

GUIDANCE NOTES FOR CULVERT CONSENT APPLICATION

This document is designed to aid the applicant in putting together their Access Culvert Land Drainage Consent Application. The applicant should obtain all relevant information before submitting their application and should be reminded that the 60 day consultation period will not start until the Board is satisfied the full suite of information has been provided. If the applicant has any further queries regarding their application after reading this document, the Board would be happy to provide further advice.

The Board does not grant retrospective works. Any works that are not consented prior to construction or built not in accordance with the permitted Land Drainage Consent are unlawful and that person shall be guilty of an offence and liable under the Land Drainage Act 1991, Sections 24 and 66.

Please be aware that as per the Boards Watercourse Management Policy, culverting a watercourse should be avoided due to adverse environment impacts, potential increase in flood risk and maintenance requirements. As a result, the board will only grant culverts for access only and the culvert should be kept to the minimum length and the appropriate diameter to suit the watercourse.

1. APPLICANT DETAILS

The applicant is the person who is paying for the work to be done and will be responsible for the maintenance of the new structure. Please complete this section with the name of the individual, organisation or company applying for consent. The address and postcode of the applicant should be provided along with the name, telephone number and email address of a person who can be contacted to discuss the proposal.

Please note:

- The address you give in this section will be the address we register your consent to and will be shown on the consent we grant.
- We will issue the consent to the applicant
- The applicant will have overall responsibility for the works during the construction and for the maintenance. We will hold the applicant responsible for constructing the works according to the consented document and fixing any issue arising later.
- It is the responsibility of the applicant to ensure all permissions and agreements are in place with the landowner(s) before submitting Land Drainage Consent.

2. LANDOWNER DETAILS

Please complete this section with the details of the landowner, if this is not the applicant.

Please note unless your deeds indicate otherwise, where the watercourse that is the subject of this application forms the boundary of your property, you may be the joint riparian owner together with the landowner on the other side. In the case of joint riparian ownership, each party is presumed to own up to the centre line of the watercourse and therefore is responsible up to this point.

It is the responsibility of the applicant to ensure all permissions and agreements are in place with the landowner(s) before submitting Land Drainage Consent.

3. AGENT DETAILS

In this section you need to specify if someone is submitting and managing the application on the applicant's behalf e.g. a land agent or consultant. If this is the case, we will need the name of the individual, the name of the organisation they work for as well as their address and contact details. Please

leave blank if not applicable. **If you complete this section, we will send all correspondence to this contact.**

4. LOCATION OF PROPOSED WORKS

We need to be able to easily identify where the proposed works will be carried out. The easiest way to find a location is for the applicant to provide details of the nearest address or postcode or a description in addition to the details below:

- the name of the watercourse; and
- the easting and northing which can be obtained from <https://gridreferencefinder.com/>; and/or
- the what3words of the location which can be obtained from www.what3words.com/

An accompanying **location plan** indicating the location of the proposed works is also required. It is recommended the site is clearly marked showing any other nearby land within the landowner's ownership. The plan must be at an appropriate scale. It must clearly show the general location of the site where the proposed work will be carried out and include general features and street names. It must also identify the watercourse and other bodies of water in the surrounding area.

5. PROPOSED WORKS

Please tick to show whether the proposed works are a new access or the replacement for an existing access. This application form is for culverts with a length of 8m or less, if the length of your culvert is longer please use the standard land drainage consent application form.

Please be aware The Board's policy states ' The Board will generally avoid culverting or infilling of all watercourses due to adverse environmental impacts, potential increase in flood risk and maintenance requirements' As a result culverting a watercourse should be for access only and should be kept to the minimum length required and appropriate diameter.

6. ACCESS TYPE

In this section please provide details of the type of access proposed.

If the applicant is an agricultural rates payer and the access is solely for agricultural purposes, then no fee will be payable for the land drainage consent application.

7. PIPE ASSISTANCE REQUEST (Agricultural use only)

If your application is for an agricultural gateway and meets the criteria below you are eligible to apply for assistance from the Board towards the cost of the pipe. If you wish to apply for this assistance please tick the box which confirms agreement with the conditions set out on the application form.

To qualify for pipe assistance the following criteria should apply.

- On a Viewed Rhyne or Ordinary Watercourse crossed to access the maintenance of a Viewed Rhyne.
- Access is normally required by the Board's contractor whilst carrying out maintenance
- The culvert is for agricultural access purposes.

8. REQUIREMENT FOR TEMPORARY WORKS

This section determines the requirement for temporary works to install the culvert. Please tick the box that describes the normal state of the water in your rhyne.

If your site requires the creation of a dry working area to install the culvert please detail in this section how it will be achieved. This might be cofferdams (watertight enclosures) across a watercourse, sandbag structures to create dry working areas, temporary pumping of water from one side of the dry working

area to another, straw bales within the watercourse or temporary diversions of water while construction or maintenance work relating to permanent consent is carried out.

9. METHOD OF WORKS

A Method Statement details how works will be undertaken during the construction phase to prevent harm to the surrounding water environment. The details a Method Statement contains will vary from scheme to scheme, and from site to site. There is often a confusion that a Method Statement needs to be a multi-page document detailing risk assessments and health and safety procedures. This is not the case.

Often a Method Statement can be a simple set of bullet points detailing how the works will be carried out. In some instances we may require more detail. However, we do not require extensive health and safety information. The Method Statement should refer to relevant pollution prevention guidelines and detail how the surrounding water environment will be protected during the works.

The Method Statement should be site specific and not generic. The statement should include the construction sequence and how it is planned to undertake the works causing minimum disruption to the wider water environment.

Things to think about when writing your method statement:

- How construction will take place start to finish?
- How will sediment be controlled at each stage?
- How will pollution of the watercourse be prevented at each stage?
- Do you have a contingency plan if heavy rainfall is expected?
- How will environmental hazards be controlled? E.g. fuel spills
- Have you consulted your contractor, ecologist or other partners to ensure the method statement is achievable?

10. CULVERT DETAILS

In this section please use the drawing on the application form to submit the requested information.

- A. Depth of Existing Channel: The length from the top of the bank to the hard bed of the channel. Ensure this is not measured to the top of the silt level but to the bed of the channel itself.
- B. Depth to Summer Water Level: The average water level in the channel during summer months. If on a Viewed Rhyne, this is panned by the Internal Drainage Board.
- C. Pipe Internal Diameter: The Board's minimum requirements are 450mm internal diameter for an Ordinary Watercourse and 900mm internal diameter for a Viewed Rhyne. Clarification of what your watercourse falls under can be found on the [Somerset Drainage Board's map](#).
- D. Depth to Pipe Invert Level: The Board recommends a suitable invert level below the hard bed of the channel to enable water conveyance and biodiversity to be retained.
The Board's recommendation is that the invert level of the pipe is set typically 100mm below the hard bed of the channel. This is to enable water conveyance and enable biodiversity.
- E. Cover to top of pipe: Height of the ground above the culvert to the top of the access track or road.
- F. Type of backfill: The material used on top of the pipe along the length of the access
- G. Pipe material: For example rigid twin-walled plastic
- H. Pipe length: No longer than 8m for this application form. If your pipe is longer than 8m, you will need to apply for a General Land Drainage Consent
- I. Rhyne top width: The width of the channel from top of bank to top of bank.
- J. Rhyne bottom width: The width at the bed of the channel from bottom of each bank

11. HEADWALL DETAILS

Please select the type of headwall from the categories displayed. These are examples of headwalls the Board has previously consented.

NB. The Board accepts no design liability for the structural integrity or future stability of any consented structure and it is the responsibility of the applicant to ensure the structure is fit for purpose.

If choosing to use a different headwall, you will need to provide a **drawing** of the headwall in addition to the application.

12. DECLARATION

By signing this section you are declaring that, as far as you know, the information you have provided, including the map and any supporting documents, is true. We will not accept an unsigned application.

All applicants need to fill in this section to complete their application. In this section we are seeking confirmation:

- As to whether the applicant(s) or agent (or if the applicant or agent is a company, any partner or director thereof) is a Member or employee of the Board or related to someone who is. The purpose of this question is to determine if a conflict of interest exists which may require the application to be determined at a Board meeting as opposed to by officers under delegated authority.
- That the applicant has read the Board's guidance and policies and that their application complies with them.
- That the application is supported by all relevant plans, drawings and application fees.
- That the applicant has obtained the necessary approval to do the works from the landowner, the Environment Agency, Natural England, (etc.) where appropriate.
- That the applicant understands that if the application is granted consent there may be conditions imposed and/or fees due, which must all be complied with/paid in full prior to work commencing.
- That the applicant believes, as far as they know, that the information given in their application, including any supporting documentation, is true. By section 66(6) of the Land Drainage Act 1991 every person who acts in contravention of local land drainage bylaws is liable on summary conviction.

13. PAYMENT METHOD

This section sets out the Board's payment policy for Access Gateway Culverts. On receipt of your application, the Board will determine if the application warrants a fee and will issue an invoice accordingly.

Applicants are reminded that payments should not be sent until the Board has confirmed that the full suite of information required has been submitted and confirmed the applicable charge.

14. APPLICATION SUBMISSION

To submit your application, you can either send it electronically to LDC@somersetdbcs.co.uk or by post to Development Control, Somerset Drainage Boards Consortium, Bradbury House, 33-34 Market Street, Highbridge, Somerset, TA9 3BW.

Electronic format is preferred by the Board.

15. DATA PROTECTION DISCLAIMER

This section sets out how the information you have included in your application may be processed and handled by us in line with the Data Protection Act 2018.

16. CONDITIONS FOR APPLICATION

This section sets out the conditions that will apply to the consent if granted, and the conditions that will apply to the supply of pipe support if granted.