

Surface Water Development Contribution FAQs

Contents

Q1. What is a Surface Water Development Contribution (SWDC)?	1
Q2. When is a SWDC incurred?.....	2
Q3. Why is a SWDC incurred?	2
Q4. How can the IDB charge a SWDC?.....	2
Q5. Isn't the Board already funded to manage the discharge from my development?.....	2
Q6. Has the Planning process already secured the funding for drainage through Section 106 of the Town and County Planning Act 1990?	2
Q7. Has the Planning process already secured the funding for drainage through a Community Infrastructure Levy?	3
Q8. How is the SWDC calculated?	3
Q9. What happens if I do not wish to pay the SWDC?	3
Q10. When should I apply for consent?	3
Q11. When do I receive / pay the SWDC invoice?	3

Q1. What is a Surface Water Development Contribution (SWDC)?

A SWDC is a one-off charge placed on a development by an Internal Drainage Board ("IDB"). The SWDC, net of its collection cost, is intended to reflect and contribute towards the actual or potential cost of work required to be undertaken by the IDB at some stage to manage the additional run-off resulting from the discharge of surface water from new impermeable areas into the Board's District.

The works described above can include maintenance activities, the operation of structures or the physical improvements of the Board's drainage/flood risk management infrastructure. It can also include the surveying, monitoring and modelling of infrastructure capacity.

It should be noted that the SWDC does not involve any profit-making for the relevant IDB. Indeed, the likelihood is that the sums paid amount to no more than a part-contribution to eventual works undertaken.

Q2. When is a SWDC incurred?

A Surface Water Development Contribution (SWDC) is payable when the Board grant consent for the discharge of surface water to the district. The payment is required as a condition of the consent.

The aforementioned consent is required as per Byelaw 3 of each Board's Byelaws, and as per Byelaw 29(c), any consent granted can be subject to conditions as the Board may consider appropriate.

Q3. Why is a SWDC incurred?

Introducing impermeable areas to greenfield sites generally increases the volume of surface water runoff downstream. Even when peak runoff rates have been limited to less than greenfield rates, the actual volume would have been increased. As such, even where attenuated, the discharge will still represent an increase from the agricultural discharge rate and more particularly increase the volume of water discharged into our district.

Where this is the case, the Board can apply a Surface Water Development Contribution as a condition of consent.

By way of an example, increases in the volume of water discharged into pumped catchments could require the relevant Board to operate its pumping stations for longer to maintain the same water levels as prior to development. Alternatively, if the capacity of the station is limited this may require the widening of drains and/or the creation of new off-line storage to ensure the volume of water can be accommodated at the pump

Q4. How can the IDB charge a SWDC?

In line with the provision of Byelaw 29(c) in the relevant Board's adopted Byelaws, any consent granted may be either unconditional or subject to such conditions as the Board may consider appropriate. One of the conditions imposed as part of surface water discharge consent approval is the payment of a SWDC to the Board.

Q5. Isn't the Board already funded to manage the discharge from my development?

Whilst Internal Drainage Board's receive funding from other sources it should be noted that these are specifically designed and calculated to cover the costs incurred by mitigating the effects on the drainage district from the current built and agricultural environment. They are not aimed at reflecting the additional burdens placed on the Board by the creation of additional impermeable areas positively discharged directly or indirectly to our area.

Q6. Has the Planning process already secured the funding for drainage through Section 106 of the Town and County Planning Act 1990?

No, the consenting process under the Land Drainage Act 1991 and the relevant Board's adopted Byelaws is separate to the process of obtaining planning permission. (Much in the same way as any separate agreements/consents required from organisations such as the Highway Authority and utility providers).

Q7. Has the Planning process already secured the funding for drainage through a Community Infrastructure Levy?

No, a Community Infrastructure Levy (introduced by the Planning Act 2008) is a charge levied by some Local Planning Authorities to help them deliver infrastructure needed to support development in their area. Local Planning Authorities (such as District Councils) then use the Levy that has been collected to fund a wide range of infrastructure as defined by section 216(2) of the Planning Act 2008. Drainage and water level management infrastructure are not included within Section 216(2) of the Planning Act 2008, and Internal Drainage Boards do not receive any part of this funding.

Q8. How is the SWDC calculated?

The methodology used to calculate a SWDC is contained and explained within the Board's [Development Control Charges and Fees](#) document.

Q9. What happens if I do not wish to pay the SWDC?

If a developer does not want to pay the contribution, all surface water runoff from the development would have to be stored on the development site with no outfall into the ordinary watercourse or any drainage system which will convey the water to the Board's district.

Q10. When should I apply for consent?

We strongly recommend that applications apply for consent to confirm the viability of the drainage strategy prior to the determination of a planning application. A viable strategy at the outline stage enables both the applicant and the LPA to proceed with increased confidence in the site's ability to drain (and thereby prevent flooding - a material planning consideration) and the ability to implement the outline permission, if granted.

Prior to engagement with the consenting process, no assurance can be provided by the Board that the wider drainage network has sufficient capacity to accept the proposed positive discharge connection.

Q11. When do I receive / pay the SWDC invoice?

The SWDC is payable upon the granting of consent, however we acknowledge that developers may want an assurance that the proposals are acceptable in principle, prior to progressing to formal consent and paying the SWDC, resultantly we utilise the two stage consent process outlined in table 1 overleaf.

BEDFORD GROUP OF DRAINAGE BOARDS

Stage 1	<p>If the Board deem that the proposed additional rate or volume of surface water will not lead to an increased flood risk then a '<i>notification of intention to grant consent</i>' letter is sent. In their assessment the Board's officers may cite evidence, such as models and hydrographs, often provided by the applicant.</p> <p>A '<i>notification of intention to grant consent</i>' letter is not the formal consent, but lists conditions such as technical specifications and required development contributions. This letter asks the applicant to sign to confirm acceptance of the conditions, and is only valid for 28 days (to avoid 'reserving' volumetric capacity within the catchment).</p> <p>It is considered that the '<i>notification of intention to grant consent</i>' is an assurance to both the applicant and the LPA that the Board considered that the catchment had capacity for the proposals which (at the time of submission) would not lead to an increased risk of flooding elsewhere in the catchment.</p> <p>Developers seeking assurance for outline plans may submit an application based on a likely scenario. This allows the developer and the LPA a level of assurance (not to be confused with evidence) regarding the site's ability to drain ahead of detailed design.</p>
Stage 2	<p><u>If the applicant is ready to accept the conditions</u> and sign the '<i>notification of intention to grant consent</i>' document then the final document is issued and consent is granted.</p> <p><u>Alternatively, if the applicant is not ready to accept the conditions</u> (for example if the proposals were indicative, or the applicant is awaiting planning permission) then the 28 days will elapse and the '<i>notification of intention to grant consent</i>' will become invalid.</p> <p>When ready, the applicant can re-apply for consent with increased confidence regarding the ability of the system to accept surface water from the site (assuming no material changes to the catchment's volumetric capacity has occurred). Please be aware that despite the assurances provided by an elapsed '<i>notification of intention to grant consent</i>', consent is not guaranteed and there remains a risk that the capacity required by the development will not have been retained in the system by the time the applicant (or their successors) wish to re-apply for consent. This is particularly true when discharging increased volumes to pumped or otherwise heavily constrained catchments.</p>

Table 1: The two stage consent process for discharging surface water.