

From: [Planning](#)
To: [Dogger Bank South](#)
Cc: [Bill Symons](#)
Subject: EN010125 - Dogger Bank South
Date: 16 December 2024 10:37:39
Attachments: [REDACTED]

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Dear Sir / Madam,

The writer has only recently been made aware of this application being made to the Planning Inspectorate so we sincerely apologise for the delay.

This development falls partly within the district for Beverley & North Holderness Internal Drainage Board.

Please can we therefore kindly ask if we can become an “interested party”.

Our full comments are set out below:

Under the Land Drainage Act 1991 and the Boards’ byelaws, the Board’s **prior written** consent (outside of the planning process) is needed for:-

- a. any connection into a Board maintained watercourse, or any ordinary watercourse in the Board’s district.
- b. any discharge, or change in the rate of discharge, into a Board maintained watercourse, or any ordinary watercourse in the Board’s district. ***This applies whether the discharge enters the watercourse either directly or indirectly (i.e. via a third party asset such as a mains sewer).***
- c. works within or over a Board maintained watercourse, or any ordinary watercourse in the Board’s district – for example, land drainage, an outfall structure, bridges, culverting etc.
- d. any construction, fencing or planting within 9 metres of the top of the embankment of a Board maintained watercourse.

Please note that the Board does not, generally, own any watercourses and the requirement for you to obtain the Board’s consent is in addition to you obtaining consent from any land owner or other authority to carry out the relevant works.

The Board notes that there are compounds, haul roads and access crossings, as well as the “Onshore Cable Corridor” within the Board’s district.

ACCESS ROAD CROSSINGS

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The Board would ask that, in due course, a standard culvert design is agreed with the Board for any access road crossings. We will then just agree individual pipe sizes for each watercourse. This

will make it simpler for all parties involved.

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ONSHORE CABLE CORRIDOR

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The Board would ask that the applicant uses Horizontal Directional Drilling for any cables crossing watercourses within our district.

The Board also needs to consider how close any cables will be to our watercourses – for example, if they run parallel to a watercourse, then we must ensure that they are not too close to the bank top in the event the watercourse needs to be widened – and that they are sufficiently deep enough to not be effected when our machinery drives over them.

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HAUL ROADS AND COMPOUND AREAS

The Board would be wanting to understand the proposed drainage strategy for any haul road and compound areas. The Board's view is that Type 3 materials are "permeable" and Type 1 is "impermeable". Any impermeable areas (even if temporary) will generally require a formal drainage strategy.

DRAFT DEVELOPMENT CONSENT ORDER

The Board notes that Article 6 of the draft Development Consent Order is disapplying sections 23(b) of the Land Drainage Act 1991 – is this an error and should be the whole of section 23 as there is no section 23(b) on its own.

The applicant is also proposing to disapply any Byelaws that the Board has made under Section 66 of the Land Drainage Act 1991.

Instead, Article 45 states that Schedule 15 (the Protective Provisions) have effect.

Part 4 of Schedule 15 is relevant to the Board.

With regards to Part 4 of Schedule 15 of the draft Development Consent Order, the Board do not agree the definition of "specified work" being so limited. We would request the below, as has been agreed on other DCOs: ***“specified work” means so much of the authorised development as is in, on, under, over or within 9 metres of a drainage work or is otherwise likely to affect the flow of water in any watercourse.***

With regards to paragraph 3(1) of Part 4 of Schedule 15, this can be amended to say: ***“independent review (if requested by the drainage authority)”***. The Board will not necessarily require an independent review for everything.

Article 16 relates to the discharge of surface water. The Board requests that an additional paragraph is added to state that: ***“Where the undertaker discharges water into, or makes any opening into, a watercourse, public sewer or drain belonging to or under the control of a drainage authority (as defined in Part 4 of Schedule 15 (protective provisions)), the provisions of Part 4 of Schedule 15 apply in substitution for the above provisions.”*** For the avoidance of any doubt, the Board does not "own" any watercourses and we do not maintain all watercourses

in our district. However, under our Byelaws, the Board's prior written consent is however needed for any discharge of water into any watercourse within our district (whether it is Board maintained or not). This request is therefore strictly on the basis that this is understood and that when it states where the drain belongs or under the control of a drainage authority, we are intending that this covers any watercourse within the district of a drainage authority.

Kind regards,

Charlotte Gill

Planning Officer for Beverley & North Holderness Internal Drainage Board

Working Hours: Monday, Wednesday, Thursday – 8.45am to 4.30pm



Airedale Drainage Commissioners
Ainsty (2008) Internal Drainage Board
Beverley & North Holderness Internal Drainage Board
Foss (2008) Internal Drainage Board
Ouse & Derwent Internal Drainage Board

Address: Derwent House | Crockey Hill | York | YO19 4SR

E-mail: planning@yorkconsort.gov.uk

Telephone: [REDACTED]

Website: <http://www.yorkconsort.gov.uk>

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