
STATUTORY INSTRUMENTS

2001 No. 3642

**The Electricity Act 1989 (Requirement of Consent
for Offshore Wind and Water Driven Generating
Stations) (England and Wales) Order 2001**

2.—(1) In the case of generating stations which are wholly or mainly driven by wind or water and are situated in waters within or adjacent to England and Wales (provided that the waters are not within an area in which development requires planning permission under the Town and Country Planning Act 1990⁽¹⁾) up to the seaward limits of the territorial sea, section 36(2) of the Electricity Act 1989 shall have effect as if, for the permitted capacity of 50 megawatts mentioned therein, there were substituted the capacity of one megawatt.

(2) In this article the expressions “development” and “planning permission” bear the same meanings as in the Town and Country Planning Act 1990.

⁽¹⁾ 1990 c. 8.