

(Version 2: update June 2022)

An update on Sustainable Drainage Systems (SuDS) for all Local Planning Authorities

In light of rules that came into effect on 1 April 2020, implemented under the Sewerage Adoption Code, English water and wastewater companies can now adopt a wider range of sewer types, including those with more environmentally friendly sustainable drainage systems (SuDS).

To be eligible for adoption, any drainage component in the system must meet the definition of a sewer as outlined in the [Sewerage Section Guidance document](#) issued by Water UK.

In line with the Design and Construction Guidance (DCG), issued by Water UK, we recommend that developers and their consultants engage with United Utilities, the Local Planning Authority (LPA) and the Lead Local Flood Authority (LLFA) early on in the planning process, and prior to the detailed design of their scheme, to discuss the best mechanisms for SuDS adoption.

SuDS should be encouraged on new developments and the planning system will ensure that appropriate consideration is given to this by applying the sustainable drainage hierarchy in the determination of the planning application. The Lead Local Flood Authority has the skillset and requirement to assess a planning application and provide advice to the local planning authority and we hope they will continue to assess any proposed SuDS scheme for design, appropriateness and maintainability.

Our approach to surface water asset adoption is changing from the 1st October 2022

From this date we will not adopt piped sewers that discharge to or through privately owned SuDS. Any new Section 104 sewer adoption application containing in line SuDS forming part of a continuous sewer network must be included within the adoption agreement.

Where the developer wishes to have SuDS and associated sewer networks adopted by United Utilities, early engagement is essential. We encourage developers to use our free [Section 104 pre-design application form](#) available on our website, so we can start to discuss requirements. We have a dedicated team who are able to assist with the pre-development process, ensuring the developer has all the support and guidance throughout the process. The team can be contacted by telephone on **0345 026 8989** or email at seweradoptions@uuplc.co.uk.

What happens next?

Once the developer has applied to us to have the sewer adopted (via the Section 104 process), we will start to assess the SuDS proposal in line with the Sewerage adoption code and DCG. You can find a summary of this guidance [here](#). All SuDS eligible for adoption (as sewers) must comply with the design standards set out in the DCG. Unlike design amendments to traditional sewers (pipes), amendments may be required to the location, shape, gradients, access points and other aspects which may be deemed material to a planning application. Therefore, it's important to reiterate the need for early engagement with all necessary stakeholders to ensure that the proposed design does not prevent an adoption agreement being reached.

To support developers and their consultants with this process, we have created a [SuDS Technical Library](#) which contains lots of handy guidance materials including design assessment sheets for common SuDS features. Please note, these documents are not our own standards and are to be read in conjunction with the industry guidance

What types of SuDS can we adopt?

United Utilities can adopt the following SuDS, subject to them being designed and constructed to an adoptable standard:

Ponds and wetlands	Basins Infiltration and attenuation	Bio-retention systems	Swales	Communal infiltration systems	Filter drains
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SuDS components which are excluded from adoption are green roofs, rainwater harvesting systems, water butts, permeable pavements, filter strips, proprietary treatment systems (such as oil separators), geocellular tanks (for attenuation only) or any overflow exceedance SuDS features.

What do we mean by adoption?

Adoption is limited to maintaining the SuDS function as a sewer. All management of the amenity, including grass cutting and litter picking remains the responsibility of the landowner or developer. The landowner or developer will also remain responsible for all planning conditions associated with open space and landscaping features which may be through a management company which is common on new development sites. We secure the relevant rights to access sewers (including SuDS) in private land through a deed of grant easement with the land owner.

SuDS adoption outside of United Utilities

Although United Utilities are able to adopt certain SuDS, it is not mandatory. Developers can choose for surface water networks containing SuDS to remain private or can apply for alternative companies to adopt their water and wastewater networks using a New Appointment and Variation (NAV).

A NAV is an independent water and wastewater company who are able to act as the statutory water and wastewater undertaker in a particular area, when appointed. In this instance, all ongoing maintenance will be the responsibility of the private company, individual or NAV. A developer can request any company to act as their supplier, subject to approval from Ofwat. NAVs can acquire water from their own source or buy it wholesale from another water company. They can also treat wastewater themselves or agree to discharge it to another companies sewage. You can find more information about NAVs and inset water companies via the [Ofwat website](#). A local authority can also adopt a SuDS installation if they prefer.

If you have any questions or would like to know more about SuDS adoption, please get in touch via seweradoptions@uuplc.co.uk

