



Black Sluice Internal Drainage Board

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Our Ref: IW/AS/BB/0388/21

Your Ref:

Date: 27 September 2021

Boston Borough Council
Planning Department
Municipal Buildings
West Street
BOSTON
Lincolnshire

PE21 8QR

Dear Sirs,

Planning Application No BB/0388/21: Application for Prior Notification COU agricultural building to dwelling at Sycamore Farm, Sykemouth Drove, Kirton, Boston, for Roger Hall

The Board has received the above planning application and has the following comments:

Rainfall Runoff

Due to the nature of the application, a method of surface water disposal from the proposed development has not been indicated.

If the applicant intends to discharge surface water via soakaways, then any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable for the development should be submitted to the planning authority for approval.

If the applicant intends to discharge direct to any watercourse, whether open or piped, then the prior written consent of the Board is required.

Full details of any surface water schemes for the proposed development should be submitted to the local planning authority for consideration and approval.

Disposal of Foul or Dirty Water

As above, due to the nature of the application, no indication has been provided regarding the disposal of foul water.

The Board is not aware of any existing utility systems within the vicinity, and it is therefore assumed that the applicant will utilise a bio or package treatment unit.

If this is the case, then if the final discharge is to any watercourse, then the Boards prior written consent is required. However, if the discharge is to soakaways, then any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code, and evidence provided to the planning authority that soakaways are suitable.

Discharge Outfalls

If either the proposed surface or treated water discharge outfall is into any watercourse, then within Section 23 of the Land Drainage Act 1991, prior written consent will be required for any structures placed in the bank of an open watercourse, or into any piped watercourse via a manhole or saddle connection.

Access to Watercourses / Byelaws

There is a surface water pipeline on the south western boundary of the site. This watercourse is maintained by the Board under its statutory duties within the Land Drainage Act 1991. The Board does NOT own the land within which the watercourse lies. Ownership of the structure is deemed to lie with the adjacent landowner. The applicant must ensure that their proposals do not have any adverse effect on this watercourse.

The Board has a byelaw (No.10) which prohibits the siting of any obstructions, whether temporary or permanent, including planting, within 9 metres of the lateral edge of the enclosing structure without the prior written consent of the Board.

In this instance, the existing building has unofficial historical consent, as the building is understood to pre-date the Board. However, whilst the Board notes that the proposals include the relocation of part of the existing building away from the line of the Board-maintained watercourse, the applicant will be required to obtain a formal relaxation of the byelaw from the Board for any other structures which the applicant proposes, such as the decking areas indicated, to include within the deeds of the proposed dwelling.

Filling in or Culverting Watercourses

As well as the piped watercourse stated above, there are believed to be other open watercourses bounding the site. The applicant is reminded that within common law, the ownership and maintenance responsibility for any watercourse lies with the adjacent landowners, regardless of whether the watercourse is maintained by the Board. Where a section of watercourse lies wholly within a land or property boundary, or lies alongside a highway, then the adjacent land or property owner is considered wholly responsible for the ownership and maintenance of that section of watercourse.

Under Section 23 of the Land Drainage Act 1991, the prior written consent of the Board is required for any proposed permanent or temporary works or structures, within any watercourse, including infilling or diversion. This includes the replacement of any existing structures, such as the Board-maintained piped watercourse stated.

Yours faithfully

Andrew Scott

Planning & Byelaw Officer