



Department for Energy Security & Net Zero

Department for Energy Security and Net Zero

3-8 Whitehall Place
London SW1A 2AW

Terry Epo
Onshore Project Manager
East Anglia Three
Scottish Power Renewables
ScottishPower House
320 St Vincent St
Glasgow
G2 5AD

T +44 (0)207 215 5124
E energyinfrastructureplanning@energysecurity.gov.uk
W www.gov.uk

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(By e-mail only:

[REDACTED])

Dear Terry Epo,

EAST ANGLIA THREE OFFSHORE WIND FARM ORDER 2017 (AS AMENDED) ("the Order")

DISCHARGE OF REQUIREMENT 33 – MINISTRY OF DEFENCE SURVEILLANCE OPERATIONS – DEFINED IN SCHEDULE 1, PART 3, OF THE ORDER

1. The East Anglia Three Offshore Wind Farm Order 2017 (as amended) ("the Order") contains a number of requirements and conditions that the undertaker must comply with before the authorised development as defined in the Order can commence.
2. Scottish Power Renewables, on behalf of East Anglia Three Limited, ("the Applicant") made a request to the Secretary of State for Energy Security & Net Zero ("the Secretary of State") on 29 August 2023 for discharge ("the Discharge Request") Requirement 33 as set out in Part 3 of Schedule 1 to the Order.
3. The Approval Request included a letter dated 21 July 2023 from the Defence Infrastructure Organisation ("DIO") to the Secretary to support its Discharge Request. This letter confirmed the DIO's position that the requirement – Ministry of Defence Surveillance Operations – set out in paragraph 33 of Part 3 of Schedule 1 can be discharged.
4. The DIO's letter of 21 July 2023 stated: "*Should the maximum number of wind turbine generators or the maximum permissible dimensions of wind turbine generators that may feature in the authorised development be amended in any way, the Ministry of Defence ("MoD") would need to be consulted to confirm whether an appropriate mitigation to address impacts to the air defence radar would become necessary*".

5. The Secretary of State wishes to inform the Applicant that consideration has now been given to the Approval Request.

Requirement 33: Ministry of Defence Surveillance Operations

6. Requirement 33 in Schedule 1 of Part 3 of the Order states that:

“(1) No wind turbine generator forming part of the authorised development is permitted to rotate its rotor blades on its horizontal axis until the Secretary of State having consulted with the Ministry of Defence confirms satisfaction in writing that appropriate mitigation will be implemented and maintained for the life of the authorised development and that arrangements have been put in place with the Ministry of Defence to ensure that the approved mitigation is implemented.

(2) For the purposes of this requirement—

(a) “appropriate mitigation” means measures to prevent or remove any adverse effects which the authorised development will have on the air defence radar at Remote Radar Head (RRH) Trimmingham and the Ministry of Defence’s air surveillance and control operations;

(b) “approved mitigation” means the detailed Radar Mitigation Scheme (RMS) that will set out the appropriate measures and timescales for implementation as agreed with the Ministry of Defence at the time the Secretary of State confirms satisfaction in writing in accordance with subparagraph (1); and

(c) “Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, Kington Road, Sutton Coldfield, B75 7RL or any successor body.

(3) The undertaker must thereafter comply with all other obligations contained within the approved mitigation for the life of the authorised development.”

Consideration of the Approval Request by the Secretary of State

7. The Secretary of State, having considered the details provided by the Applicant along with the letter dated 21 July 2023 from the DIO, is satisfied that the Discharge Request provides the information required by Requirement 33 in Part 3 of Schedule 1 to the Order.
8. The Secretary of State agrees with the DIO’s comments (see paragraph 4 of this letter), that the MoD would need to be consulted to confirm whether any appropriate mitigation to address impacts to the air defence radar would be needed if the development is to be changed in regard to the maximum:
 - turbine height;
 - number of turbines;
 - blade sweep; or,
 - area limits of the development.

9. Subject to paragraph 10, the Secretary of State therefore **discharges** Requirement 33 in Part 3 of Schedule 1 to the Order.
10. If any changes are proposed to the development with regards to the matters set out in paragraph 8, then the Applicant must consult the Ministry of Defence in relation to the proposed change.

Yours sincerely,



John Wheadon
Head of Energy Infrastructure Planning Delivery