APPLICATION FOR CONSENT – WORKS AFFECTING AN ORDINARY WATERCOURSE

Guidance Notes for Completing the Application Form

Introduction

From 6th April 2012 responsibility for ordinary watercourse consents in the Wakefield district now rest with Wakefield Council. Consents relating to main rivers remain with the Environment Agency and Internal Drainage Boards retain responsibility for consents within their administrative boundaries.

It is very important that anyone who intends to carry out works in, over, under or near a watercourse contacts the relevant authority to obtain the necessary consents before starting the works.

To apply for consent for works affecting an ordinary watercourse you must complete the application form and pay the requisite fee.

The Council has two months from the date we receive an application in which to grant or refuse consent. Consent will not be unreasonably withheld. The granting of our consent should not be regarded as in any way approving the design of the proposed structure other than in relation to its impact on flows and its effect in the watercourse and its floodplain. In accordance with our conservation and fisheries duties, consent may be refused if works are detrimental to the environment.

If the application is not completed fully or you fail to provide the documentation required for the Council to make a decision, we will request further information from you. If you fail to carry out the necessary steps within the designated timescale, we will refuse your application and you will forfeit the fee. In this scenario, you will need to submit a new application together with a new fee. Wakefield Council has a right to apply conditions to the consent being granted.

If you are in any doubt over whether you require consent, need any assistance with completing the form, or would like to clarify the fee payable, please contact Wakefield Council Land Drainage Team on 0345 8 506 506 or alternatively email LDFRMconsenting@wakefield.gov.uk

1. Applicant Details

Please provide telephone and email details of the company or organisation that are requiring the works to be undertaken. The contact person should be someone who is contactable 24 hours, 7 days a week.

2. Contractor Details

Please provide the telephone and email details of the contractor who will be undertaking the works on behalf of the client. The contact person should be someone who is contactable 24 hours, 7 days a week.
3. Location

- Location – State the village/town, nearest street and postcode of the works.
- Grid Reference – 6 figure grid reference of the works. (This must be the location of the structure, not a general site location)
- Watercourse name – if this is not known please ignore.

4. Works

- Type – please tick the proposed type of structure.
- Permanent/Temporary – Are structures permanent e.g. a new culvert or temporary e.g. dam or weir whilst other works are being undertaken along watercourse channel. Please note you will also require a temporary consent to cover the actual works in the watercourse once the permanent consent has been approved. The temporary consent is for you to tell us how you are going to prevent increasing flood risk & pollution whilst working in the live watercourse when works commence on site following the permanent consent approval.
- Description of works – state what works are being undertaken. Please give a brief description of how the works will be completed, including materials and machinery to be used. If the works are complex then a separate method statement is required which explains how flood risk, pollution prevention and ecological constraints are to be managed. Please see our separate guidance on producing method statements and ecology reports.
- Access to works – state how you will access the site from the highway.
- Duration of works – state how long the works will take to complete.
- Maintenance schedule/ownership – which authority/landowner will own and maintain the structure once the works are complete. Who will inspect the structure and at what interval.

5. Planning Permission

Please provide details of any planning permissions you have or are applying for that relates to your proposed works (e.g. reference number).

6. Ecology

You are required to demonstrate that environmental impacts of the proposals are negligible or can be mitigated against.

A number of species of animals and plants are protected under the Wildlife and Countryside Act 1981 (as amended). Water voles, otters, crayfish, great crested newts and bats, to name some, are known to inhabit watercourses and have varying degrees of protection under legislation. Other species may also be present in the area. You are required to demonstrate that the proposed works are not likely to adversely impact on protected species and/or protected habitats. A surveyor opinion and report, by a suitably qualified individual, with mitigation proposals where appropriate will suffice in most cases. You must also give consideration to any possible pollution and its prevention.
The ecology report must be specific to the location of, and nature of the works for which you are applying for consent.

Please refer to our separate guidance on producing method statements and ecology reports.

7. Drawings Required

We require clear, scale drawings showing the structures which the consent relates to, repairs/modifications to existing structures and any temporary arrangements such as scaffolding and sandbags. Please do not send large drawings of the entire works as this is time consuming and will significantly increase the amount of time required to carry out the consenting process, we only require the drawings of the relevant structures/alterations.

In addition we also require

- Calculations demonstrating the hydraulic capacity of any channel works, culverting or bridge works must be provided
- Bridges and culverts – Additional cross sections upstream and downstream of the proposed works and/or a longitudinal section along the centreline of the watercourse are required sufficient for the average channel bed gradient to be determined.
- Dams and weirs – A plan showing the extent of the impoundment under normal and flood conditions is required in order to assess the possible impact on riparian owners.
- Details of any planting or seeding proposed within or adjacent to the watercourse within the floodplain.

8. Checklist

Checklist of requirements to allow your application to be checked.

9. Declaration

By signing this section you are declaring that, to the best of your knowledge, the information you have provided is correct. 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.

The fee for land drainage consent is £50 per structure.