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# **SCOPING OPINION:**

## Proposed Helios Renewable Energy Project

**Case Reference: EN010140**

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Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

**14 July 2022**



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# 1. INTRODUCTION

- 1.0.1 On 07 June 2022, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Enso Green Holdings D Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Helios Renewable Energy Project (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:  
  
<http://infrastructure.planninginspectorate.gov.uk/document/EN010140-000007>
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

## 2. OVERARCHING COMMENTS

### 2.1 Description of the Proposed Development

(Scoping Report Section 2)

ID	Ref	Description	Inspectorate's comments
2.1.1	2.3.2, 6.4.1	Maximum height parameters and worst-case scenarios	<p>Each unit of battery storage is stated to measure approximately 12m x 2.4m x 2.9m and the number of units required is currently unknown. It is not clear which measurement is the height or whether battery storage units are proposed to be stacked. The solar array is stated to be no more than three metres in height which forms the worst-case scenario for the Cultural Heritage assessment and no maximum height is proposed for the Landscape and Visual Chapter. However, it is unclear whether this accounts for all infrastructure including the battery storage units.</p> <p>The ES should base its worst-case scenario assessments on the maximum parameters of all relevant infrastructure associated with the construction and operation of the Proposed Development.</p>

## 2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 3)

ID	Ref	Description	Inspectorate's comments
2.2.1	4.1.3	Transboundary effects	<p>The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on our website at <a href="http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/">http://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/</a></p>

### 3. ENVIRONMENTAL ASPECT COMMENTS

#### 3.1 Topics to be Scoped Out

(Scoping Report Section 4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	4.2	Air Quality – vehicle emissions	The Inspectorate is content to scope out an assessment of air quality effects during all phases from vehicle emissions on the basis that the number of anticipated vehicle movements during construction (up to 100 Annual Average Daily Traffic for HGV vehicles) and operation (up to 10 two-way vehicle trips per month) are below relevant threshold criteria (Institute of Air Quality Management (IAQM, 2017), subject to confirmation of the frequency, and type of construction vehicles within the ES description of development.
3.1.2	4.2	Air Quality – dust emissions	The Inspectorate is content to scope out a quantitative assessment of air quality effects from dust emissions on the basis that the risk of dust generation associated with the construction and decommissioning phases will be managed through the implementation of standard best practice and mitigation measures incorporated into the Construction Environmental Management Plan / Decommissioning Environmental Management Plan (CEMP/DEMP). A qualitative assessment of dust impacts based on relevant guidance (e.g. IAQM) should be provided to demonstrate that measures proposed are consistent with the scale of effects. The Inspectorate agrees that once operational, the Proposed Development is unlikely to result in significant air quality effects as the components of the Proposed Development do not produce dust emissions.
3.1.3	4.3	Human Health	The Inspectorate agrees that a standalone aspect chapter on human health is not required on the basis that the Proposed Development

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>will be designed to minimise any impact on human health and where there are interactions with human health these will be assessed within the Noise and Transport aspect chapters of the ES.</p> <p>Impacts to human health may extend beyond the Traffic and Access and Noise Chapters proposed and the ES should clearly set out potential impacts to human health from the Proposed Development during construction, operation and decommissioning and cross-reference where impacts are assessed within the ES e.g. Landscape and Visual, Land Contamination and Socio-Economics.</p>
3.1.4	4.4	Land Contamination	<p>Land contamination is scoped out on the basis that contamination presence is unlikely as the site is greenfield land in agricultural use with no recorded history of development. Potential risks of soil and water contamination from leaks, improper storage, or spills during the construction phase, are proposed to be mitigated through implementation of standard best practice measures secured via the CEMP.</p> <p>No Preliminary Risk Assessment (PRA) has been undertaken and therefore, these assumptions have not been verified and there remains a risk that burial pits, fuel/oil or agricultural spills or areas of waste burial may be present. Until the results and recommendations of a PRA are known, there is insufficient evidence to support scoping out an assessment of ground conditions.</p> <p>The ES should be supported by the findings of a PRA and where land contamination is identified, the ES should assess significant effects where they are likely to occur.</p>
3.1.5	4.5	Vibration	<p>An assessment of vibration effects is proposed to be scoped out on the basis that sensitive residential receptors will be located &gt;30 metres which is a distance at which vibration levels from rotary bored</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>piling can exceed 1mm/s peak particle velocity (the lowest observed adverse effect level) in line with BS5229-2 'Code of practice for noise and vibration control on construction and open sites' (2014) and the Transport Research Laboratory (1986). However, the type of piling is not specified.</p> <p>The Inspectorate is satisfied that vibration is included as a potential impact on biodiversity receptors and will be assessed in the Biodiversity ES Chapter. In the absence of evidence to demonstrate the proposed piling technique and maximum likely vibration levels, the Inspectorate is not content to scope out impacts from piling.</p>
3.1.6	4.6	Major Accidents and Disasters	<p>A standalone Major Accidents and Disasters Chapter is proposed to be scoped out, stating that consideration of risks (i.e. flooding, climate change, fire, road accidents, and glint and glare) will be included within other relevant aspect Chapters including:</p> <ul style="list-style-type: none"> <li>• Flooding;</li> <li>• Climate change;</li> <li>• Fire (with an Outline Battery Safety Management Plan would be appended to the ES);</li> <li>• Road Accidents; and</li> <li>• Glint and Glare.</li> </ul> <p>The Inspectorate is satisfied that the matters identified can be assessed in other ES Chapters, however it is unclear where an impact such as fire would be assessed. For the avoidance of doubt, the risk of fire associated with battery storage facilities should be assessed in the ES and relevant mitigation, such as fire-fighting and containment measures should be set out and secured in the Development Consent Order (DCO).</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.1.7	4.7	Electric, Magnetic, and Electromagnetic Fields (EMF)	Subject to the ES demonstrating that cables and infrastructure are below relevant guidance thresholds referenced in the Scoping Report (DECC Power Lines: Demonstrating compliance with EMF public exposure guidelines, A Voluntary Code of Practice 2012 guidance), the Inspectorate is content to scope this matter out.
3.1.8	4.8	Telecommunications, Television Reception and Utilities	The Inspectorate considers that insufficient evidence has been provided to scope this matter out.  The ES should identify any receptors through consultation and a desk-based assessment and should any diversions of utility or telecommunications infrastructure be required, these should be located and described in the ES along with any required mitigation measures. Impacts, including those from potential diversions and alterations in design, should be described and assessed where significant effects are likely to occur.
3.1.9	4.9	Wind Microclimate	The Inspectorate has considered the characteristics of the Proposed Development and is content that due to its nature, significant effects are not likely to occur and this matter can be scoped out.
3.1.10	4.10	Daylight, Sunlight and Overshadowing	The Inspectorate has considered the characteristics of the Proposed Development and is content that the scale and massing of the Proposed Development will not cause changes to daylight or sunlight visibility or cause overshadowing and this aspect can be scoped out.
3.1.11	4.11	Glint and Glare	The Inspectorate is content that a separate Glint and Glare Chapter is scoped out on the basis that the initial Glint and Glare assessment will be provided as a technical appendix to the ES and will be used to inform the Landscape and Visual Impact Assessment (LVIA) aspect Chapter.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.12	4.12	Lighting	<p>An assessment of lighting effects is proposed to be scoped out during all phases of the Proposed Development on the basis that the site is not located in a dark skies area and during the construction and decommissioning phases, impacts would be limited in extent, intensity, and duration. Therefore, effects are unlikely to be significant. During operation, the Proposed Development would only be lit through manual operation, or passive infrared lights in the event of an emergency maintenance visit being required in hours of darkness. Lighting is also proposed to be scoped out of the Biodiversity and Landscape and Views Chapter for this reason.</p> <p>In the absence of further details regarding the likelihood and duration of night time task lighting during construction or the sensitivity of the receiving environment, and with the potential for bats to be present within the receiving environment, subject to confirmation by surveys, it is not considered appropriate to scope out an assessment of lighting effects. The ES should include a detailed description of the construction and operational lighting design and the measures taken to avoid or minimise lighting impacts on human and ecological receptors, including consideration of effects relating to intermittent lighting sources such as motion activated security lighting.</p>
3.1.13	4.13	Minerals	<p>The Inspectorate agrees that on the basis that the site is not located within a Mineral Safeguarding Area, this aspect can be scoped out.</p>
3.1.14	4.14	Waste	<p>In the absence of information demonstrating the quantities and types of waste anticipated, and the dependence on mitigation measures which are yet to be provided in the CEMP/DEMP, the Inspectorate is not in a position to agree to scope this out at this stage.</p> <p>Scoping Report paragraph 4.14.1 states that there will be no operational waste besides that associated with maintenance activities.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			<p>However, panel degradation is a limiting factor on project lifespan and there is the potential that some panels may need to be replaced during the lifetime of the Proposed Development. Therefore, the ES should include an assessment of waste impacts where significant effects are likely to occur and include and outline what measures, if any, are in place to ensure that panels and any associated components are able to be diverted from the waste chain.</p>

## 3.2 Cultural Heritage

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Table 6.1	Impacts to archaeology	<p>The Inspectorate notes that impacts to archaeology are not included in Table 6.1 although impacts to non-designated heritage assets are scoped in. Paragraph 6.6.9 states that significant effects on archaeological assets during construction are unlikely but there is insufficient evidence to support this.</p> <p>For the avoidance of doubt, the ES should assess both direct and indirect impacts to archaeology during all phases of the development where significant effects are likely to occur. This should be supported by a robustly characterised baseline and effort should be made to agree the approach to assessment with the County Archaeologist.</p>
3.2.2	6.7.1	Physical impacts to designated heritage assets	The Inspectorate agrees that direct physical effects on designated heritage assets can be scoped out as there are no designated heritage assets within the site boundary.
3.2.3	6.7.2	Impacts on registered parks and gardens, registered battlefields or World Heritage Sites	The Inspectorate is content to scope out impacts on registered parks and gardens, registered battlefields or World Heritage Sites on the basis that none of these designated assets are present within the cultural heritage study area.
3.2.4	Table 6.1	Effects on Listed Buildings within the study area, excluding Grade I Listed Camblesforth Hall and Carlton Towers and Grade II listed Manor Farmhouse	<p>The Inspectorate does not agree to scope out impacts to listed buildings as some are located within the worst-case 3km study area (Figure 6.2) and no justification is provided for scoping them out.</p> <p>The ES should assess both direct and indirect impacts to listed buildings where significant effects are likely to occur.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.5	Table 6.1	Effects on the setting of Scheduled Monuments, Grade I Listed Camblesforth Hall and Carlton Towers and Grade II listed Manor Farmhouse during construction and decommissioning	<p>The Scoping Report does not provide justification as to why construction and decommissioning will not affect the setting of Scheduled Monuments, Camblesforth Hall and Carlton Towers. Both construction and decommissioning impacts on views are scoped into the Landscape and Views Chapter, therefore this indicates that potential for impacts remains and the Inspectorate does not agree to scope this out.</p> <p>The ES should assess impacts on the setting of heritage assets during construction and decommissioning where significant effects are likely to occur.</p>
3.2.6	Table 6.1	Effects on Conservation Areas	<p>The Inspectorate does not agree to scope out effects on Conservation Areas during all phases on the Proposed Development as three Conservation Areas are identified as located within the 3km study area and preliminary Zone of Theoretical Visibility (ZTV) and insufficient justification has been provided to demonstrate that these areas will not be impacted.</p> <p>The ES should provide an assessment of impacts on Conservation Areas within the 3km study area during all phases of the Proposed Development where significant effects are likely to occur.</p>
3.2.7	Table 6.1	Physical impacts to non-designated heritage assets during operation	<p>In the absence of further information relating to the potential for archaeological remains to be present on site, the Inspectorate considers that physical impacts to non-designated assets during operation and decommissioning could give rise to significant effects and should be scoped into the assessment.</p>
3.2.8	6.6.8	Impacts during decommissioning	<p>The Applicant proposes to scope out the impact of decommissioning the Proposed Development on heritage assets, however, no justification has been provided to support this. Given the potential</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			effects during decommissioning are likely to be similar to those experienced during construction the Inspectorate is of the opinion that this matter cannot be scoped out at this stage.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.2.9	Section 6.8	Archaeological fieldwork	The Applicant should ensure that the information used to inform the assessment is robust and allows for suitable characterisation of the archaeological baseline. The Applicant should make effort to agree the methodology for any intrusive investigations with relevant consultation bodies.
3.2.10	6.2.4 and 6.8.4	Screened Zone of Theoretical Visualisation (ZTV) and seasonality	The Scoping Report states that 'screened' ZTVs will be used to determine which receptors can be excluded from the assessment. The screened ZTVs should take into account the influence of seasonality on the degree of vegetative screening.

### 3.3 Landscape and Views

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	Table 7.1	Effects on night-time landscape and perception of the night sky	<p>The Inspectorate is content to scope this matter out as the site is not designated for dark skies, no permanent lighting is required during operation and the lighting during construction and decommissioning is expected to be limited in in extent, intensity and duration.</p> <p>The ES should include a detailed description of the lighting design and the measures taken to avoid or minimise lighting impacts on the night sky, including consideration of effects relating to intermittent lighting sources such as motion activated security lighting.</p>

ID	Ref	Description	Inspectorate's comments
3.3.2	7.2.1 and Figures 7.1 and 7.2	Preliminary ZTV/study area	<p>The full extent of the preliminary ZTV and subsequent study area is not defined in the Landscape and Views Chapter whereas it is defined in the Cultural Heritage Chapter. Figures 7.1 and 7.2 depict the ZTV however, potential visibility of the site overlaps the edges of the map therefore its full extent is unknown. Additionally, the Scoping Report does not establish the tallest elements of the Proposed Development that influence the ZTV (please see box 2.1.1 above).</p> <p>The ES should ensure that the final extent of the ZTV reflects the maximum parameters of the Proposed Development where relevant. Effort should be made to agree appropriate ZTVs with relevant consultation bodies.</p>
3.3.3	7.8.6 and	Viewpoint Location	Scoping Report paragraph 7.8.6 states that representative viewpoints will be finalised following consultations with North Yorkshire County

ID	Ref	Description	Inspectorate's comments
	Figure 7.2		<p>Council (NYCC) and their anticipated locations are provided on Figure 7.2.</p> <p>The ES should explain the process used to determine appropriate viewpoints through the consultation process and should take into account topography, long-distance views and the setting of heritage receptors.</p>
3.3.4	7.8.3	Mitigation planting growth assumptions	<p>Scoping Report paragraph 7.8.3 states that "mitigation planting will be assumed to grow approximately 1m in height every 3 years". It is not clear on what basis this assumption has been made, i.e. what plant species are proposed. Where assumptions have been made, the ES should explain why these are realistic based on relevant guidance where appropriate.</p>

### 3.4 Biodiversity

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	8.7.1	Indirect effects on statutorily designated sites without mobile qualifying features >2km from the red line boundary	<p>Indirect effects on statutory sites without mobile features located &gt;2km from the red line boundary are scoped out due to the static nature of the habitats present, their spatial separation and/or absence of hydrological pathways of connectivity; the sites are not identified.</p> <p>The Inspectorate is content with this approach provided the ES demonstrates that there is no pathway for effect at identified sites &gt;2km from the red line boundary and that the relevant embedded mitigation is secured via the DCO.</p>
3.4.2	8.7.1	Indirect effects on statutorily designated sites >2km for which embedded mitigation avoids impacts	<p>Sites located &gt;2km from the red line boundary for which embedded mitigation and good practice will be sufficient to prevent any impacts are proposed to be scoped out; these sites are not identified in the Scoping Report.</p> <p>The Inspectorate is content with this approach provided the ES demonstrates that there is no pathway for effect at identified sites &gt;2km from the red line boundary and that the relevant embedded mitigation is secured via the DCO.</p>
3.4.3	8.7.2	Impacts to statutory designated sites within 10km of the red line boundary	<p>Due to the absence of species-specific surveys, the Inspectorate does not agree to scope out impacts to statutory sites within 10km of the red line boundary where habitat is not deemed suitable for qualifying bird assemblages. Although suitable habitat may not be present, birds may still utilise these sites for foraging.</p> <p>The ES should assess impacts on statutory designated sites where there is potential for likely significant effects i.e. on the sites or the</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			features for which it is designated. This should be supported by appropriate surveys and where possible, consultation with the relevant consultation bodies.
3.4.4	8.7.3	Impacts on common and widespread habitats	In the absence of full extended habitat survey data, and given the scale of the Proposed Development, the Inspectorate is not content to scope out impacts on common and widespread habitats of low sensitivity and/or conservation interest.
3.4.5	8.7.4	Invertebrates	Due to the absence of species-specific surveys, the Inspectorate does not agree to scope out impacts to invertebrates on the basis that habitat is not deemed suitable. The ES should determine the baseline and then assess significant effects where they are likely to occur.
3.4.6	8.7.6	Lighting Impacts on Ecology	<p>In the absence of details regarding the duration and type of construction lighting and the potential for bats to be present within the receiving environment, subject to confirmation by surveys it is considered that construction lighting impacts on biodiversity should be scoped in at this time.</p> <p>The ES should include a detailed description of the lighting design and the measures taken to avoid or minimise lighting impacts on biodiversity, including consideration of effects relating to intermittent lighting sources such as motion activated security lighting.</p>

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.4.7	8.2.4	Wintering and Breeding Birds surveys	Scoping Report paragraph 8.2.4 states that the wintering and breeding bird surveys do not include all the area within the red line boundary as it altered between the time of the surveys and submission of the Scoping Report, however, the Applicant considers

ID	Ref	Description	Inspectorate's comments
			<p>that the data is still sufficient to determine the baseline and inform a robust assessment in the ES.</p> <p>In the absence of further details regarding the extent and implications of such data gaps or agreement with the proposed approach from Natural England, the Inspectorate does not consider that the need for further survey data can be scoped out at this time.</p>
3.4.8	8.2.3	Study area – bats	<p>The Scoping Report states that all international statutory designated sites within 10km of the site have been identified. The ES should consider the potential for impacts on international sites designated for bats within a 30km study area or provide evidence to demonstrate the absence of a likely significant effect.</p>
3.4.9	8.3.6	Baseline bat surveys	<p>Bat surveys should be undertaken to inform a robust baseline in the ES; the Scoping Report does not identify bat surveys as a method to inform the baseline although bats are scoped into the ES assessment in Table 8.2.</p>
3.4.10	Table 8.2	Veteran trees and ancient woodland	<p>Veteran trees and ancient woodland are not referenced in the Scoping Report although the Inspectorate notes that Kerrick Spring Wood ancient woodland is directly adjacent to the Proposed Development site.</p> <p>The ES should identify any veteran trees and ancient woodland which may be affected by the Proposed Development and assess any significant effects where they are likely to occur. Any mitigation measures required to avoid/reduce impacts to ancient woodland and/or veteran trees e.g. buffer zones, should be described and secured in the application through the DCO.</p>
3.4.11	NA	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to</p>

ID	Ref	Description	Inspectorate's comments
			<p>the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.</p>

### 3.5 Water Environment

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	9.7.1 and Table 9.1	Soil erosion assessment and impacts to watercourses	<p>Whilst the Inspectorate is content that the drainage strategy will consider soil erosion and propose mitigation where necessary, it disagrees that the low gradient of land equates to a lack of soil erosion as disturbance of soil from construction activities can lead to erosion and transport of sediment via surface water flows even on flat land. It is also noted that the Water Framework Directive (WFD) bodies statuses are 'moderate' but the inputs to these bodies are not discussed therefore, the impact of soil/sediment input is unknown – please see box 3.5.3 below.</p> <p>The ES should assess impacts to and from soil erosion where significant effects are likely to occur.</p>
3.5.2	9.7.2 and Table 9.1	Contamination impacts to Groundwater Supply	<p>The Inspectorate disagrees that there is limited potential for contamination impacts to groundwater supply. The site overlies a Source Protection Zone (SPZ) and a Principal Aquifer and construction activities may lead to a creation of contamination pathways e.g. piling.</p> <p>The ES should assess impacts from all phases of the development to groundwater where significant effects are likely to occur. Best practice measures should be employed and secured via the DCO to ensure any potential pollution impacts are minimised. Any potentially impacted private water supplies should be identified and included in the assessment where significant effects are likely to occur.</p>
3.5.3	9.7.3 and 9.3.10	Water Framework Directive Assessment (WFD)	<p>The Inspectorate does not agree to scope out a WFD assessment on the basis that there is limited potential for contamination impacts.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
			The ES should identify all WFD bodies, their use and pressures on their statuses and assess significant effects where they are likely to occur. Effort should be made to agree the approach with the Environment Agency.
3.5.4	9.6.4 and Table 9.1	Operational impacts	The Scoping Report is contradictory in that operational impacts such as accidental spills and runoff from hardstanding, are scoped in at paragraph 9.6.4 but are not scoped in, in Table 9.1. No justification is provided to scope out the operational impacts listed in 9.6.4 and therefore the Inspectorate does not agree to scope them out. The ES should assess impacts on the Water Environment during operation where significant effects are likely to occur.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.5.5	9.2.1 and Figure 9.1	Study area	Scoping Report paragraph 9.2.1 states that a 1km study area has been applied and that a baseline assessment has considered a wider area where watercourse flow impacts may propagate downstream. This is said to be represented on Figure 9.1. Figure 9.1 displays the 1km study area but not the wider study area. Additionally, the 1km study area does not include 1km from all of the site boundary, which excludes the cable route and connection at Drax power station.  The ES should clearly define the study area based on the zone of influence and the hydrology of the site.
3.5.6	9.4.1	Breach zone areas	The ES should explain how the solar arrays have been designed to be resilient to flooding impacts including breach events and the implications for any assessment parameters.

ID	Ref	Description	Inspectorate's comments
3.5.7	9.6.4	Operational impacts on flood risk	The operational impacts referenced do not include changes to flood risk. The ES should explain any implications for flooding risk offsite due to the presence of the Proposed Development, where significant effects are likely to occur.
3.5.8	9.4.1	Flood defences	The site lies within an area benefitting from flood defences however, these defences are not located or described, and the type of flooding is not specified. The ES should locate, identify and describe the type of flooding and flood defences, their condition and who is responsible for their maintenance. Impacts to/from these flood defences should be assessed in the ES where significant effects are likely to occur and their influence on the impacts to/from flooding should be described. This should take into account the most up to date climate change projections to inform a worst-case scenario, particularly in relation to breach events.
3.5.9	Table 9.1	Culvert construction	<p>Scoping Report table 9.1 states that culvert construction will be required but details of culvert locations are not provided.</p> <p>The ES should identify the locations of proposed water crossings and explain the design of the crossings; these should be designed to minimise/avoid environmental impacts and effort should be made to agree the design with the relevant consultation bodies. Impacts from water crossings should be assessed in the ES where significant effects are likely to occur.</p>

### 3.6 Transport and Access

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	10.7.1	Operational phase	Operational effects are proposed to be scoped out on the basis that the traffic movements associated with maintenance activities will be minimal (up to 10 two-way movements per month).  On the basis of the low anticipated operational traffic volumes, the Inspectorate is content to scope this matter out from further assessment provided the ES confirms the type and number of maintenance vehicles and the likely operational traffic flows.

ID	Ref	Description	Inspectorate's comments
3.6.2	n/a	Transport Assessment	The Scoping Report does not reference providing a transport assessment. The ES should include a Transport Assessment that considers the impacts of the development on access and accessibility, sustainability and the free-flow of traffic to inform the assessment of significant effects.
3.6.3	10.5.1	Utilising existing access points	Access routes to the site are not currently specified and are proposed to be set out in a construction access strategy. Mitigation measures set out in Scoping Report paragraph 10.6.22 do not include utilising existing accesses where possible. The Proposed Development should utilise existing accesses where possible and where new accesses are proposed this approach should be justified.
3.6.4	n/a	Baseline surveys of Public Rights of Way (PRoW)	No surveys have been undertaken or are proposed to inform the baseline use of the PRoW that are existing on site. There is also no

ID	Ref	Description	Inspectorate's comments
			<p>indication as to whether these PRoW will be retained or if there is scope to alter them.</p> <p>The ES should appropriately characterise the baseline use of the affected PRoW and describe any alterations to PRoW during construction/decommissioning. Effort should be made to retain and enhance PRoW where possible. Where this has potential to influence other assessments, this should be cross referenced e.g. Landscape and Views.</p>

### 3.7 Noise

(Scoping Report Section 11)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.7.1	11.7.1	Noise effects associated with operational traffic	Operational road traffic noise effects are proposed to be scoped out on the basis that the traffic movements associated with maintenance activities will be minimal (up to 10 two-way movements per month).  On the basis of the low anticipated operational traffic volumes, the Inspectorate is content to scope this matter out from further assessment provided the ES confirms the type and number of maintenance vehicles and the likely operational traffic flows.
3.7.2	11.7.2	Vibration impacts	Please see box 3.1.5 above in relation to scoping out vibration impacts

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.7.3	11.4.1	Tracker panels	Scoping Report paragraph 2.3.1 states that the Proposed Development will use tracking panels but paragraph 11.4.1 does not include the panels as noise-generating infrastructure. The ES should assess the potential for significant noise effects on ecological and human receptors during operation from the use of tracking panels.

### 3.8 Climate Change

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	12.6.1	Decommissioning phase	The Scoping Report proposes to scope out an assessment of the decommissioning phase on the basis that there are uncertainties surrounding this phase however, there is no commitment to assess impacts during the decommissioning phase of the development. The Inspectorate would expect to see a Decommissioning Plan, agreed with the Local Authority, secured through the inclusion of an Outline Decommissioning Plan or similar with the Application. The ES should clearly set out if and how impacts to/from climate change are to be assessed for the decommissioning phase.
3.8.2	12.6.2	Transport emissions during decommissioning phase	The Inspectorate is content to scope this matter out on the basis that effects would be no greater than the construction phase and the decommissioning phase is too far in the future to be able to accurately predict traffic flows and emissions.
3.8.3	12.6.3	Provision of renewable energy during construction phase	On the provision that the application secures that no energy will be transported to the national grid during construction as proposed, the Inspectorate is content to scope this matter.
3.8.4	12.6.4	Vulnerability to climate change during construction	The Inspectorate is content to scope this matter out during construction on the basis that climatic conditions are unlikely to change over the construction period (12 months).

### 3.9 Socio-Economics

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	13.7.1	Energy generation effects during construction and decommissioning phases	The Inspectorate agrees that effects on energy generation during the construction and decommissioning phases can be scoped out on the basis that the Proposed Development will not be generating any energy during these phases.
3.9.2	13.7.2	Operational phase employment and associated workforce expenditure	Subject to confirmation of the number and types of jobs created during operation, the Inspectorate is content to scope out operational phase employment and associated workforce expenditure on the basis that employment opportunities will be relatively limited and unlikely to give rise to significant socio-economic effects.
3.9.3	13.7.3	Access to PRoW	The Inspectorate is content to scope this matter out on the basis that no existing PRoWs are proposed to be closed or diverted as a result of the Proposed Development. The Scoping Report states that the amenity value of the PRoWs will still be considered in the Landscape and Views Chapter.

ID	Ref	Description	Inspectorate's comments
3.9.4	n/a	Census data	New census data was published on 28 June 2022. This should be used to inform baseline data and the ES assessment.
3.9.5	13.5.1	Embedded mitigation	The Scoping Report states that relevant mitigation measures described in other chapters of the Scoping Report will also reduce the potential for adverse socio-economic effects and so these are not repeated.

ID	Ref	Description	Inspectorate's comments
			The ES explain whether such measures avoid what would otherwise be significant socio-economic effects and how they are secured by the DCO.
3.9.6	13.6.2	Construction workers	The potential impact of construction workers on capacity of accommodation and local services is not considered in paragraph 13.6.2 of the Scoping Report. The number of construction workers is not provided in the Scoping Report therefore the potential impact is unknown. The ES should define a worst-case scenario of construction worker numbers and assess impacts on the availability of local accommodation and services where significant effects are likely to occur.

### 3.10 Soils and Agricultural Land

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	14.7.1	Temporary displacement of soil through burying of cables	<p>The Applicant proposes to scope out the temporary displacement of soil in the areas where cables are proposed to be buried, stating that this is not expected to result in any significant effects. The Scoping Report states that this will be included in a Soil Management Plan secured by DCO requirement.</p> <p>In the absence of information providing the quantities and types of soils to be displaced, the classification of land that will be impacted and to what degree and the location of areas where cables will be buried, the Inspectorate does not agree to scope this matter out at this time.</p>
3.10.2	14.7.2	Loss of agricultural land during construction and decommissioning phases	<p>The loss of agricultural land during the construction and decommissioning phases is scoped out on the basis that this will be <i>"so short term that it is not considered significant"</i>; these phases are anticipated to be one year each.</p> <p>Considering the short-term nature of the construction and decommissioning phases, the Inspectorate is content that an individual assessment of agricultural land loss for the construction and decommissioning phases it not required. However, the assessment of agricultural land loss should include the entire lifespan of the Proposed Development including the construction, operational, and decommissioning phases. It should also be noted that impacts to soil may have long lasting impacts regardless of the extent that soils are lost and the degree of impact on soils should be assessed and best practice measures employed to avoid such long term impacts.</p>

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.10.3	14.7.3	Effects on agricultural employment	The Inspectorate agrees to scope out effects on agricultural employment on the basis that this will be considered within the Socio Economics Chapter.

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.10.4	14.2.1	Study area	Scoping Report paragraph 14.2.1 states that the study area has been defined by the site boundary as depicted in Figure 1.1. However, the Agricultural Land Classification (ALC) survey, used to determine the baseline conditions, has been limited to the Development Area illustrated in Figure 14.1. It is assumed that due to the limited nature of impacts on soils and agriculture in the Underground Cable Connection area (also depicted in Figure 1.1), the baseline conditions will be similar, and this will be confirmed in the ES baseline assessment. The Inspectorate considers that the ES should include field augur survey data for the cable route as well to support this assumption and to demonstrate that Best and Most Versatile Land has been avoided where possible.
3.10.5	14.3.9, section 2 and Figure 1.1	Ground disturbance impacts	The ES should describe the construction, operation and decommissioning activities and how infrastructure has been located to avoid/minimise impacts on soil and BMV land. Impacts should be assessed where significant effects are likely to occur.
3.10.6	14.5.1	Grazing during the operational phase	The Scoping Report states that the areas beneath the solar panels will be available for sheep grazing during the operational phase. Where the ES relies upon grazing as mitigation, it should be demonstrated that the land is not subject to restrictive covenants that would prevent such use and that such mitigation is secured in respect of the operation of the Proposed Development.

ID	Ref	Description	Inspectorate's comments
3.10.7	n/a	Cumulative loss of BMV at a regional level	The ES should provide a regional assessment of the loss of BMV land and assess any significant effects where they are likely to occur. The ES should explain the design evolution of the Proposed Development to ensure that preference has been made for brownfield and non-agricultural land where possible and justification is provided for not utilising this land.

### 3.11 Cumulative Effects

(Scoping Report Section 15)

<b>ID</b>	<b>Ref</b>	<b>Applicant's proposed matters to scope out</b>	<b>Inspectorate's comments</b>
3.11.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment

<b>ID</b>	<b>Ref</b>	<b>Description</b>	<b>Inspectorate's comments</b>
3.11.2	n/a	Cumulative schemes	<p>Table 15.1 sets out the current schemes considered cumulatively with the Proposed Development as taken from the local authority's planning portal. This provides a description and distance to the Proposed Development and the Scoping Report states that this will be updated as the Proposed Development application progresses.</p> <p>The ES should include a figure depicting the locations and extent of cumulative developments in relation to the Proposed Development.</p>

## APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

**TABLE A1: PRESCRIBED CONSULTATION BODIES<sup>1</sup>**

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	NHS Vale of York Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	North Yorkshire Fire and Rescue Service
The relevant police and crime commissioner	North Yorkshire Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Long Drax CP
	Burn CP
	Camblesforth CP
	Carlton CP
	Hirst Courtney CP
	Drax CP
The Environment Agency	The Environment Agency
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	West Yorkshire Combined Authority
	Sheffield City Region Combined Authority
	South Yorkshire PTE
The Relevant Highways Authority	North Yorkshire County Council

<sup>1</sup> Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

<b>SCHEDULE 1 DESCRIPTION</b>	<b>ORGANISATION</b>
The relevant strategic highways company	National Highways
The Coal Authority	The Coal Authority
The relevant internal drainage board	Ainsty Internal Drainage Board
	Ouse and Derwent Internal Drainage Board
	Ouse and Humber Drainage Board
	Selby Area Internal Drainage Board
	Cowick and Snaith Internal Drainage Board
	Black Drain Drainage Board
	Danvm Drainage Commissioners
	Dempster Internal Drainage Board
	Goole and Airmyn Internal Drainage Board
	Goole Field District Drainage Board
	Thorntree Internal Drainage Board
Rawcliffe Internal Drainage Board	
The Canal and River Trust	The Canal and River Trust
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Yorkshire and North East

**TABLE A2: RELEVANT STATUTORY UNDERTAKERS<sup>2</sup>**

<b>STATUTORY UNDERTAKER</b>	<b>ORGANISATION</b>
The relevant Clinical Commissioning Group	NHS Vale of York Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Last Mile Gas Ltd
	Energy Assets Pipelines Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Wales and West Utilities Ltd
	ES Pipelines Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited

<sup>2</sup> 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
	Harlaxton Gas Networks Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Leep Gas Networks Limited
	Murphy Gas Networks limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Grid Gas Plc
	Southern Gas Networks Plc
The relevant electricity generator with CPO Powers	Drax Power Limited
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited

STATUTORY UNDERTAKER	ORGANISATION
	Utility Assets Limited
	Vattenfall Networks Limited
	Northern Powergrid (Yorkshire) plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operator Limited

**TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))<sup>3</sup>**

LOCAL AUTHORITY <sup>4</sup>
Selby District
Harrogate District (B)
Leeds District (B)
Wakefield District (B)
East Riding of Yorkshire
Doncaster District (B)
City of York (B)
North Yorkshire County
Middlesbrough (B)
Redcar and Cleveland (B)
Durham County Council
Bradford District (B)
Wakefield District (B)
Darlington (B)

<sup>3</sup> Sections 43 and 42(B) of the PA2008

<sup>4</sup> As defined in Section 43(3) of the PA2008

<b>LOCAL AUTHORITY<sup>4</sup></b>
Stockton-on-Tees (B)
Cumbria County
Lancashire County
Yorkshire Dales National Park
North York Moors National Park

**TABLE A4: NON-PRESCRIBED CONSULTATION BODIES**

<b>ORGANISATION</b>
West Yorkshire Combined Authority
Sheffield City Region Combined Authority

## **APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES**

<b>CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:</b>
Bradford Council
Canal and River Trust
City of York Council
Durham County Council
Environment Agency
Forestry Commission
Harrogate Borough Council
Health and Safety Executive
Long Drax Parish Council
National Grid
National Highways
Natural England
Network Rail
Northern Gas Networks Limited
Northern Power Grid
North Yorkshire County Council
Redcar and Cleveland Borough Council
Selby District Council
The Coal Authority
UK Health Security Agency
York Consortium of Drainage Boards

Application No: 22/02558/CON

CONNO

**TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED)  
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)  
(ENGLAND) ORDER 2015**

**Enso Green Holdings D Limited  
C/O Emily Park  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol,  
BS1 6PN**

**Consultation Response – No Objection**

**Proposal:** Scoping consultation from The Planning Inspectorate: Application by Enso Green Holdings D Limited (the Applicant) for an Order granting Development Consent for the Helios Renewable Energy Project (the Proposed Development)

**Location:** Land To The South West Of The Village Of Camblesforth  
And To The North Of The Village Of Hirst Courtney

**Applicant:** Enso Green Holdings D Limited

City of Bradford Metropolitan District Council has **NO OBJECTION** to the above.



**Canal &  
River Trust**

Making life better by water

Secretary of State  
The Planning Inspectorate  
Environmental Services  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Your Ref EN010140

Our Ref IPP-161

Friday 10<sup>th</sup> June 2022

BY EMAIL ONLY [HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)

Dear Sirs

**EN010140 Helios Renewable Energy - EIA Scoping Report Notification and Consultation**

Thank you for your consultation on the Environmental Impact Assessment Scoping for the above project.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The location of the development, as indicated in the submitted red line boundary on figure 1 of the Scoping Document indicates that the project would not be located close to or include assets owned or managed by the Trust. The closest Trust asset being the River Ouse, located to the north-east of the Drax Power Station site. As a result, we have **no comment** to make on the proposed Scoping Report.

Please note that, in the event that the scheme is amended to incorporate works that affect our assets, such as the provision of a new cable route or the relocation of energy generating equipment closer to our waterway network, the Trust would wish to be re-consulted on the proposal.

Yours Sincerely

**Simon Tucker MRTPI**  
Area Planner – Yorkshire and North East

[\[REDACTED\]@canalrivertrust.org.uk](mailto: [REDACTED]@canalrivertrust.org.uk)  
Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire, DE13 7DN

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

**Canal & River Trust**

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

[\[REDACTED\]@canalrivertrust.org.uk](mailto: [REDACTED]@canalrivertrust.org.uk) [W canalrivertrust.org.uk](http://canalrivertrust.org.uk)

**From:** [REDACTED]  
**To:** [Helios Renewable Energy](#)  
**Subject:** EN010140 – Helios Renewable Energy Project – EIA Scoping Notification and Consultation  
**Date:** 07 June 2022 15:31:49

---

Dear Emily Park

Thank you for your letter dated 7 June 2022.

We have no comments to make in respect of the scoping report.

Kind regards

Gareth Arnold | Development Manager

t: [REDACTED] | e: [REDACTED]

**City of York Council** | Development Management

Economy and Place Directorate | West Offices Station Rise | York YO1

6GA

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**From:** [REDACTED]  
**To:** [Helios Renewable Energy](#)  
**Subject:** EN010140-000010 - Scoping consultation - Helios Renewable Energy Project  
**Date:** 16 June 2022 21:47:20

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Ms Park

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Enso Green Holdings D Limited (the Applicant) for an Order granting Development Consent for the Helios Renewable Energy Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

I write with reference to your letter dated 7 June 2022 regarding the above. I can advise that Durham County Council does not have any comments to make.

Please do not hesitate to contact me if you have any queries regarding this email.

Claire Teasdale  
Strategic Team  
Planning Development Management  
Regeneration, Economy and Growth  
Durham County Council  
County Hall  
Durham  
DH1 5UQ

Tel: [REDACTED]  
Email: [REDACTED]



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Ms Emily Park  
The Planning Inspectorate  
Temple Quay House Temple Quay  
Bristol  
Avon  
BS1 6PN

**Our ref:** RA/2022/144544/01-L01  
**Your ref:** EN010140  
**Date:** 04 July 2022

Dear Emily Park

**Scoping Opinion consultation: HELIOS RENEWABLE ENERGY PROJECT -  
SOUTHWEST OF THE VILLAGE OF CAMBLESFORTH, SELBY**

Thank you for your consultation on this scoping opinion request, which we received on 7 June 2022. We have reviewed the 'Environmental Impact Assessment: Scoping Report' prepared for Enso Green Holding D Limited by Barton Willmore now Stantec, reference 33627/A5/Scoping dated June 2022, and have the following advice:

**Flood Risk**

We support that both flood risk and surface water runoff are scoped into the Environmental Statement (ES) and note that a Flood Risk Assessment (FRA) and Drainage Statement (DS) will be produced as part of the ES. The surface water DS should be agreed with both the Lead Local Flood Authority and the IDB. All watercourses within the site boundary are classed as ordinary watercourses. Any watercourse crossings must be agreed with the IDB and may also require consent under the Land Drainage Act 1991.

**Chapter 9 (Water Environment)**

**Flood Zone Classification - Section 9.3.13**

The text states that the site lies within an area which benefits from defences and: "there are some small areas of Flood Zones 3,2 and 1, as shown on Figure 9.2." As much of the site lies within Flood Zone 3, either defended or undefended, we recommend that the text is amended to "there are small areas of undefended flood zone 3, 2 & 1".

**Project Basis for Scoping Assessment - Section 9.4.1**

We support the statements that

- the battery storage will be located outwith the areas affected by a breach of defences
- the solar arrays will be positioned (on piles) above breach levels and that the finished floor level (FFL) of the inverter/transformer station will also be raised above this level.

#### Embedded Mitigation - Section 9.5.1

We note that the FFL of the proposed development will be guided by an FRA and breach depths and will be designed to remain operational during a breach. Also that infrastructure at greatest risk is to be located in areas of the least risk.

As well as ensuring that the proposed development is safe, the FRA will need to clearly demonstrate that the proposed development will not increase or exacerbate flood risk to other. All 3 phases of development will need to take this into account: construction; operation, and decommissioning.

The FRA will also need to take into account the impacts of climate change when assessing flood risk, both to and arising from, the proposed development. We note that the development has a design lifetime of 40 years. As well as taking into account the risk of breach, the FRA should also ensure that the risk of overtopping of defences is reviewed – especially when taking into account the impacts of climate change.

The latest guidance on climate change can be found here:

<https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

#### Proposed Approach to the ES - Section 9.8.2

We support the statement that the DS will be developed to maintain existing greenfield runoff rates.

We would recommend that the scope for any modelling/breach analysis, required to inform the mitigation required within the FRA or DS is agreed with the Environment Agency and Lead Local Flood Authority respectively.

### **Groundwater and Contaminated Land**

Given the sensitivity of the groundwater in this location, we believe groundwater should be fully considered within the Water Environment chapter alongside surface water bodies.

We are generally satisfied with what has been scoped in/out of the assessment with the exception of 'Groundwater Supply (potential impacts from contamination)' which we believe should be scoped into the assessment.

Groundwater beneath the site is particularly sensitive because it is located upon a Principal Aquifer and is within a Source Protection Zone 3 for groundwater abstraction for Public Water Supply. There may in addition be further private water supplies nearby which will also need to be included in the assessment as they could be impacted by the development. We note the applicant has acknowledged they will request details of private abstractions, but we believe these should also be considered within the Environmental Statement (ES).

We note there will be piling on site. Given the potential for piling to create a pathway between the surface and the groundwater, and the sensitivity of the groundwater on site, the risks associated with this and other construction activities should be considered within the Environmental Statement.

### **Pollution Prevention**

Given the number of waterbodies that are located within and in close proximity to the proposed project's boundary, we are concerned of potential water pollution due to

suspended solids and other pollutants entering controlled waters during pre-operational, operational and decommissioning activities. We appreciate that that the developer has identified potential effects on the water environment during the construction phase. We are pleased that the applicant intends to prepare a Construction Environmental Management Plan (CEMP) and to liaise with the Environment Agency during the Environmental Statement stage.

We would, however, like to advise on the following matters:

### 1. Baseline conditions

The Scoping Report has failed to provide a thorough overview of baseline conditions:

- i. The Scoping Report does not contain a thorough examination of the site's hydrology. Although it has identified that the site lies within the Humber River Basin District and two-surface water operational catchments, Ouse Lower Yorkshire and Aire Lower, it has failed to identify the river waterbody catchments. The site lies within two catchments: The north part of the site lies within the Ouse from R Wharfe to Upper Humber and the south within the Aire from River Calder to River Ouse. Properly identified the hydrology of the site is paramount given that it affects the scope and baseline information of the Environmental Statement.
- ii. The Scoping Report has failed to identify all Water Framework Directive (WFD) waterbodies likely to be affected. The Scoping Report briefly mentions the River Aire and River Ouse, but does not mention, for instance, the Selby Canal west of the site. It also lacks details on the specific characteristics of the waterbodies. Although the report does refer to the WFD status of the River Aire and the River Ouse being 'Moderate', that is only brief with no details as to the reasons for failure.

The Environmental Statement must identify all water features of the study area, including ordinary watercourses. A thorough investigation of the site's hydrology, waterbody and waterbody catchment WFD status and reasons for failing WFD targets, pressures, specific characteristics but also private water supplies and water use must be carried out in order to provide the baseline information for the impact assessment. The applicant must adhere to Baseline Environment - Section 9.3.4 which highlights their intention to obtain further information and data from the Environment Agency 'to inform the impact assessment and will be presented in the ES chapter. This will include a summary of water quality of the identified waterbodies and watercourses, water resources (including pollution incidents, abstraction licences and discharge consents), local fisheries, and detailed flood risk data of the site boundary'.

### 2. Legislation and Policy

The Scoping Report has failed to identify the legislation, policy and guidance that relates to the water environment and which will inform the Environmental Statement

### 3. Impacts during the operational stage have been scoped out.

Although the Scoping Report, chapter 9.6 Likely Significant Effects – Operational Phase – section 9.6.4, identifies potential impacts on water quality during the operational stage, according to table 9.1 these have been scoped out of the Environmental Impact Assessment which will only consider impacts during the construction and the decommissioning stage. We would like the Environmental Statement to assess the potential effects of the project on water quality during its operational phase. This should include impact on water quality from run-off and spillages during maintenance operations in particular when these might include excavations (in case of underground cables). We would also like the Environmental Statement to include an assessment of

the pollution risk as a result of fluid (oil) leakages from underground cables that can cause severe environmental harm.

The Environmental Statement must identify all activities that may give rise to pollution (e.g excavations, vehicle movement), assess the effect of different pollutants and contaminants (e.g sediments, oil) that may enter the water environment and lay down mitigation measures as well as procedures in place to control pollution in the event of an incident.

#### 4.CEMP

We would also like to request that the Environment Agency is given the chance to comment on the CEMP or any other pollution prevention and environment management plan.

The applicant shall be producing a Pollution Management Plan, as part of the CEMP which shall also include among others, provision for environmental awareness training for staff and a contingency plan/emergency response plan should an incident occur.

We trust the above advice is useful.

If we can be of any further assistance, please don't hesitate to contact the Sustainable Places (SP) team.

Yours sincerely

**Mrs Frances Edwards**

Planning Specialist (Humber),  
Sustainable Places (Yorkshire / Lincolnshire & Northamptonshire)



**Yorkshire and North East Area**

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York  
YO1 7PX

Tel 0300 067 4900

[yne@forestrycommission.gov.uk](mailto:yne@forestrycommission.gov.uk)

**Area Director**

Crispin Thorn

**5<sup>th</sup> July 2022**

**By email only**

**Dear Emily Park,**

**Planning Act 2008 (as amended) and The Infrastructure Planning  
(Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)  
– Regulations 10 and 11**

**Application by Enso Green Holdings D Limited (the Applicant) for an Order  
granting Development Consent for the Helios Renewable Energy Project (the  
Proposed Development)**

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on woodland. The Forestry Commission is a statutory consultee for:

- nationally significant infrastructure projects that could affect forests and woodlands

The Forestry Commission is also a non-statutory consultee on development affecting or within 500m of ancient woodland.

We note that Kerrick Spring Wood Grid Reference SE 63073 24660 is directly adjacent to the proposed Development Area as shown in the Site Location Plan for this proposed development and is showing as Ancient Woodland on the Forestry Commission mapping system. We would be keen to highlight the buffering guidance for Ancient Woodland as highlighted in the Standing Advice indicated below. It is also worth noting that there are several other areas of woodland that could be affected also by the proposed development. If you would like individual feedback on sites with Forestry Commission Incentives and

Regulatory agreements throughout the entire proposed route please feel free to contact the Forestry Commission.

One of the most important features of ancient woodlands is the quality and inherent biodiversity of the soil; they are relatively undisturbed physically or chemically. This applies both to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS). Direct impacts of development that could result in the loss or deterioration of ancient woodland or ancient and veteran trees include:

- damaging or destroying all or part of them (including their soils, ground flora or fungi)
- damaging roots and understory (all the vegetation under the taller trees)
- damaging or compacting soil around the tree roots
- potentially polluting the ground and watercourses around them
- changing the water table or drainage of woodland or individual trees
- damaging archaeological features or heritage assets

It is therefore essential that the ancient woodland identified is considered appropriately to avoid the above impacts.

The Forestry Commission has prepared joint standing advice with Natural England on ancient woodland and veteran trees which we refer you to as it notes that ancient woodland is an **irreplaceable habitat**, and that, in planning decisions, Plantations on Ancient Woodland Sites (PAWS) should be treated equally in terms of the protection afforded to ancient woodland. It highlights the Ancient Woodland Inventory to find out if woodland is ancient. For more information please see:

<https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide and Case Decisions](#).

We hope these comments are helpful to you. If you have any further queries, please do not hesitate to contact the Forestry Commission on the email address provided above.

Yours faithfully,



Yorkshire & North East Area Local Partnership Adviser

The Planning Inspectorate  
Emily Park  
Senior EIA Advisor  
Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PN

Our ref: DCLETTER 6.79.LETFRE  
22/02285/LETFRE  
Your ref: EN010140-000010  
Date: 17 June 2022

Dear Ms Park

**Application by Enso Green Holdings D Limited for an Order granting Development Consent for the Helios Renewable Energy Project – Proposed Scoping Opinion**

Thank you for your letter dated 7<sup>th</sup> June 2022 regarding the above project. I confirm that we do not have any comments regarding the scoping opinion.

If you require any further information or assistance, please contact me.

Yours sincerely

**KATE BROADBANK**  
**Principal Development Management Officer**  
[REDACTED]@harrogate.gov.uk  
[REDACTED]

*If you are replying to this communication by post, please ensure that you use the address at the bottom of the letter*

CEMHD Policy - Land Use Planning,  
NSIP Consultations,  
Building 1.2,  
Redgrave Court,  
Merton Road,  
Bootle, Merseyside  
L20 7HS.

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

FAO Ms Emily Park  
The Planning Inspectorate  
Temple Quay House  
Temple Quay

Bristol  
BS1 6PN

By email only - [HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)

Dear Ms Park

17 June 2022

**PROPOSED HELIOS RENEWABLE ENERGY PROJECT (the project)  
PROPOSAL BY ENSO GREEN HOLDINGS D LIMITED (the applicant)  
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as  
amended) REGULATIONS 10 and 11**

Thank you for your letter of 7 June 2022 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed Site Boundary (Figure 1.1 – Site Location Plan) in the vicinity of Drax Power Station falls within the Consultation Zone of Drax Power Station (HSE Ref #4468 Drax Power Station). The Applicant should make contact with the operator, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

The proposed Site Boundary also crosses a single major accident hazard pipeline (Ref 2784 Asselby/Pannal) operated by National Grid Gas PLC. The Applicant should make the necessary approach to the pipeline operator. There are three particular reasons for this:

- i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline;
- ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds;
- iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

## Hazardous Substance Consent

It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.

## Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

## Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk) . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely,

***Pp S Rance***

Allan Benson  
CEMHD4 NSIP Consultation Team

Dear Sir

Having looked at the very comprehensive EIS for this major solar development which I believe will be one of the largest in the country, I have the following comments.

The parish of Long Drax includes the land on Wren Hall Lane where the small remote development area is. I cannot easily locate in the EIS what exactly this land would be used for other than a connection into Drax 400kv sub station via the proposed converter station for SEGL 2.

With the area is also subject to planning application for the converter station what was a quiet country lane will become an industrial development. Some mitigation using screen planting will be required to reduce visual impact.

Disruption during construction will always be a concern with control of dust, traffic, noise and site lights being the main concerns.

The major development is outside our parish, but as area residents our concern is the road disruptions during construction and visual impact

On a national scale, loss of prime agricultural land and devaluing it to poor sheep pasture, mainly keeping the weeds down is a concern.

On a positive note the country does this type of development to provide carbon free electricity and these solar farms have to be somewhere, but care needs to be taken that individual residents are not blighted by something that the country needs.

Regards Roger Turnbull  
Chair Long Drax Parish Council.



**Specific Comments – Electricity Infrastructure:**

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)”.
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's ([www.hse.gov.uk](http://www.hse.gov.uk)) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:  
<http://www.hse.gov.uk/pubns/books/hsg47.htm>

## **Further Advice**

**We would request that the potential impact of the proposed scheme on NGET's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.**

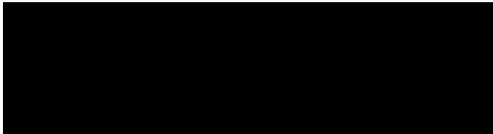
**Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: [box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)

I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

Yours faithfully



**Anne Holdsworth**  
**DCO Liaison Officer, Land Rights and Acquisitions**



**Legend:**

- Substations Commissioned
- Circuits
  - Commissioned
  - Decommissioned Group
  - Planned and Spares
- OHL 400Kv Commissioned
- OHL 275Kv Commissioned
- OHL 132Kv & Below Commissioned
- Towers Commissioned
- Buried Cable Commissioned
- Fibre Cable Commissioned
- Pilot Cable
- Oil Pipe
- Cooling Pipe
- Cooling Station
- RAMM
- Cable Tunnel

**Notes:**  
 Helios Renewable Energy Project NGET Asset Plan



OS Disclaimer: Background Mapping information has been reproduced from the Ordnance Survey map by permission of Ordnance Survey on behalf of The controller of Her Majesty's Stationery Office. ©Crown Copyright Ordnance Survey National Grid UK Ltd -0100059731

Date: 07/06/2022  
 Time: 15:13:43

Page size: A3 Landscape Scale: 1: 20,000  
 Print by: Holdsworth, Anne



NG Disclaimer: National Grid UK Transmission. The asset position information represented on this map is the intellectual property of National Grid PLC (Warwick Technology Park, Warwick, CV346DA) and should not be used without prior authority of National Grid.

Note: Any sketches on the map are approximate and not captured to any particular level of precision.

Vicky Cashman  
DCO Liaison Officer  
[REDACTED]@stirling-land.co.uk  
Tel: [REDACTED]

[www.nationalgrid.com](http://www.nationalgrid.com)

SUBMITTED ELECTRONICALLY:  
HeliosRenewableEnergy@planninginspectorate.gov.uk

04 July 2022

Dear Sir/Madam

**APPLICATION BY ENSO GREEN HOLDINGS D LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE HELIOS RENEWABLE ENERGY PROJECT (THE PROPOSED DEVELOPMENT)**

**SCOPING CONSULATION REPONSE**

I refer to your letter dated 7<sup>th</sup> June 2022 in relation to the above proposed application. This is a response on behalf of National Grid Gas Transmission (NGG). Having reviewed the scoping report, I would like to make the following comments regarding NGG infrastructure within or in close proximity to the current red line boundary.

NGG has a high pressure gas transmission pipeline located within or in close proximity to the proposed site boundary and the EIA Assessment Area, as follows:

- Feeder 29 East Asselby to Pannal

This transmission pipeline forms an essential part of the gas transmission network in England, Wales and Scotland.

I enclose a plan showing the location of NGG's high pressure transmission pipeline.

**SPECIFIC COMMENTS**

The following points should be taken into consideration:

- NGG has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

## Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGG prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGG pipeline without the prior permission of NGG.
- NGG will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGG.
- Please be aware that written permission is required before any works commence within the NGG easement strip.
- An NGG representative shall monitor any works within close proximity to the pipeline to comply with NGG's specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement.

## Cable Crossings:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- An NGG representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

## General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGG's specification for Safe Working in

the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.

- NGG will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGG representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of NGG High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of an NGG representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been confirmed on site under the supervision of an NGG representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:

<https://www.nationalgrid.com/uk/gas-transmission/land-and-assets/working-near-our-assets>

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<http://www.hse.gov.uk/pubns/books/hsg47.htm>

## **Further Advice**

**We would request that the potential impact of the proposed scheme on NGG's existing assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.**

**Where any diversion of apparatus may be required to facilitate a scheme, NGG is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGG. Further information relating to this can be obtained by contacting the email address below.**

**Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGG's apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.**

**NGG requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: [box.landandacquisitions@nationalgrid.com](mailto:box.landandacquisitions@nationalgrid.com)**

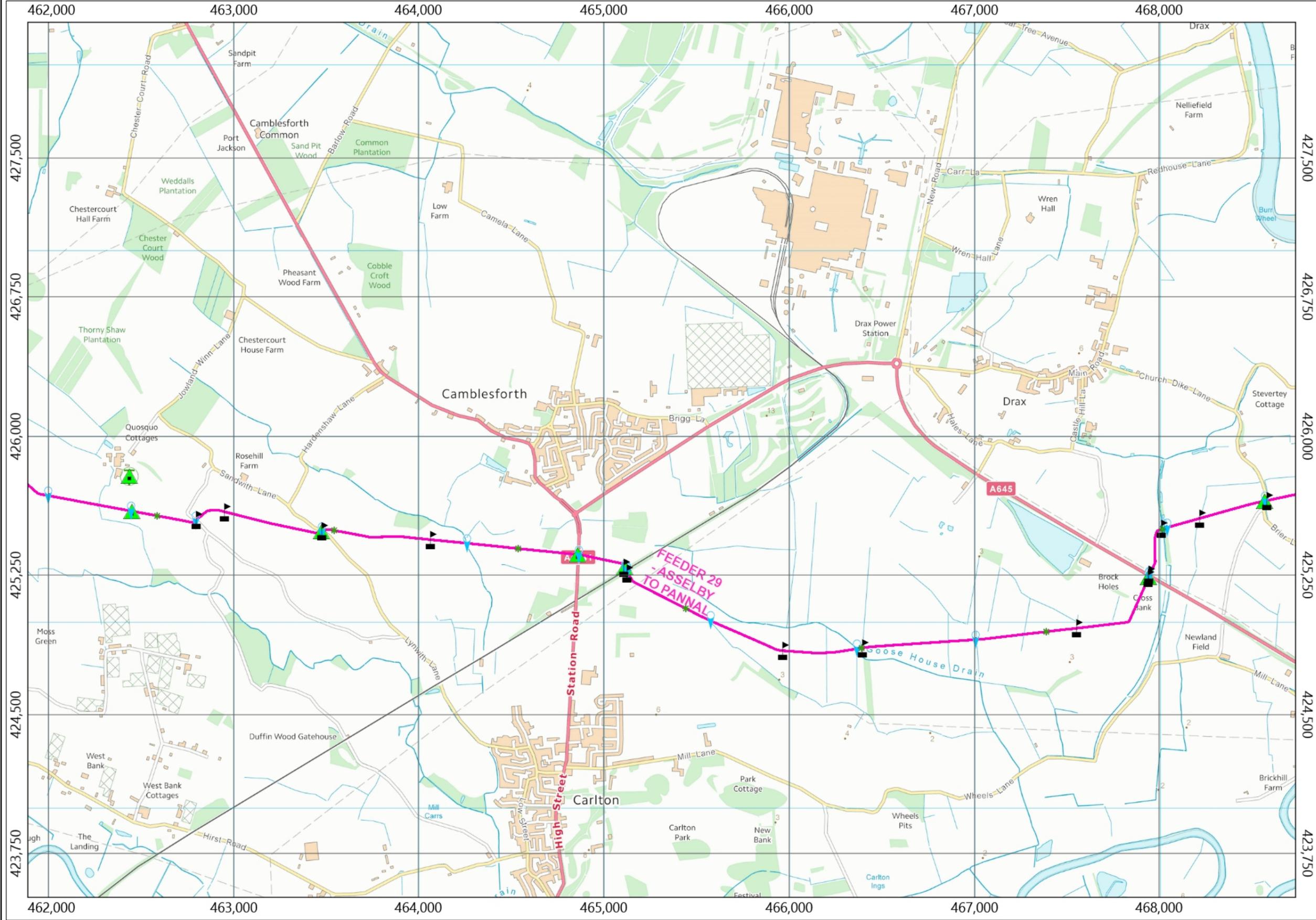
I hope the above is useful. If you require any further information please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with gas customer services.

Yours faithfully



**Vicky Cashman**  
**Consultant DCO Liaison Officer**



**Legend:**

- Gas Operational Boundary
- Gas Site Boundary
- Trial Hole
- Vantage Point
- Aerial Marker Post
- Pipe Crossing Point
- ▲ CP Test Post
- ▲ Transformer Rectifier
- Pipeline Crossing
- Sleeve
- Nitrogen Sleeve
- Other Sleeves
- Pipe Line Control Point
- Named Pipeline Section
- v River Crossings

**Notes:**  
 Helios Renewable Energy Project NGG Asset Plan





Our ref: AA.22.04.23  
Your ref: EN010140-000010

The Planning Inspectorate  
Environmental Services  
Central Operations,  
Temple Quay House  
2 The Square  
Bristol  
BS1 6PM

Huw Williams  
Planning and Development  
National Highways  
2 City Walk  
Leeds  
LS11 9AR

Tel: 0300 470 1234

30 June 2022

**FAO: Emily Park**

Dear Emily,

**Helios Renewable Energy - EIA Scoping (reference: EN010140-000010)**

We have reviewed the request for consultation for a scoping opinion in relation to the construction, operation and maintenance, and decommissioning of a renewable energy generating project on 757.46 ha of land located to the southwest of the village of Camblesforth and to the north of the village of Hirst Courtney in North Yorkshire.

**EIA Scoping Opinion**

The Applicant intends to make an application for a Development Consent Order [DCO], which will be accompanied by an Environmental Statement [ES] prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, with the Proposed Development falling under Schedule 2 of the EIA Regulations.

Stantec has prepared an EIA Scoping Report to accompany a formal Scoping Opinion from the Secretary of State in accordance with Regulation 10 of the EIA Regulations. The report presents the initial review of likely significant effects associated with each phase of the Proposed Development.

With reference to 'The Strategic Road Network - Planning for the future' (pg. 13, para. 50), National Highways will assist and willingly participate in the screening and scoping processes to help identify any significant, transport-related, environmental impacts of proposals.

**EIA methodology**

The EIA scoping report identifies transport as a key topic that should be 'Scoped In' to the ES due to the significant environmental effects likely to arise as a result of transport related activities. Transport related environmental effects will be considered within the "Transport and Access" chapter within Volume 2 of the ES.

The methodology used by Stantec has been informed by guidelines set out in the "Guidelines for the Environmental Assessment of Road Traffic" by the Institute of Environmental Management and Assessment [IEMA]. National Highways welcomes this approach but, nonetheless, would note that, within the Transport and Access methodology provided for review, no mention is made to the preparation of a Transport Assessment (TA).

Given the nature and scale of development and its proximity to the SRN, National Highways would recommend that the planning application be accompanied by a TA, as this will consider the impacts of the development on access and accessibility, sustainability and the free flow of traffic, and will inform the preparation of the ES.

### **Transport and Access**

Stantec state that the:

*“Transport and Access ES Chapter will consider the likely significant effects of the Proposed Development on the local highway network.”*

*“The study area for the assessment of the likely significant effects of the Proposed Development on transport and access will consist of all roads that comprise the construction vehicle route from Junction 36 of the M62.”*

National Highways would recommend that, if other links or junctions on the SRN are used as part of the construction vehicle route and are materially affected, these should be included within the study area.

Stantec state that the transport effects resulting from the construction and decommissioning phases of the proposed development, will be assessed within the ES Transport Chapter and will comprise:

- Accidents and Safety;
- Severance;
- Driver Delay;
- Pedestrian Delay;
- Pedestrian Amenity (including Fear and Intimidation); and
- Hazardous Loads.

National Highways would suggest that, with the inclusion of the above effects, the ES will reflect current best practice. Nonetheless, National Highways would state the need for the Applicant to provide sufficient environmental information to satisfy the LPA, and any other consenting authorities, that all environmental implications of the proposals have been appropriately considered. In this regard, National Highways would note that the potential road safety impacts of Glint and Glare are suggested to be scoped out of the ES. National Highways would typically challenge this decision as the magnitude of these effects needs to be identified and potentially mitigated. However, whilst scoped out of the ES, the Applicant will prepare a separate Glint and Glare assessment.

National Highways would note that, as the application site is large, is located close to the SRN and, therefore, may affect a distraction to users of the SRN, we would suggest that the study area of the Glint and Glare assessment be sufficient to include any link or junction on the SRN which may be susceptible to glint and glare, taking into consideration the lines of sight and the local topography.

### **Magnitude**

In order to predict the magnitude of impacts more generally, Stantec reference the two broad rules set out in the IEMA guidelines to define the threshold which will determine

the significance of the effect and whether further detailed assessment is required or not.

- *Rule 1: Include highway links where traffic flows will increase by more than 30% (or where the number of HGVs will increase by more than 30%); and*
- *Rule 2: Include any other specifically sensitive areas where traffic flows have increased by 10% or more.*

It should be stressed that these criteria relate only to the assessment of environmental impacts and do not define the need or otherwise for operational assessment of the SRN. Nonetheless, as the application of these thresholds is established practice in the context of Environmental Assessment, it is important to accurately set out the environmental baseline and establish any traffic impacts in a robust TA.

### **Mitigation**

Stantec state that a Construction Traffic Management Plan [CTMP] will be prepared and will form a technical appendix to the ES Transport and Access chapter.

JSJV welcomes this approach and would note that the CTMP should be provided to National Highways for review and agreement in writing prior to commencement of the development. Construction will then be expected to proceed in strict accordance with the approved CTMP.

The CTMP will need to include the following:

- A dust management plan;
- A noise management plan;
- Pollution prevention measures;
- Staffing numbers;
- Contractor parking;
- Construction traffic routes;
- Details of delivery arrangements (including for any abnormal loads); and
- Measures to limit and manage transfer of debris on to the highway.

### **Transport Assessment**

As discussed, the ES Transport Chapter should be informed by a robust Transport Assessment. National Highways acknowledge that, during the operational phase, there is likely to be a limited number of two-way trips generated, particularly in the peak hour periods.

National Highways would reiterate, nonetheless, that given the nature and scale of development and its proximity to the SRN, the planning application should be accompanied by a TA and this should consider the impacts of the development on access and accessibility, sustainability and the free flow of traffic.

Fundamentally, the Transport Assessment should be prepared with due regard to the following documentation:

- Circular 02/2013 – The Strategic Road Network and The Delivery of Sustainable Development (DfT 2013);
- National Planning Policy Framework [NPPF] (2021); and

- National Highways' guidance document 'The Strategic Road Network: Planning for The Future'.

National Highways would encourage and welcome pre-application discussions with the Applicant to determine and agree the scope of the Transport Assessment.

#### Travel Plan

Whilst traffic generation is likely to be minimal, the Applicant should consider the need for a Travel Plan. National Highways supports and requires the preparation and implementation of Travel Plans to limit the volume of private vehicle trips to and from developments and to promote sustainable modes of travel.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Yours sincerely



Huw Williams

Planning and Development (Interim)

Email: 

Date: 04 July 2022  
Our ref: 396058  
Your ref: EN010140-000010



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Dear Ms Park,

**Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017):** EIA Scoping Opinion - The installation of ground mounted solar arrays, energy storage and associated development comprising grid connection infrastructure and other infrastructure integral to the construction, operation, and maintenance of the development for the delivery of over 50 megawatts (MW) of electricity..

**Location:** Camblesforth Common

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 07 June 2022 .

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Due to the nature and scale of this proposal Natural England ask the inspector to pay special attention to the advice provided on agricultural soils provided in the annex below.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

**James Hughes**  
Yorkshire and Northern Lincolnshire Area Team  
Natural England

## Annex A – Natural England Advice on EIA Scoping

### General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

### Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

### Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at [www.magic.gov.uk](http://www.magic.gov.uk).

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

## **Biodiversity and Geodiversity**

### **General principles**

The [National Planning Policy Framework](#) (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

### **Designated nature conservation sites International and European sites**

The development site is within or may impact on the following **European/internationally designated nature conservation site(s)**:

- Humber Estuary SPA
- Lower River Derwent SPA

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 181 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment <https://www.gov.uk/guidance/appropriate-assessment>

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

### ***Functionally linked land***

Special Protection Areas (SPAs) are classified for rare and vulnerable birds. Many of these sites are designated for mobile species that may also rely on areas outside of the site boundary. These supporting habitats may be used by SPA populations or some individuals of the population for some or all of the time. These supporting habitats can play an essential role in maintaining SPA species populations, and proposals affecting them may therefore have the potential to affect the European site.

Natural England considers that the proposed development may have the potential to impact on birds using functionally linked land associated with the Humber Estuary SPA/Ramsar. We advise that the potential for loss of functionally linked land and/ or construction/operational impacts on birds on functionally linked land, should be considered in assessing what, if any, potential impacts the proposal may have on European sites.

We recommend completing a data search from the local Ecological Data Centre and carrying out a desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SPA birds of the habitats present on the proposed site and adjacent fields. If the desk study identifies that the site or adjacent areas are used by bird features of the Humber Estuary designated sites, we recommend that passage/wintering bird surveys may be required to assess the use of the site as functionally linked land to the estuary.

### **Nationally designated sites**

The development site is within or may impact on the following **Site of Special Scientific Interest**:

- Humber Estuary SSSI
- River Derwent SSSI

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 180 of the NPPF. Further information on the SSSI and its special interest features can be found at [www.magic.gov](http://www.magic.gov).

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features

of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

### **Regionally and Locally Important Sites**

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

### **Protected Species**

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [\*Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System\*](#).

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

### **District Level Licensing for Great Crested Newts**

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

### **Priority Habitats and Species**

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important

habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

### **Ancient Woodland, ancient and veteran trees**

The development site is directly adjacent to an area of ancient woodland.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Natural England maintains the Ancient Woodland [Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

### **Biodiversity net gain**

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as [Biodiversity Metric 3.1](#) together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

## **Landscape**

### **Landscape and visual impacts**

The environmental assessment should refer to the relevant [National Character Areas](#) (NCA). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity. #the proposed development area is within the Humberhead levels NCA

The ES should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* ((3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

### **Heritage Landscapes**

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at [www.hmrc.gov.uk/heritage/lbsearch.htm](http://www.hmrc.gov.uk/heritage/lbsearch.htm).

### **Connecting People with nature**

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

### **Soils and Agricultural Land Quality**

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and 175 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

### **Specific comment on ES scoping – ALC HELIOS RENEWABLE ENERGY PROJECT Scoping**

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.

The Helios Renewable Energy Project application site is approximately 757.46 ha. An ALC survey has recently been undertaken on 537.3 ha of targeted land within the Project boundary, with data provided in Appendix 14.1 of the Helios Renewable Energy Project Environmental Impact Assessment (EIA) Scoping Report (June 2022).

From the surveyed area, this application is likely to affect 501.1 ha of BMV agricultural land. The ALC survey carried out by Amet Property on behalf of Enso Green Holdings D Limited is of the normal sampling density (1 soil auger boring per hectare) for a detailed ALC survey and is supported by 15 representative soil observation pits in line with the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#).

The ALC survey methodology presented in Appendix 14.1 (June 2022) is robust, but does not provide complete coverage of the agricultural land within the project boundary. All land which may experience temporary or permanent disturbance should be subject to a detailed ALC survey, so as to inform suitable handling and restoration.

The Environmental Statement should clearly demonstrate how the masterplanning has considered the ALC grades and avoided BMV where possible in line with paragraph 2.48.13 of the Draft NPS EN-3, i.e. embedded mitigation (Table 3.4).

The Environmental Statement and associated Soil Management Plan needs to clearly demonstrate how the ALC Grades and soil types will inform soil handling and restoration, setting out the site specific mitigation measures with reference to the best practice guidance ([Defra Construction Code of Practice](#)), i.e. secondary mitigation measures. The British Society of Soil Science has published the Guidance Note [Benefitting from Soil Management in Development and Construction](#) which also contains useful guidance.

### **Soils and Agricultural Land Classification EIA Methodology**

The proposed Helios soils and ALC EIA methodology criteria is presented in Chapter 14 and Appendix 14.2. Detailed comments are provided below:

**Paragraph 14.2.1:** The ALC survey has not been undertaken within the area proposed for the route of trench line for the underground cabling. This should be undertaken as part of a comprehensive set of baseline soil and ALC information given that soil disturbance will take place in these areas. The soil survey will inform suitable soil handling and restoration criteria.

**Paragraph 14.3.4:** There is Post-1988 ALC survey data available for part of the proposed site which has not been subject to a detailed ALC survey, providing coverage for the 'Underground Grid Connection Cable', as shown on Figure 1.1 'Site Location Plan'. [Agricultural Land Classification detailed Post 1988 ALC survey, Camblesforth \(Selby DLP Site DPS/C\) - ALCL15893 \(naturalengland.org.uk\)](#). The information within the ALC report can be used to inform the soil and ALC baseline and restoration criteria.

**Paragraph 14.3.9:** A breakdown of the proposed site into disturbed and undisturbed land categories should be included, split by ALC grade, to help illustrate the potential for impact on agricultural land grade.

**Paragraph 14.3.12:** It is expected that a Soil Management Plan is submitted as part of the Environmental Statement and is prepared in line with the [Defra Construction Code of Practice](#).

**Paragraph 14.4.1:** It is welcomed that the solar panels will be fixed to the ground on fully removable piled frames.

**Paragraph 14.4.2:** It is acknowledged that the permanent structures are likely to make up less than 3% of the total 'Development Area'. 3% of the 550.93 Development Area site is 16.5 ha. The location of these elements have not been proposed at Scoping. The ES should provide evidence that these elements have been located in such a way as to minimise permanent land take of BMV agricultural land (i.e. embedded mitigation).

**Paragraph 14.4.3 and 14.5.1** indicates that the site will be available for grazing during the operational phase, proposing an embedded mitigation measure of planting a suitable grazing mix to allow the continued use of the land in agriculture (grazing for sheep).

**Paragraph 14.4.4:** The baseline assessment should provide an overview of the soil properties and ALC grade for the full site.

**Section 14.5** The Environmental Statement should clearly demonstrate how the masterplanning has considered the ALC grades and avoided BMV where possible in line with paragraph 2.48.13 of the Draft NPS EN-3, i.e. embedded mitigation (Table 3.4).

Secondary mitigation in the form of site-specific data and best practice (i.e the [Defra Construction Code of Practice](#)), incorporated into a Soil Management plan should be included in the mitigation section.

**Paragraph 14.6.1:** Natural England welcome the separate assessment of the impact on the agricultural land and the soil resource.

**Paragraph 14.6.3 and 14.6.5:** Natural England welcome the proposed utilisation of the assessment

methodology proposed in IEMA's 'A New Perspective on Land and Soil in Environmental Impact Assessment' (2022). Consideration of land take (permanent and temporary) and the ALC grade(s) of the land take should be considered in the assessment, as well as the impact on the soil resource.

**Paragraph 14.7.1:** The temporary displacement of soil as a result of the underground cable installation can result in permanent land quality change and soil damage if undertaken inappropriately, therefore, this should not be scoped out. We welcome this area to be considered in the SMP.

It is expected that the ES will include further detail about the amount of soil disturbance and other impacts on soils due to construction and decommissioning that is anticipated, for example extent of any construction compounds, topsoil and subsoil removal, trenches, concrete pads, concrete footings or other hardstandings, access tracks etc. This is required for consultees and decision makers to understand the extent (ha) and likely long term impacts on agricultural land quality (ALC grade).

Note that ALC and soil survey information is currently missing for the route of the underground cabling

**Paragraph 14.7.2:** The temporary land take has been scoped out. However there appears to be a contradiction in Table 14.1. Clarification between '*Temporary loss of agricultural land resource during the construction and decommissioning phases (e.g. construction compounds)*', which is scoped out; and '*Agricultural land temporarily affected or displaced by construction activities*', which is scoped in, is required.

**Paragraph 14.7.2:** We welcome the inclusion of best practice in the SMP. Reference should be made to the [Defra Construction Code of Practice](#).

#### **Table 14.1**

Table 14.1 is currently not clear, and there appears to be repetition and contradiction. A clear distinction should be made to potential impacts on the agricultural land and the quality of that agricultural land (e.g. temporary and permanent loss); and the impact on the soil resource (e.g. loss / disturbance).

The temporary loss of agricultural land (for example from the construction compound areas, where topsoil stripping will take place), should be scoped into the assessment, as temporary development in the absence of best practice (i.e. secondary mitigation measures, Table 3.4) could result in a permanent impact if resulting disturbance causes permanent damage to soils and a downgrading of ALC grade (IEMA, 2022). See comments for para 14.7.2.

The baseline soil survey should inform soil handling and soil restoration, which should be included in the Soil Management Plan.

#### **Appendix 14.1 Agricultural Land Classification**

The ALC survey carried out by Amet Property on behalf of Enso Green Holdings D Limited is of the normal sampling density (1 soil auger boring per hectare) for a detailed ALC survey and is supported by 15 representative soil observation pits in line with the [Guide to assessing development proposals on agricultural land - GOV.UK \(www.gov.uk\)](#).

The ALC survey methodology is robust, but does not provide complete coverage of the agricultural land within the project boundary. All land which may experience temporary or permanent disturbance should be subject to a detailed ALC survey, so as to inform suitable handling and restoration.

The range of interpolated climate data across the site has not been provided to assess variation across the site, for example where the site is large.

Irrigation was removed from the ALC guidelines in 1997. Therefore, irrigation should not be taken into account in ALC grading given the negative impacts that abstraction can have on local water resources in areas where water is scarce. Taking irrigation out of ALC helps ensure that cropping is appropriate to local conditions.

#### **Other comments:**

**Paragraph 2.5.1:** It is noted that the proposed operational lifespan is approximately 40 years. There needs to be a firm commitment to decommission the site after 40 years (or sooner if no longer operational), remove all infrastructure and equipment and return the land to its original condition and ALC grade. As part of this there should be a commitment to prepare and submit to the planning authority a detailed decommissioning plan to restore the site prior to the end of its operational use.

#### **Air Quality**

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) <sup>[1]</sup>. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO<sub>x</sub> and SO<sub>2</sub> against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System ([www.apis.ac.uk](http://www.apis.ac.uk)).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scaill.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

#### **Water Quality**

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

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[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

## **Climate Change**

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

## **Contribution to local environmental initiatives and priorities**

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

**FAO – Planning Inspectorate**  
**Ref – EN010140-000010**  
**Proposal – Scoping Opinion for Helios Renewable Energy Project**  
**Location – Helios Renewable Energy Project**

Thank you for your letter of 7 June 2022 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. In particular, it should include a Glint and Glare study assessing the impact of the scheme upon train drivers (including distraction from glare and potential for conflict with railway signals). We note that this is referenced in the scoping document. It should also include a Transport Assessment to identify any HGV traffic/haulage routes associated with the construction and operation of the site that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

Please note that if the intention is to install cabling through railway land, the developer will need an easement from Network Rail and we would recommend that they engage with us early in the planning of their scheme in order to discuss and agree this element of the proposals.

Kind regards



**Matt Leighton**  
Town Planning Technician  
**Diversity and Inclusion Champion**  
Network Rail Property - Eastern Region  
George Stephenson House, Toft Green, York, YO1 6JT

\*\*\*\*\*  
\*\*\*\*\*

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\*\*\*\*\*  
\*\*\*\*\*

**From:** [Before You Dig](#)  
**To:** [Helios Renewable Energy](#)  
**Cc:** [Before You Dig](#)  
**Subject:** RE: EXT:EN010140 – Helios Renewable Energy Project – EIA Scoping Notification and Consultation  
**Date:** 07 June 2022 14:26:15  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)

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Good afternoon

NGN may have a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.

Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect your Council or any future developer to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.

(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of your Planning Department)

Kind regards,

**Jennie Adams**

**Administration Assistant**  
**Before You Dig**  
**Northern Gas Networks**  
**1st Floor, 1 Emperor Way**  
**Doxford Park**  
**Sunderland**  
**SR3 3XR**

Before You Dig: [REDACTED]

[www.northerngasnetworks.co.uk](http://www.northerngasnetworks.co.uk)

[facebook.com/northerngasnetworks](https://facebook.com/northerngasnetworks)

[twitter.com/ngngas](https://twitter.com/ngngas)

Alternative contact:

[beforeyoudig@northerngas.co.uk](mailto:beforeyoudig@northerngas.co.uk)



**Get involved! Have your say in the future of your gas network and win great prizes, by taking part in our BIG customer survey at [together.northerngasnetworks.co.uk](https://together.northerngasnetworks.co.uk) Keep posted to take part in a range of activities from workshops to roadshows. Together, we are the network.**

Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

---

**From:** Helios Renewable Energy <[HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)>

**Sent:** 07 June 2022 14:08

**Subject:** EXT:EN010140 – Helios Renewable Energy Project – EIA Scoping Notification and Consultation

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External email! - Think before you click

Dear Sir/Madam

Please see attached correspondence on the proposed Helios Renewable Energy Project.

Please note the deadline for consultation responses is **05 July 2022** and is a statutory requirement that cannot be extended.

You can find the scoping report published on our website here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010140/EN010140-000007-EN010140%20-%20Scoping%20Report.pdf>

Kind regards,

Emily Park



The Planning  
Inspectorate

**Emily Park** | Senior EIA Advisor  
The Planning Inspectorate  
**T 0303 444 5657**

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DPC:76616c646f72



Your ref: EN010140-000010  
Our Ref: Helios Renewable DCO

Environmental Services  
Central Operations  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Property  
Northern Powergrid  
New York Road  
Shiremoor  
NE27 0LP

[property@northernpowergrid.com](mailto:property@northernpowergrid.com)

4<sup>th</sup> July 2022

Dear Sirs,

**Application by Enso Green Holdings D Limited for an Order granting Development Consent for the Helios Renewable Energy Project**

Northern Powergrid as a statutory utility company must at all times protect their assets to ensure their obligations to maintain electrical supplies are not compromised. In reviewing the proposed Environmental Impact Assessment ('EIA') Scoping Report, Northern Powergrid note that consideration is given under Para. 4.8.2. which states *“Although the design of the Proposed Development will aim to avoid any diversions of existing telecommunications or utilities, if this is required, the Applicant will consult with the relevant providers and evidence of agreement to any diversions will be included in the ES.”*

However, in trying to provide some useful input at an early stage, the EIA would perhaps need to consider:

- the visual impact of any above-ground electricity assets which may be required to be moved / relocated as a result of the DCO proposals (plans showing existing assets are attached);
- the construction phase associated with any potential relocation of electricity network required to facilitate the proposals;

continued overleaf...

NORTHERN POWERGRID

is the trading name of Northern Powergrid (Northeast) plc (Registered No: 2906593) and Northern Powergrid (Yorkshire) plc (Registered No: 4112320)

Registered Office: Lloyds Court, 78 Grey Street, Newcastle upon Tyne NE1 6AF. Registered in England and Wales.

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[www.northernpowergrid.com](http://www.northernpowergrid.com)

- the impacts (and the subsequent mitigation requirements) borne from any additional potential land take required to accommodate relocated electricity assets and its impact upon existing habitats and heritage assets; and
- in the decommissioning considerations, that many below ground assets although decommissioned, remain in the ground.

We trust the above points will be taken on board and look forward to being involved at later stages within the DCO process.

Yours faithfully,



**Property**  
**Northern Powergrid**

**NORTHERN POWERGRID**

is the trading name of Northern Powergrid (Northeast) plc (Registered No: 2906593) and Northern Powergrid (Yorkshire) plc (Registered No: 4112320)

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[www.northernpowergrid.com](http://www.northernpowergrid.com)



**Redcar & Cleveland Borough Council**  
**Corporate Directorate for Growth, Enterprise**  
**and Environment**  
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Direct line [REDACTED]

Our Ref: R/2022/0502/DCO  
Your Ref:  
Contact: Mrs L Aspery  
Date: 5 July 2022

Dear Sir/Madam

**PROPOSAL: APPLICATION FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR  
EIA SCOPING NOTIFICATION AND CONSULTATION**

**LOCATION: HELIOS RENEWABLE ENERGY PROJECT**  
**APPLICANT: PLANNING INSPECTORATE**

Thank you for your consultation received on **7 June 2022**.

The Local Planning Authority (LPA) have considered the content of the submitted Environmental Impact Assessment Scoping Report prepared on behalf of Enso Green Holdings D Limited. I would advise that having considered the detail within the submitted Scoping Report, the LPA have no comments to make at this point in time.

The Local Authority will provide any further comments as required through the examination process.

Yours faithfully

Mr D Pedlow  
Principal Planning Officer

The Planning Inspectorate  
By Email  
[HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)

**Our Ref: Michael Reynolds**  
**Your Ref: EN010140 -000010**

**Date: 5 July 2022**

Michael Reynolds  
Business and Environmental Services  
East Block  
County Hall  
Racecourse Lane  
Northallerton  
DL7 8AD

**Tel:** [REDACTED]

**Email:** [REDACTED]@northyorks.gov.uk

Dear Sirs

**Helios Renewable Energy Project  
Scoping Report**

Thank you for consulting North Yorkshire County Council and Selby District Council on the scoping report for the above project.

Please accept this response on behalf of both North Yorkshire County Council and Selby District Council.

Our responses on the various chapters are as follows:

Environmental Health

Air Quality

Construction Phase

4.2.3 The potential for amenity impacts during the construction phase is acknowledged and mitigation measures will be incorporated into the outline Construction Environmental Management Plan (CEMP) as an Appendix to the Environment Statement (ES).

2.2.3 Construction compound(s) are proposed within the site adjacent to the site entrance. I would recommend that consideration is given to safeguarding the amenity of existing sensitive receptors when siting construction compound(s).

Operational Phase

4.2.3 Effects arising from vehicular use during the operational phase are expected to be negligible and therefore will result in a negligible impact on air quality. Five LGV movements per month are projected for maintenance purposes.

Overall, I would concur with the scoping out of operational air quality impacts, and that amenity impacts could/should be mitigated through a CEMP.

## Noise and Vibration

### Construction Phase

11.8.1 The potential for likely significant effects during the construction phase is acknowledged and scoped in for further assessment, for inclusion within the ES in the form of a Construction Environmental Management Plan (CEMP). The intention is to utilise BS5228-1:2019+A1:2014 assessment methodology, which is a suitable approach. I would express caution that even the lowest threshold criteria will likely significantly exceed existing background sound levels at sensitive receptors due to the predominantly rural context, therefore adopting shorter LAeq,T averaging periods for short-lived high-impact noise activities is critical to protecting residential amenity.

2.2.3 Construction compound(s) are proposed within the site adjacent to the site entrance. I would recommend that consideration is given to safeguarding the amenity of existing sensitive receptors when siting construction compound(s).

4.5 Rotary bored piling works are proposed. Table 4.1 identifies the distance at which vibration levels are expected to exceed BS5228-2:2019+A1:2014 criteria of 1mm/s; the point at which vibration will likely cause complaint but can be tolerated with prior warning. Given the distance to receptors from piling works, vibration effects are scoped out of further assessment due to unlikely vibration effects. I would recommend that nearby sensitive receptors are notified of piling works in advance if adopting the 1mm/s threshold.

### Operational Phase

11.6.1 The potential for likely significant effects during the operational phase is acknowledged and scoped in for further assessment, for inclusion within the ES. The intention is to utilise BS4142:2014+A1:2019 assessment methodology, which is a suitable approach. Whilst acknowledging a case for context in the event that assessment criteria is exceeded, the aim in the first instance should be to not exceed existing background sound levels at nearby sensitive receptors through good acoustic design.

4.5.4 Vibration effects during the operational phase are not anticipated due to the nature of the proposed development.

Overall, I would concur with the proposals to scope in potential significant noise impacts during the construction and operational phases.

## Land Contamination

The proposed development includes the installation of a series of solar arrays on piled frames, energy storage and grid connection infrastructure, an access track and temporary compounds during the construction and decommissioning phases.

The Environmental Impact Assessment Scoping Report includes a section on land contamination (Section 4.4), which confirms that the site is currently predominantly a greenfield site in agricultural use. There is no record of past development on the site, therefore the report considers it unlikely that significant levels of contamination would be present.

During construction and decommissioning, the operation of plant and introduction of hazardous construction materials to the site presents the risk of soil and water contamination due to leaks, improper storage or spills. However, this risk will be mitigated through the implementation of standard best practice and mitigation measures, implemented via the CEMP/DEMP.

During operation, no significant effects are anticipated due to contamination, as the operation of the proposed development will not produce contaminants.

Land contamination has therefore been scoped out of the Environmental Statement.

I am pleased to advise that the Land Contamination section (4.4) of the Environmental Impact Assessment Scoping Report is acceptable. I would agree that land contamination should be scoped out of the Environmental Statement

#### SDC Development Management

Limited information has been provided on the proposed assessment methodology for the cumulative effects, although it is noted that reference has been made to the Planning Inspectorate's *'Advice Note Seventeen: Cumulative effects assessment relevant to nationally significant infrastructure projects'*, which is relevant. The District Council's Development Management section would welcome further clarification on the proposed assessment methodology. A list of other projects that will be considered as part of the inter-project cumulative assessment has been provided, but it is unclear on what basis this has been compiled. The applicant needs to clearly explain the basis on which this list was compiled (including the search area and selection criteria) to enable meaningful feedback to be provided on it as part of the pre-application process. The District Council's Development Management section would be of the view that all development types within the agreed study area with the potential to cause likely significant cumulative effects as a result of construction, operation or decommissioning of the proposed development should be included. We would welcome being consulted on the assessment methodology and long and short list of projects going forward.

#### Landscape and Visual Effects

Thank you for your consultation on the above Scoping Opinion.

The project comprises the proposed construction, operation and maintenance and decommissioning of a ground mounted solar farm which will cover 757.46 ha of farmland between located between the villages of Cambelsforth, Burn, Hirst Courtney and Carlton, near Selby.

The proposed development is expected to have a generating capacity in excess of 50MW and an expected lifespan up to 40 years. Following cessation of energy generation all solar PV modules, mounting structure, cabling, inverters and transformers will be removed.

These comments principally relate to Chapter 7 Landscape and Visual in the Applicant's Scoping Report, but comments overlap with other topic areas such as Cultural Heritage, Biodiversity, Noise, Soils and Agricultural Land, Cumulative Effects.

We would agree with the EIA Scoping Request report, that Landscape and Visual effects should be 'scoped in' and considered within the EIA.

The quantity and location of representative viewpoints are the subject of ongoing consultation with the Applicant and are not yet agreed.

We would wish to see further explanation of the initial Glint and Glare assessment before it is agreed that this should be 'scoped out' of the EIA.

Given the large landscape-scale of the proposed development, we would strongly encourage the Applicant to seek out opportunities to protect, enhance and better join up existing Green Infrastructure, to create new Green Infrastructure, in addition to incorporation of other measures to mitigate or minimise the consequences of development.

In relation to landscape and visual amenity we are generally supportive of an LVIA methodology undertaken to GLVIA 3. This should also include photography to current LI guidance on 'Visual Representation of Development Proposals', and we also have the following comments:

Glint and Glare – Glint and glare has potential to affect landscape and visual amenity. We would wish to see further explanation of the initial Glint and Glare assessment before it is agreed that this should be 'scoped out' of the EIA. The Scoping Report identifies a number of potential receptors that will experience solar reflections. The supporting Appendix 4 does not provide sufficient explanation of modelling, methodology, how effects have been determined and subsequently 'scoped out'. The Assumptions in Appendix 4 also state that there are limitations in the assessment of large PV footprints which may affect results, which needs further explanation in relation to this development.

Soil Management, Agricultural Land – We would welcome the proposed methodology and approach set out in the Scoping Report Chapter 14 Soils and Agricultural Land. A Soil Resource Plan and Soil Management Plan will be needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.

Landscape and Visual Methodology – We would generally welcome the proposed methodology and approach set out in the Scoping Report Chapter 7 Landscape and Visual (to follow guidance as set out in GLVIA Third Edition (LI and IEMA, 2013). This should also include photography to current LI guidance on 'Visual Representation of Development Proposals' (see Photographs and Photomontages below).

Landscape character and visual amenity of heritage assets should also be considered in the LVIA (contribution of setting to heritage significance would be considered in the Heritage Chapter of the EIA).

Study Area – We would support the proposal for an initial 5km radius study area for the LVIA, this could be subsequently reduced if appropriate to focus on likely significant effects.

Existing Trees and Vegetation - There is potential for the development to adversely affect existing boundary trees and vegetation. This should be reviewed, protected and retained where appropriate. A tree survey and arboricultural impact assessment will be required to BS5837:2012. This is important if boundary vegetation is needed for ongoing screening of the site.

The operational life of the proposed scheme should also be taken into account. We would wish to see certainty that site vegetation would be retained during the maintenance management period and not later removed as a consequence of the development.

Temporary access, storage and working areas – these should be taking into account as part of the assessment.

Visual Assessment and Representative Viewpoints - The quantity and location of representative viewpoints are the subject of ongoing consultation with the Applicant and are not yet agreed.

Certain viewpoints might benefit adjustment in order to get a clear view of the scheme. We would welcome further discussion to agree final viewpoints.

The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is acceptable, however the assessment should aim describe and assess the full effects of the development (not limited to a summary of viewpoints) and to explain the scale and geographical extent of effects.

Photographs and Photomontages – should be in-line with Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

We would suggest that for annotated photo-panoramas TGN 06/19 Type 1 or additional wirelines to TGN 06/19 Type 2 are most appropriate. For viewpoints selected for photomontages I would suggest at least Type 3, but Type 4 should be considered where sensitivity of context, scale and proximity of the development warrant it. I would wish to see a realistic impression of scale and detail.

We would wish to see photomontages to explain how adverse effects will be mitigated over time. Photographs should include winter views where possible to explain the worst-case scenario.

Appendix 3 and 4 in TGN 06/19 should be noted, with camera / tripod height / position in the field adjusted as necessary so that views show the full extent of the site / development and show the effect it has upon the receptor location. Views of the site should not be unnecessarily obscured by buildings, roadside hedgerows or other vegetation.

Assessment of Tranquillity – There is potential for significant adverse noise effects associated with construction, decommissioning activities, and operational noise arising from static plant installations (inverter stations and energy storage containers). Consideration should be given to assessment of tranquillity and effect on local character and setting, particularly in relation heritage and other local sensitive receptors such as residential properties. PROW, local farmsteads. We would wish to agree a methodology and approach for this.

Cumulative Effects – the LVIA should consider cumulative landscape and visual effects in conjunction with other similar developments in the study area including those currently being considered or approved by planning authorities but not yet implemented.

Landscape Proposals, Mitigation, Maintenance and Aftercare – We would wish to see mitigation proposals considered as part of a landscape strategy which includes a masterplan and which considers Green Infrastructure in a wider context.

Initially, the Landscape Strategy should focus on overarching principles with clear aims and objectives.

Objectives should be clear and include landscape, biodiversity and green infrastructure. Landscape and visual mitigation should drive the strategy and be linked through to the management plan (rather than just a maintenance schedule).

Landscape proposals and mitigation should have regard for and contribute to the wider landscape character, connectivity of green infrastructure and sustainable transport (Selby DC policy SP12, SP18, SP19, ENV1). The principles of the European Landscape Convention need to be taken into account.

Selby DC policy SP12 states “In all circumstances opportunities to protect, enhance and better join up existing Green Infrastructure, as well as creating new Green Infrastructure will be strongly encouraged, in addition to the incorporation of other measures to mitigate or minimise the consequences of development”.

Selby falls within the Leeds City Region Green Blue Infrastructure Strategy area. GI is also defined in the NPPF.

Proposals should incorporate green infrastructure capable of delivering a range of environmental and quality of life benefits. We would recommend that the Principles of Green Infrastructure are aligned with Natural England's Green Infrastructure Principles of 'What', 'Where' and 'How'. Link to Natural England's Green Infrastructure Principles and the England Green Infrastructure Mapping:

<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx>

Proposed screen planting should be sufficient to screen and reduce the overall of visibility of the proposed development (e.g. at least 10m wide is usually needed for long-term woodland boundary screen planting incorporating larger trees). Wider areas of woodland may also be needed to reflect local setting and achieve wider GI benefits.

Long-term maintenance and management should be considered, particularly where this is needed for ongoing mitigation, screening and biodiversity benefit. Sufficient stand-off distance should be provided from existing trees and vegetation where these are to be retained and protected and to allow maintenance access.

The Applicant should consider offsite mitigation to compensate for and offset residual adverse effects where this cannot be achieved within the site.

### Ecology

Thank you for your consultation on the above scoping document.

The approach to ecological assessment set out in the scoping document is supported as it follows current best practice guidance. At this stage many of the ecological surveys have been undertaken which gives a good understanding of the types of habitats present within and surrounding the development site and the species supported by these habitats.

I am pleased that at this early stage the development is considering opportunities for biodiversity net gain and use of the Defra Biodiversity Metric to provide data on biodiversity losses and gains. As the EIA process develops it will be interesting to see how the gains will be incorporated into the development and how these will be secured and managed in the long term.

One of the concerns at this stage in the process is the scale and location of the proposed development. This is an area of the County where there are a number of large scale developments and as such cumulative impact assessment will be very important. A development of this scale has the potential to cause significant impacts to ecological features, however with large areas of land there are also more opportunities to provide a network of connected habitats as part of the BNG process.

Overall, I am satisfied with the ecological elements proposed to be scoped into the Environmental Statement and I look forward to providing detailed comments at the next stage of the application.

### Archaeology / Cultural Heritage

I am pleased to see that Cultural Heritage is scoped in to the assessment. I agree with the proposed study areas set out 6.2.2 & 6.2.3 with regards to designated and undesignated heritage assets. As the designated heritage assets study area extends outside the bounds of North Yorkshire/Selby authorities it may be necessary to consult my counterparts in the neighbouring authority.

The scoping report uses the term 'Non-designated Heritage Assets' in a plain English manner to describe any heritage asset that is not designated. However Government have a particular definition of 'Non-designated Heritage Asset' that means an asset specifically identified by a plan making body e.g. in a neighbourhood plan, Conservation Area appraisal or Local List (see para's 039-041 on [Historic environment - GOV.UK \(www.gov.uk\)](#)). A different terms should be used for these assets which are not designated to avoid confusion.

Para 6.6.9. considers the impact of the proposal on heritage assets of archaeological interest. The paragraph states that the proposal 'would not result in a significant effect upon non-designated archaeological assets'. I disagree with the statement. Although certain elements of the proposal may have a small physical footprint (e.g. the piles for the solar arrays), they would still have a significant impact on certain types of archaeological remains, particularly very significant remains such as human burials or high status building such as a Roman villa for instance. There are also other components of the development that would have greater impact such as compound areas, battery stores etc that require topsoil stripping or slab foundations.

Para 6.8.3 sets out the sources to be consulted for a desk-based assessment. I am pleased to see that this list is comprehensive but would also add that the aerial photographs held by North Yorkshire Archives should be checked to verify older records on the NYHER.

Para 6.8.9. states that a geophysical survey will be undertaken to inform the ES. I support this proposal which will assist in designing any necessary mitigation to avoid sensitive archaeological deposits. The geophysical survey should be sufficient to allow sensitive deposits to be designed out from direct impact, e.g. through small exclusion zones or use of ground mounting rather than piling of solar arrays. I am happy to keep the requirements for field evaluation under review with the archaeological consultants particularly for situations where potentially significant archaeological remains coincide with a high impact element of the proposal where design mitigation might not be possible.

#### Highways

We have read through the report and are comfortable that the items identified within the report are acceptable. Included is a statement regarding the committed sites so that is very encouraging. I note the reference to glare from the site. Solar panels are likely to give some glare but at this point we are unsure how we would deal with this. I assume they will erect fencing to protect road users so we look forward to further consultation.

#### Public Rights of Way

To follow

#### LLFA

To follow

Should you have any further queries please don't hesitate to contact Michael Reynolds on the above details or contact the author of the section directly should you have their details.

Yours faithfully

Michael Reynolds  
Senior Policy Officer (Infrastructure)



For the attention of: Emily Park – Senior EIA Advisor  
On behalf of the Secretary of State  
The Planning Inspectorate

**[By email: [HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)]**

28 June 2022

Dear Emily

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11**

**Application by Enso Green Holdings D Limited (the Applicant) for an Order granting Development Consent for the Helios Renewable Energy Project (the Proposed Development)**

**Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

Thank you for your notification dated 07 June 2022 regarding the above screening opinion.

I have checked the site boundary (Drawing No. DX-01-PO – Site Location Plan of the Environmental Impact Assessment Scoping Report) against our coal mining information and can confirm that, whilst the proposed development site falls within the coalfield, it is located outside the defined Development High Risk Area meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability.

Accordingly, if you consider that the application is an EIA development, there is no requirement for the applicant to consider coal mining legacy as part of their Environmental Impact Assessment. In addition, the determining authority will not need to consult us on

any subsequent planning application for this site. Should planning permission be granted for future development, we would request that our Standing Advice be added to the Decision Notice as an Informative Note for the applicant.

Please do not hesitate to contact me if you require any further assistance with this matter

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Deb Roberts *M.Sc. MRTPI*  
Planning & Development Manager

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.



UK Health  
Security  
Agency

Environmental Hazards and Emergencies Department  
Seaton House, City Link  
London Road  
Nottingham, NG2 4LA

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)  
[www.gov.uk/ukhsa](http://www.gov.uk/ukhsa)

Your Ref: EN010140  
Our Ref: 59556CIRIS

Ms Emily Park  
Senior EIA Advisor,  
The Planning Inspectorate,  
Environmental Services, Central Operations,  
Temple Quay House,  
2 The Square,  
Bristol BS1 6PN

4<sup>th</sup> July 2022

Dear Ms Park,

**Nationally Significant Infrastructure Project  
Helios Renewable Energy Project, PINS reference EN010140-000010  
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from, for example, emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

**Environmental Public Health**

We understand that the promoter will wish to avoid unnecessary duplication and that many issues will be covered elsewhere in the Environmental Statement (ES). We believe the

summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*<sup>1</sup>, setting out aspects to be addressed within the Environmental Statement<sup>1</sup>. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

We note that the applicant has proposed to screen out an assessment of the potential impacts of the proposed development on air quality, land contamination, major accidents and disasters, electric, magnetic and electromagnetic fields and waste from the ES. We recognise that the construction phase will be managed using a CEMP, to mitigate impacts on air quality however we would expect air quality impacts to be evaluated in some detail.

### **Recommendation**

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

### **Electromagnetic Fields (EMFs)**

UKHSA is satisfied for electromagnetic radiation (EMF) to be scoped out of the ES on the basis of the information presented in the scoping report.

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<sup>1</sup>  
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

## **Recommendation**

Change “These guidelines state” to “The DECC voluntary Code of Practice states” in the first sentence of section 4.7.2 of the Scoping Report. This is to clearly distinguish the Code of Practice from the ICNIRP guidelines.

## **Human Health and Wellbeing - OHID**

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

### *Population and Human health assessment*

It is noted that population and human health will be considered within existing chapters and not form a separate chapter within the ES. Given the current knowledge of the scheme and potential impacts this appears to be a proportionate approach. This should be kept under review as more information becomes available and a separate population and human health chapter may be justified as the assessments develop.

The scoping report notes population and human health will be considered within the Traffic and Access and Noise chapters (Para 4.3.1), but fails to recognise the contribution of socio-economics as a health determinant.

Should no separate health chapter be produced the Environmental Statement should include the identification of vulnerable populations. The impacts on health and wellbeing and health inequalities of the scheme may have particular effect on vulnerable or disadvantaged populations, including those that fall within the list of protected characteristics. Ideally sensitive local populations or community assets should be mapped.

## **Recommendation**

Socio-economics should be recognised and added to transport and noise chapters when considering population and human health.

Baseline health data should be provided, which is adequate to identify any local sensitivity or specific vulnerable populations. The identification of vulnerable populations should be based

on the list provided by the Welsh Health Impact Assessment Support Unit<sup>2</sup> and the International Association of Impact Assessment (IAIA)<sup>3</sup>. This perhaps could best sit within the socio-economics chapter.

Sensitive receptors/populations and local community assets should be mapped.

#### *Socio-economic assessment - Housing affordability and availability*

The scoping report does not identify the projected numbers of construction workers required for the scheme. The presence of significant numbers of workers could foreseeably have an impact on the local availability of affordable housing, particularly that of short-term tenancies and affordable homes for certain communities. The cumulative impact assessment will need to consider this across the wider study area given the number of other nearby NSIP schemes involving significant numbers of non-home-based construction workers. There may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit / low paid employment seeking the same lower-cost accommodation. As such, access to accommodation for residents with the least capacity to respond to change should be considered.

#### **Recommendation**

The peak numbers of construction workers and non-home based workers should be established and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services.

Any cumulative impact assessment should consider the impact on demand for housing by construction workers and the likely numbers of non-home-based workers required across all schemes.

#### *Socio-economic assessment -Public Rights of Way (PRoW)*

The scoping report identifies a number of PRoW that are within the scheme boundary but indicates that no diversions or closures will be required (13.7.3), and as such intended to be scoped out for further assessment apart from visual impacts.

The construction activities on site will undoubtedly require at least a temporary closure or diversion of PRoW and therefore should not be scoped out for further assessment. This assessment should also consider impacts on the amenity of these routes during construction from noise and air quality.

#### **Recommendation**

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<sup>2</sup> [WHIASU \(2020\). Health Impact Assessment – A Practical Guide](#)

<sup>3</sup> Cave, B., Claßen, T., Fischer-Bonde, B., Humboldt-Dachroeden, S., Martín-Olmedo, P., Mekel, O., Pyper, R., Silva, F., Vilianni, F., Xiao, Y. 2020. Human health: Ensuring a high level of protection. A reference paper on addressing Human Health in Environmental Impact Assessment. As per EU Directive 2011/92/EU amended by 2014/52/EU. International Association for Impact Assessment and European Public Health Association.

The scoping report does not justify how PRow will not be affected by construction activities due to closure or diversion and impacts on amenity. The ES should contain an assessment of the construction impacts on PRow, including amenity (noise, visual and air quality), during the construction and operational phase.

#### *Traffic and Transport*

It is noted that 24-hour Automatic Traffic Count ('ATC') surveys were completed, but it does not specify if non-motorised users were included within the counts. The sensitivity of the local roads will in part be a function of the presence of these vulnerable road users and will assist in the proposed use of the IEMA GEART assessment.

The scoping report did not list sensitive receptors that will be considered within the transport assessment and GEART 10 % rule.

#### **Recommendation**

The traffic and transport assessment should assess the impacts on cyclists and horse riders, including usage data.

The ES should list the scope of sensitive receptors and plot on a suitable plan of the local study area.

Yours sincerely,

On behalf of UK Health Security Agency

[nsipconsultations@phe.gov.uk](mailto:nsipconsultations@phe.gov.uk)

*Please mark any correspondence for the attention of National Infrastructure Planning Administration.*

**From:** [Planning](#)  
**To:** [Helios Renewable Energy](#)  
**Subject:** RE: EN010140 – Helios Renewable Energy Project – EIA Scoping Notification and Consultation  
**Date:** 08 June 2022 09:38:24  
**Attachments:** [image002.png](#)  
[image004.png](#)  
[image005.png](#)

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Hello Emily,

Thank you for the opportunity to comment on this application.

The site area for this application sits outside of the Board's drainage district. There are no Board maintained watercourses in the vicinity; as such it is not considered that the proposal will have a material effect on the Board's operations and therefore the Board has no comment to make.

However we believe it falls within the area of :-

Selby Area Internal Drainage Board  
12 Park Street  
Selby  
North Yorkshire  
YO8 4PW  
Telephone: [REDACTED]

The Board does not need to be re-consulted regarding any amendments or further applications relating to this matter.

Kind regards,

Charlotte Gill

**Planning Officer**

**Working Hours:** Tuesday to Friday - 8.30am to 2pm



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Airedale Drainage Commissioners  
Ainsty (2008) Internal Drainage Board  
Beverley & North Holderness Internal Drainage Board  
Foss (2008) Internal Drainage Board  
Ouse & Derwent Internal Drainage Board

**Address:** Derwent House | Crockey Hill | York | YO19 4SR

**E-mail:** [planning@yorkconsort.gov.uk](mailto:planning@yorkconsort.gov.uk)

**Telephone:** [REDACTED]

**Website:** <http://www.yorkconsort.gov.uk>



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**From:** Helios Renewable Energy <[HeliosRenewableEnergy@planninginspectorate.gov.uk](mailto:HeliosRenewableEnergy@planninginspectorate.gov.uk)>

**Sent:** 07 June 2022 14:08

**Subject:** EN010140 – Helios Renewable Energy Project – EIA Scoping Notification and Consultation

Dear Sir/Madam

Please see attached correspondence on the proposed Helios Renewable Energy Project.

Please note the deadline for consultation responses is **05 July 2022** and is a statutory requirement that cannot be extended.

You can find the scoping report published on our website here:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010140/EN010140-000007-EN010140%20-%20Scoping%20Report.pdf>

Kind regards,

Emily Park



The Planning  
Inspectorate

**Emily Park** | Senior EIA Advisor  
The Planning Inspectorate  
**T 0303 444 5657**

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