



Caroline Hopewell  
The Planning Inspectorate  
National Infrastructure Planning  
Temple Quay House  
2 The Square Bristol  
BS1 6PN

**NATS Safeguarding Office**  
4000 Parkway  
Whiteley  
Fareham PO15 7FL

T: 01489 444687  
E: [natssafeguarding@nats.co.uk](mailto:natssafeguarding@nats.co.uk)  
W: [REDACTED]

13<sup>th</sup> June 2022  
NATS / CRM Ref: SG23419/9041

Sent via email: [REDACTED]  
[EastAngliaThree@planninginspectorate.gov.uk](mailto:EastAngliaThree@planninginspectorate.gov.uk)

Cc: [REDACTED]

Dear Caroline,

**East Anglia Three Offshore Wind Farm Application Reference: EN010056**

We refer to the non-material change application submitted by the Developer dated 18 August 2021 in respect of the East Anglia Three Offshore Wind Farm Order 2017 (as amended).

NERL has previously made representations in respect of the non-material change application as its assessment is that the changes to the development will cause an adverse impact to the Cromer primary surveillance radar and associated air traffic operations of NATS (En-Route) plc ("NERL") without suitable mitigation.

An agreement has been entered into between NERL and East Anglia Three Limited dated 10<sup>th</sup> May 2022 for the agreement of suitable planning requirements and the implementation of an identified and defined mitigation solution in relation to the development that will be implemented under agreement. In summary, such mitigation solution will require works to be carried out to NERL's infrastructure.

NERL is therefore prepared to withdraw its previous representations to the Development Consent Order application subject to the inclusion of the agreed Requirement set out below that has been agreed with the developer within the Development Consent Order:

38 - (1) No erection of any wind turbine generator forming part of the authorised development may commence until the Secretary of State, having consulted with NATS, has confirmed satisfaction in writing that appropriate mitigation will be implemented and maintained for the required period and that arrangements have been put in place with NATS to ensure that the approved mitigation is implemented and in operation prior to erection of the wind turbine generators.

The undertaker must thereafter comply with the obligations contained within the approved mitigation for the required period.

For the purposes of this requirement -

- "appropriate mitigation" means measures to mitigate any adverse effects which the operation of the authorised development will have on the primary surveillance radar at Cromer and NATS' associated air traffic (surveillance and control) services / operations during the required period;
- "approved mitigation" means the detailed Primary Radar Mitigation Scheme setting out the appropriate mitigation approved by the Secretary of State and confirmed in writing in accordance with sub-paragraph (1);

"NATS" means NATS (En-Route) plc (company number 04219273) or any successor body;

- "the required period" means the shorter of the operational life of the authorised development; and
- the period ending on the date notified to the Secretary of State by the undertaker and confirmed in writing by NATS being the date on which NATS no longer requires the appropriate mitigation to be in place.

Please acknowledge receipt of this letter.

Yours Sincerely



Mr Vijay Desai  
For and on behalf of NATS En-Route plc