



Upper Medway Internal Drainage Board
Upper North Hall
Bullen Court Business Centre
Bullen Lane
East Peckham
Kent
TN12 5LX

Our Ref: 22M_P_10217
Your Ref: 22/501335/FULL

05/07/2022

Dear Sir/Madam

RE: Installation of a renewable energy led generating station comprising of ground-mounted solar arrays, associated electricity generation infrastructure and other ancillary equipment comprising of storage containers, access tracks, fencing, gates and CCTV together with the creation of woodland and biodiversity enhancements at Land North Of Little Cheveney Farm Sheephurst Lane Marden Kent.

The site is within the Internal Drainage District (IDD) of the Upper Medway Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. A copy of the Board's Byelaws can be accessed on the Board's website (<http://www.medwayidb.co.uk/consents/byelaws/>). This letter contains reference to a Board Adopted Watercourses. Please note that the adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD and as such will normally receive maintenance from the IDB.

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

- I note that the applicant intends to discharge surface water from proposed new impermeable areas to two watercourses. The proposed development will require land drainage 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 <http://www.medwayidb.co.uk/development/>).
- I note that the applicant has not indicated how treated foul water from their site will be disposed of. If the applicant wishes to discharge foul water to a watercourse this proposal will require land drainage consent in line with the Board's byelaws (specifically byelaw 3).
- I note the presence of a Board Adopted watercourse within the site boundary, and that the applicant intends to do works within 8 metres of this watercourse, including the installation of a maintenance track, access crossing, perimeter fence and potentially some solar panels. Therefore, consent is required to relax Byelaw 10 (no obstructions within 8 metres of the edge of drainage or flood risk management infrastructure).
- I note that works are proposed to alter the aforementioned Board Adopted watercourse in the installation of an access crossing. To enable this proposal, consent will be required under Section 23 of the Land Drainage Act 1991 (and byelaw 4).

- If the applicant's proposals include works to install services within, make excavations within, or alter the banks of the aforementioned Board Adopted Watercourse, consent will be required as per Byelaw 17 of the Board's Byelaws.
- I note the presence of watercourses which have not been adopted by the Board (riparian watercourses) within and adjacent to the site boundary and that works are proposed to alter these watercourses to create access tracks. To enable these proposals, consent is required under Section 23 of the Land Drainage Act 1991 (and byelaw 4).
- The perimeter fence and connection route also cross a number of watercourses. If these installations require alteration of a watercourse, consent would be required under Section 23 of the Land Drainage Act 1991 (and byelaw 4).

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

Kind Regards,

Ellie

Eleanor Roberts
Senior Sustainable Development Officer
Water Management Alliance, on behalf of Upper Medway Internal Drainage Board.