



Hampshire
County Council

Land Drainage Act 1991

Ordinary Watercourse Land Drainage Consent

To: Mayer Brown Ltd
Oriental Road
Woking
Surrey
GU22 8AR

Consent No: **OWC/2013/0148**

HCC Ref: WROW004

For: West of Waterlooville Developments Ltd

Date of Application: 9 May 2013

Hampshire County Council, as Lead Local Flood Authority in exercise of its powers under **Section 23** of the Land Drainage Act 1991, hereby grants its consent for the following works, in accordance with the plans and documents listed and subject to the attached conditions:

Description of works: OWC Application - construction of 2 capping drain outfalls, surface water drainage discharges from 2 of the Suds features (ponds) will be discharged into existing watercourses, to facilitate with 2 outfall connections, construction of a culvert where the layout necessitates crossing at proposed road and footway

Location: West of Waterlooville Developments Ltd, London road, Waterlooville, PO7 5LE

Watercourse: Unnamed

Map reference: 467194 108414

Plans and documents: Figure 1, GTWVILL6/GA/05revA, GTWVILL6/RD/02revA; GTWVILL6/RD/03revA, GTWVILL6/RD/06revB, GTWVILL6/RD/08revB, GTWVILL6/DR/01revC, GTWVILL6/DR/03revC, GTWVILL6/DR/06revB, GTWVILL6/DR/07revB, GTWVILL6/DR/23revA, GTWVILL6/DR/25revA,

This consent shall come into effect on: 3 July 2013

All enquiries should be referred to the Economy, Transport & Environment

Department, The Castle, Winchester, SO23 8UD

Tel: (01962) 846746 Fax: (01962) 847055

**Director of Economy, Transport
& Environment**
3 July 2013

Introduction

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

Hampshire County Council 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, the authority 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 Hampshire County Council carrying out the necessary remedial work and seeking to recover costs.

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Conditions

1. Written notification is to be provided no less than seven days before commencement of the consented works and upon completion of the works.
2. On completion of the works all debris and surplus material shall be removed from the banks of the watercourse and any bank damage resulting directly or indirectly from the works is to be repaired so as to restore it to its former conditions, all to the satisfaction of Hampshire County Council.
3. Under Regulations 12 and 38 of the Environmental Permitting (England and Wales) Regulations 2010 it is an offence if you cause or knowingly permit a discharge into a watercourse of poisonous, noxious or polluting matter, of any waste matter or of any trade or sewage effluent other than under and in accordance with an environmental permit. The requirements set out within the Environment Agency's Pollution Prevention Guideline 5 (PPG5) entitled "Works and Maintenance in or near Water" must be complied with to ensure the works are carried out in a proper manner and do not adversely affect the watercourse. A copy of this Guideline can be found on the Environment Agency's website at <http://www.environment-agency.gov.uk/ppg>
4. Works should be carried out to ensure minimum obstruction to flows in the watercourse at all times.
5. The 1 off 300mm culvert detailed drawing GTWVILLE6/DR/07 be replaced by 2 off 300 mm culverts, or 1 off 600mm culvert to ensure minimal reduction of ditch capacity.
6. The CEMP will require the use of appropriate techniques (potentially including silt traps) to ensure that the surface water is discharged to existing waterbodies in a manner and to a quality which ensures no deterioration of the receiving waterbody. Such mitigation measures should operate effectively during a range of reasonably foreseeable weather and ground conditions and contingency planning should be in place should adverse conditions threaten their efficiency.

Notes

Hampshire 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.

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Conditions

The issue of a Land Drainage Consent by Hampshire County Council does not absolve a person proposing to execute works etc from the need to obtain any other permits, licences, consents, approvals or permissions. This includes Byelaw Consents or permissions (including planning permission), either from Hampshire County Council or other Bodies which may be required in law, or in order to comply with any duties and responsibilities for the protection of the environment. In addition, you should ensure that you obtain the consent of any owners or occupiers of land, as appropriate. This consent does not confer any rights of entry or rights over property.

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.