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23 May 2025

By email only

Dear ██████████

EN010125: Application by RWE Renewables UK Dogger Bank South (West) Limited and RWE Renewables UK Dogger Bank South (East) Limited for the Dogger Bank South Offshore Wind Farm Project

Examining Authority's (ExA) Written Questions – ExQ2.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represent the 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, technical sites or maritime defence assets and interests.

Through a letter dated 7 April 2025 the MOD withdrew a previous objection subject to:

- a requirement being added to any Development Consent Order that secures mitigation of the effects of the development on Air Defence Radar at RRH Staxton Wold; and
- the retention of conditions set out in the applicant's draft Development Consent Order that require agreement and implementation of aviation safety lighting, and the submission of data to ensure the development can be appropriately charted.

This letter is submitted in response to the Examining Authority's further written questions (ExQ2), issued on 13 May 2025. Responses are provided to those questions marked for the attention of the Ministry of Defence (Defence Infrastructure Organisation) only. The wording of questions addressed to Ministry of Defence (MOD) have been used to structure this response.

- **Question ref. ARMC.2.3 - Military radar**

Staxton Wold Primary Surveillance Radar is reported to benefit from the Indra Lanza Long-Range Tactical Radar (LTR-25) system [APP-125, paragraph 128] and during ISH3 [EV8-002] the applicants explained the system may have the capabilities to mitigate the effects of the proposed wind turbine system.

Can you confirm if the system has these capabilities? The ExA appreciates this information may be sensitive.

The MOD acknowledges that any wind turbine mitigation capability the Indra Lanza Long-Range Tactical Radar (LTR-25) radar system(s) has may be acceptable within the context of civilian air traffic management. However, radar systems deployed at RRH Staxton Wold contribute to the Air Defence of the United Kingdom. This has different requirements to civilian air traffic management, and whilst the radar system demonstrates improved performance in relation to wind turbine effect mitigation assessed against some established developments, it does not necessarily mean this can be applied to other developments of different scales and turbine sizes without a detrimental impact to air defence operations.

- **Question ref. ARMC.2.4 - Military radar**

During ISH3 [EV8-002 and REP4-086], the applicants explained that Programme Njord may be unable to provide mitigation for the intended first power generation from the proposed Dogger Bank South (DBS) West array in 2030/ 2031. Further, that interim mitigation may be required to enable commencement of energy generation prior to an enduring mitigation solution by Programme Njord.

Can you advise what year Programme Njord would likely deliver operational capabilities of mitigating adverse effects on military radar capability?

Programme NJORD delivery schedules are not yet known as the competition is live. Until the tender process has concluded (which includes: evaluation of all potential bids; the identification of a preferred solution (assuming there is one); and then all requisite approvals; and contract award) the delivery dates will be unknown or subject to change.

If this is beyond 2030/ 2031, can you advise what interim mitigation measures could likely be jointly pursued between the MoD and the applicants?

The MOD will consider a “stop gap” mitigation on a case-by-case basis with Developers seeking to operate their wind farm before the NJORD solution is in place – with the aim that the stop gap mitigation bridges the gap between a Developers first spin requirement and NJORD delivery. This will be done on a case-by-case basis through bi-lateral agreements (detailed in the Radar Mitigation Scheme Agreement) once the delivery schedules for NJORD are known and on contract.

- **Question ref. ARMC.2.5 - Air Navigation Order 2016**

CAA and DIO: The CAA and DIO are asked for their views as to the geographical extent of relevant provisions (articles 222 and 223) of the Air Navigation Order 2016. As the parties will be aware, s120 of the Planning Act 2008 (PA2008) allows for a DCO to include provision applying and/ or modifying a statutory provision which relates to any matter for which provision may be made in the DCO.

CAA, DIO and the applicants: If either the CAA or DIO takes the view that the geographical extent of the Air Navigation Order does not extend to the proposed development site, should it be applied by express provision in the draft DCO [REP4-005]? The applicants are asked to liaise with the CAA and DIO in this regard and consider whether an additional article may be required to expressly apply relevant provisions of the Air Navigation Order (with modifications if necessary) to the draft DCO.

With regard to the geographical extent and application of the Air Navigation Order 2016 (the ANO), it would be for the Civil Aviation Authority (CAA) to confirm its interpretation of articles 222 and 223.

The MOD's requirement for aviation lighting on wind turbine generators may differ from the CAA's statutory requirements through the ANO. Regardless of whether the CAA would apply the

requirements of the ANO to the Dogger Bank South development, the MOD requirement that aviation safety lighting is agreed and secured, would be provided for by the conditions which are contained within the Deemed Marine Licences proposed through the applicant's draft Development Consent Order (Revision 07, dated April 2025 at:

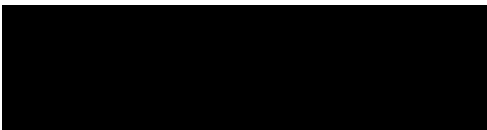
- Schedule 10, Deemed Marine Licence 1: DBS East Project Offshore Generation – Work Nos. 1A, 4A and 7A, Part 2, Condition 12;
- Schedule 11, Deemed Marine Licence 2: DBS West Project Offshore Generation – Work No. 1B, 4B and 7B, Part 2, Condition 12;
- Schedule 12, Deemed Marine Licence 3: DBS East Project Offshore Transmission – Work Nos. 2A, 3A, 7A and 8A, Part 2, Condition 10;
- Schedule 13, Deemed Marine Licence 4: DBS West Project Offshore Transmission – Work Nos. 2B, 3B, 7B and 8B, Part 2, Condition 10; and
- Schedule 14, Deemed Marine Licence 5: DBS East Project and DBS West Project Offshore Transmission – Work Nos. 5A, 5B, 7A and 7B, Part 2, Condition 8.

Subject to these conditions being applied through any Development Consent Order that might be made, the MOD is content that the potential for the development to degrade aviation safety for aircraft operating at low level within the locality of the proposed Dogger Bank South Offshore Wind Farm would be mitigated.

I trust this adequately explains our position on this matter.

Should you require additional information, please do not hesitate to contact me.

Yours sincerely,

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Safeguarding Manager