

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

Agenda for Issue Specific Hearing 1(ISH1):

Hearing	Date and Time	Location
<p>Issue Specific Hearing 1</p> <p>On:</p> <p>The principal and scope of the Proposed Development, socio-economic and environmental matters.</p> <p>In addition, matters relating to the Development Consent Order (and associated control documents) *.</p>	<p>Wednesday 4 December 2024</p> <p>Hearing Starts at 10.00am</p> <p>Registration and seating available at venue from 9.30am and virtual Registration Process from 9.30am</p>	<p>The Parsonage Hotel and Spa, Escrick, York, North Yorkshire, YO19 6LF</p> <p>and</p> <p>By virtual means using Microsoft Teams</p>

*The ExA does not intend to deal with landscape and visual impact matters, or heritage matters at this ISH. If necessary, these will be addressed at a future ISH after or in conjunction with site inspections. In addition, the ExA does not intend to deal with safety matters, including those relating to the Battery Energy Storage System and any effect on the nearby Burn Gliding Club, at this ISH. These matters will initially be dealt with through the written process, including Statements of Common Ground, Principal Areas of Disagreement, and the ExA's first written Questions. If necessary, these matters, and other socio-economic, environmental and overarching matters will also be discussed at a future ISH.

Agenda items

- 1. Welcome and logistics**
- 2. Purpose of the Issue Specific Hearing**
- 3. Introductions**

4. The principal and scope of the Proposed Development

a)	Scale of the Proposed Development and generating capacity
i	The rationale for the scale of the Proposed Development including the need case and any associated benefits
ii	The lower and upper limits of output
iii	The potential fluctuation of output seasonally and over the lifetime of the development
iv	Limitations related to the grid connection
b)	Battery Energy Storage System (BESS)
i	The storage capacity of the BESS and its relationship with the generating station (solar farm)
ii	Connection limitation to the grid
iii	Importation of electricity from the grid to the BESS (such as for grid balancing purposes)
c)	Operational lifetime of the Proposed Development
i	The lifespan of the Proposed Development
ii	Repowering/replacement of panels throughout the lifetime of the Proposed Development
iii	Implications of improving technology over the lifetime of the development and associated implications for the output, dDCO requirements/controls and the Order Limits
d)	Decommissioning
i	Decommissioning (general principles and controls)
ii	Security of funding for decommissioning (ie in the event that the operating company ceases to exist)

5. Socio-economic and environmental matters

a)	Socio-economic matters
i	The approach to the identification of Best and Most Versatile (BMV) agricultural land
ii	The cumulative effects arising from BMV land proposed to be taken out of agricultural production in the region
iii	Agricultural use of the land during the operational phase of the Proposed development including how this will be secured and managed
iv	Wider potential benefits and disbenefits of the Proposed Development to economic activity in the locality
v	Update on the status of the relevant SoCGs
b)	Biodiversity and ecology
i	The approach and findings in relation to ecology including surveys, effects, mitigation and enhancement (to also include any updates which are likely to be submitted during the Examination)
ii	The approach to Net Gain
iii	Update on the status of the relevant SoCGs
c)	Transport and access

i	The approach to transport and access during construction including effects and mitigation
ii	The approach to transport and access during operation including effects and mitigation and also to include the implications of maintenance and any repowering/replacement of panels
iii	The approach to transport and access during decommissioning including effects and mitigation
iv	Update on the status of the relevant SoCGs
d)	Water environment
i	The approach to flood risk and drainage including surveys, effects and mitigation (to also include any updates which are likely to be submitted during the Examination)
ii	Update on the status of the relevant SoCGs

6. The draft Development Consent Order (and related control documents)

a)	Articles in the dDCO
i	Any potential alterations, additions or updates to the Articles in the dDCO necessary arising from this hearing or as a result of engagement with IPs (ie arising from the SoCG process)
ii	<i>Article 7 – Planning permission</i> The Applicant is asked to explain the necessity and implications of Article 7 and whether this would/could obviate a change the DCO (through section 153 of the Planning Act 2008). In doing so reference should be made to other made Orders
b)	Schedules in the dDCO
i	Any potential alterations, additions, or updates to the Schedules in the dDCO necessary arising from this hearing or as a result of engagement with IPs (ie arising from the SoCG process)
ii	<i>Flexibility</i> Applicant to explain the degree of flexibility sought with reference to: <ul style="list-style-type: none"> • Schedule 1 – Work 9 (further associated development); • Schedule 2 Requirement 17; • the relationship with the definition of “authorised development” in Article 2; and • other made Orders
c)	Related control documents
i	Applicant to explain the architecture/structure of the control documents that would be secured in the DCO, including: <ul style="list-style-type: none"> • Outline Archaeological Mitigation Strategy (APP-126); • Outline Battery Safety Management Plan (APP-119); • Outline Construction Environmental Management Plan (CEMP) (APP-121); • Outline Construction Traffic Management Plan (CTMP) (AS-006);

	<ul style="list-style-type: none"> • Outline Decommissioning Environmental Management Plan (DEMP) (APP-123); • Outline Landscape and Ecological Management Plan (LEMP) (APP-143); • Outline Operational Environmental Management Plan (OEMP)(APP-124); • Outline Soil Management Plan (APP-173); and • any other relevant documents.
ii	Securing, consultation, approval, arbitration, monitoring and enforcement of the matters to be secured through the control documents (and the related requirements in the dDCO)
iii	Any potential alterations, additions, or updates to the control documents necessary arising from this hearing and/or as a result of engagement with IPs (ie arising from the SoCG process)

7. Next Steps

- Actions arising from this hearing
- Any other matters

8. Closing

Purpose of this ISH

The purpose of this ISH is to inquire into the principal and scope of the Proposed Development and for the ExA to explore initial questions relating to these matters including energy output and battery storage and those relating to the operational phase, any repowering/replacement of panels and securing of the decommissioning at the end of the lifetime of the Proposed Development. In addition, some of the socio-economic and environmental matters will be discussed at this hearing. Other socio-economic and environmental matters, not covered in this agenda, can, where necessary, be dealt with at future ISH(s). Matters relating to the dDCO and the related control documents will also be discussed including any potential updates, alterations and/or additions arising as a result of this hearing. This hearing does not limit the remit of issues to be identified in Written Representations and other submission to be made at Deadlines 1 and 2 or examined in later written or oral processes.

Attendees

The ExA would find it helpful if the following parties could attend this Hearing.

- Applicant (to include relevant representatives with expertise in the matters set out in the agenda above)
- North Yorkshire Council (to include relevant representatives with expertise in the matters set out in the agenda above)
- Environment Agency
- Any relevant drainage board

- Natural England
- National Highways
- The Woodland Trust

However, this does not indicate that other parties will not be able to contribute. All Interested Parties (IP) are invited to attend and make oral representations on the matters set out in the Agenda, subject to the ExA's ability to control the Hearing.

The ExA has sought to provide sufficient detail to assist the parties to prepare for the Hearing. The details set out above are indicative and the ExA may find it necessary to include additional Agenda items or to amend the order in which the items are dealt with.

Anyone wishing to attend the Hearing in person, who has not already advised the Case Team of this, should do so as soon as possible.

The event will be livestreamed and a link for watching the livestream will be posted on the [project webpage](#) of the National Infrastructure Planning website closer to the Hearing date. IPs and members of the public who wish to observe the Hearing can therefore view and listen to the Hearing using the livestream, or view and listen to the recording, after it has concluded.

Timing

The ExA will keep to the agenda as much as possible. The hearing is not expected to go beyond 5pm.

Written summaries of oral submission should be submitted at the next Deadline, following this Hearing, as identified in the Timetable.

Registration Process

Parties who have registered to speak (both in person and virtually) will receive a Joining Instruction email shortly before the Hearing which will include a link to the virtual event on Microsoft Teams, and a telephone number should they need to participate by telephone. To enable the Hearing to start on time at 10.00am those attending virtually should join promptly at 9.30am to ensure that all virtual attendees can complete the Registration Process in good time.

Procedure at ISH

Guidance under the Planning Act 2008 and the Infrastructure Planning (Examination Procedure) Rules 2010 provides that it is for the ExA to probe, test and assess the evidence through direct questions of persons making oral representations at Hearings. Questioning at the Hearing will be led by the ExA. Cross questioning of a person giving evidence by another person will only be permitted if the ExA decides it is necessary to ensure representations are adequately tested or that an IP has had a fair chance to make its case.