



MINISTRY OF DEFENCE

Defence Infrastructure Organisation

Estates - Safeguarding Department

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Your ref: EN010079

DIO ref. 10040016

The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Sir/Madam,

The Norfolk Vanguard Offshore Wind Farm

Application for a Development Consent Order under Section 56 of the Planning Act 2008.

Further to my letter of 4th October 2018, I write to update the safeguarding position of the Ministry of Defence (MOD) in relation to the above application to construct and operate the Norfolk Vanguard Offshore wind farm.

The MOD and the applicant have been in a constructive dialogue relating to the aviation and radar safeguarding concerns that were defined.

As has been identified in the Statement of Common Ground of January 2019, there is agreement between both parties on the impact the proposed development will have upon MOD aviation and radar interests and the need for mitigation.

On the 23rd December 2018, the applicant submitted a technical mitigation proposal to the MOD to identify means of mitigating the unacceptable effects of the proposed development on the air defence radar at Remote Radar Head (RRH) Trimmingham. This proposal was accepted by the MOD on the 15th January 2019.

Since then the MOD and the applicant have been in dialogue to agree two Requirements for inclusion in the draft Development Consent Order to implement the safeguarding requirements of the MOD relating to the attachment of aviation lighting to relevant offshore structures and the provision of radar technical mitigation (Requirements 12 and 13, respectively in the draft Development Consent Order).

The principal content and structure of both Requirements has been largely agreed between both parties, but we have been unable to finalise: terms for inclusion in Requirement 12 to define a requirement for lighting necessary to maintain military aviation safety; and the definition of appropriate mitigation for inclusion in Requirement 13. Dialogue continues between both parties and I will write to you again should agreement be reached.

Attached at Annexes A and B are draft Requirements, for the provision of aviation warning lighting and a radar technical mitigation, that the MOD considers suitable to maintain national defence safeguarding

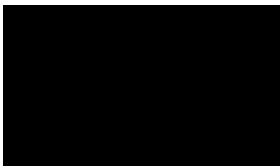
requirements. The MOD respectfully asks that the Examining Authority includes these Requirements as drafted in a Development Consent Order should this application be approved.

Therefore, I can confirm that the MOD is content to withdraw its safeguarding objection to this application subject to the inclusion of appropriate Requirements (as per Annex A and B) in any Development Consent for this scheme should this application be approved. Should the Examining Authority be minded to alter the wording of the drafted Requirements (as per Annex A and B), the MOD would welcome discussion.

With respect to the provision to hold a closed hearing, on the basis that both parties have agreed the need for a technical mitigation, I can confirm that the MOD does not consider that a closed hearing will be necessary.

I trust this clarifies our position on this application. Please do not hesitate to contact me should you require further information.

Yours faithfully



Jon Wilson

Senior Safeguarding Officer

Enc. Annexes A and B.

Copied to Ruari Lean, Robin Peters and Rebecca Sherwood – Norfolk Vanguard Limited*

Annex A

Aviation Lighting

Aviation safety

1.—(1) The undertaker must exhibit such lights, with such shape, colour and character as are required in writing by Air Navigation Order 2016 and, or, determined necessary for aviation safety in consultation with the Defence Infrastructure Organisation Safeguarding and as directed by the CAA. Lighting installed specifically to address Ministry of Defence aviation safety requirements will remain operational throughout the duration of the consented development unless otherwise agreed in writing with the Ministry of Defence.

(2) The undertaker must notify the Defence Infrastructure Organisation Safeguarding, at least 14 days prior to the commencement of the offshore works, in writing of the following information—

- a) the date of the commencement of construction of the offshore works;
- b) the date any wind turbine generators are brought into use;
- c) the maximum height of any construction equipment to be used;
- d) the maximum heights of any wind turbine generator, meteorological mast, offshore electrical platform and accommodation platform to be constructed;
- e) the latitude and longitude of each wind turbine generator, meteorological mast, offshore electrical platform and accommodation platform to be constructed, and the Defence Infrastructure Organisation Safeguarding must be notified of any changes to the information supplied under this paragraph and of the completion of the construction of the offshore works

Annex B

Ministry of Defence surveillance operations

13.—(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 such appropriate 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 to be implemented as agreed with the Ministry of Defence at the time the Secretary of State confirms satisfaction in writing in accordance with sub-paragraph (1);
- 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.