



# The Planning Inspectorate

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To the Applicant  
(By email only)

Your Ref:

Our Ref: EN010140

Date: 30 July 2024

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Dear [REDACTED]

## **Planning Act 2008 (as amended) – Section 51**

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

#### **Advice following issue of decision to accept the application for examination**

On 30 July 2024 the Secretary of State decided that the application for the above project satisfied/ d the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our website.

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay attention to its content and consider how appropriate action might be taken in response.

#### **Consultees identified on a precautionary basis**

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

## **Minor errors and omissions**

There are minor errors and omissions, as reflected in Box 30 of the acceptance checklist.

### **Water Framework Directive Assessment**

There is no Figure identifying waterbodies in River Basin Management Plans. However, their locations are described at a high level in ES Chapter 9 (Doc 6.1) Tables 9.7 to 9.9. The Applicant should submit a Figure identifying waterbodies in River Basin Management Plans in relation to the location of the Proposed Development.

### **ES Chapter 4: Alternatives and Design Evolution (Doc 6.1.4)**

This document does not include the label for Table 4.1 which is assumed to start on page 27. It is requested that this be updated prior to examination to make this clear.

### **Environmental Statement Non-Technical Summary (Doc. 6.4)**

On page 3, the preface, there is a draft watermark and this will need amending prior to examination.

### **Environmental Statement Non-Technical Summary (Doc. 6.4)**

Preface refers to Stonestreet Solar Project, which appears to be incorrect. The Applicant is advised to check this detail and amend as appropriate.

**Draft Development Consent Order (Doc 3.1)** Schedule 9 Part 1 and Part 4 refers to Article 41, which seems incorrect. The Applicant is advised to check this detail and amend as appropriate.

### **Draft Development Consent Order (Doc 3.1) and Works Plans (Doc 2.3)**

The development consent order refers to the numbered works being situated within the corresponding numbered area shown on the works plans and within the limits of deviation. No limits of deviation appear to be indicated on the works plans or set out within the development consent order. This matter should be clarified.

### **Consent and Licences Position Statement (Doc 3.3)**

Schedule 9 refers to Protective Provisions in Schedule 11. Applicant is advised to amend this and check all documents for similar mis-references.

### **Statement of Reasons (Doc 4.2), Book of Reference (Doc 4.1) and Land Plan (Doc 2.2)**

The DCO seeks powers to acquire permanent acquisition of new rights (article 23), acquisition of subsoil (article 26) and temporary use of land to permit construction and maintenance (articles 30 and 31). The land related to all these powers sought is shown edged red and shaded blue on the land plans. Greater clarification as to whether all powers are sought for the whole area or if different powers relate to individual plot numbers would be beneficial.

### **Statement of Reasons (Doc. 4.2) and Funding Statement (Doc 4.3)**

The Statement of Reasons notes that the Applicant is not seeking the permanent acquisition of any land, rather acquisition of rights is relied upon as part of the proposed development. The Applicant is advised to provide clarification as to any potential implications this approach may have on ensuring all land necessary for the development could be secured and any potential implications for securing funding for the proposed development.

### **Statement of Reasons (Doc 4.2) and Planning Statement (Doc 7.1)**

The size of the development area given at 1.3.4 in the Statement of Reasons does not accord with the figures provided in para 2.1.3 of the Planning Statement and the Applicant is advised to provide clarification of the figures.

**Statement of Reasons (Doc 4.2)**

The Applicant is advised to check the reference to Schedule 10 of the Statement of Reasons at paragraphs 10.3.3 and 10.3.4, and amend if appropriate.

**Book of Reference (Doc 4.1)**

References to relevant Articles in the draft Development Consent Order, related to the compulsory acquisition powers being sought for each plot listed, could not be found in the Book of Reference.

**Funding Statement (Doc 4.3)**

At 2.3.1, 'Appendix 1' is referred to. The appendix is said to provide the most recent consolidated accounts for Macquarie Group Limited. This appendix appears to be missing from the submitted documents.

Please pay close attention to the advice set out in this letter and act on it accordingly. It is requested that you action these points before the commencement of the Relevant Representation period. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

[Redacted signature]

[Redacted name]

**Case Manager**

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