



Ministry of Housing,
Communities &
Local Government

Mustafa Latif-Aramesh
Partner & Parliamentary Agent
TLT LLP

By email only:

Mustafa.Latif-Aramesh@TLT.com

Please ask for: Jamie Kam
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Email: Jamie.kam@communities.gov.uk
Your ref:
Our ref: PCU/NSIP/P0240/3378443
Date: 15 June 2026

Dear Mustafa Latif-Aramesh

**DIRECTION BY THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES
AND LOCAL GOVERNMENT UNDER SECTION 35(1) OF THE PLANNING ACT
2008**

**PROPOSED DATA CENTRE CAMPUS AT AMPHILL ROAD, BEDFORD, MK45
3JP**

I refer to your emails and attachments that were received on 24 April 2026 and 18 May 2026, requesting that the Secretary of State give a direction allowing the development to be treated as development of national significance for which a Development Consent Order (“DCO”) is required under section 35(1) of the Planning Act 2008 (“the Act”). There were also two additional requests made: to treat the proposed application for planning permission as a proposed application for a DCO under section 35ZA(3)(b) of the Act; and, to treat the statutory duty of consultation under sections 42 and 47 of the Act as having been complied with under section 35ZA(5)(b) of the Act.

The Secretary of State has considered the requests and has decided to give a direction under section 35(1) for the development to be treated as development for which a DCO is required under the Act. The Secretary of State has also decided to give a direction under section 35ZA(3)(b) that the proposed application for planning permission under section 33(1)(a) of the Act be treated as a proposed application for a DCO.

However, the Secretary of State has decided not to grant the request for a direction under section 35ZA(5)(b) to make provision for the statutory duties of consultation under sections 42 and 47 to be treated as having been complied with. This is because consultation/engagement equivalent to statutory consultation has not been carried out in respect of the proposed application for planning permission, nor has

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any evidence been provided that any engagement has taken place other than with Central Bedfordshire Council and National Gas. Giving a direction would be inconsistent with the purpose of section 35ZA(5)(b), as currently applied. Sections 42 and 47 are still in force and all applicants/proposed applicants will be subject to the current legal and policy framework until the relevant sections of the Planning and Infrastructure Act 2025 have been commenced and the supporting pre-application guidance has been published. Such a direction would not be consistent with the current legislation or existing live Government policy, in force at the time of this request.

The Direction itself is separately enclosed. I am sending a copy of this letter and the Direction to the Planning Inspectorate.

Yours sincerely

Jamie Kam

Jamie Kam
Senior Casework Manager
Planning Casework Unit