
STATUTORY INSTRUMENTS

2016 No. 880

INFRASTRUCTURE PLANNING

The Triton Knoll Electrical System Order 2016

Made - - - - *5th September 2016*

Coming into force - - *27th September 2016*

On 14th November 2013 the Secretary of State gave a direction under section 35 of the Planning Act 2008⁽¹⁾ (the “2008 Act”) that the development set out in a letter from RWE Npower Renewables Limited (now RWE Innogy UK Limited) received on 25th October 2013, together with any matters associated with it, be treated as development for which development consent is required.

An application under section 37 of the 2008 Act has been made to the Secretary of State for an order granting development consent for the development referred to in the direction.

The application has been examined by a Panel, which has made a report to the Secretary of State under section 74(2) of the 2008 Act. After receiving the report, the Secretary of State requested further information from various persons.

The Secretary of State has considered the report and recommendation of the Panel, has taken into account the environmental information in accordance with regulation 3 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009⁽²⁾ and has had regard to the documents and matters referred to in section 105(2) of the 2008 Act.

The Secretary of State is satisfied that the special category land (as defined in article 30 of the Order), when burdened with the Order rights (as defined in that article), will be no less advantageous than it was before to the persons in 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) of the 2008 Act applies.

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.

Accordingly, the Secretary of State, in exercise of the powers conferred by sections 114 and 120 of the 2008 Act, makes the following Order:

(1) [2008 c.29](#). Section 35 was substituted by section 26(2) of the Growth and Infrastructure Act 2013 ([c.27](#)). Section 37 was amended by section 137(5) of, and paragraph 5 of Schedule 13 to, the Localism Act 2011 ([c.20](#)). Section 74(2) was amended by paragraph 29(2) of that Schedule. Section 105 was amended by paragraph 50 of that Schedule. Section 114 was amended by paragraph 55 of that Schedule. Section 120 was amended by section 140 of, and paragraph 60 of Schedule 13 to, that Act. Section 132 was amended by section 24(3) of the Growth and Infrastructure Act 2013.

(2) [S.I. 2009/2263](#). Regulation 3 was amended by [S.I. 2012/635](#) and [2012/787](#).