

Our Ref: 24\_26263\_P – Updated response

28/10/2024

Dear Sir/Madam

**RE: King's Lynn and West Norfolk Local Plan 2021-2040: Main Modifications Part 2 (Gypsy, Traveller and Travelling Showpeople) consultation (October – November 2024)**

Thank you for consulting the King's Lynn Internal Drainage Board on the King's Lynn and West Norfolk Local Plan 2021-2040: Main Modifications Part 2 (Gypsy, Traveller and Travelling Showpeople) consultation (October – November 2024).

Several of the sites proposed for allocation within the plan fall within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore the Board's Byelaws apply to any development within the Board's area.

The principal function of the IDB is to provide flood protection within the Board's area. Certain watercourses within the IDD receive maintenance by the Board. The maintenance of a watercourse by the IDB is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD. Main Rivers within the IDB are regulated by the Environment Agency. Therefore, I recommend that an applicant proposing a discharge or any other works affecting a main river to contact the Environment Agency.

The area outside the Boards' IDDs falls within the Boards' watershed catchments (meaning water from the site will eventually enter the IDD). The Board will comment on planning for all major developments (10 or more properties) within the IDD watershed that are likely to discharge surface water into a watercourse within the IDD. Under certain circumstances, some major developments outside the IDD boundary may also be regulated by the Board's byelaws. We request that the Board is consulted as any planning application comes forward relating to any of the identified allocation sites. For any development site, we recommend that a drainage strategy is supplied which has been considered in line with the Planning Practice Guidance [SuDS discharge location hierarchy](#).

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.

Please see the list overleaf of the proposed sites for development which we consider may impact the Board's area. The Board would seek to comment on these should they come forward for planning permission, alongside an explanation of any potentially required consents should these sites be developed. Please note that this list is not exhaustive and the Board may or may not choose to comment on additional site allocations if and when more information is presented.

Brian Long (Chairman)    Jamie Symington (Vice-Chairman)

Phil Camamile (Chief Executive)

Constituted by the Amalgamation of the West of Ouse, Gaywood, Magdalen, Marshland Smeeth and Fen,  
and Wingland Internal Drainage Districts Order 2004  
Statutory Instrument 2004 No. 1657



<b>Site reference</b>	<b>Within IDB / Watershed</b>	<b>Comments</b>
GT05	Within KLIDB IDD	We are not aware of any riparian watercourses adjacent to the site, however this should be confirmed by developer. Consent would be required from the Board for alteration of or discharge to a watercourse.
GT09	Within KLIDB IDD	Adjacent to a Board Maintained watercourse - DRN138P0101 Kimberley Cut. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. We are not aware of any riparian watercourses adjacent to the site, however this should be confirmed by developer. Consent would be required from the Board for alteration of or discharge to the watercourse.
GT11	Within KLIDB IDD	Near a Board Maintained watercourse - DRN138P0101 Kimberley Cut. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. We are not aware of any riparian watercourses adjacent to the site, however this should be confirmed by developer. Consent would be required from the Board for alteration of or discharge to a watercourse.
GT14	Within KLIDB IDD	Adjacent to a Board Maintained watercourse - DRN145P1019 Green Drain. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. Also adjacent to riparian watercourses. Consent would be required from the Board for alteration of or discharge to any watercourse.
GT15	Within KLIDB IDD	Near a Board Maintained watercourse - DRN145P0910 St Pauls Drain. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. Also adjacent to riparian watercourses. Consent would be required from the Board for alteration of or discharge to any watercourse.
GT29	Within KLIDB IDD	Adjacent to a riparian watercourse. Consent would be required from the Board for alteration of or discharge to a watercourse.
GT33	Within KLIDB IDD	Adjacent to a riparian watercourse. Consent would be required from the Board for alteration of or discharge to a watercourse.
GT43	Within KLIDB IDD	Near a Board Maintained watercourse - DRN145P0910 St Pauls Drain. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. Also adjacent to a riparian watercourse. Consent would be required from the Board for alteration of or discharge to the watercourse.
GT56	Within KLIDB IDD	Adjacent to a Board Maintained watercourse - DRN145P1019 DRN145P1030 Kersons Dyke. No works within 9 metres of the watercourse are permitted without prior written consent from the Board. We are not aware of any riparian watercourses adjacent to the site, however this should be confirmed by developer. Consent would be required from the Board for alteration of or discharge to any watercourse.
GT59	Within KLIDB IDD	Adjacent to a riparian watercourse. Consent would be required from the Board for alteration of or discharge to a watercourse.
GT62	Within KLIDB IDD	Adjacent to riparian watercourses. Consent would be required from the Board for alteration of or discharge to a watercourse.
GTRA(C)	Within KLIDB IDD	Adjacent to a riparian watercourse. Consent would be required from the Board for alteration of or discharge to a watercourse.

### **Byelaw 3- Discharge of Surface Water into the Board's District**

- If a development proposes to dispose of surface water via infiltration, we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.
- If (following testing) a strategy wholly reliant on infiltration is not viable and/or a development proposes to discharge surface water to a watercourse, the proposed development will require consent in line with the Board's byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (available at [https://www.wlma.org.uk/uploads/WMA\\_Table\\_of\\_Charges\\_and\\_Fees.pdf](https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf)).
- If a development proposes to discharge surface water to a sewer, I recommend that you satisfy yourselves that this proposal is in line with the drainage hierarchy (as per best practice) and is viable in this location.

### **Byelaw 3- Discharge of Treated Foul Water into the Board's District**

- If a development proposes to discharge treated foul water to a watercourse, this proposal will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).

### **Byelaw10- Works within 9m of Board Maintained Watercourse/s**

- Should any development include works within 9 metres of a Board maintained watercourse, consent would be required to relax Byelaw 10 (no obstructions within 9 metres of the edge of drainage or flood risk management infrastructure).

### **Section 23 of the Land Drainage Act (1991) and Byelaw 4- Alterations Proposed to a Watercourse**

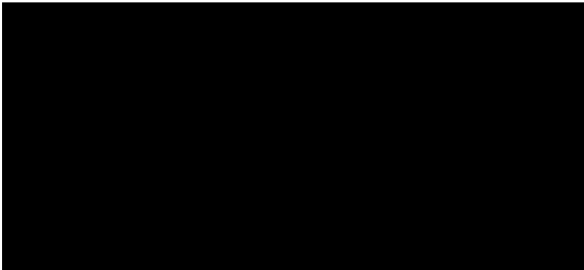
- Should any development include works to alter a Board maintained watercourse, consent will be required under the Land Drainage Act 1991 (and byelaw 4).
- Should and works be proposed to alter a riparian watercourse, consent would be required under Section 23 of the Land Drainage Act 1991 (and byelaw 4).

For developments outside a Board's IDD but within its watershed catchment, where surface water discharges have the potential to indirectly affect the Board's IDD, we would offer the following advice:

- If it is proposed that a site disposes of surface water via infiltration, we recommend that the viability of this proposal is evidenced. As such we would recommend that the proposed strategy is supported by ground investigation to determine the infiltration potential of the site and the depth to groundwater. If on-site material were to be considered favourable then we would advise infiltration testing in line with BRE Digest 365 (or equivalent) to be undertaken to determine its efficiency.
- If it is proposed to discharge surface water to a watercourse within the watershed catchment of the Board's IDD, we request that this discharge is facilitated in line with the [Non-Statutory technical standards for sustainable drainage systems](#) (SuDS), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.

The reason for our recommendation is to promote sustainable development within the Board's Watershed Catchment therefore ensuring that flood risk is not increased within the Internal Drainage District (required as per paragraph 167 of the [National Planning Policy Framework](#)). For further information regarding the Board's involvement in the planning process please see our [Planning and Byelaw Strategy](#), available online.

If you require any further information or would like to discuss the Board's regulation in more detail, please do not hesitate to contact us.



## 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/kings-lynn-idb/development/>

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

## Byelaws

King's Lynn IDB Byelaws can be found via the following link:

[https://www.wlma.org.uk/uploads/KLIDB\\_Byelaws.pdf](https://www.wlma.org.uk/uploads/KLIDB_Byelaws.pdf)

## Mapping

Mapping of the district can be viewed via the following link:

[https://www.wlma.org.uk/uploads/128-KLIDB\\_index.pdf](https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf)

Mapping of the district's watershed catchment can be viewed via the following link:

[https://www.wlma.org.uk/uploads/KLIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/KLIDB_Watershed.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](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.