

Application for Ordinary Watercourse Flood Defence Consent Guidance notes



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, phone us on 01228 673065 between 8am and 6pm, Monday to Friday.

These guidance notes give you information to help you fill in your application for Flood Defence Consent. If you fill in your application form correctly first time, we can process it quicker.

Before completing this form you are recommended to contact us for advice on your proposal. Under Section 23 of the Land Drainage Act 1991, consent is required for the erection or alteration of any culvert, mill dam, weir or other like obstruction that would be likely to affect the flow of any watercourse

There is a charge of £50 for each structure or operation for consent applications made under the Land Drainage Act 1991.

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

Contents

1. Applicant details
2. Agent Details
3. Interest in the Land
4. Location of Work
5. Description and Purpose of Work
6. Plans and Sections
7. Construction Details
8. Other Environment Agency Interests
9. Planning Approvals
10. Maintenance of Structure
11. Effects on the Environment
12. Water Framework Directive Assessment
13. Fees
14. Checklist
15. Declaration

1 Applicant details

This is the name of the individual, organisation or company applying for consent. This should be given along with the name, addresses and telephone number of a person who can be contacted to discuss the proposal(s).

You must give us your full UK address. The address you give here will be the address your Flood Defence Consent will be registered to and will be shown on any Flood Defence Consent we grant.

2 Agent Details

You can nominate someone other than the person named on any Flood Defence Consent (for example, a consultant or agent). You need to give us your or the relevant person's full name, address and contact details.

If this section is completed, all correspondence will be sent to the Agent. Leave blank if not applicable.

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, 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.

4 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 location of the site;
- The name of the watercourse; and
- The National Grid Reference (12 figures)
- A Site Location Plan

5 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.

6 Plans and Sections

To consider your proposals we need to receive plans and drawings, that should ideally be undertaken by a competent engineer or surveyor and showing Ordnance Datum Newlyn (the height above sea level)

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

effect on land next to the river. The plan must also show any land drains to be affected.)

- **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 works 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 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, the 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**

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

7 Construction details

You may 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.

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 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.

8 Environment Agency Interests

Please tick the appropriate boxes.

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 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.

9 Planning Approvals

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

10 Maintaining the Structure

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

11 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

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 and consider 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.

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 Flood Defence 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 or the Countryside Council for Wales (or CADW in the case of ancient monuments).

You may want to contact these organisations yourself to get their views on your proposal.

12 Water Framework Directive (WFD) Assessment

It is important that as part of the application process your proposals are assessed for compliance with the Water Framework Directive (WFD) objectives.

A proposal included in a consent application could cause a water body to deteriorate in status and/or prevent its ecological objectives from being met..

To achieve the goals of the WFD, we must ensure any new scheme or activity is assessed for WFD compliance. It is essential that you contact your area

teams to discuss any requirement to undertake a WFD assessment prior to submitting your application.

13 Fees

The fee for Flood Defence Consent, where charged, is £50 per structure.

14 Checklist

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

The Data Protection Act 1998

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

15 Declaration

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.

- 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 company secretary or a director must sign the declaration.

Next steps

Please return your completed application for 'Ordinary Watercourse Flood Defence Consent' form and any supporting documents to Cumbria County Council (LLFA), as on page 3 of the application form.

If you need help filling in this form, contact the person who sent it to you or contact us as shown below.

General enquiries: 01228 673065

Email: LFRM@cumbria.gov.uk

Website: www.cumbria.gov.uk

If you are happy with our service, please tell us. It helps us to identify good practice and encourages our staff. If you're not happy with our service, please tell us how we can improve it.

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).