
STATUTORY INSTRUMENTS

2019 No. 12

The Infrastructure Planning (Water Resources) (England) Order 2019

Transitional and savings provisions: accepted applications for an order granting development consent

- 3.—(1) Paragraph (2) applies where an application for an order granting development consent—
- (a) has been accepted in accordance with section 55 of the Act (acceptance of applications)⁽¹⁾ but has not been decided before the day on which this Order comes into force, and
 - (b) is for—
 - (i) the construction or alteration of a dam or reservoir, or
 - (ii) a development relating to the transfer of water resources.
- (2) In such a case—
- (a) the application must continue to be considered and such an order must be made or development consent refused in accordance with the provisions of the Act,
 - (b) the provisions of the Act are to continue to apply to any such order that is made or to any refusal of development consent, and
 - (c) any such order that is made is to have effect and the provisions of the Act are to apply in relation to the nationally significant infrastructure project in respect of which the order is made,

as if the amendments made by article 2 had not been made.

⁽¹⁾ Section 55 was amended by the Marine and Coastal Access Act 2009 (c. 23), section 23(4) and the Localism Act 2011, section 137(2), (3) and (4) and Schedule 13 Part 1 paragraph 13.