

From: EIR Compliance

To:

Subject: 20260302 – EIR

Date: 02 March 2026 16:10:39

Reference Number: EIR

Dear

We refer to your email dated the 6 January 2026 in relation to the information provided to you in our response to EIR 1184.

We logged your internal review reference as EIR 1219 for this case.

Original request EIR 1184

We received your request for information on 26 November 2025 and recorded this as EIR 1184:

"I would like to request information on any planning applications which have been made in your area within the last 5 years where the sewage capacity has been deemed inadequate.

Please can you list in the format below.

The date and location of the planning request

The number of properties planned

Whether the system in the location has/had enough capacity to support the development

What decision was ultimately made and whether the development was built - and whether it was connected to the sewage system.

<i>Date (month/year) and loc of planning request</i>	<i>No of properties planned</i>	<i>Sewage capacity status of the site (spare capacity/ at</i>	<i>Planning decision (eg pre commencement sewage system expansion,</i>	<i>Was the development built?</i>	<i>Was the development connected to the sewage system?</i>
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		capacity/ over capacity)	preoccupation etc)		
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Please can you also list the sites in your jurisdiction where sewage infrastructure is over or at capacity.

Please confirm receipt of my email and your intention to provide this information within the 20 working day requirement. "

Our response to EIR 1184

We responded on the 24 December 2025 to EIR 1184:

"We have reviewed your request under the Environmental Information Regulations 2004.

Regulation 12(4)(e) provides that a public authority may refuse to disclose information to the extent that the request involves the disclosure of internal communications. Internal documents are considered internal communications as they are generated for the purpose of facilitating internal review and discussion Yorkshire Water. In applying this exemption, we are required to consider the public interest in maintaining the exception against the public interest in disclosure.

We recognise that there is a public interest in transparency, accountability and openness in relation to information relating to sewerage capacity. However, there is also a strong public interest in allowing us the space to carry out our internal discussions effectively, disclosure of internal documents at this stage would risk impact this and could lead to confusion by releasing information that does not represent a final position. It is essential that we communicate internally without concern that any preliminary observation/assessments or draft opinions will be made public. As such, we are withholding the internal audit documents you have requested under Regulation 12(4)(e) of the EIR."

Our response to your internal review EIR 1219

You contacted us on the 6 January 2026 to request an internal review of our response to EIR 1184, advising that you considered that we incorrectly applied the internal communications exemption :

"Thank you for your response. I would like to query it though. I have sent this request to all the other water companies who provide sewage in England and Wales. You are the only company to refuse the information. I have received it back from everyone else.

I do not need copies of internal documents but just the described ask of number of planning applications which you have objected to on the grounds of not enough sewage capacity - with their location, number of properties forecast and the outcome. "

Our internal review concluded that we had incorrectly applied the exemption, please accept our apologies and find below the information you require:

No. Dwellings	LPA	Location	Date of Response	Objection	Reason for Objection	Outcome
167	North Yorkshire (Harrogate)	Kirby Hill	10/2025	Yes	Inadequate capacity	Pending
55	North Yorkshire (Harrogate)	Killinghall	10/2025	Yes	Inadequate capacity	Pending
130	North Yorkshire (Harrogate)	Boroughbridge	10/2025	Yes	Inadequate capacity	Pending
180	North Yorkshire (Selby)	South Milford	11/2025	Yes	Inadequate capacity	Pending
116	Bradford	Wyke	11/2025	Yes	Inadequate capacity	Pending
85	North Yorkshire (Selby)	Whitley	11/2025	Yes	Inadequate capacity	Pending
130	North Yorkshire (Harrogate)	Killinghall	12/2025	Yes	Inadequate capacity to Killinghall/STW	Pending
110	Kirklees	Shepley	12/2025	Yes	Inadequate capacity	Pending
190	North Yorkshire (Scarborough)	Cayton	12/2025	Yes	Inadequate capacity	Pending
76	North Yorkshire (Ryedale)	Kirbymoorside	01/2026	Yes	Inadequate capacity	Pending
142	North Yorkshire (Selby)	Hemingbrough	03/2024	Yes	Inadequate capacity for the treatment works	Appeal Allowed
76	North Yorkshire (Selby)	Riccall	10/2024	Yes	Inadequate capacity	Pending
410	North Yorkshire (Selby)	Tadcaster	12/2023	Yes	Inadequate capacity	Pending
0	North Yorkshire (Ryedale)	Sproxton	08/2022	Yes	Inadequate capacity at the treatment works	Refused
140	North Yorkshire (Ryedale)	Pickering	06/2025	Yes	Inadequate capacity	Appeal Allowed
150	North Yorkshire (Ryedale)	Pickering	05/2025	Yes	Inadequate capacity	Pending
150	North Yorkshire (Ryedale)	Pickering	07/2025	Yes	Inadequate capacity	Pending
100	North Yorkshire (Selby)	Thorpe Willoughby	10/2025	Yes	Inadequate capacity	Pending
6	North Yorkshire (Selby)	Appleton Roebuck	03/2025	Yes	Inadequate capacity	Pending
55	Wakefield	Notton	01/2026	Yes	Inadequate capacity	Pending
300	North Yorkshire (Selby)	Sherburn-In-Elmet	12/2025	Yes	Inadequate capacity	Pending
250	North Yorkshire (Harrogate)	Milby	11/2025	Yes	Inadequate capacity	Pending
4	North Yorkshire (Harrogate)	Huby	10/2025	Yes	Inadequate capacity	Granted
210	North Yorkshire (Harrogate)	Wetherby	01/2026	Yes	Inadequate capacity	Pending

We (Yorkshire Water Service) respond to consultations received from the council (Local Planning Authority) offering advice relating to matters of drainage. We are not a statutory consultee; the LPA are not required to consult with us or take our comments on board. Only the LPA (or planning inspectorate in certain instances) can grant planning permission.

In relation to the outcome stage, please find below the definitions:

- a. Pending: Planning application has not been determined by the LPA. The council are still considering the merits of the submission. During this time additional information may come to light and there may be further consultation with relevant stakeholders
- a. Refused: Planning permission refused by the LPA
- a. Appeal Allowed: The developer (appellant) may appeal to the planning inspectorate this may be because the LPA failed to determine an application in the allowed time or the developer disagrees with the council's decision and is appealing to the planning inspectorate.
- a. Granted: LPA has granted planning permission has been granted subject to conditions

Please note that YWS, following further consultation from the relevant local planning authority might revise a consultation response, potentially removing any objection as additional information comes to light.

If you are not satisfied with the outcome of the internal review you have the right of appeal to the Information Commissioner who can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 0303 123 1113

Web: <http://www.ico.org.uk>

Thank you for contacting Yorkshire Water.

Yours sincerely,

Data Protection Team

Email: EIR@Yorkshirewater.co.uk