West Sussex
County Council

Ordinary Watercourse Land Drainage Consent

Land Drainage Act 1991

Name

Maxwell Homes

Consent applying to

Upgrading & improvements to existing culverted watercourses, and connection to open watercourse, at Bramleys, Horsemere Green Lane, Climping

Consent Number

LDC/ARUN/2024/003

Effective from

18th January 2024

This note does not form part of the Certificate of Authorisation.

Please contact your Local Authority Land Drainage team

ARUN DISTRICT COUNCIL DM/224/000

Introduction

The West Sussex Drainage Partnership

The West Sussex Drainage Partnership is a body consisting of West Sussex County Council and the District and Borough Authorities within West Sussex acting together in partnership, to carry out specific duties under the Land Drainage Act 1991 and the Flood and Water Management Act 2010. It operates under delegated powers under section 13(4) of the Flood and Water Management Act 2010.
The Partnership aims to manage flood risk in the county through continued maintenance and regulation of ordinary watercourses, education and assistance of riparian ("river side") owners and through promotion of sustainable drainage systems (SuDS).

Legislation

Land Drainage Consents are required by virtue of the Land Drainage Act 1991. The following activities on an Ordinary (non-main) Watercourse require Local Authority Consent:

under Section 23 of the Land Drainage Act 1991;

- the erection or alteration of any mill dam, weir or other like obstruction to the flow of any watercourse
- the erection of a culvert in an ordinary watercourse
- alteration of a culvert in a manner that would be likely to affect the flow of an ordinary watercourse

under Sections 17 and 20(2) of the Land Drainage Act 1991

- any drainage works carried out by a local authority against flooding in connection with any watercourse

under Section 61F Land Drainage Act 1991 (Inserted by Schedule 22 Environment Act 1995)

- the operation of any drainage works, under the control of any Internal Drainage Board or local authority, so as to manage the level of water in a watercourse for the purposes of facilitating spray irrigation.

Note: Consent under the above legislation is required irrespective of whether the works are permanent or temporary.

Contraventions

In relation to Ordinary Watercourses, West Sussex Drainage Partnership can under Section 24 of the Land Drainage Act 1991 serve a legal notice requiring the person to abate the nuisance within a specified time. Failure to abide by such a notice can result in the West Sussex Drainage Partnership carrying out the necessary remedial work and seeking to recover costs.

Land Drainage Act 1991

Land Drainage Consent

Control of works affecting watercourses and/or flood defences

Consent number LDC/ARUN/2024/003

To: **Maxwell Homes**

West Sussex County Council, as Lead Local Flood Authority exercise of its powers under Section 23 of the Land Drainage Act 1991 and subject to the conditions attached, hereby grants its consent in relation to the works or operations described in this Consent.

Location: Land at Bramleys, Horsemere Green Lane, Climping

Map reference: SU 99577 02237

Description of works: Installation of headwall on existing culvert at its downstream end.

Upgrading of existing 150mm diameter culvert to 300mm diameter, including provision of upstream headwall/trash screen.

Connection of 100mm diameter surface water drain to watercourse via new headwall. Flows restricted to 1 l/s.

As detailed on plans and sections

Drg no. 80000/101 Rev B, 80000/102 Rev B, 456040-201 Rev P6, 456040-202 Rev P1

In supporting documentation

West Sussex County Council does not accept any responsibility for the design and construction of the works referred hereto and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.

This Consent shall come into effect on

Date 18th January 2024

Signed on behalf of the West Sussex Lead Local Flood Authority

[redacted]

Michael Elkington
Head of Planning Services
West Sussex County Council

Date of signing

18th January 2024

Please contact your Local Authority Land Drainage team

Conditions

This consent is granted with the following conditions:

General

Works to be carried out as per agreed method statement.

Works should be arranged to ensure there is no increase in flood risk to third parties.

The LLFA does not accept any responsibility for the design and construction of the works that are the subject of this Consent and any liability for any loss or damage which may arise out of their design, construction, maintenance or use.

It is the applicant's responsibility to ensure he obtains the consent / permission of any owners and occupiers affected by the works.

This Consent does not remove from the applicant the necessity to obtain other licences, consents, approvals or permissions (including planning permission) which may be required in law or in order to comply with any duties or responsibilities for conservation or protection of the environment.

Attention should be given to safety aspects when carrying out works pursuant to this consent, as structures in watercourses can be a danger to members of the public.

All works to be carried out in accordance to PPG5: Work and maintenance in or near water.

The above information must be brought to the attention of your contractor, if applicable.

Site Specific

1. A construction management plan shall be submitted 7 days prior to works commencing. All Temporary structures approved by this consent shall then be removed within 2 months of the agreed start date as per the agreed construction method statement.

   This statement shall include details of:

   A. Construction methods.

   B. Programme.

   C. Management of flood risk during construction.

   D. Pollution protection arising from the construction of the works.

   E. How issues associated with flora and fauna will be managed.

2. Works to be carried out as per agreed designs/method statement and in accordance with documents:

    a. Drg no. 80000/101 Rev B
    b. Drg no. 80000/102 Rev B
    c. Drg no. 456040-201 Rev P6
    d. Drg no. 456040-202 Rev P1

3. Proposed invert level of the upstream end of the 150mm diameter culvert to be upgraded to 300mm diameter, to be agreed.

4. Headwall apron level of connecting 100mm diameter surface water drain to be agreed.

5. Ditch to be regraded to suit and in agreement.

6. Upstream existing culvert to be CCTV surveyed, roots removed and pipe joints sealed, as specified.

7. Existing culvert to be upgraded to be CCTV surveyed upon completion.

8. Notice in writing must be given immediately by the applicant to the LLFA upon completion of the works.

Other Information

N/A

Timescales

Works to be completed within six months of the date of this consent or else the consent will be deemed to have expired. This period can be extended upon written agreement.

Upon completion of works please send notification within 28 days to the issuing authority or to [redacted]