

Appendix 2: Additional consents, permissions and permits

A2.1 Other consents or permissions under other legislation and separate to and independent of the grant of planning permission may be required before you to implement any planning permission. Grants of planning permission does not necessarily mean these consents, permissions and permits would be granted by any other organisation. These are required under different legislation to that the planning system. Some of these are listed below, although this is not an exhaustive list. It is the responsibility of the applicant to make sure that all necessary consents, permissions and licenses are obtained.

Consent under the Building Regulations

A2.2 The Building Regulations approval process is entirely separate from the planning application process. The two processes come under different legislation and have different purposes and requirements. A grant of planning permission does not mean necessarily that Buildings Regulations consent will be given, and vice versa.

A2.3 The Building Regulations Approved Document H¹ – Drainage and Waste Disposal (2015) covers foul water from where it is generated (bathrooms, sinks etc) to where it meets the public sewer or private treatment plant. Approved Document H also covers rainwater from the point where it is collected to where it discharges to a soakaway, watercourse, attenuation tank or public sewer etc. Rainwater pipes can discharge onto the ground, or into new or existing underground pipework.

A2.4 For further information about Sefton Council's Building Control Service contact building@sefton.gov.uk.

Environment Agency: Environmental Permits for flood risk activities

A2.5 Development may require a permit from the Environment Agency for any proposed works or structures, in, under, over or within eight metres of the top of the bank of a designated 'main river'. Some activities are excluded or exempt. This permit is separate to and in addition to any planning permission granted, and is required under the Environmental Permitting (England and Wales) Regulations 2016. For further information, visit the Environment Agency's website <https://www.gov.uk/guidance/flood-risk-activities-environmental-permitswebsite> or contact enquiries@environment-agency.gov.uk.

Lead Local Flood Authority: Ordinary Watercourse Consent

A2.6 Development may require Land Drainage Consent (consent), from the Lead Local Flood Authority (LLFA) to build a culvert or structure (such as a weir) or to carry out works in, under, over or within eight metres of the top of the bank of an ordinary watercourse which may alter or impede the flow of water on any ordinary watercourse, regardless of whether it is culverted or not. This consent is separate to and in addition to any planning permission granted, and is required under the Land Drainage Act 1991 (as amended by the Flood & Water Management Act 2010).

¹ Building Regulations Approved Document H – Drainage and Waste Disposal (2015) See https://www.planningportal.co.uk/info/200135/approved_documents/71/part_h_-_drainage_and_waste_disposal

A2.7 Applicants must apply for consent before starting any works on site and failure to do so may result in enforcement action. Land drainage consents are valid for 12 months from the date of issue, and applicants need to reapply for consent should works continue beyond this period.

A2.8 Ordinary Watercourse Culverting, Diverting, Enforcement and Flood Investigation Policies were approved and adopted by Sefton Council in April 2017 see

<http://modgov.sefton.gov.uk/moderngov/ieListDocuments.aspx?CIId=143&MIId=8569&Ver=4>.

Canal & River Trust Consent

A2.9 The Canal & River Trust is a charity entrusted with the care of over 2000 miles of canals, rivers, docks and reservoirs in England and Wales, including over 20 kilometres of the Leeds and Liverpool Canal which passes through Sefton.

A2.10 The Canal & River Trust is not a land drainage authority, but can accept surface water discharge from developments. Any discharge of surface water from a development site to the Leeds and Liverpool Canal must be agreed with the Trust. It advises that such discharges are not granted as of right; where they are granted, they will usually be subject to completion of a commercial agreement. For more information, visit the Canal & River Trust website see

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design/about-us-and-the-planning-system> or contact Deborah.McCormick@canalrivertrust.org.uk

A2.11 Applicants proposing development, works or tree planting adjacent to the Canal should contact the Canal & River Trust in order to ensure that any necessary consent is obtained and that the works comply with the Canal & River Trust Code of Practice for Works affecting the Canal & River Trust. For more information, contact the Third Party Works Team (01782 779909).

Marine Management Organisation: Marine Licences

A2.12 The Marine Management Organisation (MMO) has a range of functions within English waters (seaward of mean high water spring tides) under the Marine and Coastal Access Act 2009. The MMO is the marine licensing authority, responsible for regulating the impact of licensable activities on the environment, human health, other users of the sea, and other relevant matters, e.g. maintenance activities for coastal or river defences in estuaries (carried out seaward of mean high water spring tides extents). For more information on whether a marine licence is required visit the Marine Management Organisation website <https://www.gov.uk/topic/planning-development/marine-licences> or contact marine.consents@marinemanagement.org.uk or telephone 0300 123 1032.