

Guidance Notes for Ordinary Watercourse Land Drainage Consent Application

Introduction

Please read through these guidance notes and the application form carefully before you fill the form in. If you are not sure about anything in these guidance notes, contact us using the details at the bottom of this form.

These guidance notes give you information to help you fill in your application for Ordinary Watercourse Land Drainage Consent.

Before completing this form you are recommended to contact us for advice on your proposal. Under the Land Drainage Act 1991, you need consent if you want to build a culvert or structure (such as a weir) to control the flow of water on any ordinary watercourse.

There is a charge of £50.00 for EACH structure or operation for applications made under the Land Drainage Act.

1 – Applicant

This section must be completed fully by all applicants; the consent will be issued to the name provided in this section. Please take care to provide all of the required information to allow for quick communication during the application process. Failure to provide sufficient information may result in the application being refused and returned to the applicant.

2 – Agent Details

If an agent is acting on behalf of an individual or organisation then this section should be completed. Please take care to provide all of the required information or the application may be refused and returned to the applicant.

The agent will be used as the first point of contact during the application process and the consent will be issued to the agent under the name of the applicant.

3 – Your Interest in the Land

We need to know what interest you have in the land where the works will be carried out (for example, are you the land owner or tenant). If any work will be carried out on land that you do not own, you will need permission from whoever owns the land, this consent does not grant you authorisation to enter the land. Information on the land owner can be obtained through the Land Registry website.

4 – Location of Proposed Work

We need to be able to easily identify where the proposed works will be carried out. Please provide details of:

- The location of the site;
- The name of the watercourse if known;
- The National Grid Reference (12 Figures).

Failure to provide an accurate location may result in a delay to your application or the application being refused and returned to the applicant.

5 – Description & Purpose of Works

It is important that you accurately describe the proposals for the application being made. Please tell us the purpose of the works and the number structures you need consent for.

6 – Supporting Documents

To consider your proposals we will require plans and drawings to a suitable scale, drawn by a competent engineer or surveyor and showing the Ordnance Datum Newlyn (height above sea level).

You need to provide THREE copies of all relevant drawings. The drawings must be no larger than A0 size and must include the following.

Location Plan

This must be to an appropriate scale and be based on an Ordnance Survey map. It must clearly show the general location of the site where the proposed work will be carried out and include general features and street names. It must also identify the watercourse or other bodies of water in the surrounding area.

Site Plan (General Arrangement)

You must provide a plan of the site showing:

- The existing site including any watercourses;
- Your proposals;
- The position of any structures which may influence local river hydraulics, including bridges, pipes and ducts, ways of crossing the watercourse, culverts and screens, embankments, walls, outfalls and so on;

- Existing fish passes or structures intended to allow fish to pass upstream and downstream.

The plan should be drawn to an appropriate scale, which must be clearly stated.

Cross Sections

Where works encroach into any watercourse you will provide cross sections both upstream and downstream of the proposed works. Cross sections should be drawn as if looking downstream on the watercourse and should include details of both existing and proposed features and also the water levels.

Longitudinal Sections

Longitudinal sections taken along the centre line of the watercourse will be required. They must show both existing and proposed features including any water levels, bed levels and structures. They should extend a suitable distance upstream and downstream of the proposed works.

Detailed Drawings

These are to show details of the existing and proposed features such as the following:

- The materials to be used for any structures;
- The location of any proposed service pipes or cables which may affect the future maintenance of the watercourse;
- Details of any tree, shrub, hedgerow, pond or wetland area that may be affected by the proposed works;
- Details of planting and seeding;
- Dams & weirs (Including a plan showing the extent of impounded water under normal and flood conditions, the plans must also show any land drains to be affected.)

7 – Construction Details

You will require a separate consent for the permanent works and any temporary works that do not form part of the permanent works. Temporary works could include, for example, cofferdams or sandbagging across a watercourse or temporary diversions of water while the work is undertaken.

For any temporary work we will require a complete “Method Statement” that includes details of the specific measures you plan to take to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out.

We will also require information on when you are proposing to commence the work and the estimated duration of the works. It is important that you allow us enough time to consider your proposals and grant consent when you are planning your work.

8 – WATER FRAMEWORK DIRECTIVE REQUIREMENTS

If you answer “yes” to any of the questions please contact us for further advice.

9 – Planning Approvals

Please provide details of any planning permissions you may have or are applying for that relates to this application.

10 – Maintaining the Structure

We need to know who will be responsible for maintenance both during the construction work and after the works have been completed.

11 – Effects on the Environment

We have a legal duty to protect and improve the environment, so we must consider the environmental impact of your proposal; you may need to undertake an environmental appraisal to assess the effects of your work. You should contact us before you send your application so that we can give you advice on this. If you don't your application may be delayed or refused.

The environmental appraisal should identify all likely effects on the environment. You should consider the direct and indirect effects the work will have on the site and features of interest and species of particular value.

Include any specific measures you will implement to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out.

Set out any opportunities for you to improve the environmental value of the site. This may include creating water features, planting trees and shrubs that would normally grow at the site, providing bird nesting boxes or creating sustainable places for wildlife to live.

If as part of the planning permission we have asked for an environmental appraisal, you must send it to us with all of the other supporting documents that we need.

If your site falls within, is next to or is linked to a nature conservation site, contact us as soon as possible to discuss your proposals before you send us your application.

Under the European Habitat Regulations, we must make sure that the Land Drainage Consent does not have a direct or indirect negative impact on any site specified within the regulations, including:

- Sites of special scientific interest (SSSIs);
- Designated special areas of conservation (SACs);
- Special protection areas (SPAs);
- Listed RAMSAR conservation sites;
- Scheduled ancient monuments (SAMs)

Under the habitats Regulations, we must consult the Countryside Council for Wales; you may also want to contact them to get their views on your proposal.

12 – Declaration

By signing this section you are declaring that, as far as you know, the information you have provided, including the map and supporting documents, is true. We will not accept any application that is not signed.

- If you are applying as a company which has trustees, all trustees must sign the declaration;
- If you are applying as a limited company, a secretary or director must sign the declaration.

If you need help filling in the application form please contact us:

Email: FDCP@carmarthenshire.gov.uk

We appreciate any feedback on the application process to allow us to continually improve the application process.

Please tell us if you have any communication needs such as needing information in a different language or alternative format (for example, in large print, Braille or on CD).