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Date: 14/05/2025

Dear Kathryn Taylor

Fens Reservoir – Request for a Direction under Section 35(1) of the Planning Act 2008.

Thank you for your email dated 22 April 2025 requesting the Secretary of State exercises powers under section 35 of the Planning Act 2008 ('the Planning Act') to direct that the Principal Development of the proposed Fens Reservoir project ('the Project') be treated as a development for which development consent is required under the Planning Act.

Following review and consideration of your case the Secretary of State is content to give a direction for the Principal Development to be treated as a development for which development consent is required. A signed Direction, including decision rationale, under section 35 of the Planning Act to that effect is attached.


This direction is given on the basis that the Project is specified for delivery by an Infrastructure Provider (IP) under the Water Industry (Specified Infrastructure Projects) (English Undertakers) Regulations 2013 (SIPR). Should Ofwat make a final decision which does not reflect their current proposal to specify the Project for delivery under SIPR, Secretary of State requests that Defra is informed of the decision so that appropriate steps can be taken in respect of this section 35 direction.

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 this proposed development.

The Direction, along with the cover letter, qualifying request and this decision letter will be published on GOV.UK.

We request the applicants engage with The Planning Inspectorate to provide the necessary details of the proposed scheme so that a project page can be set up on its National Infrastructure website and for the Direction notice to be subsequently published on that page.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Woolhead', is displayed on a light blue rectangular background.

Martin Woolhead,
Deputy Director
Water Sector Delivery