

Your Ref: EN010140

Date: 25 November 2024

FAO: Helios Renewable Energy Project
National Infrastructure Planning
Temple Quay House
2 The Square
Bristol, BS1 6PN

heliosrenewableenergy@planninginspectorate.gov.uk

Dear Sir or / Madam,

Re: Application by Enso Green Holdings D Limited for an Order Granting Development Consent for the Helios Renewable Energy Project (EN010140)

On 1 November 2024, the Examining Authority (“ExA”) issued a letter under Sections 88 and 89 of the Planning Act 2008 and Rules 4, 6, 9 and 13 of the Infrastructure Planning (Examination Procedure) Rules 2010 (the Rule 6 letter), providing notice of appointment of the ExA for the examination of the Helios Renewable Energy Project Development Consent Order (DCO) application.

This letter provides the information requested by the ExA in the Rule 6 letter including:

- Written submissions on Examination procedure, including comments on the draft Examination Timetable;
- Confirmation that the Applicant wishes to speak at the Preliminary Meeting and subsequent hearings; and
- The draft Statements of Common Ground (SoCGs) as required by the ExA.

Yours faithfully,

Julie Barrow
Infrastructure Planning Associate Director

7 Soho Square
London
W1D 3QB

Registered Office:
Stantec UK Ltd
Stantec House
Kelburn Court
Birchwood
Warrington, WA3 6UT
Registered in England No. 1188070

1. Introduction

- 1.1. This note has been prepared for Enso Green Holdings D Limited (Registered Company No: 12762856) (the “Applicant”) in response to the Examination Authority’s (“ExA”) Rule 6 Letter dated 1 November 2024 (“Rule 6 Letter”) in relation to the Helios Renewable Energy Project (the “Proposed Development”).
- 1.2. The Applicant would welcome discussion of these written submissions at the Preliminary Meeting scheduled for Tuesday 3 December.

2. List of Proposed Attendees at the Preliminary Meeting and Subsequent Hearings

- 2.1. The Applicant will attend, and participate in, the Preliminary Meeting on Tuesday 3 December and enclosed at **Schedule 1** is the full list of proposed attendees on behalf of the Applicant. The Applicant will be principally represented by Cathryn Tracey of Burges Salmon LLP although she may ask others who are in attendance to speak if required.
- 2.2. The Applicant will also be attending all hearings listed at Annex D of the Rule 6 Letter and, following receipt of the relevant agendas, the Applicant will produce a list of proposed speakers and present this to the Planning Inspectorate in advance of the relevant hearing.

3. Open Floor Hearing 1 (OFH1) Tuesday 3 December 2024

- 3.1. The Applicant will attend the Open Floor Hearing 1 that has been scheduled for Tuesday 3 December 2024 and encloses at **Schedule 2** the full list of proposed attendees on behalf of the Applicant although everyone except Cathryn Tracey and Anastasia Antoni will sit in the public seating. In addition, while Schedule 2 lists Cathryn Tracey as speaking at this event it is anticipated that it is only to ask any questions of clarification in the event that further information is requested of the Applicant, rather than to ask specific questions of any member of the public.

4. Issue Specific Hearing 1 (ISH1) Wednesday 4 December 2024

- 4.1. The Applicant will attend the Issue Specific Hearing 1 that has been scheduled for Wednesday 4 December 2024. **Schedule 3** details attendees on behalf of the Applicant.

5. Compulsory Acquisition Hearing 1 (CAH1) Thursday 5 December 2024

- 5.1. The Applicant will be attending the Compulsory Acquisition Hearing 1 scheduled for Thursday 5 December 2024. **Schedule 4** details attendees on behalf of the Applicant.

6. Timetable for Examination

- 6.1. The Applicant has made a number of suggestions regarding the draft timetable as set out within the document attached at **Appendix A**. When making suggestions the Applicant has been cognisant of the fact that the ExA have already indicated when future hearings may be and therefore has not proposed changes which would affect those.

However, the Applicant is concerned by the length of time in the timetable for providing properly considered responses to written questions. If the ExA is minded to move the hearings there may be other options available to ensure that sufficient time to properly answer written questions is provided and the Applicant would be willing to consider other changes to the draft timetable.

7. Statements of Common Ground (SoCG)

7.1. Since acceptance of the Application and in particular the publication of the Relevant Representations, the Applicant has developed the first drafts of the SoCGs. The Applicant notes the list of six interested parties the ExA has listed in Annex F of the Rule 6 Letter and confirms that the current version of these six SoCGs are being submitted at Deadline A, with the remainder to be submitted at Deadline 2.

SCHEDULE 1

List of Applicant’s Attendees at Preliminary Meeting (Tuesday 3 December 2024)

	Attendee	Organisation	Speaking
1	██████████	Enso Green Holdings D Ltd	No
2	██████████████████	Enso Green Holdings D Ltd	No
3	██████████	Burges Salmon LLP	Yes
4	██████████████	Burges Salmon LLP	No
5	██████████	Stantec	No
6	██████████████	Stantec	No
7	██████████████	Stantec	No
8	██████████	Stantec	No

SCHEDULE 2

List of Applicant’s Attendees at Open Floor Hearing 1 (OFH1) (Tuesday 3 December 2024)

	Attendee	Organisation	Speaking
1	██████████	Enso Green Holdings D Ltd	No
2	██████████████████	Enso Green Holdings D Ltd	No
3	██████████	Burges Salmon LLP	Yes
4	██████████████	Burges Salmon LLP	No

	Attendee	Organisation	Speaking
5	██████████	Stantec	No
6	██████████	Stantec	No

SCHEDULE 3

List of Applicant's Attendees at Issue Specific Hearing 1 (ISH1) (Wednesday 4 December 2024)

	Attendee	Organisation	Speaking
1	██████████	Enso Green Holdings D Ltd	Maybe
2	██████████████████	Enso Green Holdings D Ltd	No
3	██████████	Burges Salmon LLP	Yes
4	██████████	Burges Salmon LLP	No
5	██████████	Stantec	No
6	██████████	Stantec	No
7	██████████	Stantec	Maybe
8	██████████	Kernon Countryside Consulting	Yes
9	██████████	Avian Ecology	Yes
10	██████████	Avian Ecology	Maybe
12	██████████████████	TPA	Yes
13	██████████	PFA	Yes

SCHEDULE 4

**List of Applicant's Attendees at Compulsory Acquisition Hearing 1
(CAH1) (Thursday 5 December 2024)**

	Attendee	Organisation	Speaking
1	██████████	Enso Green Holdings D Ltd	Maybe
2	██████████████████	Enso Green Holdings D Ltd	No
3	██████████	Burges Salmon LLP	Yes
4	██████████	Burges Salmon LLP	Maybe
5	██████████	Stantec	No
6	██████████	Stantec	No

Appendix A

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
1.	<p>Procedural Deadline A</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none">• Written submissions on the Examination Procedure, including any submissions about the use of virtual methods.• Requests to be heard at the Preliminary Meeting.• Requests to be heard at Open Floor Hearing (OFH) 1. Provisionally scheduled for the evening of 3 December 2024.• Notification of wish to be heard at Issue Specific Hearing (ISH) 1 Provisionally scheduled for 4 December 2024 regarding the principal and scope of the Proposed Development, Socio-economic and environmental matters and matters relating to the Development Consent Order (and the associated control documents).• Notification of wish to be heard at Compulsory Acquisition Hearing (CAH) 1. Provisionally scheduled for the morning of 5 December 2024. Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH). Please note that CAH1 is intended to only address the Applicant's strategic case. If required, individual site-specific objections will be fully heard at a later CAH.	<p>Monday 25 November 2024</p>	

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	<ul style="list-style-type: none"> • Submission of suggested locations for site inspections See Annex F, section 5. • Submission of the Statements of Common Ground (SoCGs) To include the latest version of the SoCGs referred to in the Statement of Common Ground Status document [APP-238]. • Submission of Principal Areas of Disagreement (PADs) By each IP participating in the SoCG process (see Annex F, section 4). 		
2.	Preliminary Meeting	Tuesday 3 December 2024 2:00pm	
3.	Open Floor Hearing 1 (OFH1)	Tuesday 3 December 2024 5:15pm	
4.	Issue Specific Hearing 1 (ISH1) on the principal and scope of the Proposed Development, Socio-economic and environmental matters. In addition, matters relating to the Development Consent Order (and the associated control documents).	Wednesday 4 December 2024 10:00am	

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
5.	Compulsory Acquisition Hearing 1 on the Applicant's strategic case in respect of compulsory acquisition.	Thursday 5 December 2024 10:00am	
6.	Issue by the ExA of: <ul style="list-style-type: none"> Examination Timetable 	As soon as practicable following the Preliminary Meeting	
7.	Deadline 1 <ul style="list-style-type: none"> Comments on Relevant Representations (RR) and Additional Submissions (AS). Summaries of all RR exceeding 1500 words Notification by Statutory Parties of their wish to be considered as an IP by the ExA, where an RR has not been submitted. Notification of wish to have future correspondence electronically. Post-Hearing Submissions, comprising written summaries of oral submissions made at the Hearings held on the week commencing 2 December 2024. Requests to be heard at future Open Floor Hearing (OFH), if not already heard. 	Friday 13 December 2024	<u>The Applicant is able to provide their suggested locations for the site visit by D1 to enable this matter to be settled earlier in the examination.</u>

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	<ul style="list-style-type: none"> • Notification of wish to be heard at future Compulsory Acquisition Hearing (CAH) Requests by Affected Persons (defined in section 59(4) of the Planning Act 2008) to be heard at a Compulsory Acquisition Hearing (CAH). • Applicant's suggested locations for site inspections (see Annex F Section 5). 		
8.	<p>Deadline 2 For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any additional information/submissions received by Deadline 1. • Local Impact Reports (LIR) from relevant local planning authorities. • Written Representations (WR) and Summaries of WRs exceeding 1500 words. • Comments on the Applicant's draft suggestions for site inspections. • SoCGs requested by the ExA (see Annex F, section 3) and updated SoCGs submitted at Procedural Deadline A where any substantive updates have been made. • Statement of Commonality for all SoCGs. • PADs requested by the ExA (see Annex F section 4) which were not submitted at Procedural Deadline A or any updated PADs. 	<p>Monday 13 January 2025</p>	<p>The comments on the Applicants suggestions for site inspections has been moved to D2 facilitated by the earlier provision of the Applicants suggestions at D1.</p>

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	<ul style="list-style-type: none"> The Applicant's updated documents (see Annex F, section 6). Any further information requested by ExA. Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 		
9.	<p>Deadline 3 For receipt by the ExA of:</p> <ul style="list-style-type: none"> The Applicant's updated documents (see Annex F, section 6). Updated PADs where any substantive changes have been made. Comments on any information requested/submissions received by Deadline 2. Any further information requested by ExA. Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010. 	<p>Monday 27 January 2025</p>	<p>The comments on the Applicants suggestions for site inspections has been moved to D2 facilitated by the earlier provision of the Applicants suggestions at D1.</p>
10.	<p>Publication by the ExA of: The ExA's First Written Questions (ExQ1).</p>	<p>Monday 03, February 2025</p>	<p>See below</p>

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Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
11.	<p>Deadline 4</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's First Written Questions (ExQ1). • Comments on any information requested/submissions received by Deadline 2. • The Applicant's updated documents (see Annex F, section 6). • Updated PADs where any substantive changes have been made. • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of the Examination Rules.</p>	<p><u>Monday 24</u> February 2025</p>	<p>The Applicant considers that it is not possible to respond to ExQ1 in 8 working days. Experience suggests that there is likely to be a significant number of questions asked and it is of benefit to the examination if there is time to address these properly. Therefore, the Applicant asks the ExA to consider issuing their WQs a week earlier and to provide an extra working day to respond. This provides the Applicant with 2 clear weeks to respond.</p> <p>The Applicant is cognisant that the ExA has already made the public and other consultees aware of the future hearing dates and has therefore treated these as fixed. However, if there is the possibility to move these it may be possible to further amend the deadlines.</p>

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Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
12.	<p>Time reserved for Hearings and Site Inspections:</p> <ul style="list-style-type: none"> • Issue Specific Hearings (ISH) (if required). • Compulsory Acquisition Hearing 2 (CAH2) (if required). • Open Floor Hearing 2 (OFH2) (if required). <p>Site Inspections (SI1) (if required).</p>	<p>W/C 10 March 2025</p>	
13.	<p>Deadline 5</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Post-Hearing Submissions, comprising written summaries of oral submissions made at the Hearings held on the week commencing 10 March 2025. • Comments on any information requested/submissions received by Deadline 4. • The Applicant's updated documents (see Annex F, section 6). • Updated PADs where any substantive changes have been made. • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of the Examination Rules.</p>	<p>Thursday 20 March 2025</p>	

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
14.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • The ExA's Second Written Questions (ExQ2) (if required). 	Wednesday 26 March 2025	<p><u>The Applicant considers that additional time should be provided to respond to ExQ2. 5 working days to respond to ExQ2 is unlikely to be sufficient unless few questions are asked.</u></p>
15.	<p>Deadline 6</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's Second Written Questions (ExQ2) (if these were issued). • Comments on any information requested/submissions received by Deadline 5. • The Applicant's updated documents (see Annex F, section 6). • Updated PADs where any substantive changes have been made. • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of the Examination Rules.</p>	Monday 7 April 2025	
16.	<p>Time reserved for Hearings</p> <ul style="list-style-type: none"> • Issue Specific Hearings (ISH) (if required). • Compulsory Acquisition Hearing 3 (CAH3) (if required). <p>Open Floor Hearing 3 (OFH3) (if required).</p>	W/C 14 April 2025	

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Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
17.	<p>Deadline 7</p> <p>Post-Hearing Submissions, comprising written summaries of oral submissions made at the Hearings held on the w/c 14 April 2025 (if these hearings were held).</p> <ul style="list-style-type: none"> • Comments on any information requested/submissions received by Deadline 6. • The Applicant's updated documents (see Annex F, section 6). • Updated PADs where any substantive changes have been made. • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of the Examination Rules.</p>	<p>Thursday 24 April 2025</p>	
18.	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> • The ExA's Third Written Questions (ExQ3) (if required). • The ExA's commentary on, or schedule of changes to, the dDCO (if required). • Report on the Implications for European Sites (RIES) and any associated questions (if required). 	<p>Friday 2 May 2025</p>	
19.	<p>Deadline 8</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Responses to the ExA's Third Written Questions (ExQ3) (if these were issued). 	<p>Friday 16 May 2025</p>	

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	<ul style="list-style-type: none"> • Comments on the ExA's commentary on, or schedule of changes to, the dDCO (if these were issued). • Comments on Report on the Implications for European Sites (RIES) and any associated questions (if it were issued). • Comments on any information requested/submissions received by Deadline 7. • The Applicant's updated documents (see Annex F, section 6). • Updated PADs where any substantive changes have been made. • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of the Examination Rules.</p>		
20.	<p>Deadline 9</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on any information requested/submissions received by Deadline 8. • Final DCO and Explanatory Memorandum Final DCO to be submitted by the Applicant in the SI template. <p>Applicant to provide the email notification from https://publishing.legislation.gov.uk/validation confirming the document has successfully passed validation, and the PDF version of the SI validation report obtained from the link in the notification email. The Applicant should also provide a clean (all</p>	Friday 23 May 2025	

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	<p>tracking removed) standalone MS Word version of the dDCO, with no header or cover page.</p> <ul style="list-style-type: none"> • Final updated BoR. Final BoR and schedule of changes to BoR. • Final Statement of Reasons. • Final SoCGs. • Final Statement of Commonality of SoCG. • List of matters not agreed where SoCG could not be finalised. • Final Guide to the application. • Final Status of Negotiations CA Schedule. • Final Status of Negotiations with Statutory Undertakers. • Final NPS tracker. • Final Consents and Licences Position Statement. • Final signed and dated section 106s. • Final Versions of any other of the Applicant's documents that have been updated. • Summary statement from the Applicant setting out any outstanding matters. • Final PADs submitted by the relevant IPs. • Any further information requested by ExA. 		

Draft Examination Timetable – Suggested Amendments (in tracked changes)

Item	Matters	Date	Applicant's comments
	Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.		
21.	<p>Deadline 10</p> <p>For receipt by the ExA of:</p> <ul style="list-style-type: none"> • Any further information requested by ExA. <p>Any further information requested by the ExA under Rule 17 of The Infrastructure Planning (Examination Procedure) Rules 2010.</p>	Monday 2 June 2025	
22.	The ExA is under a duty to complete the Examination of the application by the end of the period of six months.	Tuesday 3 June 2025	