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Ms Karen Syrett
Spatial Policy Manager
Colchester Borough Council
Planning Services
PO Box 885
Town Hall
Colchester
CO1 1ZE

Our ref: AE/2006/000164

Your ref:

Date: 5th March 2010



Dear Ms Syrett

**Colchester Borough Council Local Development Framework
Site Allocations Development Plan Document – Statement of Common Ground**

We refer to Beverley McClean's email dated Wednesday, 3rd March 2010 and the accompanying Statement of Common Ground which relates to comments made by the Environment Agency in our response to the submission version of the Site Allocations Development Plan Document. As discussed with Beverley during our telephone conversation on Tuesday, 2nd March 2010, the Environment Agency is happy to accept the contents of the Statement of Common Ground and a signed version is enclosed for your attention.

Yours sincerely

A handwritten signature in blue ink that reads "Andrew Hunter".

**Andrew Hunter
Planning Liaison Officer
Planning Liaison Team**

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Colchester Borough Council Local Development Framework

Statement of Common Ground

Between Colchester Borough Council and Environment Agency

1. This Statement of Common Ground has been prepared to identify the areas of agreement between the Environment Agency and Colchester Borough Council on matters relating to the Borough Council's submitted Site Allocations DPD and the representations submitted by the Environment Agency concerning this document. There are no unresolved issues between Environment Agency and Colchester Borough Council in relation to the Submitted Site Allocations DPD.

2. General Matters

The following general matters are agreed between the parties:

1. Both parties agree that development is not acceptable in flood zone 3b (functional floodplain) and a minor change has been submitted to the Inspector respectfully requesting that reference to flood zone 3b is removed from paragraph 5.59 (minor change no. 20 in the Schedule of Minor Changes). The suggested amendments are set out in full in Appendix 1 to this Statement of Common Ground.
2. Both parties agree that the final Haven Gateway Stage 2 Report Water Cycle Study was not available during preparation of the Submission Site Allocations DPD. A draft of the Haven Gateway Stage 2 Report Water Cycle Study however was available and this was used as evidence during the drafting of the Site Allocations DPD. This is evident through references to the draft Stage 2 Water Cycle study document in the Appropriate Assessment of the Site Allocations DPD.
3. Both parties agree that a paragraph should be inserted into the document under paragraph 4.11 regarding wastewater infrastructure and would respectfully respect that the Inspector agrees the insertion as a minor change. It has been included as change no. 79 in the Site Allocations Schedule of Minor Changes.
4. Both parties agree that the East Colchester sites referred to in the document have passed the sequential test and parts (a) and (b) of the exception test. Policy SA EC2 states under criterion 5 that applications for development will be required to include a flood risk assessment and part (c) of the exception test will be completed as part of this process.

APPENDIX 1 – COLCHESTER BOROUGH COUNCIL /ENVIRONMENT AGENCY AGREED AMENDMENTS TO SITE ALLOCATIONS DPD

Site Allocations DPD Policy/ Paragraph	Environment Agency Representation	Colchester Borough Council's agreed response with Environment Agency
5.59	The EA have proposed the deletion of reference to residential development in Flood Zone 3b in paragraph 5.59	Colchester Borough Council has put forward the following wording change, as requested by the EA, (No. 20 in the Scheduled of Minor Changes) for consideration by the Planning Inspector at the EIP. The penultimate sentence of paragraph 5.59 to read: "Residential development should be restricted to upper levels in Flood Zones 2 and 3a."
5.48/5.116	The EA representation (SA 058/279) proposed the inclusion of an additional paragraph in section 5.48 of the Submission Site Allocations DPD to reflect that the Haven Gateway Stage 2 Report Water Cycle Study reported that there is insufficient capacity at the Colchester Sewage Treatment Works (STW) and the sewer network to cope with the projected growth. The EA suggested that CBC hold discussions with Anglian Water Services to agree a strategic solution.	It is respectfully requested that the following paragraph is inserted into the Site Allocations DPD after paragraph 4.11: "Planning permission will not be granted for development unless it can be demonstrated that the wastewater treatment and sewerage infrastructure can accommodate the development within the confines of existing consents. Furthermore, the receiving

As suggested by the Environment Agency Colchester Borough Council met with Anglian Water to discuss this issue. Anglian Water confirmed that necessary phased improvements to Colchester STW will continue to be made to meet existing and new consent conditions and to service future planned growth. The current asset management period, AMP5 (2010 – 2015), includes proposals for increased process capacity and maintenance expenditure which will assist with the delivery of new development in the Borough to 2015. Longer term plans involving changes to sewerage treatment catchment areas and increased sewerage capacity will support the delivery of new developments post 2015.

environment of additional flows must be able to meet water quality requirements in accordance with the Water Framework Directive. Anglian Water Services and the Environment Agency will advise on this matter."

Signed:  03.03.10

Karen Syrett-Spatial Policy Manager
Colchester Borough Council

Signed:  5/3/10.

Andrew Hunter Planning Liaison Officer
Environment Agency