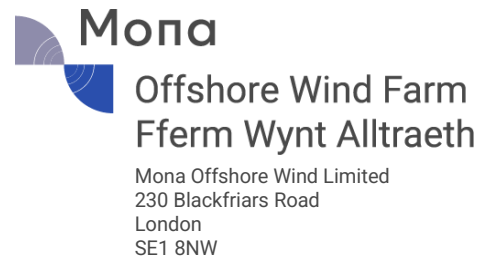


Department of Energy Security & Net Zero
3-8 Whitehall Place
London
SW1A 2AW



Name: FAO John Wheadon
Department: Energy Infrastructure Planning Delivery

Planning Inspectorate: EN010137
Reference:
Applicant's Reference: S_RFI5_01 (F01)

30-06-2025

**Subject: Mona Offshore Wind Project – Application for Development Consent
Order Planning Inspectorate reference EN010117**

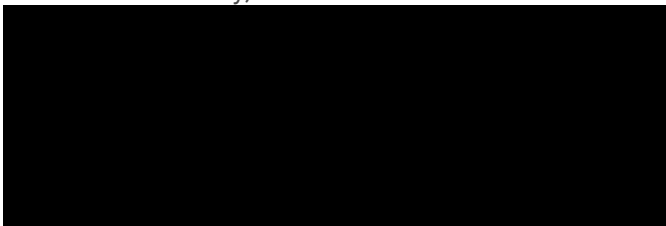
Dear Sir

Mona Offshore Wind Limited (the Applicant) writes in response to the Secretary of State's letter (SoS's letter) dated 25 June requesting information (Consultation 5) from the Applicant. related to Primary Surveillance Radar (PSR) at Warton Aerodrome and Air Traffic Services ("ATS") at the Warton and Walney Aerodromes.

The Applicant's response is set out below.

The Applicant will be providing this response to BAE Systems and DIO today, in order to facilitate ongoing discussions.

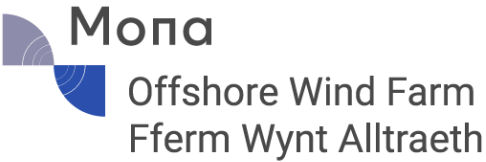
Yours faithfully,



Mona Consents Lead

Mona Offshore Wind Farm
Fferm Wynt Alltraeth

Security classification: Public



RESPONSE TO THE SECRETARY OF STATE
CONSULTATION 5
(LETTER DATED 25 JUNE 2025)

Latest revision						
Reason for issue	Author	Date	Checker	Date	Approver	Date
Submission to the Secretary of State	Mona Offshore Wind Project	30.06.2025	Mona Offshore Wind Project	30.06.2025	Mona Offshore Wind Project	30.06.2025

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	MOCNS-J3303-JVW-10589		F01

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

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RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

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Glossary

Term	Meaning
Applicant	Mona Offshore Wind Limited.
Class G (Uncontrolled Airspace)	Airspace in which Air Traffic Control does not exercise any executive authority but may provide basic information services to aircraft in radio contact. In the UK, Class G airspace is uncontrolled. Aircraft operating in uncontrolled airspace may be in receipt of an ATS; however, within this classification of airspace, pilots are ultimately responsible for their own terrain and obstacle clearance.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for one or more Nationally Significant Infrastructure Project (NSIP).
Environmental Statement	The document presenting the results of the Environmental Impact Assessment (EIA) process for the Mona Offshore Wind Project.
Manual of Air Traffic Services (MATS)	Manual of Air Traffic Services for civil air traffic controllers in the UK. It contains procedures, instructions and information for air traffic services.
Maximum Design Scenario (MDS)	The scenario within the design envelope with the potential to result in the greatest impact on a particular topic receptor, and therefore the one that should be assessed for that topic receptor.
Mona Array Area	The area within which the wind turbines, foundations, inter-array cables, interconnector cables, offshore export cables and offshore substation platforms (OSPs) forming part of the Mona Offshore Wind Project will be located.
Mona Offshore Wind Project	The Mona Offshore Wind Project is comprised of both the generation assets, offshore and onshore transmission assets, and associated activities.
Mona Offshore Wind Project Boundary	The area containing all aspects of the Mona Offshore Wind Project, both offshore and onshore.
Offshore Substation Platform (OSP)	The offshore substation platforms located within the Mona Array Area will transform the electricity generated by the wind turbines to a higher voltage allowing the power to be efficiently transmitted to shore.
Wind turbines	The wind turbine generators, including the tower, nacelle and rotor.

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

Acronyms

Acronym	Description
AIP	Aeronautical Information Publication
AMSL	Above Mean Sea Level
ARA	Advisory Radar Area
ATC	Air Traffic Control
ATS	Air Traffic Services
CAA	Civil Aviation Authority
CNS	Communications, Navigation and Surveillance
DCO	Development Consent Order
DF	Direction Finding
FID	Final Investment Decision
ICAO	International Civil Aviation Organisation
IFP	Instrument Flight Procedures
MATS	Manual of Air Traffic Services
MSA	Minimum Sector Altitude
NESO	National Energy System Operator
OSPs	Offshore Substation Platforms
OWF	Offshore Wind Farm
PSR	Primary Surveillance Radar
SSR	Secondary Surveillance Radar
UHF	Ultra High Frequency
VHF	Very High Frequency

1 RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

1.1 Introduction

1.1.1.1 On 25 June 2025, the Secretary of State published a letter (the SoS's letter) requesting information from Mona Offshore Wind Ltd ('the Applicant') related to Primary Surveillance Radar (PSR) at Warton Aerodrome and Air Traffic Services ("ATS") at the Warton and Walney Aerodromes.

1.1.1.2 Paragraphs 3 and 4 of the SoS's letter state:

3. In their letter dated 23 June 2025 BAE Systems provided their preferred requirements for the PSR at Warton Aerodrome and for the ATS at Warton and Walney Aerodromes.

4. The **Applicant** is requested to confirm that it has now reached agreement with the DIO and BAE Systems regarding the wording of these three requirements. If agreement has not been reached, the Applicant is requested to comment on the draft requirements provided by BAE Systems.

1.2 Response

1.2.1.1 The Applicant has sought to meet with BAE Systems and DIO to engage on the drafting of the Air Traffic Services (ATS) requirement for Warton and Walney Aerodromes and the Primary Surveillance Radar (PSR) requirement for Warton Aerodrome. Although DIO were available sooner, BAE Systems responded that they are not available to meet until Tuesday 1 July 2025. The Applicant has therefore provided comments on the proposed drafting for the three requirements set out in the BAE Systems submission of 23 June 2025. The Applicant would highlight to the Secretary of State that this drafting was not provided in advance of its submission to the Secretary of State and it was not provided with the opportunity to comment or discuss with BAE Systems.

1.2.1.2 The Applicant has therefore considered the BAE Systems' wording and has sought to accommodate and address its concerns wherever possible below. In doing so the Applicant has had due regard to the Guidance provided in the Planning Inspectorate's advice 'Content of a Development Consent Order required for Nationally Significant Infrastructure Projects': *Requirements should therefore be precise, enforceable, necessary, relevant to the development, relevant to planning and reasonable in all other respects.*

1.2.1.3 The Applicant will update Secretary of State following the meeting with BAE Systems on Tuesday 1 July.

1.2.2 ATS requirements for Warton and Walney Aerodromes

1.2.2.1 The Applicant's 23 June 2025 submission set out reasonable and policy-compliant requirements that could be included within the DCO to address the requests for ATS requirements by BAE Systems. The Applicant explained that these are drafted to be consistent with the requirements proposed and agreed for air traffic services at Liverpool John Lennon Airport (requirement 24) and Isle of Man Airport (requirement 26), which enables the requirement to be discharged if either (i) the Secretary of State confirms that no mitigation is required, or (ii) that appropriate mitigation will be

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

implemented and maintained for the lifetime of the Mona Offshore Wind Project. In each instance the Operator and Civil Aviation Authority (CAA) would be consulted. This drafting reflects the fact that BAE Systems has yet to complete its safeguarding assessment (the operational limb) to determine the extent, if any, of any detrimental impact on its operations due, in particular, to theoretical VHF communications interference.

- 1.2.2.2 However, to close out this matter, the Applicant is prepared to accept the ATS requirements for Warton and Walney Aerodromes proposed by BAE Systems, with one revision. As set out in their 23 June 2025 submission, BAE Systems are in still in the process of considering the NATS assessments from an operational perspective and state that *“It will be possible to engage further with the Applicant in respect of the specific mitigation solutions required to address the impacts identified once BAE Systems operational review has been concluded”*. In light of this, and the potential that mitigation may not be required, it is the Applicant’s position that it would be reasonable to revise sub-paragraph (1) of the BAE Systems proposed ATS requirements for Walney and Warton aerodromes to include an additional limb for *‘Secretary of State, having consulted with the Operator and the Civil Aviation Authority, confirms in writing that no mitigation is required in respect of the authorised development’* as set out below.
- 1.2.2.3 Additionally, the Applicant does not agree that sub-paragraph (1) for both Walney and Warton aerodromes should make reference to the Offshore Substation Platforms (OSPs). As set out in the Applicant’s 23 June 2025 response, the Applicant prepared line of sight assessments for Warton and Walney Aerodrome that demonstrate that the Mona Offshore Wind Project OSPs (whether a single larger or up to four smaller OSPs) are not expected to affect the communication, navigation and surveillance (CNS) equipment at Walney or Warton aerodromes. However, as the OSP(s) are installed prior to erection of wind turbine generators (WTGs), to allow for connection of WTGs to the OSP(s) and commencement of WTG commissioning activities, the requirement for any mitigation to be implemented prior to erection of OSPs adds unnecessary and significant risk to the programme for delivery of the Mona Offshore Wind Project.
- 1.2.2.4 With the inclusion of sub-paragraph (1)(a), and in an effort to close out this matter in a way that is agreeable to both parties, the Applicant is prepared to accept the inclusion of reference to OSPs in sub-paragraph (1) as set out below.

OPERATION OF WALNEY AERODROME (AIR TRAFFIC SERVICES)

X (1) *No part of any wind turbine generator [or any offshore substation platform] shall be erected as part of the authorised development until–*

(a) Secretary of State, having consulted with the Operator and the Civil Aviation Authority, confirms in writing that no mitigation is required in respect of the authorised development;
or

(ab) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and

(bc) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that he/she is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (4)(a)).

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

(2) For the purposes of this requirement–

*“**approved ATS mitigation scheme**” means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a).*

*“**ATS mitigation scheme**” means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Walney Aerodrome, including but not limited to:*

i. the Aerodrome’s ability to provide and deliver, on an uninterrupted basis–

(a) national sovereign defence capabilities;

(b) safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and

(c) any other operational requirements which are identified by the operator; and

ii. the Aerodrome’s IFP, MSA and VHF communication systems;

*“**CAA**” means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;*

*“**IFP**” means instrument flight procedures;*

*“**MSA**” means minimum sector altitude;*

*“**operator**” means BAE Systems Marine Limited (incorporated in England and Wales with company number 00229770, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Walney Aerodrome or any organisation employed by BAE Systems Marine Limited to provide an air traffic service at Walney Aerodrome; and*

*“**VHF**” means very high frequency.*

(3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20).

(4) The undertaker shall be solely responsible for the costs of –

(a) implementing the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20); and

(c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Walney Aerodrome which are new or different to those identified by the environmental statement, working with the CAA and the operator in good faith to agree any additional mitigation measures required to prevent or remove such

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adverse impacts throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

OPERATION OF WARTON AERODROME (AIR TRAFFIC SERVICES)

X (1) No part of any wind turbine generator [or any offshore substation platform] shall be erected as part of the authorised development until–

(a) Secretary of State, having consulted with the Operator and the Civil Aviation Authority, confirms in writing that no mitigation is required in respect of the authorised development; or

(ab) an ATS mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the CAA and the operator; and

(bc) the Secretary of State, following consultation with the CAA and the operator, has confirmed in writing that he/she is satisfied that the approved ATS mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (4)(a)).

(2) For the purposes of this requirement–

“approved ATS mitigation scheme” means the ATS mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1)(a).

“ATS mitigation scheme” means a scheme which is designed to prevent or remove any adverse impacts arising from the authorised development on the operation of Warton Aerodrome, including but not limited to:

- i. the Aerodrome’s ability to provide and deliver, on an uninterrupted basis–
 - a. national sovereign defence capabilities;
 - b. safe airport operational and air traffic services that are fit for purpose for both civil and military aircraft operations; and
 - c. any other operational requirements which are identified by the operator; and
- ii. the Aerodrome’s IFP, MSA, DF, VHF and UHF communication systems;

“CAA” means the Civil Aviation Authority constituted by the Civil Aviation Act 1982;

“DF” mean direction finding;

“IFP” means instrument flight procedures;

“MSA” means minimum sector altitude;

“operator” means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Warton Aerodrome or any organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome; and

“UHF” means ultra high frequency;

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

“VHF” means very high frequency.

(3) The approved ATS mitigation scheme must remain in place and be complied with for the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20).

(4) The undertaker shall be solely responsible for the costs of –

(a) implementing the approved ATS mitigation scheme prior to the erection of any part of any wind turbine generator or any offshore substation platform forming part of the authorised development;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused) of, the approved ATS mitigation scheme throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20); and

(c) in the event of any amendment being made to the authorised development which gives rise to adverse impacts on the operation of Walney Aerodrome which are new or different to those identified by the environmental statement, working with the CAA and the operator in good faith to agree any additional mitigation measures required to prevent or remove such adverse impacts throughout the lifetime of the authorised development (including the period during which the authorised development is being decommissioned in accordance with the decommissioning programme approved pursuant to requirement 20), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.

1.2.3 PSR Requirement for Warton Aerodrome

1.2.3.1 The Applicant’s position, as set out in its 23 May 2025 and 23 June 2025 submissions to Secretary of State, is that the current requirement 23 in the final draft DCO for Mona Offshore Wind Project is appropriate, but is willing to accept a requirement based on the requirement in Morgan Generation Assets and Morecambe Generation Assets with some revisions as set out in Table 1.1 of the Applicant’s 23 May 2025 submission. The Applicant notes that BAE Systems (23 June 2025) is prepared to accept the Applicant’s revisions “...which account for the fact that it will be the ‘operator’ (at the sole cost of the ‘undertaker’) who will implement the approved radar mitigation scheme”.

1.2.3.2 The Applicant also notes that the revised requirement 23 included in the BAE Systems submission of 23 June 2025 has an amended sub-paragraph (6) regarding offshore wind farm (OWF) shutdown in an attempt to address concerns raised by the Applicant when it met with BAE Systems on 13 June 2025. The Applicant highlighted at that meeting that it is more appropriate to consider shutdown and cessation of the OWF as part of negotiations in respect of the post-consent mitigation agreement/commercial arrangements. BAE Systems state that “The revisions made to sub-paragraph (6) are intended to give effect to this – the Secretary of State will note that the amended wording establishes the principle of turbine shutdown in the event of mitigation failure, but leaves the detail (in the form of a shutdown protocol) for future negotiation and agreement between the parties as part of the approval process for the radar mitigation scheme”.

1.2.3.3 The Applicant is willing to accept the revised requirement 23 presented by BAE Systems in their 23 June 2025 submission, except for sub-paragraph 6. Despite the

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detail of sub-paragraph now (6) being linked to the “approved mitigation scheme”, in the absence of the detail of the scheme being available, shutdown provisions on the face of the DCO would represent an unquantified risk to investors and lenders which could significantly impact the ability of Mona Offshore Wind Project to reach financial close or make a Final Investment Decision (FID). Furthermore, it could set a precedent for future offshore and onshore wind energy consents, undermining the Government strategy and targets for renewable energy. Such shutdown provisions could also cumulatively undermine Great Britain grid stability and would require careful co-ordination with NESO.

- 1.2.3.4 BAE Systems acknowledges that it will implement the mitigation scheme (at the Applicant’s cost), the performance criteria of which will be set by BAE Systems: this means BAE Systems selects and implements the “approved mitigation scheme”. Sub-paragraph (6) in effect absolves BAE Systems of any responsibility for selecting and implementing the mitigation scheme if “*in the event of any failure (howsoever caused)*”, the development’s turbines must be switched off and remain out of operation until the Applicant funds the remediation and BAE Systems carries out that remediation. This would shut down the turbines even if the failure was caused directly by BAE Systems’ actions. This is not reasonable and therefore fails to meet the test for a requirement.
- 1.2.3.5 Further, it is unclear from the drafting of sub-paragraph (6), in the absence of the detail of the “approved mitigation scheme”, whether BAE Systems would seek the turbine shutdown only when Warton aerodrome is operational and providing an air traffic service, currently being Mon-Thu 0730-1900 (0630-1800) and Fri 0730-1700 (0630-1600) – that is 55 hours per week or 2,886 hours per annum, amounting to 33% of the hours in a year – or whether BAE Systems would insist on the turbines remaining shutdown during non-operational hours, given BAE Systems’ repeated assertions that it provides on an uninterrupted basis “*national sovereign defence capabilities*” (while remaining a civil aerodrome).
- 1.2.3.6 This lack of certainty as to the reach of sub-paragraph (6), in the absence of the detail of the “approved mitigation scheme”, as well as its fundamental unreasonableness could be a significant barrier to the Applicant being able to take its FID (as stated above), as on the face of BAE Systems’ preferred requirement, the Applicant is afforded no certainty of generation even if it fully funds and supports BAE Systems’ selection and implementation of the “approved mitigation scheme”. It represents a misalignment in decision making incentives.
- 1.2.3.7 BAE Systems has repeatedly made clear to the Applicant that its prime consideration is to ensure that its aircraft test flight business is not impacted by Mona Offshore Wind Project. As the Applicant has noted below, Warton aerodrome’s safety of operations can be assured even during a PSR outage (whether a supplementary mitigation PSR or Warton’s main PSR which is expected also to have windfarm tolerance capabilities). The Secretary of State is being asked to prioritise BAE Systems’ commercial interests to the detriment of the Applicant’s, even though there is a compromise in the form of the DCO requirement without the shutdown provision in sub-paragraph (6) which is available.
- 1.2.3.8 With reference to the Applicant’s 23 May 2025 submission regarding alternative mitigation for failure of the “approved mitigation scheme” other than OWF shutdown, it is necessary to briefly outline what the Applicant understands, from public domain sources, to be BAE Systems’ operations at Warton Aerodrome. Warton Aerodrome is a major assembly and testing facility of BAE Systems Military Air & Information, assembling inter alia the Eurofighter Typhoon and Hawk. Extensive test flight activity is undertaken there, hence the existence of the Warton Advisory Radio Area (ARA)

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

which is located between FL95 (9,500ft above mean sea level (amsl)) and FL190 (19,000ft amsl). As the Aeronautical Information Publication (AIP) ENR 5.2 explains *“Test flight activity often requires the pilots to fly profiles which limit their ability to manoeuvre their aircraft in compliance with the Rules of the Air. Such flights will receive a radar service from Warton”* and goes on to advise pilots entering the area *“to call Warton on 129.530 MHz to obtain route information and information on test flight activity”*. However, in practice, all these trials aircraft and any seeking to transit the Warton ARA will be transponding, as transponder carriage and use is mandatory in UK airspace over FL100 (10,000ft amsl). This is important as it makes clear that the bulk of BAE Systems’ test traffic will be operating at altitudes which require transponder carriage, so that in the case of a PSR failure, the SSR returns should still be available to Warton controllers to fulfil their safety obligations in what is Class G, or uncontrolled, airspace. In uncontrolled airspace, any air traffic service is purely advisory and the ultimate responsibility for collision avoidance rests with the pilot. Further, the current advisory air traffic services provided in Class G airspace by ATC units such as Warton will be changing with the adoption of the ICAO Flight Information Service and Lower Airspace Service, as set out in the UK’s Airspace Modernisation Strategy (CAP1711).

- 1.2.3.9 BAE Systems suggested in their 23 June 2025 response that the provisions of Manual of Air Traffic Services (MATS) Part 1 were not applicable. BAE Systems, however, failed to note that the provision of an SSR only service during a PSR outage is permitted if authorised in the aerodrome’s MATS Part 2 (Section 1 Chapter 3 10B.1(1)). While the Applicant cited the example of Glasgow Airport, the MATS Part 2 of all significant commercial aerodromes will contain such a provision to permit SSR only service during a PSR outage as this enables the service provider to continue to provide a more efficient surveillance-based service rather than a procedural service while rectifying the PSR outage. The flying activity undertaken in the vicinity of Warton aerodrome is different to that at Glasgow or Heathrow airports, but all seek to ensure the most efficient and safe service in all circumstances.
- 1.2.3.10 The availability of SSR only services during any PSR outage is a key reason why the Applicant does not consider it appropriate for paragraph (6) as proposed by BAE Systems to be included in the DCO requirement. As the CAA’s guidance on Wind Turbines (CAP764, 6th edition, paragraph 1.21) makes clear, air navigation service providers need to *“be able to establish what **reasonable** measures may be put in place to mitigate the effect of a wind turbine development”* (Applicant’s emphasis). The Applicant submits that it is reasonable for Warton Aerodrome to obtain CAA approval in its MATS Part 2 to allow it to provide an SSR only service during an outage of any component of its PSR system. The Applicant would be very surprised if Warton aerodrome did not already have this authorisation in its MATS Part 2 to allow for its efficient management of its existing air traffic operations in the event of a PSR outage.
- 1.2.3.11 The reason the Applicant has made these points above is that should a shutdown clause be required as part of the “approved mitigation scheme”, it should take into account all existing available operational and technical mitigations (including the use of SSR-only) and any parameters for OWF shutdown should be strictly delineated and control the circumstances where shutdown is necessary for safety considerations. The requirement is not the appropriate place to detail this information, especially in light of the absence of the final detail of the “approved mitigation scheme” being available.
- 1.2.3.12 In summary, the Applicant in the spirit of compromise will accept the drafting provided by BAE Systems to the Secretary of State on 23 June 2025 pertaining to Requirement

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

23 other than sub-paragraph (6). For the reasons set out above, sub-paragraph (6) should not be included.

dDCO REQUIREMENT WORDING: WARTON AERODROME PSR

23 (1) *No part of any wind turbine generator shall be erected as part of the authorised development until a radar mitigation scheme has been submitted to and approved in writing by the Secretary of State, in consultation with the Ministry of Defence and the operator.*

(2) *For the purposes of this requirement–*

(a) *“approved radar mitigation scheme” means the radar mitigation scheme as approved by the Secretary of State in accordance with sub-paragraph (1);*

(b) *“Ministry of Defence” means the Ministry of Defence as represented by Defence Infrastructure Organisation – Safeguarding, St George’s House, DIO Head Office, DMS, Whittington, Lichfield, Staffordshire WS14 9PY or any successor body;*

(c) *“operator” means BAE Systems (Operations) Limited (incorporated in England and Wales with company number 01996687, whose registered office is at Victory Point, Lyon Way, Frimley, Camberley, Surrey GU16 7EX) or such other organisation as is licensed from time to time under sections 5 and 6 of the Transport Act 2000 to provide air traffic services at Warton Aerodrome or any organisation employed by BAE Systems (Operations) Limited to provide an air traffic service at Warton Aerodrome;*

(d) *“PSR” means the primary surveillance radar at Warton Aerodrome or any upgrade thereto or replacement thereof;*

(e) *“PSR air traffic control operations” means the air traffic control operations, including both civil and military aircraft operations, of the Ministry of Defence or the operator (or both) which are reliant upon the PSR; and*

(f) *“radar mitigation scheme” means a scheme designed to prevent or remove any adverse impacts arising from the authorised development upon the operation of the PSR or the PSR air traffic control operations.*

(3) *No wind turbine generator erected as part of the authorised development shall be permitted to rotate its rotor blades about its horizontal axis other than for the purpose of testing the proposed mitigation solution identified in the approved radar mitigation scheme until the Secretary of State, following consultation with the Ministry of Defence and the operator, has confirmed in writing that he/she is satisfied that:*

(a) *the proposed mitigation solution has been subject to technical and operational assessment and, in particular, has undergone ‘in-situ’ testing in line with the requirements of (and for the time period(s) specified in) the approved radar mitigation scheme;*

(b) *the performance criteria required to be met by the proposed mitigation solution, as specified in the approved radar mitigation scheme, have been met; and*

(c) *the approved radar mitigation scheme has been implemented by the operator (the costs of which shall be the sole responsibility of the undertaker in accordance with sub-paragraph (5)(a)).*

(4) *The approved radar mitigation scheme must remain in place and be complied with for so long as any of the wind turbine generators erected as part of the authorised development are*

RESPONSE TO THE SECRETARY OF STATE CONSULTATION 5 (LETTER DATED 25 JUNE 2025)

operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both).

(5) The undertaker shall be solely responsible for costs of–

(a) implementing the approved radar mitigation scheme prior to any wind turbine generator erected as part of the authorised development being permitted to rotate its rotor blades about its horizontal axis;

(b) thereafter maintaining, repairing and replacing, including without limitation resolving any failure (howsoever caused of, the approved radar mitigation scheme for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both); and

(c) in the event of any amendment being made to the authorised development which gives rise to new or different adverse impacts to those identified by the environmental statement on the operation of the PSR or the PSR air traffic control operations, working with the Ministry of Defence and the operator in good faith to agree any additional mitigation measures required to prevent or remove such adverse impacts for so long as any of the wind turbine generators erected as part of the authorised development are operational and provided that the PSR remains an operational requirement of the Ministry of Defence or the operator (or both), together with the costs of implementing and maintaining on an ongoing basis those additional mitigation measures.