

**The SuDS  
Approving  
Body**

**DLP BRIEFING NOTE 118**

Prepared by  
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## The SuDS Approving Body

Under the Flood and Water Management Act 2010, Many Local Planning & Building departments are becoming SuDS Approving Bodies. This means that once the relevant parts of the Act are commenced the council will need to review drainage plans and strategies for developments sites in excess of 10 units and grant approval (separate or in tandem to Planning permission) before any development can start on site. This SuDS must then be adopted and maintained by the Council. Currently the funding arrangements to enabling ongoing maintenance under adoption are not yet decided. The proposals have been out to consultation but introduction is currently unclear. A six month notice has been advised with either April or October 2013 expected. This will apply to major developments only for the first 3 years and then rolled out over a wider field of applicants. The Key provisions are: -

- A SuDS Approving Body (SAB) is created in unitary or county councils and guidance notes will be produced by these bodies
- SABs **must** approve drainage systems for managing rainwater in new (re)development **before construction begins**
- Secretary of State **must publish** National Standards for the design, construction, operation and maintenance of SuDS
- SABs **must** approve drainage systems they **judge to comply** with the National Standards
- SABs **must** adopt and maintain approved SuDS that **serve more than one property**; where the SuDS function as approved
- The Water Industry Act 1991 is amended to make the **right to connect** surface runoff to public sewers **conditional** on the drainage system being approved by the SAB
- Sewerage Undertakers, Environment Agency, Internal Drainage Boards, British Waterways and Highway Authorities to be statutory consultees to the SAB.

When formally commenced the Flood and Water Management Act 2010 will make it compulsory for development sites to have approval for their site drainage before construction can start. Fees are to be set by DEFRA with a review scheduled after 3 years. Site drainage will need to include the use of sustainable drainage systems (SuDS) in order to reduce flood risk, improve water quality and present options for biodiversity and public amenity. Site drainage plans and strategies will need to be submitted to the council. After a recommended pre-application meeting the submission can be made in tandem or made separately to the developments main Planning submission where decisions are made independently and under similar time frames. Similar to Planning there will be inspections, enforcement and right to appeal.

Earlier this year the Department for Environment, Food and Rural Affairs (Defra) consulted on their proposed procedures for SuDS approval. Further announcements from Defra as to how and when the new system will be implemented are awaited. Following this, more information about gaining SuDS approval will be available. In the meantime if you need further information about this future process please contact our Planning Department.

If you require more information or would like to discuss the issues mentioned in further detail please contact:

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