

LAND DRAINAGE

If you own or are developing land bordering an ordinary watercourse (stream, ditch, culvert,) you may be a riparian owner or joint riparian owner. Riparian owners have certain rights and responsibilities established in common law over many years.

If there is a watercourse/ditch across or close to your proposed development site you should seek clarification of ownership responsibilities. This is particularly important for boundary ditches or culverts. The developer is responsible for ensuring details of riparian responsibilities are incorporated into transfer documents to ensure future management responsibilities are identified and understood.

Details of Riparian ownership and responsibilities can be found at;

<https://www.gov.uk/guidance/owning-a-watercourse>

and;

<https://www.norfolk.gov.uk/rubbish-recycling-and-planning/flood-and-water-management/information-for-homeowners/living-next-to-a-watercourse>

Any culverts or works affecting the flow of a watercourse requires the prior written consent of the Lead Local Flood Authority (Norfolk County Council) under the terms of the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010)/Water Resources Act 1991. The Lead Local Flood Authority seeks to avoid the use of culverts and consent for such works will not normally be granted, except as a means of access.

It should be noted that this consent is required in addition to any planning permission granted.

Further information can be found at;

<https://www.gov.uk/guidance/owning-a-watercourse>

and;

http://www.norfolk.gov.uk/Environment/Flood_and_water_management/Flood_Risk_Enforcement_and_Consent/index.htm