South Holland Internal Drainage Board
Pierpoint House
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King's Lynn
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PE30 5DD

01553 819630
planning@wlma.org.uk

Our ref: 24_29951_P

20/11/2024

Your ref: H07-0940-24

Site Location: 32 Hillgate Gedney Hill Spalding PE12 0NN

Summary of Proposal: Details of landscaping, foul water disposal and soakaway system for disposal of surface water (Conditions 3, 11 and 12 of H07-0815-20)

Dear Mark Niland,

Thank you for your consultation on the amendments made to 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. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only 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)	**Consent required**
Section 23, Land Drainage Act 1991	Alteration of a watercourse	Consent not currently required
Byelaw 10	Works within 9 metres of a Board maintained watercourse	Not applicable

Duncan Worth (Chairman) Simon Bartlett (Vice-Chairman)

Phil Camamile (Chief Executive)

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

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www.wlma.org.uk

Citation ISO Certification ISO 9001: 2015 Quality management REGISTERED Certificate No:106902021

Citation ISO Certification ISO 14001: 2015 Environmental management REGISTERED Certificate No:106912021

Byelaw 3 (Surface Water)

I note that the applicant's proposal includes a direct surface water discharge into a piped watercourse in addition to the use of a soakaway. We would typically recommend that the proposed discharge to soakaway is supported by infiltration testing in line with BRE Digest 365 (or equivalent) to evidence whether the soakaways can work efficiently. As a part retrospective application, if the soakaways have already been installed we would ask that you as the LPA satisfy yourselves that this system is viable in this location without increasing flood risk on or adjacent to the site.

The applicant has applied for Land Drainage consent (our ref 24_27608_C), to discharge to a pipe at the south-western corner of the site, which in-turn leads to an open watercourse, as shown in drawing 'Drainage Plan Foul & Surface Water' (April 2024). However, the applicant has failed to complete the land drainage consent procedure and consent has therefore not been issued.

I recommend that the applicant contacts this office at their earliest opportunity to continue the application for Land Drainage Consent. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate. A surface water development contribution is likely to be payable as a condition of any consent granted under Byelaw 3 in line with the WMA's Development Control Charges and Fees.

Byelaw 3 (Treated Foul Water)

The applicant has indicated that they wish to discharge treated foul water to the same aforementioned piped watercourse following treatment by package treatment plant. This proposal will require consent under Byelaw 3.

Section 23, Land Drainage Act 1991

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).

Byelaw 10

There are no Board maintained watercourses within or adjacent to the site boundary therefore Byelaw 10 does not apply.

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,

Pardip

Pardip Choat BSc (Hons)
Compliance 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' section of the Board's website, here:
https://www.wlma.org.uk/south-holland-idb/home/#Development

For any additional help please call us on 01553 819600 or email 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

Mapping

Mapping of the district can be viewed via the following link:
https://www.wlma.org.uk/uploads/210-SHIDB_Index.pdf

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.

The Planning and Byelaw Strategy can be found via the following link:
https://www.wlma.org.uk/uploads/WMA_Planning_and_Byelaw_Policy.pdf

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 Non-standard technical standards for 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.