

Environment Act 1995
Land Drainage Act 1991
Water Resources Act 1991
Flood and Water Management Act 2010
The Water Framework Directive
Flood Defence (Land Drainage) Byelaws/Sea Defence Byelaws

Conwy County Borough Council – Lead Local Flood Authority

Application for Ordinary Watercourse Consent

Introduction:

Please read through these guidance notes and the application form carefully before you fill in the form.

If you fill in the application form correctly first time, we can process it quicker.

The guidance notes give you information to help you fill in your application for Ordinary Watercourse Consent.

Before completing the application form you are recommended to contact us for advice on your proposal.

Under the Land Drainage Act 1991, you need consent if you want to build a culvert or structure (such as a weir) to control the flow of water on any ordinary watercourse.

There is a charge of £50 for Ordinary Watercourse Consent applications made under the Land Drainage Act 1991



ORDINARY WATERCOURSE CONSENT APPLICATION FORM

ERF reference: RB/SJ/CRN43406

1. Location of the Proposed Works.

Location:
Planned micro-hydro scheme near Hafod y Rhedrydd, LL24 0RF, see <i>Location and site plans.pdf</i>
Name of River or Watercourse (if known):
Afon y Foel
National Grid reference of the site (12 figures):
<ul style="list-style-type: none"> Water abstraction at SH 7616 4568 and nearby settling tank at SH 7619 4571 see drawing HyR_181217A-1 Water return beside turbine hut at SH 7652 4627 see drawing HyR_181217A-2 Buried 100 mm diameter HDPE pipe (penstock) between these points, see <i>Location and site plans.pdf</i>.

We need to be able to easily identify where the proposed works will be carried out. Please give details of:

The location of the site;
 The name of the watercourse; and
 The National Grid Reference (12 figures)

2. Contact Details

Title:	Dr
First name:	Roger
Last name:	Moss

Who we can contact about your application

Address:	Orchard Croft, Church Lane, Newbold on Stour
Post Code:	CV37 8TW

In order for us to process your application as promptly as possible we need to have a named person who can be contacted to clarify any aspects of your application (it may be yourself or a representative acting on your behalf eg solicitor, contractor, etc).

Email:	roger@rwmoss.co.uk
Telephone:	07854 675742
Mobile:	07854 675742

LLFA Office Use Only:

Application Reference / Service Request number :

Date Application received: *dd/mm/yyyy* |.....|.....

No. of Structures:

Fee applicable: yes/no Date Fee received |.....|.....

3. Details of the Applicant

Are you making the application as a:

Company	go to 3.1	Individual	go to 3.2
Group	go to 3.3	Public body	go to 3.4

3.2 Applying as an Individual

If you are not the contact named in Section 2 of this application please provide your details below

Title:	
First name:	
Last name:	

Go to section 3.5

You should fill in this section if you are applying for Consent as an individual. If you are the named person in Section 2 (the main contact for the application) you do not need to fill in this section or 3.5 . If you are not the named individual you need to complete this section. The name you give will be the name on any Consent we grant.

4. Interest in the Land

What is your interest in the land?
<p>The land is owned by the National Trust; their agricultural tenant is Mr R. Roberts. He is aware of the proposal and happy with it.</p> <p>Mr Gethin Evans, the NT's Senior Estate Manager for this area, has agreed in principle to the works and is in the process of setting up a lease agreement.</p>

We need to know what interest you have in the land where the works will be carried out (for example whether you are the landowner or a tenant).

If any work will be carried out on land that you do not own, you will need permission from whoever owns the land.

5. Description and purpose of the proposed works

It is important that you accurately describe the proposals for the application being made. Please tell us the purpose of the works and the number of structures you need consent for.

Please provide a description of the proposed works:

Purpose:

Structures that may need consent:

- Water abstraction system comprising two Coanda screens and two plunge pools (one with a stainless steel retaining wall, one using a weir to raise the stream level)
- 40 m of 160 mm diameter HDPE pipe, sheathed in 225 mm twinwall duct with foam insulation between the two. This connects the screens and a settling tank.
- A settling tank comprising a vertical section of HDPE pipe clamped against a rock face.
- 800 m of 110 mm diameter HDPE pipe running from the settling tank down to the cottage and on to the turbine hut. A 65 mm twin-wall conduit will carry an armoured cable and optical fibre and share the trench with the HDPE pipe.
- Stream crossing 1
- Stream crossing 2
- Turbine hut

Please see document HyR OWC description.pdf for further details including stream flow rates and levels.

Number of structures

7

6. Plans and Sections

6.1 Please provide a description and reference number of all plans and sections you have provided (see guidance notes)

Location Plan
Location and site plans.pdf
Site Plan
Location and site plans.pdf HyR_181217A-1.pdf (extraction site) HyR_181217A-2 (turbine hut site)
Cross Sections
HyR_1811102A.pdf (cross-section at screen location)
Longitudinal Drawings
HyR OWC method statement.pdf, fig.2 showing stream bed levels
Detailed Drawings
HyR_181006B-rev1a.pdf (general arrangement of extraction system) HyR_181006C_rev1.pdf (screen assembly) HyR_181103A.pdf (stainless steel wall for plunge basin) HyR_181105A.pdf (downstream weir)

To consider your proposals we need to receive plans and drawings, drawn by a competent engineer or surveyor and showing Ordnance Datum Newlyn (height above sea level). It should be noted that we are not designing the work for you. You have to ensure that you comply with all current requirements of Construction (Design & Management Regulations).

You will need to provide three copies of all relevant drawings. The drawings must be no larger than A0 size and they need to include the following:

Location Plan - This must be at an appropriate scale and be based on an Ordnance Survey map. 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 or other bodies of water in the surrounding area

Site Plan (General Arrangement) - You must provide a plan of the site showing: The existing site, including any watercourse; your proposals; the position of any structures which may influence local river hydraulics, including bridges, pipes and ducts, ways of crossing the watercourse, culverts and screens, embankments, walls, outfalls and so on; and Existing fish passes or structures intended to allow fish to pass upstream and downstream. The plan should be drawn to an appropriate scale which must be clearly stated

Cross Sections - Where works encroach into any watercourse, you should provide cross sections both upstream and downstream of the proposed works. Cross sections should be drawn as if looking downstream on the watercourse and should include details of existing and proposed features and water levels

Longitudinal Sections - Longitudinal sections taken along the centre line of the watercourse are needed. These must show the existing and proposed features including the water levels, bed levels and structures. They should extend both upstream and downstream of the proposed work

Detailed Drawings - These are to show details of the existing and proposed features such as the following: The materials to be used for any structures; The location of any proposed service pipes or cables which may affect the future maintenance of the watercourse;

Details of any tree, shrub, hedgerow, pond, or wetland area that may be affected by the proposed works; Details of any planting or seeding; Dams and weirs (we need a plan showing the extent of the water impounded (held back) under normal and flood conditions so that we can assess the possible effect on the land next to the river. The plans must also show any land drains to be affected.

7. Construction details

Are the works permanent or temporary?	
Permanent	Yes
Temporary	Yes
How long is the temporary period?	Maybe 3 weeks for each structure but possibly up to 3 months to allow for weather or other difficulties.
Date Construction work will start	1/4/2019
Construction Period	2 years (max)

You need separate consents for the permanent works and any temporary works that do not form part of the permanent works. Temporary works could include, for example, cofferdams (watertight enclosures) across a watercourse, or temporary diversions of water while work is carried out. For any temporary work we need to know how you are proposing to carry out the work. So you need to send us a 'method statement' that includes details of the specific measures you plan to take to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out. We need to know when you are proposing to carry out the work and how long you think it will take. When you are planning the work you need to make sure that you have allowed enough time for us to consider your application.

8. Effects on the Environment

Please provide brief details of the effect the work will have on the environment together with any proposals for improvements you will make or action you will take to compensate for the effects.

The construction will use only lightweight machinery (1.5 ton mini-digger and power barrow) to minimise any environmental damage. The trench for the pipe and conduit will be carefully back-filled and re-covered with the original turf. The construction work will also follow the recommendations in the ecological report to minimise environmental impact.

Extraction will be via Coanda screens with a 1 mm slot to avoid capturing fish or other wildlife.

The extraction system has been designed to improve the ease of fish passage over the waterfall at this location. It is presumed that there is a population of indigenous trout in the upper reaches of Afon y Foel (above the large waterfalls and gorges that are just below the house). The current drop of 48 cm is too high for small trout to jump: this will be replaced by three steps no exceeding 25 cm.

Once in operation, the electricity generated will eliminate the current petrol consumption (approximately 600 litres/year) and dramatically reduce the Rayburn's consumption (2000 litres of heating oil). As a very conservative estimate, eliminating the petrol plus half the heating oil consumption will save 3900 kg of direct CO₂ emissions per year.

We have a legal duty to protect and improve the environment, so we must consider the environmental effects of your proposal.

You may need to carry out an environmental appraisal to assess the effects of your work. You should contact us before you send us your application so that we can give you advice on this. If you don't your application could be delayed.

The environmental appraisal should identify and consider all likely effects on the environment. You should consider the direct and indirect effects the work has on sites and features of interest and species of particular value.

Include any specific measure you plan to keep disruption to a minimum and reduce any unwanted effects while the work is being carried out.

Set out any opportunities for you to improve the environmental value of the site. This may include creating water features, planting trees and shrubs that would normally grow at the site, providing bird nesting boxes or creating sustainable places for wildlife to live.

If, as part of a planning permission we have asked for an environmental appraisal, you must send it to us with all the other supporting documents we need.

If your site falls within, is next to or is linked to a nature conservation site, contact us as soon as possible to discuss your proposals before you send us your application.

Under the European Habitats Regulations, we must make sure that Ordinary Watercourse Consent does not have a direct or indirect negative effect on any site specified in the regulations, including:

**Sites of Specific Scientific Interest (SSSIs);
Designated Special Areas of Conservation (SACs);
Special Protection Areas (SPAs);
Listed RAMSAR sites; and
Scheduled Ancient Monuments**

Under the Habitat Regulations , we must consult the Countryside Council for Wales (or CADW in the case of ancient monuments. You may wish to contact these organisations yourself to get their views on your proposal.

9. Other Authority Permissions

Please provide details of any planning permissions you may have or are applying for that relates to this proposal.

Fill in this Section if you have submitted a planning application for the proposed works. Otherwise go to 11.

Planning Authority:	Snowdonia National Park Authority	
Application Number:	About to be submitted	
Date submitted:	/ /	
Planning Permission Approved	<input type="checkbox"/> Yes	Approval date / /
	<input type="checkbox"/> No (awaiting decision)	
	<input type="checkbox"/> No (rejected)	
Application Number		

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Are the works associated with the SuDS Approval Board (SAB)?

Yes No

Other permissions being sought:

- Abstraction and impoundment licences (NRW application PAN-000316 &7)
- Common Land section 28 permission.

10. Maintaining the Structure

Name of person or Organisation responsible for maintaining the structure:	
During construction	Dr R.W.Moss
Upon Completion	Dr R.W.Moss

We need to know who will be responsible for the maintenance of the structure both during construction work and after the work has finished.

The details must include addresses and suitable contact details e.g. telephone/email addresses etc.

11 Fees

Ordinary Watercourse Consent fees are applicable to this application.	
Fee Enclosed:	<input type="checkbox"/> No
Value:	50

The fee for Ordinary Watercourse Consent is £50 please contact us before you send us this application

12. Checklist

Please read through this list and confirm the items you are sending with this application:

- ✓ Completed form
- ✓ Supporting drawings

- ✓ Supporting description
- ✓ Method statement
- Applicable fee
- ✓ Environmental/Ecological Reports
- ✓ *LowFlows* prediction
- ✓ Photographs of catchment area above the extraction point (0.87 km²)
- ✓ Geomorphology report

13. Declaration

By signing this document I am declaring that as far as I know, the information provided in this application, including the map and all supporting documents is true.

Title:	First name:	Last name:
Dr	Roger	Moss
Position:	Cottage owner and HEP scheme applicant	
Signature:		Date:
		3/1/2019

14. Data Protection Act 1998

We will process the information you provide so that we can deal with your enquiry

We may also process or release the information to:

Offer you documents or services relating to environmental matters;

Consult the public, public organisations and other organisations (for example, the Health & Safety Executive;

Carry out research into the environmental issues and develop solutions to problems;

Provide information from the public register to anyone who asks;

Prevent anyone from breaking environmental law, investigate cases where environmental law may have been broken, and take any action that is needed;

Assess whether customers are satisfied without service and improve it where necessary; and

Respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows.)

15. Next steps

Please return the application form together with any supporting documents to our offices.

**Environment, Roads & Facilities
Conwy County Borough Council
Mochdre Offices
Conway Road
Mochdre
Colwyn Bay
LL28 5AB**

Alternatively you can return your application by email: erf@conwy.gov.uk

If you are happy with our service, please tell us. It helps us identify good practice and encourages our staff. If you are not happy with our service, please tell us how we can improve.

Please note that this consent doesn't not absolve you from the need to obtain any other consents, licences or permissions which may be required in law prior to commencing the work.