

**Our ref:** 25\_34176\_P

26/01/2026

**Your ref:** H01-1245-25

**Site Location:** Pumping Station, Mill Drove South,  
Cowbit, Spalding, PE12 6FS

**Summary of Proposal:** Proposed residential development comprising of 3 new build homes & conversion of rural building into 2 dwellings

Dear Sir/Madam,

Thank you for your consultation on the above application.

The site is within the Internal Drainage District (IDD) of the South Holland Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf.

The proposed works are unlikely to be acceptable to the Board (in accordance with the policies outlined within the WMA's [Development and Consent](#) pages on our [website](#)). Resultantly, the Board **currently objects to this planning application**. The reason for the Board's objection is to avoid likely conflict between the planning process and the Board's regulatory regime (as outlined below) and to prevent increased flood risk in accordance with National Planning Policy Framework.

The Board will consider the proposals in detail on receipt of an application for Land Drainage Consent. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

Byelaw / Section of Act	Description	Requirement
Byelaw 3	Discharge of water to a watercourse (treated foul or surface water)	<b>Consent required</b>
Section 23, Land Drainage Act 1991	Alteration of a watercourse	Consent not currently required
Byelaw 10	Works within 9 metres of a Board arterial watercourse	<b>Objection</b>

Duncan Worth (Chairman)

Simon Bartlett (Vice-Chairman)

Marcus Coleman (Chief Executive)

Constituted by The Anglian Water Authority (South Holland Internal Drainage District) Order 1974,  
Statutory Instrument 1974 No.1209. Reconstituted in 1993. Statutory Instrument 1993 No.453.

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### **Byelaw 3 (Surface Water)**

The applicant proposes to discharge surface water to a watercourse, however the discharge rate has not been provided at this stage. This proposal will require consent under Byelaw 3, and I recommend that the applicant contacts this office to make an application for this consent at their earliest convenience. The Board recommend that any discharge is in line with the [National standards for sustainable drainage systems \(SuDS\)](#) published in June 2025. Further to the National Standards for SuDS, the Board's policy is to restrict discharges to 2l/s/ha or annual average flood flow rate (QBar or QMed), whichever is higher.

Please note that any consent granted for the discharge of surface water is likely to be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our [Development Control Charges and Fees](#).

### **Byelaw 3 (Treated Foul Water)**

I note that the applicant intends to dispose of foul water to a main sewer. Should the applicant's proposals change to include the discharge of treated foul water to a watercourse, consent would be required under Byelaw 3.

### **Byelaw 10**

I note the presence of a piped (culverted) Board arterial watercourse (DRN193P2801 - B28 Parsons Dyke) within the site, along the eastern boundary. This watercourse has not been indicated on any of the plans provided to support this planning application. The applicant intends to carry out works (erection of 3 residential dwellings and conversion of rural building into 2 dwellings) as shown in the drawing 'Proposed Residential Development of 5 Detached Dwellings', (24/672/PA/004, TAC Architects, 01/12/2025) and it is currently unclear how close the proposed works will be constructed from the piped section of aforementioned Board arterial watercourse.

In addition to the above, I note that the applicant intends to extend the footpath to make a connection at the access, however further detail on the dimensions of the proposed footpath have not been provided. From the drawing submitted, it is unclear if the proposed footpath extension is over the piped Board arterial watercourse (24/672/PA/004, TAC Architects, 01/12/2025). It is unlikely that the Board would accept a tarmac/hardcore footpath directly above the piped watercourse.

Please note, any works proposed within 9 metres of arterial drainage and flood risk management infrastructure (including Board arterial watercourses and pumping stations) requires the Board's prior written consent under Byelaw 10. If the proposed dwellings are within 9 metres of the Board arterial watercourse, this would not be acceptable under the Board's [policies](#) as permanent structures should be located at least 9 metres from the outside edge of the piped watercourse.

**Therefore, until further information is submitted which confirms the proposed distances of the works from the outside edge of the piped Board arterial watercourse, the Board objects to this proposal.**

In light of the Board's objection, the Board would be happy to coordinate a site visit between the Board's Operations Team and the applicant/agent to determine the distances of the proposed works from the piped Board arterial watercourse.

**Section 23, Land Drainage Act 1991**

As mentioned above, I note the presence of a piped Board arterial watercourse (DRN193P2801 - B28 Parsons Dyke) within the site, along the eastern boundary. Whilst not currently proposed, should the applicant's proposals change to include works to alter the watercourse, or if works are proposed to alter the watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary, however this should be confirmed by the applicant. Should the applicant's proposals include works to alter a watercourse, or if works are proposed to alter a watercourse at any time in the future, consent would be required under the Land Drainage Act 1991 (and byelaw 4).

**Please see the supplementary information overleaf for further detail on the Board's policy and consenting process.**

If, following review of our comments and supporting policy documents linked below, you wish to discuss any of the requirements I have raised, please contact the Board using the details at the head of this letter.

Yours sincerely,

Fern

Fern Crofts  
Assistant Sustainable Development Officer  
Water Management Alliance

## How to Apply for Land Drainage Consent

To apply for Land Drainage Consent please complete an application form.

Application forms, application fees and 'Frequently Asked Questions' can be found on the 'Development & Consent' section of the Board's website, here: <https://wlma.org.uk/development-consent/>

For any additional help please call us on 01553 819600 or email [planning@wlma.org.uk](mailto:planning@wlma.org.uk).

## Byelaws

South Holland IDB Byelaws can be found via the following link:  
[https://www.wlma.org.uk/uploads/SHIDB\\_Byelaws.pdf](https://www.wlma.org.uk/uploads/SHIDB_Byelaws.pdf)

## Mapping

Mapping of the district can be viewed via the following link (choose 'dynamic map' for interactive maps):  
<https://wlma.org.uk/south-holland-idb/mapping/>

## Planning and Byelaw Strategy

The Board's Planning and Byelaw Strategy seeks to provide:

- Guidance on how (and why) the Board will review and comment on planning applications.
- Information on the policies against which the Board will assess and determine applications.
- Guidance to riparian (waterside) landowners regarding watercourse maintenance.

Please see the Development and Consent pages on the Board's website via the following link:  
<https://wlma.org.uk/development-consent/>

## Arterial Watercourses

Maps on the Board's website show which watercourses are designated as Arterial Watercourses by the Board. You may also have heard these watercourses referred to as 'Main Drains' or 'Maintained Watercourses'. The designation is an acknowledgement by the Board that the watercourse is of arterial importance to the Internal Drainage District and as such will normally receive maintenance from the IDB using the Board's Permissive Powers. Although the Board opts to proactively maintain this arterial network, there is no change in the ownership or liability associated with the watercourse resulting from this designation.

## Why we have commented on this application:

By engaging with the planning process the Board is seeking to:

- Reduce flood risk to communities within the Internal Drainage District
- Promote sustainable development in sustainable locations by supporting sound planning decisions in accordance with the National Planning Policy Framework (especially [Paragraph 167](#)) and the [National standards for sustainable drainage systems \(SuDS\)](#)
- Reduce the potential for conflict between the planning process and the Board's regulatory process.

For further information please refer to the Board's Planning and Byelaw Strategy.