

DIRECTION BY THE SECRETARY OF STATE FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS ("THE SECRETARY OF STATE") UNDER SECTIONS 35 AND 233(2) OF THE PLANNING ACT 2008 RELATING TO THE HAMPSHIRE WATER TRANSFER AND WATER RECYCLING PROJECT

ORIGINALLY GRANTED ON 31 MAY 2022, VARIED ON 18 NOVEMBER 2024 FOLLOWING AN APPLICATION TO VARY RECEIVED ON 27 SEPTEMBER 2024

1. By email to the Secretary of State received on 27 September 2024 ('the Variation Request') Southern Water Services Limited ('the **Applicant**') formally requested that the Secretary of State exercise the power vested in him under sections 35(1) and 233(2) of the Planning Act 2008 (as amended) ('the Act') to direct that the Principal Development of the proposed Hampshire Water Transfer and Water Recycling Project ('the Project') be treated as development for which development consent under the Act is required.
2. In its Variation Request, the Applicant advises that the Principal Development is now comprised of the following elements:
 - underground water transfer pipelines to enable the transfer of approximately 90MI/d of water during peak operation (i.e. during severe drought conditions) from Havant Thicket Reservoir to Otterbourne Water Supply Works (WSW).
 - water Recycling Plant (WRP) in vicinity of Budds Farm Wastewater Treatment Works (WTW) with an output of at least 15MI/d.
 - underground pipeline to enable the transfer at peak operation of 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(s) between Havant Thicket Reservoir and Otterbourne WSW;
 - second stage pumping station and break pressure tank located along the underground water transfer pipeline(s) between Havant Thicket Reservoir and Otterbourne WSW;

(together, "the Principal Development")

3. Other elements of the Project include:
 - associated development (within the meaning of section 115(1)(b) of the 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 Project can therefore be summarised as comprising:

- The Principal Development
 - The Associated Development; and
 - The Ancillary Matters.
4. The Secretary of State notes that the Variation Request relates to the Principal Development.
 5. Having considered the Applicant's Variation Request and details of the Principal Development (as amended) under sections 35 and 35ZA of the Act, the Secretary of State is satisfied that—
 - no application for consent or authorisation mentioned in section 33(1) or (2) of the Act has been made in relation to the Principal Development to which the request relates;
 - the Principal Development forms part of a proposed project (the Project) in the field of water in accordance with section 35(2)(a)(i) of the Act;
 - the Principal Development will (when completed) be wholly within England in accordance with section 35(2)(b) and (3) of the Act;
 - The Proposed Project does not fall within the definition of a “nationally significant infrastructure project” under section 14(1) of the Act and therefore it is appropriate to consider use of the power in sections 35(1) and 233(2) of the Act; and
 - The Applicant's Variation Request constitutes a “qualifying request” in accordance with section 35ZA(11) of the Act
 6. Having considered the details of the Applicant's proposals as set out in the Variation Request, the Secretary of State concludes that the Project is nationally significant in accordance with section 35(2)(c) of the Act; the reasons for this are included in the Annex below.
 7. The Secretary of State considers that if the details of the Project change, before submitting any application to the Planning Inspectorate, the Applicant 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.
 8. The Secretary of State has taken the direction within the conditions as required by sections 35A(2) and (5) of the Act, and issues this Direction accordingly under sections 35(1), 35ZA, and 233(2) of the Act.
 9. 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 Act) including associated development (within the meaning of section 115(2) of the Act) and ancillary matters (section 120(3) of the Act).
 10. The Secretary of State further directs in accordance with section 35ZA(3)(b) and (5) of the Act that a proposed application for a consent or authorisation mentioned in

section 33(1) or (2) of the Act in relation to the Principal Development is to be treated as a proposed application for development consent.

11. The Secretary of State further directs that the Direction of 31 May 2022 has been varied accordingly.

12. This Direction is given without prejudice to the Secretary of State's consideration of any application for development consent which is made in relation to the Principal Development.

A handwritten signature in dark ink that reads "Steve Reed". The signature is written in a cursive style with a horizontal line underneath the name.

Signed by

The Rt Hon Steve Reed OBE MP

Secretary of State for Environment, Food and Rural Affairs

19 November 2024

ANNEX A

REASONS FOR THE DECISION TO ISSUE THE VARIED DIRECTION

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

The Principal Development, namely the main components of the Hampshire Water Transfer and Water Recycling 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),
- 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.
- 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.