



Department  
for Environment  
Food & Rural Affairs

The Rt Hon George Eustice MP  
Secretary of State for Environment,  
Food and Rural Affairs

Seacole Building  
2 Marsham Street  
London  
SW1P 4DF

T 03459 335577  
defra.helpline@defra.gov.uk  
[www.gov.uk/defra](http://www.gov.uk/defra)

Southern Water Services Ltd  
Southern House  
Yeoman Road  
Worthing  
BN13 3NX

31 May 2022

**DIRECTION BY THE SECRETARY OF STATE UNDER SECTION 35(1) OF THE PLANNING ACT 2008 (AS AMENDED) RELATING TO THE HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT.**

By email to the Secretary of State received on 6th April 2022 Southern 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 proposed Hampshire Water Transfer and Water Recycling Project as set out in the applicant's email ("**the proposed project**") be treated as development of national significance for which development consent is required.

By email to the applicant sent on 29 April 2022 the Secretary of State formally sought additional information on the request under section 35A(3) of the Planning Act. By email to the Secretary of State received on 12 May 2022 the applicant responded with that additional information.

The Secretary of State has made a decision within the deadline set out in section 35A(4) of the Planning Act and wishes to convey that decision.

Having considered the applicant's request and the details of the proposed project, the Secretary of State is satisfied that:

- the elements of the proposed project that are requested to be development for which development consent is required either are, or are a part of, a project in the field of water;
- the proposed project is within England;
- 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; and
- the Applicant's request therefore constitutes a "qualifying request" in accordance with section 35ZA(1) of the Planning Act.

In coming to these conclusions, the Secretary of State notes that the proposed project relates to the construction of new water transfer and water recycling infrastructure for the purposes of water supply and thus sits within one of the qualifying infrastructure fields listed in section 35(2)(a)(i) of the Planning Act, namely water.

The Secretary of State notes that the applicant describes the proposed project as comprising of the following:

- Underground water transfer pipeline from Havant Thicket Reservoir to Otterbourne Water Supply Works (WSW) to transfer approximately 90MI/d during peak operation (i.e. during severe drought conditions);
- Water Recycling Plant (WRP) in vicinity of Budds Farm Wastewater Treatment Works (WTW) with an output of at least 15MI/d.
- Underground pipeline to transfer at peak operation at least 15MI/d of recycled water from the WRP to Havant Thicket Reservoir;
- Underground pipelines between Budds Farm WTW and the WRP to accommodate minimum 19MI/d peak transfer volumes in each direction;
- High lift pumping station, either located at the site of the WRP or located along the underground water transfer pipeline between Havant Thicket Reservoir and Otterbourne WSW;
- Second stage pumping station and break pressure tank located along the underground water transfer pipeline between Havant Thicket Reservoir and Otterbourne WSW;

(together, "the Principal Development")

- associated development (within the meaning of section 115(1)(b) of the Planning Act) including, but not limited to: temporary works to support construction, works to support operation and maintenance, site accesses, temporary and permanent utility connections, highway diversions and landscaping, environmental mitigation, enhancement and compensation measures ("the Associated Development"); and
- ancillary matters ("the Ancillary Matters").

The proposed project does not include the construction of any dwellings.

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 applicant's formal request.

The Secretary of State is of the view that the proposed development by itself is nationally significant, for the reasons set out in the Annex below.

**THE SECRETARY OF STATE HEREBY DIRECTS** that the proposed development, namely, the **Hampshire Water Transfer and Water Recycling Project**, is to be treated as development for which development consent is required. Any development consent order application for the proposed development may also include any matters that may properly be included in a development consent order (within the meaning of section 120 of the Planning Act) including ancillary matters (section 120(3)) and associated development (within the meaning of section 115(2) of the Planning Act).

**THE SECRETARY OF STATE FURTHER DIRECTS** in accordance with section 35ZA(3)(b) and (5)(b) 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 NSIP development is to be treated as a proposed application for which development consent is required.

This direction is given without prejudice to the Secretary of State's consideration of any application for a development consent order which is made in relation to all or part of the proposed project.



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## ANNEX

### REASONS FOR THE DECISION TO ISSUE THE DIRECTION

The Secretary of State is of the opinion that the proposed development, the Hampshire Water Transfer and Water Recycling Project is nationally significant and therefore treated as a development of national significance 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 way of the Development Consent regime, and by removing the need to apply, and the uncertainty of applying, for a large number of separate powers and consents.

Furthermore, the proposed Project would:

- provide a substantial number of people across Hampshire with a resilient water supply during drought conditions and would be a key piece of strategic regional infrastructure in meeting the modelled supply deficit for Southern Water's water supply zone;
- make a significant contribution (c. 47%) to resolving the overall supply demand deficit in Southern Water's Western Area of supply;
- support the delivery of up to 87,000 new homes by 2045;
- have the capacity to be upgraded to support further increases in population growth, housing supply and / or further water resource pressures;
- mitigate against the social and economic risks of debilitating water restrictions for both businesses and households when the weather is dry; and
- make a significant contribution to the UK Government's environmental objectives and policy priorities.