
STATUTORY INSTRUMENTS

2014 No. 1599

The East Anglia ONE Offshore Wind Farm Order 2014

PART 7

Miscellaneous and general

Requirements, appeals, etc.

35.—(1) The provisions of section 72 of the 1990 Act shall apply so that requirements 10 to 32 are deemed to be imposed as and as if they were conditions imposed upon the grant of planning permission pursuant to section 72 of the 1990 Act and the development consent granted by this Order was a planning permission granted under the 1990 Act.

(2) Subsection (1) of section 78 of the 1990 Act shall apply to the development consent granted by this Order and to the requirements specified in paragraph (1) except that it shall be modified so as to read for the purposes of this Order only as if there were inserted after paragraph (b) the following—

“(bb) refuse an application for any consent, agreement or approval of that authority required by a requirement imposed on a grant of development consent or contained in a development consent order, or grant it subject to conditions; or”.

(3) Sections 78 and 79 of the 1990 Act shall have effect in relation to any appeal under the terms of this article except that the Secretary of State in question shall be the Secretary of State who would be responsible for determining an application for development consent with the subject matter of this Order if section 103(1) of the 2008 Act applied.

(4) The terms of any development order, and other rules and regulations, including without limitation regulations requiring environmental impact assessment, and which apply to applications pursuant to conditions or the subject matter of section 78 of the 1990 Act shall apply to any application or appeal made under the requirements specified in paragraph (1).