

# Telford and Wrekin Council 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 for each structure or operation for applications made under the Land Drainage Act.**

Section 1	Details of Applicant
	The name of the individual, organisation or company applying for consent should be given along with the name, address and telephone number of a person who can be contacted to discuss the proposal.
Section 2	Agent Details
	Should the application be made by an agent, the name of the agent, along with the address and telephone number of a person who can be contacted to discuss the proposal.
Section 3	Applicants interest in 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 permission from whoever owns the land.

Section 4	Location
	<p>The name of the watercourse as shown on the Ordnance Survey map should be given if known, (many minor watercourses are unnamed).</p> <p>The location of the proposed works should indicate the nearest town/village, the address of the site or sufficient description to enable the site to be identified easily.</p> <p>The OS grid reference should include two prefix letters, (indicated in the corner of OS maps) followed by eastings and northings e.g.: SJ 743 181</p>

Section 5	Description of Proposed Works
	<p>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.</p> <p>Please indicate in the box the number of structures that require consent, and the anticipated rate of flow through each structure.</p>

Section 6	Description and Reference numbers of Plans and Sections Submitted
	<p>Provision of the following details will assist determination of your application:</p> <ul style="list-style-type: none"> <li>• Plan(s) showing details of existing and proposed features.</li> <li>• Cross section(s) of proposed works or structures drawn looking downstream on the watercourse where appropriate.</li> <li>• Details of existing and proposed water levels, shown on cross sections or a longitudinal section of the relevant length of watercourse where appropriate.</li> <li>• Calculations to demonstrate the hydraulic capacity of any channel works, culverting or bridge works.</li> <li>• Land surface contours, where appropriate.</li> <li>• The materials to be used for any structures.</li> <li>• The location of any proposed service pipes or cables.</li> </ul>

	<ul style="list-style-type: none"> <li>• Details of any tree, shrub, hedgerow, pond or wetland area which may be affected by the proposed work.</li> <li>• Details of any planting or seeding within the river channel or adjacent to the watercourse within the flood plain.</li> </ul> <p><b>Bridges and Culverts</b> - Additional cross sections upstream and downstream of the proposed works or a longitudinal section along the centre line of the watercourse are required sufficient for the average channel bed gradient to be determined.</p> <p><b>Dams and Weirs</b> - A plan showing the extent of the impoundment under normal and flood conditions is required in order to assess the possible impact on riparian owners.</p> <p><b>Photos</b> Showing the area in which work is to be carried out. These should be numbered and descriptions given of what is being shown. To reduce waste these should be submitted, alongside the application form, to <a href="mailto:flood@telford.gov.uk">flood@telford.gov.uk</a></p>
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Section 7	Construction Details
	<p>You need separate consents for the permanent works and any 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.</p> <p>For any temporary work, we need to know how you are proposing to carry out the work. So you need to send us a “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.</p> <p>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.</p>

Section 8	Environment Agency Interests
	<p>Please tick the appropriate boxes.</p> <p>If you answer “yes” to any of the questions, you will probably need extra licenses or consents from the Environment Agency before you start work. You can contact the Environment Agency on 03708 506 506 to discuss this further.</p> <p>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 delay the work.</p>

Section 9	Planning Approval
	<p>Please provide details of any planning permissions you may have or are applying for that relates to this proposal. This information should include the relevant Planning Application number.</p>

Section 10	Maintaining the Structure
	<p>We need to know who will be responsible for maintenance both during construction work and after the work has finished.</p> <p>Full contact details for the future owner of the structure should be provided.</p>

Section 11	Effects on the Environment
	<p>We have a legal duty to protect and improve the environment, so we must consider the environmental effects of your proposal. The environmental appraisal should identify all likely effects on the environment. You should consider the direct and indirect effects the work has on sites and features of interest and species of particular value.</p> <p>Include any specific measures you plan 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.</p>

Section 12	Method Statement and Construction Programme
	<p>It is not possible to start works on an ordinary watercourse without the submission of a Method Statement and Construction Programme. Confirmation is required that this information is included as part of the application.</p> <p>If this information has not been submitted, it will be required no later than 4 weeks before the works begin. Failure to provide this information will result in an invalid application.</p>

Section 13	Declaration
	<p>By signing this section you are declaring that, as far as you know, the information you have provided, including the map and any supporting documents, is true. We will not accept any application that is not signed.</p> <ul style="list-style-type: none"> <li>• If you are applying as a company which has trustees, all trustees must sign the declaration.</li> <li>• If you are applying as a limited company, a company secretary or a director must sign the declaration.</li> </ul>

### Additional Information:

- **Application Charge**

We are authorised by Section 23(2) of the Land Drainage Act 1991 to charge an application fee in relation to the consents required. The fee is payable to help cover our costs for examining the proposals. **The fee is £50 for each application for consent.** Value Added Tax (VAT) is not applicable. We currently accept payment by card. Payments should be made by calling 01952 384384. Please state that you wish to pay for an ordinary watercourse consent application and leave your contact details.

You should note that this charge is payable in respect of each structure and the box on the application form should be completed as appropriate. Please consult the Flood and Water Management team if you are in doubt about the fee applicable.

- **How to Obtain Consent**

When you have fully completed your application form and supporting documents please send them via email to [flood@telford.gov.uk](mailto:flood@telford.gov.uk). Alternatively, they can be sent by post to the address shown on page 5 of the application form.

- **Determination**

Upon receipt of a valid application we have two months in which to grant or refuse consent. Such consent shall not be unreasonably withheld. You should be aware that, in accordance with the Councils conservation duties, consent may be refused if the works proposed may prove detrimental to the environment. Under the terms of the Land Drainage Act 1991 we are also required to have due regard to fisheries.

The Councils consent is given solely on watercourse shape, flow, environmental and flood defence criteria. The granting of consent should not be regarded by the applicant as in any way approving the design and soundness of the proposed structure other than in relation to its impact on flows and its effects in the watercourse and its floodplain.

- **Right to Appeal**

If you believe that consent has been unreasonably withheld or conditions unreasonably imposed then you have a right to appeal.

- **Other Consents**

You may also require further consents from the Environment Agency under the Water Resources Act 1991 (e.g. for impounding, water abstraction etc.), under the Salmon and Freshwater Fisheries Act 1975 in respect of fish passes or under the Environmental Protection/Waste Regulation legislation.

- **Further Information**

If you are in any doubt about whether you need to apply for consent, how to complete the application forms or any other aspect of your application please contact Engineering Services at Telford and Wrekin Council via email, [flood@telford.gov.uk](mailto:flood@telford.gov.uk).