

Our ref: 26_35461_P

27/05/2026

Your ref: H09-0446-26

Site Location: Land to Rear of Tudor Lodge Fen
Road Holbeach Spalding PE12 8QD

Summary of Proposal: Erection of 8
Dwellings - Retrospective (Previously
approved under H09-0950-22)

Dear Catherine Sutton,

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) where 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. Some of the proposed works are unlikely to be acceptable to the Board in their current form (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.

Officers have noted existing and proposed works which require Land Drainage Consent from the Board, as outlined in the table below and detailed overleaf.

Byelaw / Section of Act	Description	Requirement
Byelaw 10	Works within 9 metres of the edge of a Board arterial watercourse	OBJECTION (Consent application and further information required)
Byelaw 3	Discharge of water to a watercourse (surface water or treated foul water)	OBJECTION (Consent application and further information required)
Byelaw 4 / Section 23, Land Drainage Act 1991	Alteration of a watercourse	Consent may be required

The Board will consider removing its objection if the applicant submits the necessary applications for Land Drainage Consent for the Board's consideration. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

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 10 (No works within 9 metres of the Edge of Drainage / Flood Risk Management Infrastructure)

The Board owns the arterial watercourse, known as F38 Holbeach Old River (DRN197P3803), which is located adjacent to the western site boundary. Byelaw 10 applies to this arterial watercourse. Any works proposed (or already undertaken) within 9 metres of the Board arterial watercourse will require previous written consent under Byelaw 10. The definition of works is very broad and includes any planting of trees and shrubs.

The Block & Location Plan (25/694/PA/007, TaC Architects, 29/04/2026) acknowledges a “9m Easement from brink of IDB drain”. Only the fencing associated with Plot 1 appears to be located within the Board’s 9 metre Byelaw Zone. However, a recent site visit by officers has confirmed that boundary fencing has been installed up to, and in some locations along the edge of the watercourse, to define Plots 1, 2, 3 and 4 (see photographs 1, 2 and 3 below).

The Board has no record of receiving an application for these works within the 9 metre Byelaw distance, so we assume that the works have been undertaken without the Board’s previous written consent.

Further clarification is also required regarding the ‘existing and new access road’ to the south of the site. It is currently unclear whether the section of road within 9 metres of F38 Holbeach Old River is to be upgraded or resurfaced or if a security gate is to be fitted at the south-west corner of the site. Updated plans should be provided to confirm any proposed improvements.

The Board’s Operations Team requests that the applicant contact our office to arrange a site meeting to discuss our access requirements and they may need to amend some of the works already undertaken to prevent any conflict with the Board’s statutory function. Until such discussions have taken place, the Board will maintain its objection to this application.

Byelaw 3 (Surface Water)

The applicant has indicated within the Application Form that they intend to discharge surface water into the Board arterial watercourse (F38 Holbeach Old River - DRN197P3803) along the western site boundary. However no supporting information has been provided at this stage, including details of the discharge rate and contributing impermeable areas.

It is also unclear whether the applicant intends to use the existing piped watercourse along the northern site boundary, or if a new discharge point is being proposed. If the existing piped section of watercourse is to be used, a CCTV survey should be carried out and evidence provided to the Board to prove that the pipe is suitable to convey the additional flow from the development into the wider drainage network.

Regardless of the outfall location, this proposal will require the Board’s previous written consent under Byelaw 3, and we recommend that the applicant contacts our office to make this application for 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 2/l/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 incur a Surface Water Development Contribution fee (SWDC) as outlined within our [Development Control Charges and Fees](#).

In addition to the above, we are taking this opportunity to advise the applicant that if they need to discharge surface water temporarily to a watercourse (i.e. ground dewatering during construction), then an additional temporary consent will be required under Byelaw 3.

Byelaw 3 (Treated Foul Water)

The Application Form indicates that the applicant intends to treat foul waste using a package treatment plant. It is currently unclear whether individual package treatment plants will be provided for each property or if multiple properties will use a shared unit. It is also not stated how the applicant intends to dispose of the treated foul water from this development. If the applicant proposes to discharge treated foul water to a watercourse, the Board's previous written consent will be required under Byelaw 3.

Again, if the existing piped section of watercourse along the northern site boundary is to be used to convey treated foul water, CCTV surveys should be carried out and evidence provided to the Board to prove that the pipe is suitable to convey the additional volume from the development into the wider drainage network.

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

Section 23, Land Drainage Act 1991 / Byelaw 4

Any works to alter a watercourse (and that definition includes culverts) requires the Board's consent as per the Land Drainage Act 1991 and Byelaw 4.

A culvert (piped section of private / riparian watercourse) is present along the northern site boundary between the application site and the neighbouring development site to the north (see comments above and planning ref: H09-0980-21). This piped watercourse is included within the red line boundary drawn on the Block & Location Plan (25/694/PA/007, TaC Architects, 29/04/2026). We request that the applicant confirms which developer is the owner with responsibility for this pipe. The Proposed Site Plan under the withdrawn application ref. H09-0980-21 noted that the pipe serves to remove surface water from Fen Road.

Officers have recently visited the site and noted trenching works and exposed sections of pipework (see Photograph 4 below). The pipework appears to be relatively new and the Board has not received an application for any alteration of the watercourse. The Board requests that the applicant provides a drainage strategy plan showing all piped infrastructure serving the site.

The Board understands that the applicant is not intending to alter the Board's arterial watercourse H38 Holbeach Old River outside the red site boundary however, please refer to the section on Byelaw 10 above in relation to any works within 9 metres or works on the Board's land.

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 we have raised, please contact the Board using the details at the head of this letter.

Yours sincerely,

Ella

Ella Thorpe
Senior Sustainable Development Officer
Water Management Alliance



Photographs 1, 2 and 3 – Fencing installed up to the edge of the Board owned arterial watercourse H38 Holbeach River. Photographs taken by officers: 14/04/2026.



Photograph 4 – Exposed piped section of watercourse with lateral connections along the northern site boundary, looking east. Photograph taken by officers: 14/04/2026.

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

Byelaws

A copy of the IDB Byelaws can be found via the following link:

<https://wlma.org.uk/development-consent/byelaws/>

Mapping

Mapping of the district can be viewed via the following link: <https://wlma.org.uk/mapping/>

Further Guidance

The Board's webpages 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 WMB 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 plan:

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 181](#)) 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 webpages: <https://wlma.org.uk/development-consent/>