

Sustainable drainage on new developments in Wales

Background

This newsletter is in a series published following consultations and workshops by the Welsh Government on implementing sustainable drainage (known as SuDS) for all new developments in Wales.

We shall publish these newsletters regularly as we approach the introduction of a new approval process and standards for surface water drainage management in January 2019. Our aim is to inform those who will be affected by the new approvals process, including developers and their designers, consulting engineers, local authority planners, highways and drainage engineers, statutory consultees and those responsible for green space management.

Confirmation of implementation date

The Commencement Order for Schedule 3 of the Flood and Water Management Act 2010 (the Act) was signed 1 May 2018. This sets a start date for the approvals requirement of **7 January 2019**.

The requirement for SAB approval

As a result of further discussion with stakeholders it is proposed that, with the exception of single dwellings and developments with a construction area of less than 100 square meters, all construction work requiring planning permission which has drainage implications will need SAB approval with effect from 7 January 2019. The requirement for SAB approval is subject to exemptions and transitional arrangements as follows.

Exemptions and transitional arrangements

It is proposed to exempt:

- Construction related to major roads (built by the Welsh Government), Network Rail railways and activities of internal drainage boards (delivered by Natural Resources Wales).
- Permitted developments which involve the construction of a building or other structure covering an area of land of less than 100 square meters.

It is proposed to make transitional arrangements as follows:

- Existing sites and developments with planning permission granted or deemed to be granted (whether or not subject to any conditions as to a reserved matter – but see also below) or for which a valid application has been received but not determined by 7 January 2019, will not be required to apply for SAB approval.
- SAB approval will still be required if the planning permission was granted subject to a condition as to a reserved matter and an application for approval of the reserved matter is not made before 7 January 2020.

Training

The first of the Welsh Government commissioned training sessions for local authority staff, developers and their agents and statutory consultees are scheduled for 16 and 17 July. These pilot sessions will be used to gather feedback for incorporation in the delivery of a series of training events across Wales later this year.

The sessions include:

- a half day introduction to sustainable drainage and the new approvals process intended for council members, officers working in functions such as planning, highways and open space management as well as developers and their agents.

- a more detailed half day course for those already familiar with SuDS which also provides the foundation for:

- a full day course for those who will be submitting and assessing drainage schemes.

If you would like further information or wish to register your interest, please e-mail water@gov.wales stating your role and location.

Schedule 3 forms

The Welsh Local Government Association (WLGA) is working with a small Task & Finish group to develop a common SAB application form with guidance. Work is underway and a draft application will be shared with local authorities and WG's Advisory Panel for comments. We will also look at developing an industry standard agreement template as well as a set of standard conditions. This work will ensure consistency in the delivery of Schedule 3 and make the process easier for developers working cross boundaries.

Welsh Local Government Association

We will be setting up a SAB resource page on our web site. The page will offer up to date information as well as provide tools developed by the WLGA to help local authorities deliver the SAB function.

What happens next?

Five statutory instruments needed for the implementation of Schedule 3 have been prepared, it is our intention to bring these forward in the Autumn. These cover:

- Fees
- Approval and adoption order
- Approval and adoption process
- Appeals
- Enforcement

Minor amendments to the **SuDS Standards** have been completed and these should be available shortly.

Draft Welsh Government **Guidance** on the Implementation of the Act should also be available shortly. This has been developed in consultation with our external stakeholder forum, the SuDS Advisory Group. It will be a living document which will be updated to take account of comments received and lessons learned before and during implementation.

External Stakeholder Group

Moving forward with implementation, we will establish an **Implementation Advisory Group**. We will include further details about the group, including its scope, in a future newsletter.

Resources

A wide range of information on SuDS is available. The Susdrain web site www.susdrain.org, which is supported by the Welsh Government, provides links to a wide range of resources and case studies. These include the comprehensive SuDS Manual (C753) and Guidance on the construction of SuDS (C768). The Welsh Government and WLGA are working together to produce a "Frequently asked questions" document to help implementation which should be available later in July. Details will be included in a future Newsletter.

How can I find out more information?

[The Cabinet Secretary's written statement on sustainable drainage here](#)

[Details of the current, voluntary SuDS Standards here.](#)

[Information on the November 2017 consultation and the summary of responses here.](#)

For queries and further information on the requirement for SuDS on new developments, contact us at: water@gov.wales

Newsletter distribution

We would be grateful if you could circulate this newsletter and ensure that other key stakeholders in your organisation are aware of the forthcoming changes.

If you would like to register for future editions of this newsletter, e-mail: water@gov.wales