Environment Agency consent required for works on or near a watercourse or floodplain

In addition to any planning permission from the Local Planning Authority you may require, you may also need flood defence consent from the Environment Agency when doing:

- **Works within 8m of a main river:**

  Under the terms of the Water Resources Act 1991, and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of a main river.

  Main rivers are usually larger streams and rivers. However, they do include smaller watercourses of local significance. Main Rivers are watercourses designated as such on Main River maps (held by the Environment Agency) and are generally the larger arterial watercourses. Main Rivers are also indicated with a red line as part of the Flood Zones held by the Local Planning Authority.

- **Culverting of an ordinary watercourse:**

  Erection of flow control structures or any culverting of an ordinary watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.

  An ordinary watercourse is every river, stream, ditch, drain, cut, dyke, sluice, sewer (other than a public sewer) and passage through which water flows and which does not form part of a main river.

- **Works in the Thames Byelaw floodplain:**

  Under the terms of the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any proposed works within the Byelaw floodplain which does not require planning permission.

Further guidance:

Further guidance and a copy of the Environment Agency’s guide for riparian owners, called *Living on the Edge*, can be found at the following website: