been submitted to and approved by the Local Planning Authority. The CEMP shall include, but not limited to the following:

- a. Risk assessment of potentially damaging construction activities
- b. Identification of "biodiversity protection zones"
- c. Details of deep excavations to be infilled or ramped access provided to prevent pitfall danger to mammals.

- d. Measures taken to safeguard the River Frome (e.g. pollution prevention, storage of materials, equipment and waste)
- e. Avoidance mitigation strategy to safeguard great crested newts, breeding birds, roosting bats and habitats, water vole, otters, badgers and reptiles and other mammals such as hedgehog and migratory fish species.
- f. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) for all associated species, supporting habitat and structures.
- g. The locations and timing of sensitive works to avoid harm to biodiversity features (e.g. daylight working hours only starting one hour after sunrise and ceasing one hour after sunset)
- h. The timing during construction when ecological or environmental specialists need to be present on site to oversee works
- i. Responsible persons and lines of communication
- j. The role and responsibilities on site of an ecological clerk of works (ECoW) or similar person
- k. Use of protective fences, exclusion barriers and warning signs
- l. Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act. This is required pre-commencement to protect the biodiversity on the site.

13. Prior to the first use/occupation of each phase of development as defined by condition 3, a landscape and ecological management plan (LEMP) for that phase shall be submitted to and approved by the Local Planning Authority. The content of the LEMP shall include the following:
- Description and evaluation of the features to be managed.
  - Aims and objectives of management
  - Appropriate management options for achieving aims and objectives
  - Prescription for management actions
  - Preparation of work schedule (including an annual work plan capable of being rolled forward over a 20 year period)
  - Details of body or organisation responsible for implementation of the plan.
  - Ongoing monitoring and remedial measures.

The LEMP shall include 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. The plan shall also set out how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To protect and enhance the site for biodiversity in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

14. Prior to the commencement of each phase of development as defined by condition 3, no works shall take place (including demolition, ground works, vegetation clearance) until a Construction Surface Water Management Plan (CSWMP) related to that phase has been submitted to and approved by the Local Planning Authority. The CSWMP shall include, but not limited to the following:
- Measures to prevent release of silt-laden run-off into the River Frome during construction
  - Pollution, water quality and emergency pollution control measures
  - Management of rainfall and runoff during construction to ensure that flood risks are not increased on or off site.
- The development shall then be carried out in accordance with the approved details.

Reason: To protect the biodiversity and specialist interest of the site, the surrounding area and the Severn Estuary SAC/SPA/Ramsar during the construction phase in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

15. Prior to the first use/occupation of the phase of development as defined by condition 3 which includes the towpath a bespoke (RAMS) mitigation package as detailed in the submitted sHRA (SEI Dec 2023 Annexe J HRA Informative Report including the Mitigation Plan Dec 2023 Version 3 and promotion of alternative Footpath study) shall be submitted to and approved by the Local Planning Authority. The approved RAMS will be implemented in accordance with the approved details.

Reason: To protect the biodiversity and specialist interest of the site, the surrounding area and the Severn Estuary SAC/SPA/Ramsar in accordance with paragraph 180 of the National Planning Policy Framework, Policy ES6 of the Stroud District Local Plan 2015 and in order for the Council to comply with Section 40 of the Natural Environment and Rural Communities Act.

16. Prior to the installation on site of any external lighting within each phase of the development as defined by condition 3 hereby approved including within the underpass and bridges, a lighting design strategy for biodiversity for that phase shall be submitted to and approved by the Local Planning Authority. The strategy will;
- identify the areas/features on site that are particularly sensitive as commuting routes and for foraging bats and other nocturnal species;
  - show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit and timing of lighting use will not disturb or prevent the above species using their commuting routes.

All external lighting shall be installed in accordance with the specifications and locations set out in the approved details. Under no circumstances should any other external lighting be installed.

Reason: To ensure those species sensitive to lighting can continue to use and cross the Site in accordance with Policies CP14, EI11 and ES6 of the adopted Stroud District Local Plan, November 2015.

17. Each phase of the development as defined by condition 3 hereby approved must be undertaken in accordance with the impact assessment, tree protection plan, and arboriculture method statement produced by S.J. Stephens Associates ref 1344 dated 16 June 2023. All of the provisions for the phases under construction shall be implemented in full and according to any timescales laid out in the method statement.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with the guidance in the revised National Planning Policy Framework paragraph 180.

18. Prior to the first use/occupation of each phase of development as defined by condition 3, details of a scheme of hard and soft landscaping must be submitted to and approved by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping areas and boundary treatments (including heights, the type and colour of materials), written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant size and proposed numbers/ densities and a timetable for implementation. The development shall be implemented in accordance with the approved details and any plants which fail within a five year period of planting must be replaced.

Reason: To preserve trees and hedges on the site in the interests of visual amenity and the character of the area in accordance with Stroud District Local Plan Policy ES8 and with guidance in revised National Planning Policy Framework paragraphs 180 (a) and (b).

Please note that National Highways have recommended no Blackthorn and Dogwood within 10m of their motorway assets and this should be reflected in the submitted details.

19. Prior to the commencement of the phase of development as defined by condition 3 which includes the motorway bridge and subway hereby permitted, detailed designs of the full scheme of works of this phase shall be submitted to and approved by the Local Planning Authority (in consultation with National Highways). All works within this phase must be designed and undertaken fully in accordance with the requirements of the Design Manual for Roads and Bridges and National Highways Governance and Technical Approval processes. The development shall be carried out in accordance with the approved details.

Reason: In the interest of the safe and efficient operation of the strategic road network, and to protect the integrity of the M5 structural assets.

20. Prior to the commencement of the phase of development as defined by condition 3 which includes the motorway bridge and subway hereby permitted a detailed boundary treatment plan shall be submitted to and approved by the Local Planning Authority (in consultation with National Highways). The plan shall include as a minimum:

details of any fencing and associated maintenance strip

details for management of any existing boundary planting to include an

Arboricultural Tree Survey and Tree Protection Plan with a method statement for any works required to address the removal, retention and management of trees along this boundary;

details of any proposed new planting including location, species mix, maintenance method statement and schedule.

All works within this phase shall be undertaken in accordance with the agreed plan and maintained as such thereafter.

Reason: In the interest of the safe and efficient operation of the strategic road network and to safeguard the long term integrity of its assets.

21. Prior to the commencement of the phase of development as defined by condition 3 which includes the motorway bridge and subway hereby permitted, a full drainage strategy for this phase including a maintenance method statement and schedule shall be submitted to and approved by the Local Planning Authority (in consultation with National Highways). The design of the proposed drainage for this phase must be undertaken strictly in accordance with the Design Manual for Roads and Bridges and then be construction in accordance with the approved details and maintained as such thereafter.

Reason: In the interest of the safe and efficient operation of the strategic road network, and to protect the integrity of the highway drainage asset.

22. The development hereby approved shall not commence until the temporary site access works comprising Eastern Access as shown on drawing P12/2.17/011 Rev C have been constructed and completed. Any works west of the M5 shall not commence until the Western Access as shown on drawing P1B/2.17/010 rev D have been constructed and completed.

Reason: To ensure the safe and free flow of traffic onto the highway in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

23. The development hereby approved shall not be brought into first use until the permanent site access works shown on drawing P1B/2.17/041 Rev D have been constructed, completed and open for use.

Reason: To ensure the safe and free flow of traffic onto the highway in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

24. A Temporary traffic regulation order (TTRO) relating to the prohibition of right turns at the Eastern Access as shown on drawing P12/2.17/011 Rev C will be implemented prior to the first use of this junction for construction vehicles.

Reason:

In the interests of highway safety to restrict impact and harm from the scheme until suitable mitigation is delivered in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

25. A Temporary traffic regulation order (TTRO) relating to the prohibition of right turns at the Western Access as shown on drawing P1B/2.17/010 Rev D and the closure of the layby to the east of the eastern most access on the A419 will be implemented prior to the first use of this junction for construction vehicles.

Reason: In the interests of highway safety to restrict impact and harm from the scheme until suitable mitigation is delivered in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

26. No part of the development hereby approved shall be brought into use until a Traffic Regulation Order (TRO) relating to the Prohibition of Right Turns on A419 (Western Access) into and out of the development has been implemented.

Reason: In the interests of highway safety to restrict impact and harm from the scheme until suitable mitigation is delivered in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

27. An electric vehicle infrastructure strategy and implementation plan shall be submitted to and approved by the Local Planning Authority prior to the first use of any building hereby permitted. The plan shall contain details of the number and location of all electric vehicle charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851. Buildings and parking spaces that are to be provided with charging points shall not be brought into use until associated charging points are installed in strict accordance with approved details and are operational. The charging point installed shall be retained thereafter unless replaced or upgraded to an equal or higher specification.

Reason: To promote sustainable travel and healthy communities in accordance with Policies CP13, EI11 and ES1 of the adopted Stroud District Local Plan, November 2015.

28. The café building hereby approved shall not be brought into use until at least 14 sheltered, secure and accessible bicycle parking have been provided in accordance with details which shall first be submitted to and approved by the Local Planning Authority. The approved cycle storage area shall be maintained for this purpose thereafter.

Reason: To promote sustainable travel and healthy communities in accordance with Policies CP13, EI11, ES1 and ES3 of the adopted Stroud District Local Plan, November 2015.

29. The marina/basin and the café building hereby approved shall not be occupied until an employee/marina berth welcome pack promoting sustainable forms of access to the development has been submitted to and approved by the Local Planning Authority. The approved pack shall be provided to each employee/canal berth user upon their first use and shall be reviewed and updated at least every two years.

Reason: To reduce vehicle movements and promote sustainable access in accordance with Policies CP13, EI11 and ES1 of the adopted Stroud District Local Plan, November 2015.

30. Prior to the commencement of each phase of development as defined by condition 3 of the development hereby approved details of a Construction Management Plan/Statement related to that phase shall be submitted to and approved by the Local Planning Authority. The plan/statement shall include but not be restricted to:

Parking of vehicle of site operatives, volunteers and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);

Locations for loading/unloading and storage of plant, waste and construction materials;

Method of preventing mud and dust being carried onto the highway;

Arrangements for turning vehicles;

Arrangements to receive abnormal loads or unusually large vehicles;

Methods of communicating the Construction Management Plan to staff, visitors and neighbouring residents and businesses.

The approved plan shall be adhered to throughout the demolition/construction period.

Reason: To reduce the potential impact on the public highway and amenity of the surrounding area and accommodate the efficient delivery of goods and supplies in accordance with Policies CP13, EI11, ES1, ES3 and ES6 of the adopted Stroud District Local Plan, November 2015.

31. Prior to the commencement of the phase of development as defined by condition 3 which includes the café building, a scheme for the provision and implementation of compensatory flood storage works shall be submitted to and approved by the Local Planning Authority (in consultation with the Environment Agency). The scheme shall be implemented in accordance with the approved programme and details.

Reason: To alleviate the increased risk of flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development of this phase as works have implications for flood risk in the locality.

32. No development approved by this permission shall be commenced until appropriate flood mitigation proposals have been submitted to and approved by the Local Planning Authority (in consultation with the Environment Agency). The approved mitigation shall be implemented in accordance with the approved details.

Reason: To alleviate the increased risk of flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works have implications for flood risk in the locality.

33. No excess material including soil shall be placed on that part of the site liable to flood as defined by the Design Flood Level of 11.89 metres Above Ordnance Datum (Newlyn) and shown highlighted pink in Figure 25 of the Flood Risk Assessment dated July 2023.

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015.

34. Prior to first use or occupation of each phase as defined by condition 3, a full Flood Warning, Evacuation and Management Plan shall be submitted and approved by the Local Planning Authority. For the avoidance of doubt this shall include the mooring basin, café building, the canal channel and towpath. The development shall then be implemented in accordance with the approved plan.

Reason: To ensure the safe occupation and use of the development in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015 and NPPF paragraph 173 and NPPG paragraph 048.

35. Prior to the commencement of the phase/s of development as defined by condition 3 which includes the carpark, leisure buildings and café, a detailed drainage strategy shall be submitted to and approved by the Local Planning Authority. The strategy should be supported by evidence of ground conditions and modelling of the scheme to demonstrate it is technically feasible and where applicable adheres to the NPPF, Non-statutory technical standards for Sustainable Drainage, Building Regulation H and Local Plan policy. The drainage scheme shall be carried out in accordance with the approved details. Where surface water requires disposal off site (i.e. not infiltrated) the applicant must provide evidence of consent to discharge/connect through 3rd party land or to their network/system/watercourse.

Reason: To ensure the development is provided with a satisfactory means of drainage and thereby preventing the risk of flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

36. Prior to the commencement of the phase/s of development as defined by condition 3 which includes the carpark, leisure buildings and Café, a SuDS maintenance plan for all SuDS/attenuation features and associated pipe work, in accordance with The SuDS Manual (Ciria, C753 or any document which supersedes this) shall be submitted to and approved by the Local Planning Authority. The approved



SuDS maintenance plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding in accordance with Policies CP14 and ES4 of the adopted Stroud District Local Plan, November 2015. It is important that these details are agreed prior to the commencement of development as any works on site could have implications for drainage in the locality.

37. Prior to the commencement of the phase/s of development as defined by condition 3 which includes the mooring basin and café, a detail design of the foul water drainage system shall be submitted to and approved by the Local Planning Authority. The details submitted shall include the full design, equipment specifications, flood resilience measures, timetable for implementation and details of the future maintenance and management. The foul drainage scheme shall be carried out in accordance with the approved details.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul sewage and to ensure that the development does not increase the risk of flooding or pollution. These details are required prior to the commencement of that phase of the development as they form an intrinsic part of the basin and café elements of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.

38. The proposed development shall be carried out in accordance with the approved Written Schemes of Investigation for archaeological mitigation (Archaeology England, July 2022 and KJS Heritage, August 2023 received on the 01 March 2022) including the programme of reporting and archiving.

Reason: To ensure that the archaeological investigation is completed in accordance with Policies CP14, EI11 and ES10 of the adopted Stroud District Local Plan, November 2015.

39. Prior to the commencement of the phase of development as defined by condition 3 which includes the Westfield Bridge, a Construction Heritage Management Plan (CHMP) shall be submitted to and approved by the Local Planning Authority. The CHMP shall include, but not limited to a method statement to avoid damage to the bridge, such measures are likely to include restrictions in plant or other construction traffic using Westfield Bridge as a crossing, barriers around the bridge to prevent damage from collision and tool box talks for contractors and volunteers working in the affected area. The approved CHMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect the special interest of a non-designated heritage asset in accordance Policy ES10 of the Stroud District Local Plan 2015.

40. Prior to the commencement of any of the phase of development as defined by condition 3 which includes canal structures, details of the design of the locks and bridges shall be submitted to and approved by the Local Planning Authority. The details shall include but not be limited to the precise materials, their finishes and colour used in the construction of the external surfaces of the development and the method of construction and be in accordance with the Cotswold Canals Conservation Management Plan (CMP). The development shall be implemented in accordance with the approved details.

Reason: To enable the Local Planning Authority to ensure the satisfactory appearance of the development, in accordance with Policies CP4, CP14, EI11, ES3, ES7 and ES10 of the adopted Stroud District Local Plan, November 2015 and IHCA PDG13.

41. Prior to the commencement of the phase/s of development as defined by condition 3 a scheme to deal with ground contamination, controlled waters and/or ground gas relevant to that phase will be submitted to and approved by the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

- a) A Phase I site investigation carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice.
- b) If identified as required by the above approved Phase 1 site investigation report, a Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites - Code of Practice. Where required, the report shall include a detailed quantitative human health and environmental risk assessment.
- c) If identified as required by the above approved Phase II intrusive investigation report, a remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end-point of the remediation should be stated, such as site contaminant levels or a risk management action, as well as how this will be validated. Any ongoing monitoring should also be outlined. No deviation shall be made from this scheme without prior written approval from the Local Planning Authority.

No part of any phase of the development as defined under condition 3 shall be occupied until:

- d) Any previously unidentified contamination encountered during the works on that phase has been fully assessed and an appropriate remediation scheme submitted to and approved the Local Planning Authority.
- e) A verification report detailing the remediation works undertaken and quality assurance certificates for that phase to show that the works have been carried out in full accordance with the approved methodology has been submitted to, and approved by, the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

For further details as to how to comply with this condition, please contact Katie Larner, Senior Contaminated Land Officer - tel: (01453) 754469.

Reason: To protect the health of future users of the site and to protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991) from any possible effects of contaminated land in accordance with the guidance within the NPPF, in particular, paragraph 189.

- 42. Site preparation and construction activities will be undertaken in accordance with the noise management controls outlined within 'Construction Noise Assessment (Ref 22-026 V2) prepared by ABRW Associates Limited (t/a Inacoustic)' and 'Draft Construction Environmental Management Plan (dated 10.12.2021) prepared by LUC'. The approved management plan shall be adhered to throughout the construction period; records of noise monitoring during the construction phase shall be retained for the duration of the works; details of any exceedances and associated remedial measures shall be recorded. The monitoring data shall be made available to the Local Planning Authority upon request.

Reason: To protect the amenity of the surrounding area and of nearby residential and sensitive receptors in accordance with Policies CP14, EI11, ES3 and ES6 of the adopted Stroud District Local Plan, November 2015.

- 43. Prior to the commencement of the phase/s of development as defined by condition 3 details of the construction hours shall be submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

Reason: For the protection of residential amenity and highway safety in accordance with Policies CP14, EI11, ES3 and ES6 of the adopted Stroud District Local Plan, November 2015.

Informatives:

1. This application is subject to a legal agreement and the applicant's attention is drawn to the requirements and obligations contained there in and the need to ensure compliance as the development progresses.

2. ARTICLE 35 (2) STATEMENT - The case officer has had extensive contact with the applicant/agent and negotiated changes to the proposal that have enhanced the overall scheme.