

Learnings from the implementation of SABs in Wales

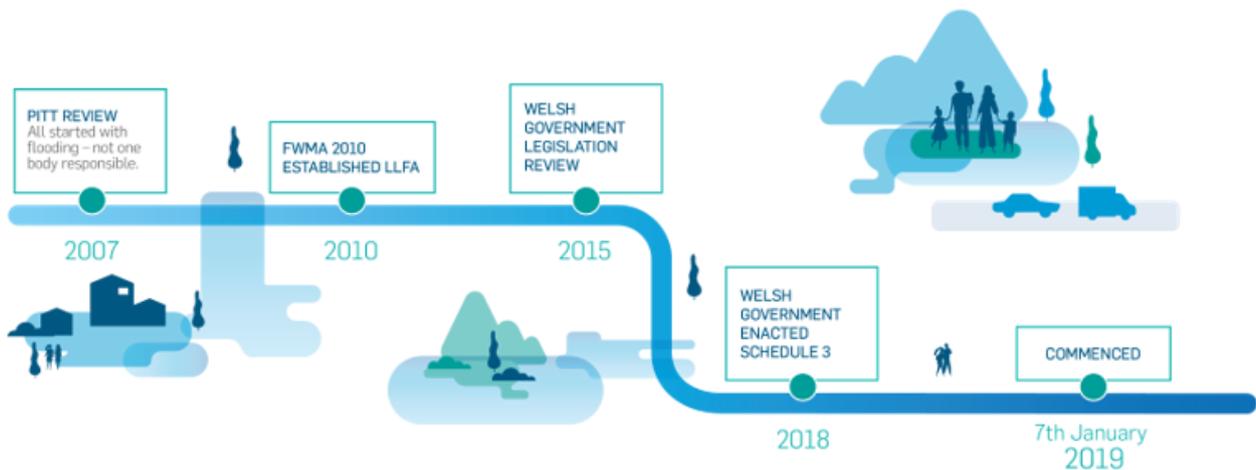
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1. Introduction

Since January 2019, Cardiff Council are the SuDS Approval Body (SAB) for the city. This paper will review the lessons learned through the early stages of establishing the SAB, and outline plans for developing the SAB. The paper should be of interest to all drainage professionals but particularly those working for LLFAs, SABs, or developers and development control.

1.1. Legal Development

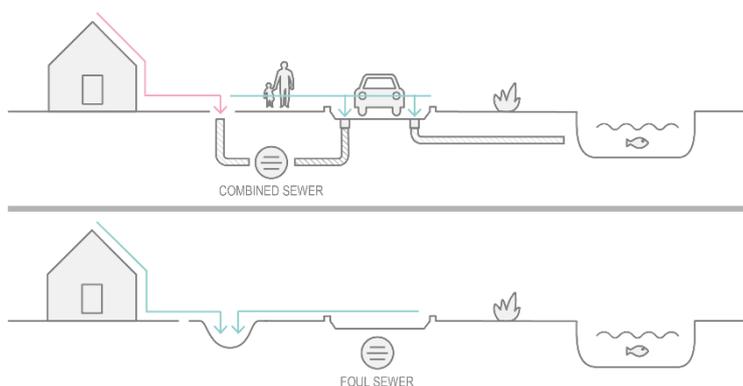
The need for change in the management of surface water flood risk was set out in the Pitt review in 2007, this was followed by the Floods and Water Management Act in 2010, which drove the establishment of Lead Local Flood Authorities across England and Wales. Unfortunately, Schedule 3 of the Act “the SuDS Standards” was omitted in order to deliver the legislation before a General Election. In England Schedule 3 (which had cross party support) has not been appended since that time. In 2015 there was a review of Welsh Government Legislation, leading to the enactment of Schedule 3 in 2018, which subsequently commenced in January 2019.



The enactment of Schedule 3 is a significant step forward in the management of Surface Water in Wales, and if successful could pave the way for amendment in England. The early learning from the implementation is critical, and all eyes are on Wales to see if it can be made to work.

1.2. Fundamental changes

The duty of managing rainwater was previously dependent on where the rainwater fell. Today, it is the statutory duty of the Local Authority to manage all rainwater according to the standards.



Before

Duty to manage rainwater dependent on where the rainwater falls.

Today

Local Authority responsible for drainage systems that serves more than one property, with the sewer being the last resort.

2. SAB Theory and Adoption

2.1. Cardiff context

Cardiff will need to deal with the development from **40,000 new homes** in the next 10 years, which equates to over 2/3 of all new development in Wales. The task of the SAB is significant, but also offers a fantastic opportunity to support high quality, attractive development.

Schedule 3 requires sustainable drainage on all construction work which has drainage runoff implications for development over 100m² – which could include large patios. Construction work which has drainage implications may not be commenced unless a drainage system for the work has been approved by the **SuDS Approving Body (SAB)** – this approval is separate to planning.

2.2. What should the SAB deliver?

Everything the SAB is aiming to deliver is reflected in the legislative definition of sustainable drainage, Welsh national standards, and the 4 pillars of SuDS in the SuDS Manual:

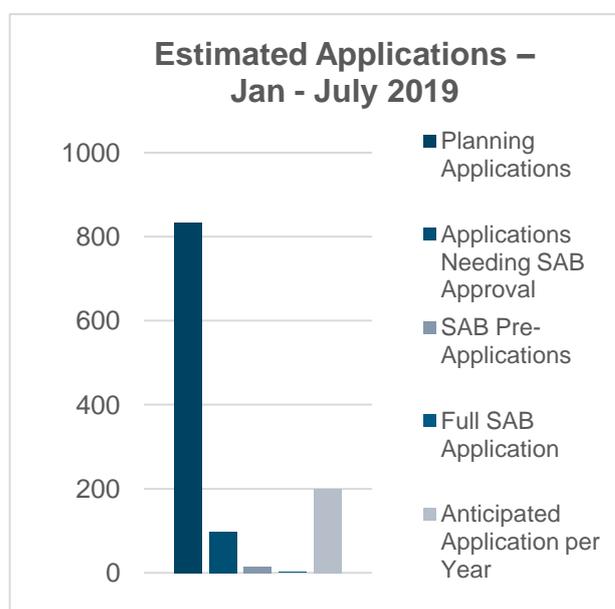
- Early engagement – front loading drainage in the site layout – making space for water
- Constraints and Opportunities mapped early, including flood flow paths
- Treatment trains and source control – biodiversity and amenity
- Easy to maintain and operate
- Single body responsible for surface water
- Mandatory adoption of SuDS features

2.3. Inside the SAB

In the first half of 2019, the Cardiff SAB saw a wide range of pre-applications, from solar farms to roads and residential developments. However, the SAB is not currently getting as many applications as expected due to developers being unaware of the process. This indicates that the target audience has been missed, and we are still seeing examples of retrofit SuDS on unbuilt development.

2.4. Duties of the SAB

The approach adopted in Cardiff is one of supporting the developers as much as possible to ensure that



applications are not rejected. Cardiff are ensuring that they support the smaller developers, who may be least well equipped to develop the SAB applications, and therefore may be hit hardest by the new approvals process. There is a duty on Cardiff Council to assist in the sustainable development through several means;

- Early discussions promoted through free pre-applications
- Incentive to identify true density and viability of a site
- Ongoing discussions with planning over the LDP
- Consideration of a site through a proportionate and reasonable approach to development

2.5. Next steps

The next steps will involve providing tailored guidance specific to Cardiff and tools for small developers. It will be important to ensure developers are provided with a clear understanding of infiltration issues specific to Cardiff's geology, and that smaller developers are provided with tools, such as calculation sheets, to assist them as much as possible.

The SAB will also need to integrate with other council departments to function well. Cardiff Housing have already responded positively to the SAB, showing that even affordable housing can have high quality SuDS. Cardiff Council are rising to the challenge, while raising awareness of the National SuDS standards for Wales, discussing theory and principles, theory versus reality, challenges and opportunities, and lessons learnt for the future. The approach will seek to develop exemplar projects that will give direction for large and small developers alike. This will also present the evidence base to feed back to Government, and help to develop technical skills throughout Wales.

David is the Flood and Coastal Risk Manager at Cardiff Council delivering the functions of the Lead Local Flood Authority. He has been a part of the Welsh Governments SuDS working group for the delivery of the legislation and is responsible for implementing the SuDS Approval Body process within Cardiff Council.

Eva is currently working alongside Cardiff Council to facilitate sustainable approaches to rainwater management on new developments. Prior to this she co-authored a drainage legislation review for the Welsh Government, which paved the way for the implementation of Schedule 3.