



# Selby Area

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## Internal Drainage Board



Our Ref: [REDACTED] Selby

6<sup>th</sup> January 2021

Planning Policy Team  
Selby District Council  
Civic Centre  
Doncaster Road  
Selby  
North Yorkshire  
YO8 9FT

**For the attention of the Planning Policy Team**

Dear Sirs,

**Church Fenton Neighbourhood Plan - Regulation 16 Submission Consultation**

Thank you for the invitation to submit a representation in respect of the above. We have pleasure in providing a written representation on behalf of the Selby Area Internal Drainage Board ('the Board', or 'the IDB').

To provide some background, the Board is an **independent public authority** and **drainage authority** constituted under the Land Drainage Act; operating under the Land Drainage Act 1991 (as amended) and is a **Risk Management Authority** under the Flood & Water Management Act 2010.

All **developments planning work in, on, under or near ordinary watercourses** (including piped ordinary watercourses), or **discharging surface water** into a watercourse **within the defined Drainage District** require **CONSENT** from the Board under the Land Drainage Act 1991 (as amended) in addition to, or as part of, any Planning Permission.

The **Key Constraints for any Development near any Watercourse** within the Drainage District can be summarised as follows:

- **No obstructions above ground within 7 metres** of the edge of a watercourse bank top
- **No increase in surface water discharge** rate or volume (or restricted to 1.4 litres per second per hectare)
- **No obstruction to flow** within a watercourse (caused by structures etc.)
- *Similar Constraints apply to Main River within the Drainage District but as defined by the Environment Agency under Applications for Permits*

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## Group of IDBs

Epsom House  
Chase Park  
Redhouse Interchange  
Doncaster  
South Yorkshire  
DN6 76FE  
United Kingdom

[REDACTED]  
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[www.shiregroup-idbs.gov.uk](http://www.shiregroup-idbs.gov.uk)

**Clerk and Engineer to**  
Ancholme IDB  
Goole & Airmyn IDB  
Goole Fields District DB  
Scunthorpe & Gainsborough WMB  
Sow and Penk IDB

**Engineer to**  
Kyle & Upper Ouse IDB  
Selby Area IDB  
Swale and Ure DB

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The IDB defined Drainage District and further information can be found on their website <https://www.shiregroup-idbs.gov.uk/idbs/selby/> and covers an area of approximately 19,747 hectares.

We encourage all developers to check if their site falls within a Drainage District and then contact the Board at the pre-development advice stage.

If any Development proposes to **work in, on, under or near ordinary watercourses** (including piped ordinary watercourses), or create or alter **surface water discharge** into a watercourse then the following Consents would be required from the IDB:

### **Section 23 Consent**

Section 23 LDA prohibits obstructions etc. in watercourses and states “*no person shall erect any mill dam, weir or other like obstruction [or] erect any culvert that would be likely to affect the flow of any watercourse ... without the consent in writing of the drainage board concerned.*”

### **Section 66 (Byelaw) Consent**

Section 66 LDA provides the power to make byelaws which state that “*no person shall ... introduce any water into any watercourse in the District so as to directly or indirectly increase the flow or volume of water ... without the previous consent of the Board [and] no person ... shall erect any building or structure whether temporary or permanent, or plant any tree, shrub, willow ... without the previous consent of the Board,* amongst other byelaws specific to each IDB which can be found <https://www.shiregroup-idbs.gov.uk/planning-consents-2/>

Consent Applications will be determined by the IDB under the Land Drainage Act 1991 (as amended), require both temporary and permanent works applications and the IDB has a statutory 2 month determination period from the day on which the application is made or when the application fee (£50 per application or as prescribed) is discharged, whichever is later.

Every person who acts in contravention of, or fails to comply with, any notice served under Section 24 LDA or Byelaws under Section 66 LDA shall be guilty of an offence and liable, on summary conviction to such fines as prescribed within Section 24(3) and/or Section 66(6) LDA.

**Consent Application Forms** can be found on the website <https://www.shiregroup-idbs.gov.uk/planning-consents/> and sent to [consents@shiregroup-idbs.gov.uk](mailto:consents@shiregroup-idbs.gov.uk)

The IDB standard planning response advice is as follows:

**If the surface water were to be disposed of via a soakaway system**, the IDB would have no objection in principle but would advise that the ground conditions in this area may not be suitable for soakaway drainage. It is therefore essential that percolation tests are undertaken to establish if the ground conditions are suitable for soakaway drainage throughout the year.

**If surface water is to be directed to a mains sewer system** the IDB would again have no objection in principle, providing that the Water Authority are satisfied that the existing system will accept this additional flow.

**If the surface water is to be discharged to any ordinary watercourse** within the Drainage District, Consent from the IDB would be required in addition to Planning Permission, and would be restricted to 1.4 litres per second per hectare or greenfield runoff and no increase in volume.

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**No obstructions within 7 metres** of the edge of an ordinary watercourse are permitted without Consent from the IDB.

Yours faithfully,

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