



# Land Drainage Consent – Guidance for Applicants

## 1. Purpose of this document

This document has been drafted to support applicants submitting Land Drainage Consents applications to the Water Management Alliance consortia of Internal Drainage Boards (“IDBs”).

## 2. Requirement for consent

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. For example, consent may be required for the following:

- Byelaw 10: Consent is required for any works proposed within 9 metres\* of Board ‘arterial’ drainage or flood risk management infrastructure. The principle aim being to ensure watercourses can be maintained by the Board both now and in the future without restrictions being placed on access, and to ensure operatives are aware of third party structures.
- Byelaw 3: Consent is required to introduce water (flow or volume) to the Internal Drainage Districts of the WMA Member Boards, e.g. through the discharge of surface and/or treated foul water to a watercourse.
- Section 23, Land Drainage Act 1991 (and Byelaw 4): Consent is required to alter a watercourse within the Internal Drainage District of a WMA Member Board. This would include the installation of any structure (such as a mill, dam, weir or culvert) which may obstruct or affect the flow of an ordinary watercourse.

For further information please see the WMA’s Planning and Byelaw Strategy: [https://www.wlma.org.uk/uploads/WMA\\_Planning\\_and\\_Byelaw\\_Policy.pdf](https://www.wlma.org.uk/uploads/WMA_Planning_and_Byelaw_Policy.pdf)

*\*7 metres if the works are being undertaken in the Waveney, Lower Yare and Lothingland IDB district.*

## 3. Application Validation

Please note that your application is not valid until the following requirements are met:

- 1) Complete Application Form. You are required to fully complete an application form available on the development pages of the relevant Board’s website, accessed via [www.wlma.org.uk](http://www.wlma.org.uk). Alternatively, please contact the Sustainable Development Team by emailing us at [planning@wlma.org.uk](mailto:planning@wlma.org.uk) or calling 01553 819630 to request a copy of the form.

- 2) Application fee paid. The application fee is payable in accordance with the Board's Development Control Charges and Fees Policy.  
[https://www.wlma.org.uk/uploads/WMA\\_Table\\_of\\_Charges\\_and\\_Fees.pdf](https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf)
- 3) Additional information provided, if required. The Board reserves the right to reasonably require additional information to validate your application, including additional technical details and environmental surveys.

#### **4. Applicant / Agent Details (Section 1 and 2)**

If consent is granted, this will be issued to the applicant listed in this section. Please ensure the intended grantee is correctly listed.

If someone is submitting and managing the application on the applicant's behalf (for example, a consultant or land agent) please indicate this by completing the agent section.

If the applicant is not the landowner please indicate whether landowner consent has been or will be sought, including evidence of written consent where possible. If the applicant is the riparian landowner, please note that permission for the works may be required from the landowner on the opposite bank.

A riparian owner is a landowner who has responsibilities in relation to watercourses flowing adjacent to their property. Unless property deeds indicate otherwise, where a watercourse forms the boundary of a property the adjacent landowner is presumed to own up to the centre line of the watercourse. The neighbouring landowner would be presumed to own the other half.

If the applicant is a company, please apply under the company's name as opposed to an individual representing the company.

#### **5. Location of Proposal (Section 3)**

We need to be able to easily identify where the proposed works will be carried out. Please complete this section in its entirety and include a location plan. There are several websites which can help you determine the grid reference of your works, such as <https://gridreferencefinder.com/>.

#### **6. Description of Proposed Works (Section 4)**

Please include a brief description of the proposed works including details of any structures proposed and any below ground works such as services as well as the purpose of the works. Feel free to expand this box, attach an explanatory page or refer to an existing project document.

When completing this section you should confirm (by ticking the appropriate boxes) the type of works you are proposing to undertake. This section will also help you determine the application fee required, and which sections of the application form need to be filled out.

Sections 4A, 4B, 4C and 4D will ask for some specific details relating to your proposals. If you require any specific help with these sections please call the Sustainable Development Team on 01553 819 630.

## **7. Environmental Considerations (Section 5)**

This section will help you to determine whether your application needs to be supported by an environmental survey, Habitats Regulations Assessment (HRA) or other report.

To find out if your site is near a designated site please visit DEFRA's Mapping online at <https://magic.defra.gov.uk/MagicMap.aspx>. Using the 'Land Based Designations' tool you can check for proximity to Sites of Special Scientific Interest (SSSIs), Ramsar Sites, Special Areas of Conservation (SACs) and Special Protection Area (SPAs).

## **8. Other Permissions or Approvals (Section 6)**

Please use this section to detail any other permissions which you require, such as planning permission. For the avoidance of doubt the Board's consent (if granted) does not replace the need for permission from any other party or regulator.

## **9. Conditions of Consent.**

Consent may be issued subject to conditions as per byelaw 25 of the Board's Byelaws. 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 in their entirety before the Board's formal consent is deemed valid.

For further information please see the WMA's Planning and Byelaw Strategy [https://www.wlma.org.uk/uploads/WMA\\_Planning\\_and\\_Byelaw\\_Policy.pdf](https://www.wlma.org.uk/uploads/WMA_Planning_and_Byelaw_Policy.pdf) as well as the Development Pages of the Board's website (via [www.wlma.org.uk](http://www.wlma.org.uk)).