

Jess Hill, Planning & Building Control  
South Holland District Council

09/01/2026

**Our ref:** 25\_34152\_P

**Your ref:** H20-1228-25

**Site Location:** Ivy House Farm, Sutton Road,  
Sutton St James, Spalding, PE12 0HU

**Summary of Proposal:** Demolition of  
existing barn & erection of one dwelling

Dear Jess,

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 may 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.

Where consents are required, the Board strongly recommends that these are sought from the Board prior to determination of this planning application. The annex at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

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

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 Flood Risk Assessment (lodged 16/12/25) recommends surface water disposal to soakaway (infiltration) but we cannot see that the viability of this proposal has been evidenced. As per the FRA we also advocate that ground investigation should be carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration.

If infiltration is not feasible at this site, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. Under this scenario the Board's previous written consent would be required 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. 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 be subject to a Surface Water Development Contribution fee (SWDC) as outlined within our [Development Control Charges and Fees](#).

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

We note that the applicant intends to treat foul waste using a package treatment plant, however we cannot see how they intend to dispose of treated foul water from this development. It would be helpful if the applicant could indicate the likely position of the package plant on a revised site plan. If the applicant proposes to discharge treated foul water to a watercourse, consent would be required under Byelaw 3. Kindly 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**

We note the presence of a watercourse which is not maintained by the Board (a riparian watercourse, marked 'Drain' on the site plan) adjacent to the north-eastern site boundary. Within the applicant's Design and Access Statement, it is stated that the existing site access will be upgraded to Highways specification. It is possible that there may be an historic piped watercourse (culvert) at the site entrance. Any proposal to alter an existing culvert, or to widen the entrance by extending across the existing open Drain with a culvert, would require the Board's previous written consent under the Land Drainage Act 1991 (and Byelaw 4).

### **Byelaw 10 (No Works within 9 metres of the Edge of Drainage / Flood Risk Management Infrastructure)**

Whilst outside the direct scope of this proposed development, we are taking the opportunity to highlight the presence of two Board maintained arterial watercourses adjacent to the wider site boundary outlined blue, these being G06 Childersgate Drain Branch (drain code DRN198P0601) located at the western site boundary and H38 South Holland Main Drain (drain code DR199G3804) to the north. The applicant is reminded that any works within 9 metres of the edge of a Board arterial watercourse require the Board's previous written consent under Byelaw 10. Likely acceptable works are summarised in the Board's Planning and Byelaw Strategy (see annex). Also, should the applicant seek to alter either watercourse then Section 23/Byelaw 4 requirements would also need to be met (see above). would the applicant 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 also 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 we have raised, please contact the Board using the details at the head of this letter.

Yours sincerely,

Ben Spencer-Yawn  
Assistant 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 & 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.