
STATUTORY INSTRUMENTS

2017 No. 826

INFRASTRUCTURE PLANNING

The East Anglia THREE Offshore Wind Farm Order 2017

Made - - - - *7th August 2017*

Coming into force - - *29th August 2017*

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

The application was examined by the Examining Authority which has made a report to the Secretary of State under section 74(2) 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(2) and has had regard to the documents and matters referred to in section 104(2) 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 this Order, will be no less advantageous than it was before such acquisition 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, in exercise of the powers conferred by sections 114 and 120 of the 2008 Act, makes the following Order:

(1) [2008 c.29](#). 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(3) of that Schedule. Section 104(2) was amended by paragraph 49 of that Schedule and section 58 of the Marine and Coastal Access Act 2009 ([c.23](#)). Section 114 was amended by paragraph 55 of Schedule 13 to the Localism Act 2011. Section 120 was amended by section 140 of, and paragraph 60 of Schedule 13 to, that Act.

(2) [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 [S.I. 2009/2263](#) was revoked by [S.I. 2017/572](#), but continues to apply to this application for development consent by virtue of transitional provisions contained in Regulation 37(2) of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.