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STATUTORY INSTRUMENTS

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**2020 No. 1656**

**INFRASTRUCTURE PLANNING**

**The Hornsea Three Offshore Wind Farm Order 2020**

*Made* - - - - 31st December 2020

*Coming into force* - - 22nd January 2021

An application has been made to the Secretary of State under section 37 of the Planning Act 2008 (“the 2008 Act”)(1) for an order granting development consent.

The application was examined by the Examining Authority appointed by the Secretary of State pursuant to section 61(2) and section 65(3) of Part 6 of the 2008 Act and carried out in accordance with Chapter 4 of that Act and with the Infrastructure Planning (Examination) Procedure Rules 2010(4). The Examining Authority has submitted a report to the Secretary of State under section 74(2)(5) of the 2008 Act.

The Secretary of State has considered the report and recommendation of the Examining Authority, has taken into account the environmental information in accordance with regulation 3 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009(6) and, as a national policy statement has effect in relation to the proposed development, has had regard to the documents and matters referred to in section 104(2)((7) of the 2008 Act.

The Secretary of State, having decided the application, has determined to make an Order giving effect to the proposals comprised in the application on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

The Secretary of State is satisfied that open space within the Order land, when burdened with any new rights authorised for compulsory acquisition under the terms of this Order, will be no less advantageous than it was before such acquisition, to the persons whom it is vested, other persons, if any, entitled to rights of common or other rights, and the public, and that, accordingly, section 132(3)(8) of the 2008 Act applies.

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- (1) [2008 c.29](#). Section 37 was amended by section 128(2) and Schedule 13, Part 1, paragraphs 1 to 5 of the Localism Act 2011 ([c.20](#)).
- (2) Section 61 was amended by section 128(2) and Schedule 13, paragraph 18 to the Localism Act 2011 and by section 26 of the Infrastructure Act 2015 ([c.7](#)).
- (3) Section 65 was amended by Schedule 13 paragraph 22(2) and Schedule 25, paragraph 1 to the Localism Act 2011 and by section 27(1) of the Infrastructure Act 2015.
- (4) [S.I. 2010/103](#). This instrument was amended by [S.I. 2012/635](#).
- (5) Section 74 was amended by sections 128(2) and 237 and by Schedule 13, paragraph 29 and Schedule 25, paragraph 1, to the Localism Act 2011.
- (6) [S.I. 2009/2263](#). Regulation 3 was amended by [S.I. 2012/635](#) and [S.I. 2012/787](#). [S.I. 2009/2263](#) was revoked by [S.I. 2017/572](#), but continues to apply to this application for development consent by virtue of transitional provisions contained in regulation 37(2) of that instrument.
- (7) Section 104 was amended by section 58(5) of the Marine and Coastal Access Act 2009 ([c.23](#)) and by section 128(2) of the and Schedule 13, paragraphs 1 and 49(1) to (6) of the Localism Act 2011.
- (8) Section 132 was amended by section 24(3) of the Growth and Infrastructure Act 2013 ([c. 27](#)).

The Secretary of State, in exercise of the powers conferred by sections 114, 115, 120(9) and 149A of the 2008 Act, makes the following Order—

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(9) Sections 114,115 and 120 were amended by sections 128(2) and 140 and Schedule 13, paragraphs 1, 55(1), (2) and 60(1) and (3) of the Localism Act 2011. Relevant amendments were made to section 115 by section 160(1) to (6) of the Housing and Planning Act 2016 (c. 22).