



TECHNICAL GUIDANCE FOR COMPLETING AN APPLICATION FOR LAND DRAINAGE CONSENT

For additional guidance including fees, please refer to the Boards' Planning and Byelaw Policy.

SECTION 1 & 2 – APPLICANTS AND AGENTS DETAILS

Applications from individuals should include the full name of the applicant. The name provided will be the name specified on any Land Drainage Consent granted.

To apply as a company, it must be a registered company formally registered with Companies House. The name provided will be the name specified on any Land Drainage Consent granted. The company name, as registered with Companies House, company registration number, and the full name of the company director, and their official position should be provided.

Applications from groups of individuals or public bodies should include the full name of the group or organisation. The name provided will be the name specified on any Land Drainage Consent granted.

If you are acting as an agent or on behalf of another individual, a company, group of individuals or a public body, please provide appropriate contact details in Section 2.

SECTIONS 3 & 4 - LOCATION AND DESCRIPTION OF PROPOSED WORKS

Please provide details of the location of the proposed works including site address, parish, national grid reference, OS Field No/s and name of watercourse (where known).

It is important that a full description of the proposed works is provided and should include whether the works are permanent or temporary.

You are advised to consider the Boards' Advice Notes to ensure that the description of the proposed works covers all activities that the Board would need to consider prior to any consent being granted.

Where applicable, please include any pertinent planning application information and where appropriate, any planning conditions that may restrict your application.

Please state what interest the applicant has in the land where the works will be carried out (e.g. landowner, tenant etc.). If the applicant is not the owner of the land that is the subject of this application, the landowner's permission should be obtained prior to any works commencing. Similarly, should the proposal be located on a riparian boundary, evidence of support from adjoining landowners should be provided.

It is important that the proposals are accurately described and the number of individual structures that require consent is specified.

A site location plan which clearly identifies the location of the proposed works is required. It is recommended the site is clearly marked showing any other nearby land within the applicant's ownership.

To consider the proposals the Boards need to receive plans and drawings, drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level).

Separate consents may be required 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.

It is important to specify approximately when the works are proposed to start and how long they are expected to take. When works are being planned it is important that enough time is allowed for your application to be determined and consent issued.

The following drawings, drawn to an appropriate scale, will be required:

Site Location Plan – For all applications

This must be at an appropriate scale. 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 and other bodies of water in the surrounding area.

‘Existing’ Site Plan – For all applications

This plan should show the site, including all watercourses and existing features within the site such as trees, fences, buildings, structures etc.

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 should be clearly marked.

‘Proposed’ Site Plan – For all applications

This plan should show the site and clearly identify any new works or structures that are proposed within any watercourse.

Additionally, any works in, over, under or within 9 metres of a Board maintained open watercourse or culvert must be clearly marked.

All items must be clearly identified with all relevant heights, lengths, widths and diameters clearly marked as required.

For structures or planting close to watercourses it is important that the distance between the top edge of the watercourse bank, or outside edge of the culvert, is clearly indicated.

Cross Section Drawings – For all applications

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

Where structures are proposed alongside Board maintained watercourses the distance of separation between bank top and the edge of the structure should be clearly shown.

Longitudinal sections – For in channel structures

Longitudinal sections, extending both upstream and downstream of the proposed works and 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.

[SECTIONS 5, 6, 7, 8 & 9 – TYPE OF APPLICATION](#)

Please complete all relevant sections that form part of your application and provide all necessary information requested. You are advised to refer to the Boards' Advice Notes; AN01: Buildings, Structures, Planting and Fencing, AN02: Culverts and Bridges, AN03: Environmental Considerations, AN04: Stability of Garden Fences Close to Board Maintained Watercourses, AN05: Service Crossings and AN06: Surface Water for further guidance on completing these sections.

[SECTION 10 – FUTURE RESPONSIBILITY](#)

The individual or organisation responsible for maintenance both during construction work and after the works have finished must be specified. It is important to note that the consent will transfer to future owners if ownership changes in the future.

In certain instances, the Boards may require a Deed of Indemnity to be deposited with Land Registry to establish future responsibilities. If this is needed the applicant will be required to meet any costs incurred by the Boards.

SECTION 11 – ENVIRONMENTAL CONSIDERATIONS

The Boards have a legal duty to protect and improve the environment, so the environmental effects of proposed works must be considered when determining the consent application.

Please contact the Boards before making a consent application or undertaking an environmental appraisal so that advice can be given. If this is not done any application made to the Boards could be delayed.

An environmental appraisal to assess the effects upon the environment may be required, especially if bank disturbance is anticipated.

It should be noted that the timing of an environmental survey is vital to ensure valid results. For example, as water voles are very inactive during winter months a survey may inaccurately determine the absence of such species.

The environmental appraisal should identify all likely effects on the environment. The direct and indirect effects on sites and features of interest and species of particular value should be considered.

Specific measures proposed to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out should be included.

Any opportunities for the environmental value of the site to be improved should also be included. This may include creating berms or other water features that preserve storage within catchments. In appropriate locations it may also be possible to plant trees and shrubs that would normally grow at the site (native species) or to create other sustainable places for wildlife to live.

Nature Conservation Sites

If the application site falls within, is next to or is linked to a nature conservation site, it is important to contact the Board as soon as possible to discuss the proposals before any consent application is made.

European Habitats Regulations

Under the European Habitats Regulations, the Board must ensure proposed works do 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, the Board must consult Natural England if any site designated under the European Habitats Regulations could be affected by the proposed works. If this is likely the Board strongly recommend the advice of Natural England and the Board's Environmental Officer is sought well in advance of any consent application being made to the Board.

SECTION 12 – DECLARATION

This section must be fully completed and signed. If you are applying as a limited company, a company secretary or a director must sign the declaration. If you are applying as a company which has trustees, all trustees must sign the declaration.

SECTION 13 – DATA PROTECTION

A Privacy Notice is available on the Boards' website which details how the Boards use the information you provide, who we share it with and how long it will be kept.

SECTION 14 – SUBMITTING YOUR APPLICATION AND PAYMENT METHOD

Applications can be submitted by post to the Consortium's offices or by email.

Payment can be made by cheque or via credit/debit card. Please make sure that any application fee/s is clearly referenced by applicant/s name and site location.

Cheques made payable to Water Management Consortium will not be accepted. Cheques should be made payable to the relevant Board to which the application site refers.

Persons wishing to make application to the Boards for land drainage consent are advised to refer to the Boards' Planning and Byelaw Policy and accompanying Advice Notes. Section 5 of the Policy provides full details of fees which include consent application fees, inspection fees, consultation fees, surface water development contributions and commuted maintenance fees.