



West Sussex Flood Risk Partnership



Ordinary Watercourse Land Drainage Consent

Land Drainage Act 1991

Name

Robert Steventon on behalf of John Silberbauer

Consent applying to

Realignment of existing watercourse (Pellingford Brook) to allow construction of new dwelling

Consent Number

LDC/MID/2021/001

Effective from

22/03/2021

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

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 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 or alteration of any culvert that would be likely to affect the flow of any 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 MID 2021 001**

To: **Robert Steventon on behalf of John Silberbauer**

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: **Braydells, Hurstwood Lane, Haywards Heath, West Sussex**

Grid Reference: **533880, 122010**

Description of works: **Realignment of existing watercourse (Pellingford Brook) to allow construction of new dwelling**

This Consent shall come into effect on

22/03/2021

Signed on behalf of the West Sussex Drainage Partnership



**Kevin Brook
Flood Risk Management Team
West Sussex County Council**

Conditions

This consent is granted with the following conditions:

General

Works to be carried out as per agreed designs/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.

Following completed work, as built drawing will be issued to ensure correct installation, if applicable.