

DIRECTION GIVEN BY THE SECRETARY OF STATE UNDER SECTION 35(1) OF THE PLANNING ACT 2008 (AS AMENDED) RELATING TO THE GRAND UNION CANAL TRANSFER PROJECT

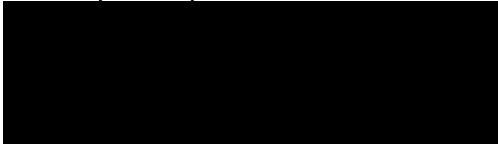
1. By a letter to the Secretary of State received on 5 September 2024 Affinity Water Limited, Severn Trent Water Limited and the Canal & River Trust (together "the Applicants") formally requested that the Secretary of State exercise the power vested in the Secretary of State under section 35(1) of the Planning Act 2008 ("the Planning Act") to direct that the Principal Development of the Grand Union Canal Transfer Project referred to in the letter ("the Proposed Project") be treated as development for which development consent is required.
2. The Secretary of State notes that the Proposed Project comprises the following:
 - a new buried partially treated water transfer pipeline capable of transferring up to 115Ml/d at peak operation, from a connection point at Minworth, Birmingham to a new discharge structure to the Coventry Canal in Warwickshire, including related new pumping station, break pressure tank, valves and other pipeline infrastructure;
 - works to the existing Coventry, Oxford and Grand Union Canals to ensure the transfer of water, including new or modified pumping stations, new gravity and pumped bypasses, bank raising, works to existing weirs and other related infrastructure works; and
 - a new abstraction structure on the Grand Union Canal in Buckinghamshire or Bedfordshire, with related new pumping station, buried raw water transfer pipeline, valves and other pipeline infrastructure to a connection point in Buckinghamshire or Bedfordshire (together, the 'Principal Development')
 - associated development (within the meaning of section 115(1)(b) of the Planning Act) including, but not limited to: an Advanced Water Treatment Plant and a Water Treatment Plant, both capable of treating up to 115Ml/d of raw water at peak operation; a new raw water storage reservoir; works to modify two existing raw water storage reservoirs; new buried treated water pipeline and related pumping station and other pipeline infrastructure; environmental and other mitigation and compensation measures necessary for the future operation of the Proposed Project; temporary and permanent works to the existing canal network and any related infrastructure which are associated with any impacts from the transfer of water, including works to bridges Grand Union Canal Transfer 29 and other structures and mitigation and enhancement works; temporary and permanent accesses and works to highways and rights of way; temporary works to support construction; works to support operation and maintenance; temporary and permanent utility connections; and landscaping, environmental mitigation, enhancement and compensation measures(“the Associated Development”); and
 - matters ancillary to the development (“the Ancillary Matters”).

3. The Proposed 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.
4. The Secretary of State notes that the Direction request in the Applicants' letter received on 05 September 2024 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 Applicants' formal request and the details of the Proposed Project under section 35 and 35ZA of the Planning Act, the Secretary of State is satisfied that:
 - no application for consent or authorisation mentioned in section 33(1) or (2) of the Planning Act has been made in relation to the development to which the request relates;
 - the Proposed Project sits within one of the qualifying infrastructure fields listed in section 35(2)(a)(i) (water) of the Planning Act;
 - the Proposed Project will be wholly within England in accordance with section 35(2)(b) and (3) of the Planning Act;
 - The Proposed Project does not fall within the existing definition of a "nationally significant infrastructure project" and therefore it is appropriate to consider use of the power in section 35(1) of the Planning Act 2008
 - The Applicants' letter constitutes a "qualifying request" in accordance with section 35ZA(1) and (11) of the Planning Act.
7. The Secretary of State is of the view that the Proposed 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 Proposed 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.

THE SECRETARY OF STATE HEREBY 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).

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 Proposed Project.

Signed by

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Rt Hon Steve Reed OBE MP

Secretary of State

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 Grand Union Canal Transfer Project is a development for which development consent is required since the Proposed Project is considered to be nationally significant having in particular taken into account that the Proposed 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.
2. Furthermore, the Principal Development would:
 - Provide water supply resilience to AfW's central region, part of the WRSE region, enabling a reduction in the amount of water taken from the environment, reducing reliance on sensitive chalk groundwater sources that feed into chalk streams which are vulnerable to climate change and supporting population growth;
 - Support the WRE region with their environmental ambition and the government in delivering their nationally significant growth proposals for Cambridge