

Solihull MBC Guidance Notes for Ordinary Watercourse Land Drainage Consent

Introduction

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.

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

You need to contact the Environment Agency if the proposed works include impounding or abstracting water, fish or fisheries, and disposing of waste material and you will probably need extra licenses or consents from the Environment Agency before you start work.

You should make sure that you have enough time to get all approvals you need before you start work. If you don't, this could cause significant delays.

There is a charge of £50 for each structure or operation for applications made under the Land Drainage Act.

Before completing this form you are recommended to contact us for advice on your proposal.

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1. Applicant information and contact details

Fill in this section if you are applying as an individual or if you are applying on behalf of an organisation.

You need to tell us who we should contact about your application. You can nominate someone other than the person named on any Land Drainage Consent (for example, a consultant or agent). You need to provide us with the relevant person's full name, address and contact details.

The address you give here will be the address your Land Drainage Consent will be registered to and will be shown on any Land Drainage Consent we grant.

2. 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, whether you are the landowner or tenant). If any work will be carried out on land that you do not own, you will need written permission from whoever owns the land.

3. Location of the proposed works

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

- The name of the river or watercourse where the works are to be carried out
- The location and plan of the proposed works, including an address if available;

4. Nature of works

4.1. Description and purpose of the proposed 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 of structures you need consent for. Please provide us with start and end dates of the proposed works.

4.2 Effects on the Environment

We have a legal duty to protect and improve the environment, so we must consider the environmental impacts of your proposal.

You may need to carry out an environmental appraisal to assess the effects of your work. You should contact us before you send us your application so that we can give you advice on this. If you don't, your application could be delayed.

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

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

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

If as part of a planning permission we have asked for an environmental appraisal, you should send this in as part of the application.

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.

5. Construction details

You need separate consents for the permanent works and temporary works that do not form part of the permanent works. Temporary works could include, for example, cofferdams (watertight enclosures) across a watercourse, or temporary diversions of water while work is carried out.

For any temporary work, we need to know how you are proposing to carry out the work. A method statement should be submitted in addition to the application form that includes details of the specific measures that will be taken to keep disruption to a minimum, and reduce any unwanted impacts while the work is being carried out.

We need to know when you are proposing to carry out the work and how long you think it will take. When you

are planning the work you need to make sure that you have allowed enough time for us to consider your application.

6. Plans and Sections

To review your proposals we need to see plans and drawings, drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level).

Drawings must be no larger than A0 size, and may include the following as necessary:

Location Plan

This must be at an appropriate scale and be based on an Ordnance Survey map. It must identify the 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 where the work will be carried out, and other bodies of water in the surrounding area.

Site Plan (general arrangement)

You must provide a plan of the site showing the site as existing, including the watercourse.

Your proposals

A plan should be provided identifying the position of any structures which may influence local river hydraulics, including bridges, pipes and ducts, culverts and screens, embankments, walls, outfalls and so on.

Existing fish passes or structures intended to allow fish to pass upstream and downstream should also be shown.

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

Cross sections

Where works encroach into any watercourse, 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 existing and proposed features and water levels.

Longitudinal sections

Longitudinal sections taken along the centre line of the watercourse are needed. These must show the existing and proposed features including water levels, bed levels and structures. They should extend both upstream and downstream of the proposed work.

Detailed drawings

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

- 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 any proposed planting or seeding; and
- The location of any dams and weirs. If a dam or weir is or will be present, a plan showing the extent of the water impounded (held back) under normal and flood conditions should be submitted so that we can assess the possible effect on land adjacent to the river. The plan must also show any land drains that may be affected by the works.

7. Planning approvals

Please provide details of any planning applications you may have or are in the process of obtaining that relates to this proposal.

8. Maintaining the structure

We need to know who will be responsible for maintenance after the work has finished.

9. Fees

The fee for Land Drainage Consent is £50 per structure.

10. Checklist

Tick the relevant documents in this section so that we know what you are sending.

- Location Plan
- Existing and proposed site plans
- Cross sections
- Longitudinal sections
- Detailed drawings

The Data Protection Act 1998

This section sets out our rights and responsibilities under the Data Protection Act 1998.

11. Declaration

Please provide a signature in this section to declare that, as far as you know, the information you have provided, including any drawings and other supporting documents, is true. We will not accept any application that is not signed.

Next steps

Please return this form with any supporting documents to us using our contact details below.

General enquiries: 0121 704 8004

Address: Flood Risk Management, Highway Services, Solihull Metropolitan Borough Council, The Council House, Manor Square, Solihull B91 3QB

Email: drainage@solihull.gov.uk

Website: <http://www.solihull.gov.uk/flood>