



PINS Document Number:
EN010140/APP/5.2.10.6

Pursuant to:
APFP Regulation 5(2)(q)

**Consultation Report:
Appendix 10.6 - Section 42 email and
letters**

June 2024



Appendix 10.6 – Section 42 email and letter notices (including to S43 and S44)

Covering Email

Helios Renewable Energy Project - Formal Consultation under Section 42 of the Planning Act ...



Green, Jordan

To

Cc Wilson, Gareth

Reply

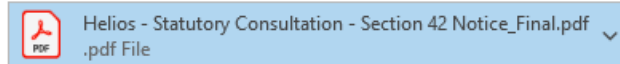
Reply All

Forward



Tue 24/10/2023 17:35

Click here to download pictures. To help protect your privacy, Outlook prevented automatic download of some pictures in this message.



Good evening,

Please find attached a letter formally consulting you/your organisation under Section 42 of the Planning Act 2008 (as amended). This notification concerns Enso Green Holdings D Limited's proposals for the Helios Renewable Energy Project. This proposal concerns land located to the west of the village of Camblesforth and to the north of the village of Hirst Courtney in North Yorkshire, within the administrative area of North Yorkshire Council.

This email and digital copy of the letter formally consulting you/your organisation is accompanied by a hard copy letter, to be sent via Royal Mail. This email is intended as an addition to this and to ensure timely delivery of the formal consultation notification.

Should you have any queries on the consultation documents or any other element of the Helios Renewable Energy Project, please feel free to contact me. You can also contact the project team in the following ways:

- Visit the project website
- Call 0800 699 0081
- Email info@helios-renewable-energy-project.co.uk
- Write to FREEPOST TC CONSULTATION (no further address or stamp required)

Many thanks,

Jordan

Jordan Green

Associate - Infrastructure Planning

Direct:
Mobile:

Stantec
7 Soho Square
London W1D 3QB

Section 42 Notice to prescribed and non-prescribed consultees:



25th October 2023

Dear Sir or Madam,

Helios Renewable Energy Project

Formal Consultation under Section 42 of the Planning Act 2008 (as amended)

I am writing to formally consult you under Section 42 of the Planning Act 2008 (as amended) (the "2008 Act") on Enso Green Holdings D Limited's proposals for Helios Renewable Energy Project.

Proposed Development

Enso Green Holdings D Limited (the "Applicant") is proposing a renewable energy generating project on land located to the west of the village of Camblesforth and to the north of the village of Hirst Courtney in North Yorkshire. The Proposed Development comprises the installation of ground mounted solar arrays, energy storage and associated development, including 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.

The Proposed Development is defined as a Nationally Significant infrastructure Project (NSIP) under the 2008 Act and given that it has a generating capacity of over 50MW, the Proposed Development requires the approval of a Development Consent Order (DCO). As such, the Applicant intends to make an application for a DCO to authorise the Proposed Development.

The proposed DCO will authorise, amongst other things:

- Solar PV modules and mounting structures;
- Field stations including invertors, transformers and switchgears;
- On-Site substation;
- Battery energy storage system;
- Underground cables connecting the areas of solar PV modules to the onsite substation and from there to the national grid at Drax Power Station;
- Compounds, fencing, security and ancillary infrastructure;
- Access works;
- Environmental mitigation and enhancement measures, such as archaeological mitigation, and landscape and ecological mitigation and enhancements;
- Temporary construction areas together with works to secure construction access for the Proposed Development;



- The temporary and permanent compulsory acquisition of land and/or rights which are required for the Proposed Development and/or are required to facilitate or are incidental to the Proposed Development;
- Overriding easements and other rights over or affecting the land for the Proposed Development;
- The application and or disapplication of legislation relevant to the Proposed Development including legislation relating to compulsory acquisition; and
- Such ancillary, incidental and consequential provisions, permits and consents as are necessary and convenient.

Construction of the Proposed Development is anticipated to commence in 2026 and span a period of approximately 12 months, making it operational by 2027. Further information relating to the Proposed Development, including the Preliminary Environmental Information Report (PEIR) and how to access a copy, is set out below.

Section 42 Duty to Consult

As part of the DCO process, the Applicant is required to carry out pre-application consultation in accordance with Section 42 of the 2008 Act. This requires consultation with specified local authorities, prescribed consultees and those with specified interests in the affected land. You are being consulted as you/your organisation has been identified as a prescribed consultee.

At present the Applicant does not intend to carry out any further rounds of pre-application consultation, and if so, this consultation will be the last opportunity to comment on proposals for the Helios Renewable Energy Project prior to the application for a DCO being made.

However, should the DCO application be accepted, there will be an opportunity to register with the Planning Inspectorate (the organisation which administers DCO applications) and provide a written summary of their views on the application. This will enable that person or organisation to become an Interested Party and participate in the subsequent statutory examination through which the DCO application will be assessed prior to determination by the Secretary of State.

Please be aware that a DCO removes the need for planning permission, can authorise compulsory acquisition of land and deal with many other regulatory consents which a project would otherwise need. This highlights the importance of this pre-application consultation and its role in shaping the Proposed Development.

Consultation documents

All copies of the consultation documents will be available to view, free of charge, on the project website from 26 October 2023: <https://www.helios-renewable-energy-project.co.uk>. This includes the Preliminary Environmental Information Report (PEIR) which considers the potential environmental impacts of the Proposed Development. The PEIR appendices include documents such as an Outline Battery Safety Management Plan and Outline Construction Environment Management Plan (CEMP). Other consultation documents include plans and maps detailing the proposals, a Non-Technical Summary (NTS) of the PEIR, Consultation Summary Document, and feedback form.



These documents may also be viewed online at:

- Selby Library, 52 Micklegate Selby, YO8 4EQ
- Snaith Library, 27 Market Place, Snaith, Goole, DN14 9HE
- Goole Library, Carlisle Street, Goole DN14 5DS

The following documents can be made available in hard copy format on request at a cost of:

- Non-Technical Summary of PEIR – Free;
- Full PEIR with annexes – £1,000;
- Site Location Plans – Free

Consultation events

Details of specific consultation events for Section 42 consultees, which allow for face-to-face discussions with the project team, are as follows:

Venue	Address	Date	Time
Camblesforth Hall	Brigg Lane, Camblesforth, Selby, YO8 8HJ	Wednesday 8 November 2023	14:00 – 19:00
Carlton Village Hall	Church Lane, Carlton, Goole, DN14 9PB	Thursday 9 November 2023	12:00 – 17:30

How to respond to the consultation

The Applicant is also undertaking consultation with the local community in accordance with Sections 47 and 48 of the 2008 Act. This is taking place between 26 October to 7 December 2023.

However, you are entitled to individual consultation under Section 42 of the 2008 Act and may therefore respond to the above consultation documents by:

- Email: info@helios-renewable-energy-project.co.uk
- Writing: FREEPOST TC CONSULTATION (no further address or stamp required)

Any responses must be received by the Applicant no later than 11.59pm on Thursday 7 December 2023

Responses should include an indication of who is responding and their correspondence address. Responses will be summarised in a consultation report that will form part of the application documents for the DCO. Please note that responses may be published.

Personal details will be held securely and used solely for purposes in connection with the pre-application consultations, DCO application process, assessment and determination of the application and otherwise in connection with the further development of the scheme. Personal details will not be disclosed to any third parties except where required by law.



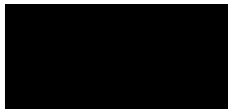
Next Steps

The Applicant expects to submit the DCO application for examination by the Planning Inspectorate, on behalf of the Secretary of State, in 2024.

Should you have any queries on the consultation documents or any other element of the Helios Renewable Energy Project, you can contact us in the following ways:

- Visit the project website www.helios-renewable-energy-project.co.uk
- Call 0800 699 0081
- Email info@helios-renewable-energy-project.co.uk
- Write to FREEPOST TC CONSULTATION (no further address or stamp required)

Yours sincerely



Kirsty Lodge

Principal Planner and HREP Lead

info@helios-renewable-energy-project.co.uk

0800 [REDACTED]

Section 42 Letter to Section 43:



25th October 2023

Dear Sir or Madam,

Helios Renewable Energy Project

Formal Consultation under Section 42 and Section 43 of the Planning Act 2008 (as amended)

I am writing to formally consult you under Section 42 of the Planning Act 2008 (as amended) (the "2008 Act") on Enso Green Holdings D Limited's proposals for Helios Renewable Energy Project.

Proposed Development

Enso Green Holdings D Limited (the "Applicant") is proposing a renewable energy generating project on land located to the west of the village of Camblesforth and to the north of the village of Hirst Courtney in North Yorkshire. The Proposed Development comprises the installation of ground mounted solar arrays, energy storage and associated development, including 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.

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- Temporary construction areas together with works to secure construction access for the Proposed Development;



- The temporary and permanent compulsory acquisition of land and/or rights which are required for the Proposed Development and/or are required to facilitate or are incidental to the Proposed Development;
- Overriding easements and other rights over or affecting the land for the Proposed Development;
- The application and or disapplication of legislation relevant to the Proposed Development including legislation relating to compulsory acquisition; and
- Such ancillary, incidental and consequential provisions, permits and consents as are necessary and convenient.

Construction of the Proposed Development is anticipated to commence in 2026 and span a period of approximately 12 months, making it operational by 2027. Further information relating to the Proposed Development, including the Preliminary Environmental Information Report (PEIR) and how to access a copy, is set out below.

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At present the Applicant does not intend to carry out any further rounds of pre-application consultation, and if so, this consultation will be the last opportunity to comment on proposals for the Helios Renewable Energy Project prior to the application for a DCO being made.

However, should the DCO application be accepted, there will be an opportunity to register with the Planning Inspectorate (the organisation which administers DCO applications) and provide a written summary of their views on the application. This will enable that person or organisation to become an Interested Party and participate in the subsequent statutory examination through which the DCO application will be assessed prior to determination by the Secretary of State.

Please be aware that a DCO removes the need for planning permission, can authorise compulsory acquisition of land and deal with many other regulatory consents which a project would otherwise need. This highlights the importance of this pre-application consultation and its role in shaping the Proposed Development.

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- Writing: FREEPOST TC CONSULTATION (no further address or stamp required)

Any responses must be received by the Applicant no later than 11.59pm on Thursday 7 December 2023

Responses should include an indication of who is responding and their correspondence address. Responses will be summarised in a consultation report that will form part of the application documents for the DCO. Please note that responses may be published.

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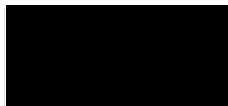
Next Steps

The Applicant expects to submit the DCO application for examination by the Planning Inspectorate, on behalf of the Secretary of State, in 2024.

Should you have any queries on the consultation documents or any other element of the Helios Renewable Energy Project, you can contact us in the following ways:

- Visit the project website www.helios-renewable-energy-project.co.uk
- Call 0800 699 0081
- Email info@helios-renewable-energy-project.co.uk
- Write to FREEPOST TC CONSULTATION (no further address or stamp required)

Yours sincerely



Kirsty Lodge

Principal Planner and HREP Lead

info@helios-renewable-energy-project.co.uk

0800 

Section 42 Letter to Section 44 (Landowners)



25.10.2023

Helios Renewable Energy Project

Formal consultation under Sections 42(1)(d) and 44 of the Planning Act 2008

Dear Sir or Madam,

Following my recent letter in relation to our proposals for the Helios Renewable Energy Project in North Yorkshire, I can now confirm that we, Enso Green Holdings D Limited, have launched a statutory consultation on our proposals, which will take place from 26 October 2023 to 7 December 2023. This letter explains how to take part in the public consultation and invites you to share your views on our proposals.

This letter is being sent to you as part of our statutory consultation exercise under Section 42 of the Planning Act 2008. We are consulting you on the Helios Renewable Energy Project because, having carried out diligent inquiry, we consider that you may be:

- an owner, lessee, tenant or occupier of land which is within our proposed application boundary;
- a person who holds an interest in land or has the power to sell or convey land or release land which is within our proposed application boundary; or
- a person who might be entitled to make a relevant claim if the Development Consent Order ('DCO') for our Project were to be made and implemented.

As the proposed Project has an expected generating capacity in excess of 50MW, it constitutes a 'Nationally Significant Infrastructure Project' ('NSIP') for the purposes of the Planning Act 2008, and we will be required to make an application for a DCO to authorise the Project. Following the submission of our DCO application, the Planning Inspectorate will examine the application and will make a recommendation to the Secretary of State for Energy Security and Net Zero, who will decide whether to grant or to refuse development consent.

Following feedback received during the informal consultation in 2022, as well as further technical assessments, we have refined our proposals; they now comprise a solar farm covering approximately 476 hectares (1175 acres) of land situated west of Camblesforth and north of Hirst Courtney in North Yorkshire, connected by an underground cable to a grid connection point at Drax National Grid substation. The proposed development includes the installation of ground mounted solar arrays, battery energy storage system 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.

The proposed DCO for our Project will, amongst other things, authorise:



- Solar PV modules and mounting structures;
- Field stations including invertors, transformers and switchgears;
- On-Site substation;
- Battery energy storage system;
- Underground cables connecting the areas of solar PV modules to the onsite substation and from there to the national grid at Drax Power Station;
- Compounds, fencing, security and ancillary infrastructure;
- Access works;
- Environmental mitigation and enhancement measures, such as archaeological mitigation, and landscape and ecological mitigation and enhancements;
- Temporary construction areas together with works to secure construction access for the Proposed Development;
- The temporary and permanent compulsory acquisition of land and/or rights which are required for the Proposed Development and/or are required to facilitate or are incidental to the Proposed Development;
- Overriding easements and other rights over or affecting the land for the Proposed Development;
- The application and or disapplication of legislation relevant to the Proposed Development including legislation relating to compulsory acquisition; and
- Such ancillary, incidental and consequential provisions, permits and consents as are necessary and convenient.

All information relating to the proposals including the Preliminary Environmental Information Report (PEIR), feedback forms and supporting consultation materials is now available to view online on the Project website via a virtual exhibition and at the public consultation events which will take place on the following dates and locations:

Camblesforth Hall Brigg Lane, Camblesforth, Selby, YO8 8HJ	Wednesday 8 November 2023 2pm to 7pm
Carlton Village Hall Main Church Lane, Carlton, DN14 9PB	Thursday 9 November 2023 12pm to 5.30pm

I would like to invite you to attend a preview of the consultation for land and property owners at Camblesforth Hall on Wednesday 8 November from 12-1pm, before the event opens to the public. Members of the project team will be available to discuss any queries you have about the proposals.

Copies of our consultation materials are now available to view online, free of charge, on our website: www.helios-renewable-energy-project.co.uk. These are provided to help you understand our proposals and share your views with us, and include:

- consultation summary document;
- consultation feedback form;
- the PEIR and Non-Technical Summary; and
- associated plans and drawings.



The consultation documents may also be viewed online at:

- Selby Library, 52 Micklegate Selby, YO8 4EQ
- Snaith Library, 27 Market Place, Snaith, Goole, DN14 9HE
- Goole Library, Carlisle Street, Goole DN14 5DS

The following documents can be made available in hard copy format on request at a cost of:

- Non-Technical Summary of PEIR – Free;
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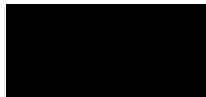
Should you wish to comment on our proposals, or otherwise respond to this letter, there are numerous methods of contact, including:

- Project website – www.helios-renewable-energy-project.co.uk/get-in-touch/
- Email – info@helios-renewable-energy-project.co.uk
- Freepost – FREEPOST TC CONSULTATION (no further address or stamp required)
- Freephone – 0800 699 0081 (Monday to Friday 9am to 5pm excluding public holidays)

Representations and responses must be received no later than 11.59pm on 7 December 2023. Once the consultation has closed on 7 December 2023, we will collate and analyse all the feedback and prepare a consultation report which will be included as part of our planning submission. Please note that any responses received after this date may not be included.

Further information is available on the project website www.helios-renewable-energy-project.co.uk/. Should you have any further questions please do not hesitate to get in touch.

Yours sincerely



Kirsty Lodge

Principal Planner and HREP Lead

info@helios-renewable-energy-project.co.uk

0800 6990081