



Defence
Infrastructure
Organisation

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The Planning Inspectorate
Temple Quay House
2 The Square
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22nd January 2025

Dear Sir/Madam,

Re: Morecambe Offshore Windfarm Generation Assets

I write to provide you with answers to the Examining Authority's (ExA) questions issued on 18th December 2024 in relation to the above project.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

DIO Safeguarding submitted relevant representations to The Planning Inspectorate (PINS) on 19th August 2024 raising an objection to the project. The objection was on the grounds that the development would be detectable by, and would cause unacceptable interference to, the Air Traffic Control (ATC) radar deployed at BAE Warton.

BAE Systems (Operations) Ltd own and operate the ATC radar sited at BAE Warton and manage all airfield operations undertaken there. Both military and civilian aircraft operate from BAE Warton with BAE Systems undertaking flying tasks in support of MOD projects. The MOD safeguards BAE Warton regarding the military flying that takes place there including the use of the BAE Warton radar which provides air traffic services, known as the Primary Surveillance Radar (PSR). DIO Safeguarding is therefore consulted upon, and responds to, development proposals that affect BAE Warton.

ExA questions 1CAR8, 1CAR10, 1CAR13 and 1CAR14 under section 3. Civil and Military Aviation and Radar (CAR) have been directed at DIO. In addition, ExA question 1SN12 under section 11. Shipping and Navigation (SN) is also directed at DIO.

BAE Systems (Operations) Ltd will be submitting their own responses to these ExA questions. This letter should be read in conjunction with the responses submitted by DLP Group Services on behalf of BAE Systems (Operations) Ltd.

1CAR8	<p>The Applicant BAE Systems (Operations) Ltd BAE Systems Marine Ltd Blackpool Airport DIO NATS</p>	<p>Mitigation</p> <p>Paragraph 16.161 of ES Chapter 16 [REP1-036] sets out that CAP764 Policy and Guidelines on Wind Turbines (published by CAA) Outlines other mitigation options that could be used either singly or in combination.</p> <p><u>To the Applicant:</u></p> <p>a) Could the Applicant please set out what mitigation options it considers would be most suitable to ensure that the adverse effects of the Proposed Development caused by permanent interference with civil and military PSRs are fully mitigated?</p> <p><u>Other parties:</u></p> <p>b) Do relevant IPs have any views on whether the identified adverse effects can be fully mitigated?</p>
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The MOD objection relates to the proposed turbines causing an unacceptable impact on the operation and capability of the PSR sited at BAE Warton. For the MOD objection to be removed, it is expected that the applicant will submit a technical mitigation proposal. Should the proposal be deemed technically and operationally acceptable to the MOD, and BAE Systems (Operations) Ltd, then the objection can be removed subject to the imposition of a radar mitigation suspensive planning condition on the consent. To date, the MOD is yet to receive a mitigation proposal to assess, and a proven mitigation is yet to be identified for the PSR. As no mitigation has been submitted, the MOD must maintain its objection. The MOD will provide any updates as soon as is possible.

1CAR10	<p>The Applicant BAE Systems (Operations) Ltd DIO</p>	<p>Warton Aerodrome – Radar mitigation</p> <p>In the Ørsted IPs WR [REP1-112] they have advised mitigation for the Warton PSR is currently being implemented and that they require assurances that the Project will not impact on the effectiveness or cost of this already agreed radar solution.</p> <p>For this Project we note that discussions between the Applicant and DIO/ BAE Systems have commenced to identify potential mitigation solutions to Warton’s PSR and at D2 a new Requirement relating to this has been added to the dDCO [REP2-002].</p> <p>To BAE Systems/ DIO:</p> <p>a) Can BAE Systems/ DIO confirm what radar mitigation solution has been agreed/ secured in relation to the Burbo Bank Extension and Walney Extension OWFs and whether this is now active or when it is due to become active? If the mitigation has not been</p>
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		<p>implemented, how have impacts on the radar system been managed in the intervening period?</p> <p>b) What potential mitigation solution(s) are being discussed with the Applicant for the Proposed Development and are BAE Systems/ DIO content that any such mitigation is realistically achievable?</p> <p>c) Having regard to the answers to (c) above, is the mitigation being discussed in relation to this Project distinct and separate from that already agreed/ secured and as such are the solutions and costs associated with each of these independent of one another?</p> <p>d) Having regard to Schedule 2, Req 8 of the latest version of the dDCO [REP2-002], are BAE Systems/ DIO in agreement with the drafting? If amendments are sought, please provide alternative drafting.</p> <p>To all parties:</p> <p>e) Can all parties provide an update as to any progress made towards agreement on the proposed mitigation identified and likely timeframe for this mitigation solution to be secured/ implemented?</p>
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a) The Burbo Bank and Walney Extension Projects have BAE Warton PSR radar mitigation conditions applied to their consents. Unfortunately, we are unable to comment on the specific mitigation that is currently being implemented to mitigate the Burbo Bank and Walney Extension Projects.

b) The applicant has engaged DIO and BAE Systems (Operations) Ltd to discuss potential mitigation. As mentioned before, a proven mitigation is yet to be identified for the PSR. The MOD will write to PINS with an update once one is available regarding progress on mitigation discussions.

For the MOD to remove an objection, an applicant is required to submit a technically and operationally acceptable mitigation proposal to the MOD. It is an applicant's responsibility to provide mitigation. It is only at this point, once a mitigation proposal has been submitted and accepted, that the MOD would replace its objection with a radar mitigation planning condition. To date, a mitigation proposal is yet to be submitted to the MOD or BAE Systems (Operations) Ltd. Unless and until a technical mitigation is submitted and accepted by the MOD, the MOD will maintain its objection to this development.

c) As above, the MOD or BAE Systems (Operations) Ltd are yet to receive a technical mitigation proposal to consider.

d) The applicant has included a Requirement (8) within their draft DCO to address the BAE Warton PSR concerns. As no mitigation proposal has been submitted, the MOD is unable to move from the position of objecting and agree the wording of a Requirement covering radar mitigation. The MOD objection must remain in place unless and until an acceptable technical mitigation proposal is submitted. Should this happen, the MOD will then write to PINS to update the MOD's position to the application and will confirm the wording of the required radar mitigation Requirement at this stage.

e) The MOD cannot advise on timescales at this stage.

1CAR13	<p>The Applicant</p> <p>Blackpool Airport</p> <p>BAE Systems (Operations) Ltd</p> <p>BAE Systems Marine Ltd</p> <p>DIO</p> <p>NATS</p>	<p>Instrument Flight Procedures (IFPs)</p> <p>IFPs for Warton, Walney, Lowther and Blackpool Airport would require revision. In the Applicant’s response to Blackpool Airport’s Relevant Representation ([PD1-011], RR-013-02) it is stated IFP mitigation is predicated on revisions to Blackpool Airports IFPs following the CAA five-year audit review. This review is stated to be ongoing and due for completion by November 2024. If necessary, the IFP assessment may need to be reassessed.</p> <p><u>To the Applicant:</u></p> <p>a) Can the Applicant clarify and explain whether the CAA five year audit applies to all airports/ aerodromes or just Blackpool Airport?</p> <p>b) Can the Applicant please advise if this audit has been completed, summarise its findings (if known) and advise whether an update to the IFP assessment submitted as part of the application is required? If an update is required, please can the Applicant set out a likely timeframe for submission of such an assessment?</p> <p>c) Can the Applicant explain who would be responsible for making the changes to IFPs and the likely timeframe for completion? Would the timeframes differ for each airport or would these be the same?</p> <p><u>All Parties:</u></p> <p>d) Is there any reason or identifiable impediment why the required changes to the IFPs would not be agreed/achieved?</p> <p>e) Having regard to Schedule 2, Requirements 5, 6 and 7 of the latest version of the dDCO [REP2-002], do parties agree with the drafting or are any amendments sought? If amendments are sought, please can all parties explain and provide any alternative drafting by Deadline 3?</p>
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The MOD does not safeguard BAE Warton’s IFP’s. Please refer to the separate representation submitted by DLP Group Services on behalf of BAE Systems (Operations) Ltd.

1CAR14	DIO	<p>Military Low Flying Area and aviation lighting</p> <p>Paragraph 5.5.5 of NPS EN-1 states that lighting may need to be compatible with night vision devices for military low flying purposes and in its RR [RR-021] the DIO refers to the Proposed Development lying within Low Flying Area 17 (LFA17).</p> <p>Please can the DIO:</p> <p>a) provide a plan showing the extent of the area covered by LFA17?</p> <p>b) advise whether low flying operations are restricted to daytime hours only or whether these can also be carried out during the night?</p> <p>c) having regard to Schedule 2, Requirement 3 of the latest version of the dDCO [REP2-002], confirm if it is agreement with the drafting or whether any amendments are needed. If</p>
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		amendments are sought, please can the DIO explain and provide any alternative drafting.
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a) The UK Low Flying System comprises Class G Airspace extending vertically from the surface to 2000 feet AGL/AMSL and laterally to the UK/Republic of Ireland border and the UK Flight Information Region (FIR) boundaries. A plan showing the extent of Low Flying Area 17 (LFA 17), including the layout of low flying areas across the United Kingdom (UK) and its territorial waters, can be found at 10.2 Figure 3 Map of Day Low Flying Areas by following the below link:

[The pattern of military low flying across the UK: 2021/2022 - GOV.UK](#)

b) The low flying system is available 24 hours a day, however, to minimise potential disturbance to the public, the low flying system is routinely closed at weekends (23:00 Friday – 07:00 Monday) and on public holidays. Additional restrictions are also imposed on weekday evenings (Monday – Thursday 23:00 – 07:00).

c) The applicant has acknowledged that the development has the potential to impact military aviation safety due to the heights of the wind turbines causing a physical obstruction to the airspace within which military low flying takes place. A Requirement to address this harm has been included at Schedule 2 of the draft DCO. The MOD is generally content with the wording of Requirement 3, however, the MOD feels that the Requirement wording provided at Annex 1 would be more suitable.

ISN12	The Applicant MoD/ DIO BAE Systems Marine Ltd	<p>Submarine Nautical Paths</p> <p>BAE Systems Marine Ltd [RR-007] has commented that there appears to have been no consideration regarding potential impacts on submarine nautical paths. Submarines are part of national defence and national security and so BAE requires further and more in-depth consultation with the Royal Navy/ MoD on the matter of submarine nautical paths.</p> <p>In its response [PD1-011] the Applicant indicates that previously no concerns had been raised, by the MoD and ABP.</p> <p>Could all parties please set out their latest understanding of the situation.</p>
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The applicant is correct that in the responses DIO Safeguarding have submitted so far, made on behalf of the MOD, no concerns relating to submarine nautical paths have been raised. The question has been put to the Navy to confirm. Unfortunately, this confirmation has not been received by Deadline 3. Once this confirmation is received, DIO Safeguarding will write to PINS to confirm the MOD's position.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours Sincerely

L. van der Merwe

Laura van der Merwe
Senior Safeguarding Manager

Annex A

Aviation Lighting

Prior to commencing construction, installation, or deployment of any permanent, or temporal structure(s) with a height of 50 metres or greater (above mean sea level), the undertaker must submit an aviation lighting scheme for the approval of the Secretary of State in conjunction with both the Civil Aviation Authority and the Ministry of Defence. The aviation lighting scheme shall define how the development will be lit throughout its life to maintain civil and military aviation safety requirements as required under the Air Navigation Order 2016 and, or, determined necessary for aviation safety by the Ministry of Defence and, or, as directed by the Civil Aviation Authority.

The aviation lighting scheme shall include, but not be limited to:

- a. Details of any construction equipment and temporal structures with a height of 50m or greater (above mean sea level) that will be used during the construction, installation or deployment of the development, and details of any aviation warning lighting that they will be fitted with, specifying the position of the lights; the type(s) of lights that will be fitted; and the performance specification(s) of those lights;
- b. Details of any floating structures with a height of 50m or greater (above mean sea level) specifying the position of any lights; the type(s) of lights that will be fitted; and the performance specification(s) of those lights for all stages of marine transit or storage, or whilst moored prior to final installation;
- c. Details of any permanent structures with a height of 50m or greater (above mean sea level), providing their locations and heights, and identifying those that will be fitted with aviation warning lighting, specifying the position of the lights; the type(s) of lights that will be fitted; and the performance specification(s) of those lights.
- d.

The undertaker must exhibit such lights as detailed in the approved aviation lighting scheme. Where fitted to permanent structures, the approved lighting installed will remain operational for the lifetime of the development.

Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a. the date of the commencement of the construction, installation, or deployment of any permanent structures with a height of 50m or greater (above mean sea level);
- b. the latitude and longitude, and maximum height of any construction equipment with a height of 50m or greater (above mean sea level) that will be used in the implementation of the approved development;
- c. the latitude and longitude, and maximum heights of any permanent structures with a height of 50m or greater (above mean sea level).

On completion of the development, the Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements.



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The Planning Inspectorate
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27th January 2025

Dear Sir/Madam,

Re: Morecambe Offshore Windfarm Generation Assets

Further to my response dated 22nd January 2025, I write to provide you with an answer to the Examining Authority's question ISN12. Unfortunately, an answer was unable to be provided by Deadline 3.

ISN12	The Applicant MoD/ DIO BAE Systems Marine Ltd	<p>Submarine Nautical Paths</p> <p>BAE Systems Marine Ltd [RR-007] has commented that there appears to have been no consideration regarding potential impacts on submarine nautical paths. Submarines are part of national defence and national security and so BAE requires further and more in-depth consultation with the Royal Navy/ MoD on the matter of submarine nautical paths.</p> <p>In its response [PD1-011] the Applicant indicates that previously no concerns had been raised, by the MoD and ABP.</p> <p>Could all parties please set out their latest understanding of the situation.</p>
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No concerns relating to submarine nautical paths have been raised by the MOD in its representations so far. Following receipt of this question, the Navy have been contacted to confirm that this is the case given the comments from BAE Systems Marine Ltd. It has been confirmed that the proposed

development will not affect submarine nautical paths, and the MOD therefore has no concern relating to this matter.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours Sincerely

L. van der Merwe

Laura van der Merwe

Senior Safeguarding Manager