

Introduction:

Please read through these guidance notes carefully before you fill in the online form.

If you are not sure about anything in these guidance notes, contacting 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 an application, 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 (for example, 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.

Please follow this guidance to help avoid delays in your application.

Contents:

1. About you, the applicant
2. Your address
3. Contact Details
4. Interest in the Land
5. Location of works
6. Description and purpose of works
7. Plans and Sections
8. Construction Details
9. Environment Agency Interests
10. Planning Approvals
11. Maintenance of Structure
12. Effects on the Environment
13. Fees
14. Checklist
15. Declaration
16. Next steps

If you need a paper copy of this form, please email planning.enquiries@iow.gov.uk

1. About you, the applicant

Please select one option to indicate the type of applicant you are.

1.1 Applications from a company:

Select this option if you wish to apply as a company.

The company name you give will appear on any Land Drainage consent that we grant.

1.2 Applications from individuals:

Select this option if you would like to apply as an individual.

Give us your full name. The name you give will be the name on any Land Drainage Consent we grant.

1.3 Applications from groups of individuals, charity, club or partnership.

Select this option if you would like to apply as a group of individuals, charity, club or partnership.

Give us the name of your group, charity or club. The name you give will be the name on any Land Drainage Consent we grant. If you are a limited liability partnership, please give the full name.

1.4 Applications from public bodies:

Select this option if you would like to apply as a public body such as a local authority or an NHS trust.

Please give us the full name of the public body.

The name you give will be the name on any Land Drainage Consent we grant.

Please specify what type of public body you are.

6. Description and purpose of the proposed works

It is important that you accurately describe the proposals for the application being made, including mention of what materials are to be used. Please tell us the purpose of the works and the number of structures you need consent for.

7. Plans and Sections

To consider your proposals we need to receive plans and drawings, ideally drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level). These can be uploaded via the online form or alternatively posted to us at the address shown in section 16 of these notes.

The drawings need to include the following and shall be proportionate to the scale of the works being applied for:

Location Plan:

This must be at 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:

You must provide a plan of the site showing:

- The existing site, including any watercourse.
- 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; and
- 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 should 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:

2. Your address

You must give us your full UK address. 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.

- If you are applying as a company, give your office address registered with Companies House. If this address is outside the UK, give the address of your main UK office. We will not be able to process your application if you do not give us a UK address.
- If you are applying as an individual, a group of individuals or a public body, give your own address, a main contact address or that of your main office in the UK respectively. We will not be able to process your application if you do not give us a UK address.

3. Contact details

Who can we contact about your application?

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

4. 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 permission from whoever owns the land.

5. 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:

- 1) The location of the site – please be as descriptive as possible identifying nearby features.
- 2) The name of the watercourse (if known); and
- 3) The National Grid Reference (12 figures) or 'what three words'

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 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 any planting or seeding.
- Dams and weirs. (We need a plan showing the extent of the water impounded (held back) under normal and flood conditions so that we can assess the possible effect on land next to the river. The plan must also show any land drains to be affected.)

All the above can be combined into one or two plans if appropriate, for example, a location plan and site plan on the same drawing, sections and details on the same drawing.

8. Construction details

You need separate consents for 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.

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.

We need to know when you are proposing to carry out the work so, please select an appropriate date. When you are planning the work, you need to make sure that you have allowed enough time for us to consider your application. **Retrospective works CANNOT be considered under the Land Drainage Act.**

9. Environment Agency Interests

Please select any appropriate options.

If you tick any of the options, 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 delay the work.

10. Planning Approvals

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

11. Maintaining the Structure

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

12. Effects on the environment

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

If the work would have a substantial effect on the surrounding area, 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.

If required, 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 value.

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.

If as part of a planning permission we have asked for an environmental appraisal, you must send it to

us with all the other supporting documents 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 Habitats Regulations, we must make sure that Land Drainage Consent does not have a direct or indirect negative effect on any site specified in the regulations, including:

- Sites of Special Scientific Interest (SSSIs)
- Designated Special Areas of Conservation (SACs).
- Special Protection Areas (SPAs).
- Listed RAMSAR sites; and
- Scheduled Ancient Monuments (SAMs)

Under the Habitats Regulations, we must consult Natural England. You may want to contact this organisation.

13. Fees

The fee for Land Drainage Consent is **£50**, but please contact us before you send us this application if you are requesting consent for a number of structures.

14. Checklist

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

15. Declaration

By completing this section, you are declaring that,

as far as you know, the information you have provided, including the map and supporting documents, is true

16. Next steps

Once submitted online, you will receive a letter confirming receipt and validation of your application.

If you are filling in a paper copy of the application form, please return to us, along with any supporting documents, either by email planning.enquiries@iow.gov.uk or post to:

Ordinary Watercourse Regulation,
Planning Services, IW Council
Seaclose Offices, Fairlee Road
Newport, IW
PO30 2QS.

If you need help filling in this form, contact us as shown below:

General enquiries: 01983 823552

Email: planning.enquiries@iow.gov.uk

Website: [Flood risk and watercourse consents \(iow.gov.uk\)](http://iow.gov.uk)

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, in Braille or on CD).