

Land Drainage Consent – Guidance for Applicants

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1. Purpose of this document

- 1.1. This document has been drafted to support the delivery of Land Drainage Consents by the Water Management Alliance consortia of Internal Drainage Boards (“IDBs”). It aims to guide you (the applicant or agent) when completing the consent application process. This document aims to;
- Briefly highlight the need for consent
 - Provide guidance on completing the Land Drainage Consent application form
- 1.2. This document will be periodically reviewed to ensure that its contents remain accurate and that it provides an appropriate level of detail. If you are not sure about anything in these guidance notes, please contact the Board’s officers using the details given at the end of the application form.

2. Requirement for consent

- 2.1. The Land Drainage Act 1991 and the Boards Byelaws require written consent to be sought prior to undertaking certain types of activities within a Board’s Drainage District. **Please note** applications for consent are required for both **permanent** and **temporary** works. As a rough guide, the following activities would in most circumstances require you to obtain the Board’s prior written consent:
- Discharge of treated foul water directly within the Board’s district (Byelaw 3)
 - Discharge of surface water into Board’s district (directly or indirectly) (Byelaw 3)
 - Works within 9 metres of Board’s adopted watercourse or other drainage or flood risk management infrastructure (Byelaw 10)
 - Alterations to a watercourse (including infilling, culverting or amending) (Byelaw 4 and Section 23, Land Drainage Act 1991)
- 2.2. To obtain the Board’s written consent you are required to complete an application form and submit this to the relevant IDB for consideration. Application forms can be found on the following link:
https://www.wlma.org.uk/uploads/Land_Drainage_Consent_Application_Form.pdf
- 2.3. For applications to the Pevensey and Cuckmere Water Level Management Board please use the form found on the following link:
https://www.wlma.org.uk/uploads/PC_LDC_Application_Form-v7.pdf
- 2.4. To review the relevant Byelaws that are applied in each Board’s area please use the links below;
- (Broads IDB) https://www.wlma.org.uk/uploads/BIDB_Byelaws.pdf
 - (East Suffolk IDB) https://www.wlma.org.uk/uploads/ESIDB_Byelaws.pdf
 - (King's Lynn IDB) https://www.wlma.org.uk/uploads/KLIDB_Byelaws.pdf
 - (Norfolk Rivers IDB) https://www.wlma.org.uk/uploads/NRIDB_Byelaws.pdf
 - (South Holland IDB) https://www.wlma.org.uk/uploads/SHIDB_Byelaws.pdf
 - (Pevensey and Cuckmere WLMB)
https://www.wlma.org.uk/uploads/PCWLMB_Byelaws.pdf

3. Completing the application Form

- 3.1. Please read through these guidance notes and the application form carefully before completing the form. Please ensure you fill in the application form correctly otherwise this may delay the processing of your application.
- 3.2. To save changes electronically to the form, open it via the link on our website and use 'save as' to save it to your computer before filling it in.

4. Section 1: Applicant's Details

- 4.1. Under this section you should state the name of the individual, organisation or company applying for consent. The address and postcode of the applicant should be provided along with the name, telephone number and email address of a person who can be contacted to discuss the proposal. Please note the address you give in this section will be the address we register your consent to and will be shown on the consent we grant.

5. Section 2: Agent's Details

- 5.1. In this section you need to specify if someone is submitting and managing the application on the applicant's behalf (for example, a consultant or land agent). If this is the case we will need the name of the individual, the name of the organisation they work for as well as their address and contact details. If you complete this section, all correspondence will be sent to the Agent as well as to the applicant. Please leave this section blank if you are not using an agent.

6. Section 3: Location of Proposal

- 6.1. We need to be able to easily identify where the proposed works will be carried out. In this section please provide as much detail as possible about the location of the works. This should including the following, if appropriate:
 - Property, street, postcode or site name
 - District/Borough
 - Parish/Town
 - The Grid Reference (in Eastings and Northings)
 - An accompanying location plan or map illustrating the location of the proposed works
- 6.2. We also 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 need to obtain permission from whoever owns the land. This is particularly true where you are the riparian owner and you are proposing works to alter a watercourse. A riparian owner is a landowner who has responsibilities in relation to watercourses flowing through or adjacent to your property. Unless your deeds indicate otherwise, where a watercourse forms the boundary of your property you are presumed to own up to the centre line of the watercourse. The neighbouring landowner would be presumed to own the other half. As such when making an application for culverting or for amendments to these shared watercourses you will need to ensure you have permission from the other riparian owner.

7. Section 4: Description of the Proposed Works

7.1. It is important that you accurately describe the proposals that are the subject of your application. In this section please provide the following detail:

- A **description of the proposed works** including details of any structures proposed, any below ground works such as services as well as the purpose of the works.
- A detailed **plan of your proposed works** accompanying the application form (this should include pipe sizes, culvert lengths, manhole/access arrangements and headwall details as appropriate). Please reference any drawing numbers on the application form if possible.
- Confirmation of whether the works are **permanent or temporary**. If they are temporary please state the proposed duration of the works
- The application reference number of any **planning permissions** you may have or are applying for that relate to this proposal (whether outline, full, reserved matters, or discharge of condition).

7.2. When completing this section you should confirm (by ticking the appropriate boxes) whether your proposed works include any of the following statements;

- (a) Discharge of treated foul water directly within the Board's district (Byelaw 3)
- (b) Discharge of surface water into Board's district (directly or indirectly) (Byelaw 3)
- (c) Works within 9 metres of Board's adopted watercourse of other drainage or flood risk management infrastructure (Byelaw 10)
- (d) Alterations to a watercourse (including infilling, culverting or amending) (Byelaw 4 and Section 23, Land Drainage Act 1991)

7.3. Included on the application form are links to maps detailing the areas covered by Water Management Alliance Internal Drainage Boards as well as those watercourses that are adopted by each Board. This information is particularly useful in determining how you answer question 4 (C) on the application form. The links to the maps are repeated below for ease;

- (Broads IDB) https://www.wlma.org.uk/uploads/84-BIDB_drainindex.pdf
- (East Suffolk IDB) https://www.wlma.org.uk/uploads/ESIDB_Index_plan.pdf
- (King's Lynn IDB) https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf
- (Norfolk Rivers IDB) https://www.wlma.org.uk/uploads/179-NRIDB_Index.pdf
- (South Holland IDB) https://www.wlma.org.uk/uploads/210-SHIDB_Index.pdf
- (Pevensey and Cuckmere WLMB) https://www.wlma.org.uk/uploads/PCWLMB_MapIndex.pdf

7.4. Once you have confirmed the works that apply please complete the "Total Application Fee" box by summing the relevant amounts that are applicable.

7.5. Sections 5, 6, 7 and 8 only apply where you have ticked one, some or all of the boxes in section 4. By way of example where you have ticked 4 (a) you need to complete the questions listed in section 5.

8. Section 5: Discharge of treated foul water within the Board's District

8.1. You will need to complete this section of the application form if you are proposing to discharge treated foul water into a watercourse within the Board's District, whether it is an adopted watercourse or not. Please ensure you state whether the proposed discharge will make use of an existing outfall or if you will be constructing a new

discharge point. If you are using an existing outfall please state how you will be connecting to it (i.e. at which manhole will you be making your connection – also make sure this is identifiable on the plan you have submitted). For both existing and proposed outfalls make sure you specify the diameter of the outfall pipe and its location along the watercourse. Please clearly state the proposed maximum daily rate of discharge from the system. This can usually be found on the manufacturer's data sheet associated with the treatment plant you are installing and/or using.

9. Section 6: Discharge of surface water into Board's District (Directly or Indirectly)

- 9.1. You need to complete this section of the application form if you are proposing to discharge surface run-off into a watercourse that directs flow directly or indirectly to the Board's Internal Drainage District. Please ensure you state whether the proposed discharge will make use of an existing outfall or if you will be constructing a new discharge point. If you are using an existing outfall please state how you will be connecting to it (i.e. at which manhole will you be making your connection – also make sure this is identifiable on the plan you have submitted). For both existing and proposed outfalls make sure you specify the diameter of the outfall pipe and its location along the watercourse. As stated on the application form, if you are using multiple outfalls you should provide the outfall size and location of each outfall.
- 9.2. You should clearly state the proposed maximum discharge rate in litres per second. In doing so you may be required to determine and submit an assessment of the current Greenfield run-off rates for the 1 in 1, 1 in 30 and 1 in 100 plus climate change rainfall event returns. You should also include any calculations of the network and its storage / attenuation capacity to evidence your stated maximum discharge rate. As part of your application you should also state what the area of impermeable surface is (which is positively drained to the watercourse) both pre and post development. The aforementioned rates and areas are used to determine the required Surface Water Development Contribution for the discharge of any addition rate and volume of water into the Board's area.

10. Section 7: Works within 9 metres of Board's adopted watercourse or other drainage or flood risk management infrastructure

- 10.1. You should fill this section in if you are proposing works within 9 metres of Board's adopted watercourse or other drainage or flood risk management infrastructure. You should already have determined if this is the case by assessing the location of your proposed works against the Board's maps as set out in 7.3 of this document and you should have described accurately the works you propose within Section 4 of the application form. In Section 7 of the application form you need to state which IDB watercourse will be affected by the works by stating the watercourse code (labelled in blue on each detailed map) and the catchment code (listed as the Sheet number in the bottom right hand corner of each detailed map). Remember that outfall structures and below ground works are included as requiring consent to relax byelaw 10.

11. Section 8: Works to alter a watercourse (including infilling, culverting or amending)

- 11.1. You need to complete this section if you are altering a watercourse within the Board's Internal Drainage District. Please tick whether your proposal includes culverting and if yes state the pipe diameter you are proposing. However you are altering the

watercourse you should confirm the length (in metres) that is proposed to be altered and a full description should be provided in Section 4 (and accompanied by a plan).

12. Section 9: Declaration

12.1. All applicant's need to fill in this section to complete their application. In this section we are seeking confirmation;

- As to whether the applicant(s) or agent (of if the applicant or agent is a company, any partner or director thereof) is a Member or employee of the Board, or related to someone who is. The purpose of this question is to determine if a conflict of interest exists which may require the application to be determined at a Board meeting as opposed to by officers under delegated authority.
- That the applicant has read the Board's guidance and policies and that their application complies with them.
- That the application is supported by all relevant plans, drawings and application fees.
- That the applicant understands that if this application is granted consent there may be conditions imposed and/or fees due, which must all be complied with/paid in full prior to work commencing.
- That the applicant believes, as far as they know, that the information given in their application, including any supporting documentation, is true.

13. Section 10: Data Protection Disclaimer

13.1. This section sets out how the information you have included in your application may be processed and handled by us in line with the Data Protection Act 2018.

14. Sections 11 and 12: Submitting your application

14.1. To submit your application you can either send it electronically to planning@wlma.org.uk or by post to Kettlewell House, Austin Fields Industrial Estate, King's Lynn, Norfolk, PE30 1PH.

14.2. In submitting your application you must ensure it is accompanied by the correct application fee otherwise the application is not valid. For Water Management Alliance Member Boards payment can be made in the following ways;

- Cheque: Payable to "Water Management Alliance"
- BACS: Sort Code – 53 61 38, Account No – 66585473
- Card: Call 01553 819 611 - ask for Graham Tinkler

14.3. For the Pevensey & Cuckmere Water Level Management Board payment can be made in the following ways;

- Cheque: Payable to "Pevensey & Cuckmere WLMB"
- BACS: Sort Code – 30 90 92, Account No – 34155268
- Card: Call 01553 819 611 - ask for Graham Tinkler

14.4. Please clearly reference the applicant's name or site location when making payment so we can easily match the payment to the application submitted.

15. Determination

- 15.1. The Board will aim to determine your application for Consent, in writing, within **2 months** from the date your application is deemed valid. This determination period may be longer if your application must be determined by the Board at a Board Meeting (as opposed to by the Board's Officers under delegation, in line with the Board's policies) depending on the date of the next meeting.
- 15.2. The IDB cannot unreasonably withhold consent and cannot provide any assurance that consent will be granted until such time as the application has been determined.

16. Conditions of consent approval

- 16.1. Consent may be issued subject to conditions. Conditions can cover technical requirements, legal requirements, environmental matters and the need for financial payments. All conditions specified as part of any consent must be met before the Board's consent is deemed valid.
- 16.2. Upon receiving a request to discharge conditions of consent we will endeavour to respond, or determine the condition, within ten working days depending on complexity of the condition.