

**DIRECTION GIVEN BY THE SECRETARY OF STATE UNDER SECTION 35(1) OF THE PLANNING ACT 2008 (AS AMENDED) RELATING TO THE FENS RESERVOIR PROJECT**

1. By an emailed letter to the Secretary of State received on 22 April 2025 ("**the Request**"), Anglian Water Services Limited ("**the Applicant**") formally requested that the Secretary of State exercise the power vested in the Secretary of State under section 35(1) of the Planning Act 2008 (as amended) ("**the Planning Act**") to direct that the Principal Development of the proposed Fens Reservoir project ("**the Project**") be treated as development for which development consent is required.
2. In its Request, the Applicant advises that the principal element of the Project ("Principal Development") comprises the following:
  - a non-impounding reservoir with the capacity to store c.55 Mm<sup>3</sup> of water (with a usable volume of c.50 Mm<sup>3</sup>) with a water surface area of approximately 5km<sup>2</sup> to be located in the East of England (in the Cambridgeshire Fens)
  - an embankment to create a continuous low-permeability barrier against the flow of water").

(together, the 'Principal Development')

3. Other elements of the Project include:

- associated development (within the meaning of section 115(1)(b) of the Planning Act) which may include, but not limited to:

(a), works to enable raw water transfer to and treated potable water supply from the reservoir including water intakes, pumping stations, treatment works, pipelines and service reservoirs

(b) temporary works to support construction, works to support operation and maintenance (including pipelines and treatment works), site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures

(together "the Associated Development"); and

- ancillary matters ("the Ancillary Matters").

The Project can therefore be summarised as comprising:

- the Principal Development;
- the Associated Development; and

- the Ancillary Matters,  
all as detailed or referred to in the Applicants' letter received by email.
4. The Secretary of State notes that the Request relates to the Principal Development.
  5. The Secretary of State has made a decision before the primary deadline in accordance with section 35A(2) and (5) of the Planning Act and wishes to convey that decision.
  6. Having considered the Applicant's Request and the details of the Principal Development, the Secretary of State is satisfied that:
    - the Principal Development is not a project that satisfies the necessary criteria to fall within the definition of a "nationally significant infrastructure project" ("**NSIP**") under sections 14(1) and 27(1)(b) of the Planning Act and therefore it is appropriate to consider use of the power in section 35(1) of that Act;
    - the Principal Development forms part of a project in the field of water in accordance with section 35(2)(a)(i) of the Planning Act;
    - the Principal Development will (when completed) be wholly within England in accordance with section 35(2)(b) and (3) of the Planning Act;
    - no application for consent or authorisation mentioned in section 33(1) or (2) of the Planning Act has been made in relation to the Principal Development to which the Request relates; and
    - the Applicant's Request constitutes a "qualifying request" in accordance with section 35ZA(11) of the Planning Act.
  7. Having considered the details of the Applicant's proposals as set out in the Request, the Secretary of State concludes that the Project is of national significance in accordance with section 35(2)(c), for the reasons set out in the Annex below.
  8. The Secretary of State considers that if the details of the Project change, before submitting any application to the Planning Inspectorate, the Applicants may wish to seek confirmation from the Secretary of State that the development that is the subject of the proposed application is the same as that for which the Direction is hereby given.
  9. The Secretary of State has taken the direction within the conditions as required by sections 35A(2) and (5) of the Planning Act, and issues this Direction accordingly under sections 35(1) and 35ZA of the Planning Act.
  10. THE SECRETARY OF STATE DIRECTS that the Principal Development is to be treated as development for which development consent is required. Any application for development consent for the Principal Development may also include any matters that may properly be included in a development consent

order (in accordance with section 120 of the Planning Act) including associated development (within the meaning of section 115(2) of the Planning Act) and ancillary matters (section 120(3) Planning Act).

11. THE SECRETARY OF STATE FURTHER DIRECTS in accordance with section 35ZA(3)(b) and (5) of the Planning Act that any proposed application for a consent or authorisation mentioned in section 33(1) or (2) of the Planning Act in relation to the Principal Development is to be treated as a proposed application for which development consent is required.
12. This direction is given without prejudice to the Secretary of State's consideration of any application for development consent which may be made in relation to all or part of the Project.

Signed by



**THE RT HON STEVE REED OBE MP**  
**Secretary of State Environment, Food & Rural Affairs**

## Annex A

### **REASONS FOR THE DECISION TO ISSUE THE DIRECTION**

The Secretary of State is of the opinion that the Direction should be issued for the reasons below:-

1. The Principal Development, namely the main components of the Fens Reservoir Project is a development for which development consent is required since the Project is considered to be nationally significant having in particular taken into account that the Project would:
  - be for a complex and substantial scheme, involving extensive infrastructure works and requiring multiple powers and consents (including multiple planning permissions, compulsory acquisition powers and highway orders), which should be seen as nationally significant development in its own right; and
  - benefit from an application being determined in a timely and consistent manner by the Secretary of State, and by removing the need to apply and the uncertainty of applying for a large number of separate powers and consents.
  - be in a location and of a scale that meets the relevant criteria and thresholds for being a reservoir NSIP under S27 (1) (a) and (c) of the PA 2008.
2. Furthermore, the Principal Development would:
  - Provide water supply resilience to the Anglian Water and Cambridge Water region, part of the WRE region, enabling a reduction in the amount of water taken from the environment, reducing water abstractions from sensitive sources such as chalk aquifers.
  - Support the WRE region with their environmental ambition and the government in delivering their nationally significant growth proposals for the Cambridge region.