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STATUTORY INSTRUMENTS

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**2016 No. 306**

**The Infrastructure Planning (Onshore  
Wind Generating Stations) Order 2016**

**Transitional and savings**

- 5.—(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) but not decided before the day on which this Order comes into force; and
  - (b) is for the construction or extension of an onshore generating station that generates electricity from wind.
- (2) In such a case—
- (a) the application must continue to be considered in accordance with the provisions of the Act;
  - (b) the provisions of the Act are to continue to apply to any order granting development consent that is made as a result of the application or to any refusal of development consent resulting from the application;
  - (c) any such order is to have effect, and the provisions of the Act are to continue to apply, in relation to—
    - (i) the development in respect of which the order is made; and
    - (ii) anything else authorised or required by the order;
  - (d) where any such order is amended or changed under the provisions of Schedule 4 or 6 to the Act, the order is to have effect, and the provisions of the Act are to continue to apply, in relation to—
    - (i) the development in respect of which the order as amended or changed has effect; and
    - (ii) anything else authorised or required by the order as amended or changed;
  - (e) where any such order is amended or changed, or a new or replacement order is made, as a result of a judicial review, the order is to have effect, and the provisions of the Act are to continue to apply, in relation to—
    - (i) the development in respect of which the order as amended or changed, or the new or replacement order, has effect; and
    - (ii) anything else authorised or required by the order as amended or changed, or the new or replacement order.