

# Norfolk Vanguard Offshore Wind Farm

# Norfolk Vanguard Limited

## NATS Radar Mitigation Agreement Position Statement

Applicant: Norfolk Vanguard Limited  
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Deadline 8

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*Photo: Kentish Flats Offshore Wind Farm*



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## 1 NATS RADAR MITIGATION

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### 1.1 Introduction

1. Norfolk Vanguard Limited (the Applicant) is proposing to develop the Norfolk Vanguard Offshore Wind Farm (OWF). The OWF comprises two distinct areas, Norfolk Vanguard (NV) East and NV West ('the OWF sites'), which are located in the southern North Sea, approximately 70km and 47km from the nearest point of the Norfolk coast respectively. The location of the OWF sites is shown in Chapter 5 Project Description Figure 5.1 of the Application. The OWF would be connected to the shore by offshore export cables installed within the offshore cable corridor from the OWF sites to a landfall point at Happisburgh South, Norfolk. From there, onshore cables would transport power over approximately 60km to the onshore project substation and grid connection point near Necton, Norfolk (the Project).

### 1.2 Background and engagement between the parties

2. The Applicant has engaged with NATS on the Project during the pre-Application process, both in terms of informal non-statutory engagement and formal consultation carried out pursuant to Section 42 of the Planning Act 2008.
3. During formal (Section 42) consultation, NATS provided comments on the Preliminary Environmental Information Report (PEIR) by way of an email dated 7th December 2017. Further to the statutory Section 42 consultation, meetings and telephone conferencing were held with NATS.
4. Post-application, engagement with NATS has been on-going in order to progress the Airspace Change Proposal (ACP) and the Statement of Need as detailed below.
5. If constructed, the proposed operational wind turbines from the Project will, without appropriate radar mitigation, have an adverse impact on NERL's Primary Surveillance Radar ("PSR") system at Cromer ("the Cromer PSR") by causing radar clutter effects that would be detectable by the Cromer PSR. A technical solution is therefore required to mitigate the clutter effects caused by the proposed operational wind turbines, which may include, but not be limited to, blanking of the radar coverage at Cromer.
6. On 14 September 2017, the Developer, NERL and NATS (Services) Limited (NSL) (together "NATS") entered into an agreement to seek to establish a mitigation solution for impacts on the NERL Cromer PSR and potential impacts on NATS' operations.
7. A mitigation solution is being investigated by the Applicant and NATS (together the "Parties") which involves blanking of the Cromer PSR and requires an airspace change. As a result, a request for an ACP has been submitted to the Civil Aviation Authority

(CAA). NATS submitted a Statement of Need on behalf of the Applicant to the CAA as part of the airspace change process detailed in CAA Civil Aviation Publication (CAP) 1616 - Airspace Design: Guidance on the regulatory process for changing airspace design including community engagement requirements. The CAA have agreed with the submission of the Statement of Need meaning that NATS can proceed with the remainder of the process on behalf of the Applicant, once contractual terms have been agreed.

### **1.3 Position as at Deadline 7**

8. At Deadline 7, on 2 May 2019, NATS emailed the Planning Inspectorate to confirm that it anticipated the Project would have an impact on its infrastructure but that it was investigating a technical mitigation for this. NATS confirmed that it was engaged with the Applicant to secure the necessary contractual agreement to ensure the implementation of appropriate mitigation in this respect.
9. NATS confirmed that positive engagement was ongoing and that it had no reason to believe that an agreement could not be reached with the Applicant. NATS further confirmed that once the commercial agreement was entered into by the Parties, NATS would be in a position to withdraw its objection, subject to the inclusion of an agreed Requirement being included in the draft Development Consent Order (dDCO).
10. In its Cover Letter of 2 May 2019 to the Planning Inspectorate, the Applicant confirmed that it noted and agreed with the position as presented by NATS.

### **1.4 Position as at Deadline 8**

11. The Applicant has continued to engage with NATS following Deadline 7, with the aim of agreeing the mitigation solution, progressing commercial negotiations to secure the mitigation and reaching agreement on the form and content of the Requirement to be included in the dDCO.
12. In relation to the draft Requirement, further engagement has taken place as to the precise form and wording which the draft Requirement should take. The Applicant understands that NATS' concern is to ensure that the mitigation and arrangements for its implementation are in place prior to construction of the wind turbine generators. Requirement 34 included in the dDCO at Deadline 8 has been amended to address this concern. Notwithstanding this, final comments from NATS are awaited to confirm whether the precise form and wording of Requirement 34 is now agreed.
13. Negotiations for the commercial agreement are on-going between NATS and the Applicant and it is unlikely that the commercial agreement will be completed before the close of the Examination. However, the Applicant is hopeful that the commercial

agreement will be completed before the Examining Authority sends its recommendation to the Secretary of State. Once the commercial agreement has been completed, it is anticipated that NATS will write to the Secretary of State to clarify that it no longer has any objection to the Project proceeding. Should for any reason these matters become delayed, then the Applicant will notify the Secretary of State as to progress made in this respect within three months of the close of the Examination.