

Our ref: 25_32649_P

10/12/2025

Your ref: H16-0692-25

Site Location: Land to the South of Holbeach Road
Spalding Lincolnshire PE12 6JP

Summary of Proposal: Development of
Site to provide a Food Store and Drive-Thru,
along with all Associated Works and Access

Dear Sir/Madam,

Thank you for your reconsulting the Board on planning application H16-0692-25. After reviewing the additional documents submitted on the portal, we wish to update our comments. Advisory comments made within my previous letter remain valid and the two should be read together.

Although the Board currently maintains its objection to this planning application, we are pleased to see that the applicant has taken our previous comments into account.

Byelaw 3 (Surface Water)

We are pleased to see that the applicant has acknowledged and taken into account our objection comments relating to viability concerns regarding the initial discharge route (via the riparian network south of the site). As per drawing 'Drainage Strategy Sheet 1 of 2' 1506/54/SK05.01 Rev A (ARP 28.10.25), we note that the applicant intends to discharge surface water from the site at a restricted rate of 2 l/s into the piped watercourse located north of the site and the A151. We are pleased to see that surface water, produced as a result of this proposed development, will be discharged into a viable route and hence the Board would like to remove our objection in relation to Byelaw 3 (Surface Water). **Please note that this proposed discharge will require consent from the Board under Byelaw 3.**

The Board recommends that any discharge is in line with the [National standards for sustainable drainage systems \(SuDS\)](#) (published in June 2025) as well as the Board's policy as detailed within our [Planning and Byelaw Strategy](#). 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](#).

In addition to the above, I would like to take this opportunity to make the applicant aware that should they discharge surface water temporarily to a watercourse (i.e. ground dewatering during construction), additional temporary consent is required under Byelaw 3.

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. Reconstituted in 1993. Statutory Instrument 1993 No.453.

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Byelaw 3 (Treated Foul Water)

Similar to our comments above, we are pleased to see that the applicant has acknowledged and taken into account our objection comments relating to viability concerns of the initial discharge route for the treated foul water. As per drawing 'Drainage Strategy Sheet 1 of 2' 1506/54/SK05.01 Rev A (ARP 28.10.25) and drawing 'Drainage Strategy Sheet 2 of 2' 1506/54/SK05.02 Rev A (ARP 29.10.25), we note that the applicant intends to discharge treated foul water from the site into the piped watercourse located north of the site and the A151. We are pleased to see that treated foul water, produced as a result of this proposed development, will be discharged into a viable route and hence the Board would like to remove our objection in relation to Byelaw 3 (Treated Foul Water). **Please note that this proposed discharge will require consent from the Board under Byelaw 3.**

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

Following on from our letter dated 18.08.25, we understand that ARP undertook a site walkover to inspect the eastern watercourse, which has been confirmed as being within the applicant's site boundary. Within the document 'Response to IDB and LLFA objections - Amendment 1' 1506/54/2 (ARP, 28.10.25), ARP state *'from inspection of the topography local to the ditch (both on site and via the topographical survey) and noting that there is no evident positive downstream discharge from the ditch as discussed above, it is evident that this section of ditch does not serve to drain any significant area of land.'* The Board would like to understand whether a survey of the drain and a detailed investigation, which may include digging into the banks of the watercourse and digging the upstream and downstream ends of this watercourse, have been undertaken which supports the applicant's claim that 'this section of ditch does not serve to drain any significant area of land'.

Furthermore, within the above-mentioned document, ARP have said that culverting is no longer proposed for this site. If the applicant's proposals have changed, and they now propose to infill this watercourse, which will require the Board's prior written consent under Section 23 of the Land Drainage Act 1991, the Board request that information is provided which confirms the current volumetric capacity of this eastern watercourse and how they propose to mitigate this loss of capacity within the design of the site.

Finally, it is noted from this document that *'the ditch has been surveyed and considered as part of the wider ecological studies for the site and in determining the Biodiversity Net Gain strategy.'* I am unable to establish whether a PEA has been undertaken for the site, when this was dated and where this is located on the planning portal. The Board request that this information is supplied so that we may discuss the findings within it with our Environment Team.

In light of our comments above, **the Board uphold our objection** as the proposal to infill the eastern watercourse is not currently deemed acceptable to the Board. We cannot see that evidence has been supplied that confirms that there will not be an increase in flood risk due to the loss of storage capacity by infilling the watercourse, nor can we see evidence of a PEA or that the appropriate mitigation measures have been implemented to reduce the potential environmental harm which may arise from infilling this open section of watercourse.

It is important to note that regardless of whether there is water present in the watercourse, whether it is privately maintained, or whether it is a field boundary drain, all watercourses will play an important role in local drainage and habitat. Therefore, it is imperative that the appropriate investigations have been carried out. The Board will request this evidence is submitted alongside any application made under Section 23 of the Land Drainage Act 1991.

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,

Rachael

Rachael Mason
Senior 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' 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 (choose 'dynamic map' for interactive maps):

<https://www.wlma.org.uk/south-holland-idb/boards-area/>.

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 [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.