



# Witham First District Internal Drainage Board

## HOW TO MAKE AN APPLICATION FOR CONSENT

### Explanatory Notes

The following notes should assist you in the completion of the application form and the submission of supporting documentation:-

#### **Details of Applicant**

The name of the individual, organisation or company applying for consent should be given along with the name, address and telephone number of a person who can be contacted to discuss the proposals. If a company please include the Company name (as Registered at Companies House and the Registration Number)

#### **Agents Details**

Agents acting on behalf of an applicant should enter details. If this section is completed, all correspondence will be sent to the Agent. Leave blank if not applicable.

#### **Applicants Interest in Land**

Please state the applicant's interest in the land, ie. Owner, tenant, developer, etc.

#### **Location**

The name of the watercourse as shown on the Ordnance Survey map should also be given if known. The location of the proposed works should indicate the nearest town/village, the address of the site or sufficient description to enable the site to be identified easily. The OS grid reference is required.

#### **Description and Purpose of Proposed Works**

It is important to accurately describe the proposal(s) for which application is being made on the application form. State the purpose of the works. Note separate consents may be required for permanent and temporary works. Please talk to the Board if the project is complex etc.

#### **Description and Numbers of Plans and Sections Submitted**

A list of those drawings submitted, may include the following:

**a) Location and Site Plans**

This should be based on an Ordnance Survey map if possible and should show clearly the general geographic location of the site where the works are to be conducted. The site plan should be drawn to scale which must be clearly stated. Ordnance Survey maps or engineering drawings to a scale of 1:1250 or larger are recommended. Land surface contours should be provided where appropriate.

**b) Detailed Drawings (Plans and Sections)**

Sufficient details should be provided to allow the implications of your proposals to be determined. Should further details be required they will be requested but it may increase the length of time that your application will take to be determined as the time constraint commences when all sufficient details have been received.

**c) Sketches (Elementary Structures only)**

Legible sketches clearly illustrating the proposed works and adequately dimensioned will be acceptable for basic, non complex proposals.

**d) Method Statements**

Method Statements should be provided for all Temporary Work consents and for any consent that is for a project that could have a major influence on the watercourse environment. This must provide details of the specific measures that are proposed to keep the disruption to a minimum and reduce any unwanted effects while the work is being carried out.

**e) Detailed Calculations**

Details of existing and proposed water levels, shown on cross sections or a longitudinal section of the relevant length of watercourse, where appropriate. Calculations to demonstrate the hydraulic capacity of any channel works, culverting, dam, or bridge works.

#### **Planning & SuDs Approvals**

The works may also require local authority planning approval in addition to consent from the Board. If you already have planning approval, please indicate the name of the planning authority, application reference number and date approval obtained. The works may be part of a system that has received approval from the SuDs Approving Body. Please indicate application reference number and date approval obtained.

### **Maintenance of Structures**

The name of the person or organisation who will be responsible for maintaining the structure during the construction phase of the project. In addition the name of the person or organisation who will be responsible for maintenance on completion and thereafter in perpetuity.

### **Environmental Impact**

The Board has a duty to conserve and enhance the natural environment, and must therefore consider the environmental implications of any proposal. Proposals to culvert will require compensatory habitat to be provided to an equivalent quality, otherwise consent will be refused on environmental grounds.

The environmental appraisal should identify all likely effects on the environment including the direct and indirect effects of the proposals on sites designated as SSSIs, Local Wildlife sites etc. An indication of the location of the nearest designated site should be provided.

### **Flood Risk Assessment**

Brief details of the potential changes to Flood Risk both at the site and upstream/downstream due to the Works etc must be provided. The Board has a duty to determine what effect the development may have on other interests. On no account can Flood Risk be increased due to the proposals. In addition to the environmental considerations, please note that the culverting of a ditch or watercourse reduces flood storage. Ditches or watercourses were generally dug by hand many years ago to drain land and provide safe routes for water to flow. The culverting of a watercourse may change the situation and the consequences of culverting must be fully considered within the assessment.

### **Other Consents**

Be aware that other consents may be required in addition to those issued by the Board, including from the Local Authority (Public Health Act) Environment Agency (various Acts), Highway Authority (Highways Act) etc. You may even require the agreement of your neighbour

### **Declaration**

This must be signed.

### **Application Charge**

The Board are authorised by the Land Drainage Act 1991 to charge for Consent Applications. Highway Act applications are non chargeable as are some applications received from other authorities. Value Added Tax is not applicable.

Please note that this charge is payable in respect of each and every structure and/or element. The Board may consider permitting savings for schemes or proposals with multiple components.

Please contact the office at the address shown if you are in doubt of the fee applicable. Payment may be made by cheque, cash or BACS (bank details given upon request). If payment is to be made via BACS, please ensure that the reference stated is 'CF' (consent fee), followed by your surname eg. CF Smith.

### **Right of Appeal**

If you believe that consent has been unreasonably withheld or that conditions are being unreasonably imposed then you have the right to appeal under Section 23(5) of the Land Drainage Act 1991.

### **Failure to Apply for a Consent**

If works are executed without first obtaining a formal written consent from the Board within the Board's District or on behalf of the Lead Local Flood Authority (where appropriate outside the Board's District, in the extended area), we have the power to serve a notice requiring you to abate the nuisance within a specified time. Should you fail to comply with that notice then we can take the matter to Court whereupon a fine, not exceeding £ 2,000 may be imposed. Any further failure to comply may result in an additional fine not exceeding £ 100 per day for every day during which your default continues.

Under Section 25 of the Land Drainage Act 1991 we may remove, alter, or pull down any unauthorised work and recover from you the expenses incurred in the process.

**Please Note** that there Land Drainage Act 1991 makes no provision for retrospective consents to be issued.



# Witham First District Internal Drainage Board

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