

Development Control and Regulation Information for Local Planning Authorities (LPAs)

Since the creation of the Planning Team within the Water Management Alliance in early 2018, officers have been working to steadily increase engagement with the planning process throughout each Board's Internal Drainage District (IDD). By engaging with the planning process the WMA Member Boards are seeking to;

- Reduce flood risk to communities within each Internal Drainage District and its highland catchment
- Promote sustainable development in sustainable locations
- Support sound planning decisions that can be implemented by applicants and developers
- Reduce the potential for conflict between the planning process and the IDB's regulatory process
- Develop an understanding within other authorities and third parties of the flood risk and capacity issues within IDB areas, so they can be considered through the planning process

A copy of the WMA's Planning and Byelaw Strategy, adopted by each Member Board, is available below. This document has been compiled to communicate the way in which the WMA Member Boards undertake their flood risk and water management functions and to consolidate and highlight the IDB policy framework that supports the delivery of this work.

[WMA Planning and Byelaw Strategy](#)

Development within a WMA Board's Internal Drainage District

If a site is within the Internal Drainage District of a WMA Member Board then please be aware that the Board's Byelaws apply. Detailed maps for each WMA District can be found below, alongside each Board's Byelaws.

Broads (2006) IDB – [Map - Byelaws](#)

King's Lynn IDB – [Map - Byelaws](#)

South Holland IDB – [Map - Byelaws](#)

East Suffolk IDB – [Map - Byelaws](#)

Norfolk Rivers IDB – [Map - Byelaws](#)

Pevensey & Cuckmere WLMB – [Map - Byelaws](#)

Adopted Watercourses

The maps linked above also show which watercourses are designated as Adopted Watercourses by each Board. The adoption of a watercourse 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. This maintenance is not necessarily carried out on an annual basis but on a recurrence deemed necessary to meet water level management requirements. Please be aware that the designations are made under permissive powers (meaning there is no obligation for IDBs to fulfil any formal maintenance requirement and there is no change in the ownership or liability associated with the watercourse).

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Byelaw Advice

In order to avoid conflict between the planning process and the relevant Board's regulatory regime and consenting process, please be aware of the following:

- Byelaw 10 restricts works within 9 metres of drainage and flood risk infrastructure (including adopted watercourses). The principle aim of this byelaw is to ensure watercourses can be maintained by the Board now and in the future without restrictions being placed on access, and to ensure operatives are aware of third party structures when undertaking maintenance. Byelaw 10 can be relaxed in some circumstances by applying for Land Drainage Consent.
- Byelaw 3 controls the introduction of water (flow or volume) to the Internal Drainage District. If a surface water (or treated foul water) discharge is proposed to a watercourse within an IDD (either directly or indirectly), then the proposed development will require a land drainage consent in line with that Internal Drainage 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.
- Regardless of whether a watercourse is within an Internal Drainage District (IDD) if the proposals include works to alter a watercourse (including culverting for access) consent is required under Section 23 of the Land Drainage Act. If the site is within an IDD the relevant IDB is the consenting authority for these works. If outside an IDD, the County Council (Lead Local Flood Authority) is the consenting authority.
- If you are proposing to manage surface water by infiltration, this should be supported by infiltration testing in line with BRE 365.
- For the maintenance of SuDS infrastructure each Board may consider adopting certain assets within their IDD. If you wish to explore this option please contact planning@wlma.org.uk.

Whilst the consenting process as set out under the Land Drainage Act 1991 and the Board's Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such we strongly recommend that any required consents are sought prior to determination of any planning application.

Consulting an WMA Member Board

Please send consultations or enquiries to planning@wlma.org.uk.