



HELIOS RENEWABLE
ENERGY
PROJECT

PINS Document Number:
EN010140/APP/8.7

The Applicant's Responses to Written Representations and Comments on D1 Submissions

January 2025



Helios Renewable Energy Project

The Applicant's Responses to Written Representations and the Comments on Deadline 1 Submissions

Planning Inspectorate Reference: EN010140

January 2025

Prepared on behalf of Enso Green Holdings D Limited

Project Ref:	33627	
Status:	Draft	Issue
Issue/Rev:	01	01
Date:	January 2025	January 2025
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1. Introduction

1.1. Overview

- 1.1.1. This document sets out the responses from Enso Green Holdings D Limited (the 'Applicant') to the Written Representations ('WR's) and to the Comments to any information/submissions received by Deadline 1 ('Comments on Deadline 1 Submissions') submitted by Interested Parties in relation to the Development Consent Order Application (the 'DCO Application') for the Helios Renewable Energy Project (the 'Proposed Development').
- 1.1.2. The WRs were published on the Planning Inspectorate website on 14 January 2025. A total of 15 WRs were received. In addition, six Interested Parties submitted Comments in any additional information / submissions received by Deadline 1.

1.2. Structure of this Document

- 1.2.1. This document provides responses from the Applicant to the matters raised in the WRs and is structured as follows:
- **Section 2** – Applicant's Responses to WRs submitted at Deadline 2 – Statutory Consultees and other organisations. These are presented as verbatim text unless stated otherwise.
 - **Section 3** – Applicant's Responses to WRs submitted at Deadline 2 – Public.
 - **Section 4** – Applicant's Responses to Comments on Deadline 1 Submissions.
- 1.2.2. References to the DCO Application documentation, as received by the Planning Inspectorate on 2 July 2024, are provided in accordance with the referencing system as set out in the Planning Inspectorate's 'Helios Renewable Energy Project Examination Library'.

Table 1.1: List of WRs received from Statutory Consultees and other Organisations, responded to in Section 2

PINS Reference	Acronym	WR received from
REP2-027	EA-XX	Environment Agency
REP2-028	HE-XX	Historic England
REP2-029	NGT-XX	National Gas Transmission Plc

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REP2-030	NGET-XX	National Grid Electricity Transmission Plc
REP2-031	NE-XX	Natural England
REP2-033	NR-XX	Network Rail Infrastructure Limited
REP2-036	TWT-XX	The Woodland Trust

Table 1.2: List of WRs received from the Public, responded to in Section 3

PINS Reference	WR received from
REP2-042	Chris Stephenson
REP2-045	Gaynor Whitton
REP2-046	Graham Rawlings
REP2-047	HALT
REP2-048	Louise Harrison
REP2-050	Mrs Eileen Smith
REP2-052	Pamela Joy Spreckley
REP2-053	Paul Kibble

Table 1.2: List of Comments on any additional information/submission received by Deadline 1, responded to in Section 4

PINS Reference	Comments received from
REP2-037	Anne Smith
REP2-040	Burn Gliding Club
REP2-043	Christine Ross
REP2-044	David Wilkinson
REP2-049	Melanie Bingle
REP2-051	Mrs Lesley Marson

2. The Applicant's Responses to Written Representations

2.1. Environment Agency

Table 2.1 – Environment Agency

Reference	Theme	Issue Raised	Applicant's Response
EA-01	Groundwater source protection	We have agreed that an additional DCO Requirement will be included and we are working with the applicant to agree the wording of that requirement.	The Applicant will continue to liaise with the Environment Agency to agree the wording of requirements. Draft Requirements for a Hydrological Risk Assessment and Piling Risk Assessment were issued to the EA on 14 January 2025.
EA-02	Groundwater source protection	We have agreed that an additional DCO Requirement will be included and we are working with the applicant to agree the wording of that requirement.	
EA-03	Construction site management	The principle of amending Requirement 4 has been agreed. We are working with the applicant to agree the amended wording.	
EA-04	Protective Provisions	We are in direct conversation with the applicant regarding the use of the Environment Agency's most up-to-date standard wording. We expect this will be available by Deadline 3.	The Applicant will continue to liaise with the Environment Agency to agree Protective Provisions.
EA-05	BESS floodplain compensation	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.	The Water Environment Supplementary Assessment ('the Technical Note') is being agreed with the EA. Significant progress has been made but there are a couple of points still to be agreed. The Applicant is hopeful that these will be agreed by D4 when the agreed Technical Note will be submitted to the ExA together with an updated SoCG.

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Reference	Theme	Issue Raised	Applicant's Response
			<p>The timing of the delivery of the BESS floodplain compensation scheme is dependent on if the credible maximum climate change scenario comes to pass over the operational lifespan of the development. This will be secured in the Flood Management Strategy for the Site. A suitably worded DCO Requirement is in the process of being agreed with the EA and the dDCO will be updated in due course based on the approved wording.</p>
EA-06	<p>Operation of the development in times of flood</p>	<p>The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.</p>	<p>The Applicant received the following response from the Environment Agency on 16 January 2025 with regards to ISH1 Action Point 9 (Residual Flood Risk) which covers matters raised in EA-06, as addressed in Section 5 of the Technical Note : <i>We are satisfied with the evidence and conclusions provided.</i></p> <p>The Statement of Common Ground ("the SoCG") will be updated to reflect this point of agreement.</p>
EA-07	<p>Equipment levels</p>	<p>The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.</p>	<p>The Technical Note addresses Finished Floor Levels (ISH1 Action Point 6).</p> <p>Further information was provided to the EA on 20 January 2025 to clarify the operational lifespan of the development) and the need to treat the 'credible maximum scenario sensitivity test' flood event as a 'sensitivity' test (and not the design event).</p> <p>Suggested amendments to the wording of the Flood Risk Assessment (the 'FRA') [APP-232, APP-233, APP-234 and APP-235] to clarify the level of the control equipment in respect to the fluvial 'credible maximum scenario sensitivity</p>

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Reference	Theme	Issue Raised	Applicant's Response
			test' flood level have been provided to the EA. The FRA will be updated once agreed with the EA.
EA-08	Flood Risk Assessment	The applicant has issued a Technical Note 07.01.2025 to address this matter. We are reviewing this and will provide direct response to the applicant to allow their further response at Deadline 3.	<p>The Applicant received the following response from the Environment Agency on 16 January 2025 with regards to ISH1 Action Point 7 (Solar Array Supports), as addressed in Section 3 of the Technical Note: <i>We are satisfied with the volumetric calculations and conclusions presented in PFA's technical note dated January 2025. The volume of water displaced by the panels is small in the context of the site and hence the resultant impact on levels would be minute. The calculations presented are based on the design event which PFA have used which in this case is the 1 in 100 year plus higher central climate change (+18%) scenario for the 2050s epoch.</i></p> <p>The SoCG will be updated to reflect this point of agreement.</p>
EA-09	Groundwater source protection	<p>We welcome the proposed mitigation measures. We request confirmation of the following:</p> <ol style="list-style-type: none"> 1. That the filter drains and porous sub-base beneath the BESS Compound, which could receive fire water during an incident, would be sealed to prevent leakage to ground of contaminated water. 2. of the process to ensure activation of the penstock valves would be triggered to avoid accidental discharge of fire water from the attenuation basins should a fire event occur. We await submission of the revised FRA [APP-232] to close this issue. 	<p>With respect to point 1 the Applicant can confirm that the impermeable liner would be installed below the filter drains and porous sub-base. Any joints in the impermeable liner would be appropriately sealed and the purpose of the liner is to effectively seal the BESS compound and prevent leakage to ground of contaminated water. The updated FRA will be amended to make this clear.</p> <p>With respect to point 2, the penstock is subject to detailed design but it is proposed that it would be remotely controlled by telemetry. The penstock would be automated to close in the event of a fire. An appropriate product would be specified at detailed design such as 'ToggleBlok' supplied by Sandfield Penstock Solutions (or similar approved). The penstock and telemetry could be linked to the onsite monitoring system</p>

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			<p>which would monitor the site for any unusual activity (such as malfunctions or even fire).</p> <p>Reference to remotely operated/automated Penstock is shown on the drainage strategy Drawing No. E216/88 Rev C contained in Appendix 25 of the FRA.</p> <p>The FRA will be updated to clarify the proposal for a remotely controlled and automated penstock which utilises telemetry.</p>
EA-10	Land contamination	We are satisfied with the proposed measures to be included in an update to the outline CEMP (section 3.111 Pollution Prevention) [APP-121]. We await submission of the revised oCEMP to close this issue.	The Applicant submitted an updated oCEMP at Deadline 2 [REP2-005] , Section 3.11.1 of which includes an unexpected contamination protocol.
EA-11	Consents and Licences	This issue can be closed. We are satisfied that the potential need for a water abstraction licence for consumptive uses is recognised in [APP-008] Consents and Licences Position Statement.	The Applicant notes that the Environment Agency has no further comments regarding Consents and Licences.
EA-12	Groundwater source protection	As per EA-09	As per EA-09.
EA-13	Groundwater source protection	We await additional Requirements as per EA-01 & EA-02; and an updated definition of SPZ in the FRA [APP-232] to be able to close this issue.	<p>The Applicant will continue to liaise with the Environment Agency to agree the wording of Requirements.</p> <p>Draft Requirements for a Hydrological Risk Assessment and Piling Risk Assessment were issued to the EA on 14 January 2025.</p>

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Reference	Theme	Issue Raised	Applicant's Response
			The FRA will be updated to include an updated definition of groundwater source protection zones (SPZs) and submitted at a future deadline once it is agreed with the EA.
EA-14	Consents and Licences	As per EA-11	As per EA-11.
EA-15	Consents and Licences	Satisfied - No further comment required	The Applicant notes that the Environment Agency has no further comments regarding Consents and Licences.
EA-16	Construction site management	As per EA-10	As per EA-10.
EA-17	Groundwater source protection	As per EA-01	As per EA-01.
EA-18	Groundwater source protection	As per EA-02	As per EA-02.
EA-19	Construction site management	As per EA-03	As per EA-03.
EA-20	Construction site management	As per EA-03	As per EA-03.
EA-21	Development Consent Order	We await review of revised wording of Article 18(7) of the dDCO [APP-006] to be able to close this issue.	Revised wording of Article 18(7) was sent to the EA on 14.01.25. The Applicant will continue to liaise with the Environment Agency to agree the wording of Article 18(7).
EA-22	Construction site management	We are satisfied with the applicant's response and await review of revised wording to oCEMP [APP-121] to be able to close this issue.	The Applicant submitted an updated oCEMP at Deadline 2 [REP2-005] . This addressed the Environment Agency's comments in relation to section 2.15.1 and Appendix 1. A further amendment will be made to section 2.15.13 in response to the Environment Agency's request that the CEMP secures an obligation for the Principal Contractor to share

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Reference	Theme	Issue Raised	Applicant's Response
			Non-Conformance Reports with the Applicant to ensure oversight is maintained. The updated oCEMP will be submitted at Deadline 4.
EA-23	Flood Risk Assessment	As per EA-08	As per EA-08.
EA-24	Equipment levels	As per EA-07	As per EA-07.
EA-25	Flood Risk Assessment	As per EA-08	<p>The Applicant received the following response from the Environment Agency on 16 January 2025 with regards to ISH1 Action Point 9 (Residual Flood Risk), as addressed in Section 5 Technical Note: <i>We are satisfied with the evidence and conclusions provided.</i></p> <p>The SoCG will be updated to reflect this point of agreement.</p>
EA-26	Flood Risk Assessment	As per EA-05	As per EA-05.
EA-27	Flood Risk Assessment	We are satisfied with the applicant's response and await update to FRA [APP-232, 233 & 234] to reference the latest version of the Hydraulic Model, to be able to close this issue.	The FRA will be updated to reference the latest version of the Hydraulic Model.

2.2. Historic England

Table 2.2 – Historic England

Reference	Theme	Issue Raised	Applicant's Response
HE-01	Archaeology and Built Heritage	<p>The proposed site of this DCO is in close proximity to three designated heritage assets of note which are Camblesforth Hall (Grade I), Carlton Towers (Grade I), and Manor Farmhouse (Grade II). We will focus on the two Grade I listed buildings, and would expect that the local planning authority will address any issues relating to the Grade II listed building.</p> <p>The Cultural Heritage Technical Appendix [[EN010140/APP/REF/6.3.6.1] provides a table summarising the significance of approximately 77 heritage assets, including the potential impact upon this significance, however Historic England's interest in the DCO relates specifically to the two Grade I listed buildings Camblesforth Hall and Carlton Towers, as identified as points of interest in our pre application advice. This is in part due to their high grading and in part due to their physical proximity to the proposal site.</p> <p>We understand that archaeological matters have been agreed with the Local Authority's archaeological advisors and Historic England have no comments to make on this.</p> <p>In Historic England's pre-application advice we outlined our expectation that the ES would be accompanied by a Heritage Impact Assessment which would articulate a robust understanding of the buildings' significance and the contribution of setting to this significance. The Applicant has employed two documents to fulfil this expectation. These are the ES chapter on Cultural Heritage [EN010140/APP/6.1.6] accompanied by Appendix 6.1 Cultural Heritage Technical Appendix [EN010140/APP/REF/6.3.6.1]. Whilst not in the form of a singular HIA document, these documents have assessed the significance of the designated heritage assets, including the contribution of setting to this significance, and the impact of the</p>	<p>The Applicant notes that Historic England has no comments regarding archaeological matters, which have been agreed with the Local Authority's archaeological advisors.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		<p>proposed scheme upon this significance thereby carrying out the expected assessments in lieu of a single Heritage Impact Assessment.</p> <p>The success of the approach and methodologies used will be discussed below in Section 3: Methodology.</p>	
HE-02	Assessment Methodology - ES Chapter	<p>We consider that the approaches outlined in the ES relating specifically to the historic environment are acceptable. These methodologies and approaches as described in Environmental Statement [EN010140/APP/6.1.6], and Appendix 6.1 Cultural Heritage Technical Appendix [EN010140/APP/REF/6.3.6.1] are as follows.</p> <p><u>Environmental Statement [EN010140/APP/6.1.6]</u></p> <p>The ES chapter has sought an extensive list of guidance and historic environment resources/records consulted, as shown in paragraph 6.3.9. We consider it beneficial that in reference to general Environmental Statement methodology that Historic England's Advice Note 15 Commercial Renewable Energy Development and the Historic Environment (February 2021) was used as a baseline [EN010140/APP/6.1.6]</p> <p>The methodology for identifying and assessing levels of harm has been clarified to ensure that the assessment is in line with EIA requirements and in NPPF terms. In paragraphs 6.3.13 and 6.3.20 it describes the method of how a matrix of significance, or value, and magnitude of impact have been employed for the purpose of the EIA however this has been supplemented using professional judgement, acknowledging the potential shortcomings of just using a matrix based system. Additionally, to further address the potential shortcomings of the matrix system used in the EIA, in para 6.3.21, it describes the assessment method used to link the impact on significance in NPPF terms, i.e. substantial, less than substantial etc. [EN010140/APP/6.1.6]. This clarification is important for understanding the significance of designated heritage assets, the contribution of setting to this</p>	<p>The Applicant notes that Historic England agrees with the methodology and conclusions of Environmental Statement (ES) Chapter 6 Cultural Heritage [APP-026] and the Cultural Heritage Technical Appendix [APP-125], relating specifically to Cablesforth Hall and Carlton Towers (less than substantial impact). The SoCG with Historic England will be updated to reflect these points of agreement.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		<p>significance, and the potential impact of the proposal upon this significance and therefore Historic England supports this clarification. Furthermore, Historic England agrees with the assessments of significance/impact and the conclusions drawn from these assessments for Camblesforth Hall and Carlton Towers.</p> <p>Therefore the above sections have demonstrated that a clear and comprehensive methodology has been used to identify significance, including the contribution of setting to this significance, and aligned the different terminologies used across different documents to ensure this clarity.</p> <p>In section 6.4 the cultural heritage baseline is established to take a holistic view on cultural heritage and archaeological designated heritage assets to articulate their relative significance and the contribution of setting to this significance. The impact of the proposed DCO scheme upon this significance is then subsequently assessed in a consistent method.</p> <p>Paragraph 6.5.1 outlines how the baseline has evolved throughout the EIA Scoping and ES stages which have amount to the ES demonstrating an archaeological mitigation strategy, agreed by the LPA, mitigation strategies for built heritage, namely the highly graded heritage assets and the most pertinent heritage receptors, through reinstating historic field boundaries, moving the array and increasing visual screening buffer zones.</p> <p>This consistent method of assessing significance impact is laid out in paragraphs 6.5.1 - 6.9.3 (sections 5, 6, 7, 8, and 9) building upon the established cultural heritage and archaeological baseline. The ES also assesses the impact of construction phase, operational, and decommissioning phases to assess the potential impact on significance, particularly focused on Camblesforth Hall and Carlton Towers. This is done by assessing: the likely significant effects, mitigation measures, the likely residual effects, and the cumulative effects. In each of these headings it looks at the construction phase, operational phase, and</p>	

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Reference	Theme	Issue Raised	Applicant's Response
		<p>decommissioning phase.</p> <p>Historic England agrees that this method is acceptable and that the conclusions drawn from it, relating to Camblesforth Hall and Carlton Tower, are similarly acceptable.</p> <p>The assessment of the impact is supported by photographs which offer views which demonstrate an understanding of views as you pass through the landscape including views to and from the heritage assets and the proposal site.</p> <p>In light of this information provided, some impact to the significance of Camblesforth Hall will arise from development within its setting. Due to the topography, mitigation strategies and tree planting, this would cause a minimal impact upon the significance of the Hall via its setting. The closest built part of the scheme would be separated from the designated heritage asset by modern residential dwellings, a road, and trees. The photographs evidence that whilst glimpsed views of the Hall from a public right of way are possible, there would be no views where the Hall and the development site are intervisible from this public right of way.</p> <p>Regarding Carlton Towers, the designated heritage asset and its curtilage are largely surrounded by trees and are 1.5km away from the nearest element of new building for the DCO Site. It is acknowledged that views from the top of the clock tower would incorporate elements of the new scheme however we agree that the clock tower's significance lies more with views of it rather than from it.</p> <p>For both designated heritage assets we agree with the conclusions of the ES chapter and Cultural Heritage Technical Appendix that this harm would amount to a low level of less than substantial harm.</p>	
HE-03	Assessment Methodology	The Cultural Heritage Technical Appendix [EN010140/APP/REF/6.3.6.1] has been created by the applicant to create a heritage baseline on which the Environmental Statement [EN010140/APP/6.1.6] would base its cultural heritage chapter upon.	

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Reference	Theme	Issue Raised	Applicant's Response
	<p>- Technical Appendix</p>	<p>This was in line with suggestions from the Inspectorate in the Environmental Statement Appendix 2.2: Scoping Opinion document [EN010140/APP/6.3.2.2] as well as Historic England's pre application advice which stated that a satisfactory Heritage Impact Assessment would be carried out.</p> <p>A Heritage Impact Assessment has not been submitted as a singular document in response to this however a consistent assessment in line with an appropriate methodology has been submitted in the form of the ES Chapter and Cultural Heritage Technical Appendix.</p> <p>Historic England consider that this expectation, in our opinion, has been satisfied and that the assessment has clearly articulated the significance of the designated assets most likely to be affected by this DCO scheme and the contribution that setting makes to the setting. This has been based on Historic England guidance on 'The Setting of Heritage Assets'.</p> <p>The Cultural Heritage Technical Assessment has assessed several other designated heritage assets' significance within a 3km radius amounting to approximately 77 designated heritage assets. The document also provided justification for the omission of a more detailed assessment within the ES. Our focus is on the two Grade I listed buildings identified at pre-application stage.</p> <p>The 75 assets identified, other than Camblesforth Hall and Carlton Towers, include two conservation areas, four scheduled monuments, five Grade I listed buildings. Historic England have identified two Grade I listed buildings of concern at pre-application stage which are Camblesforth Hall and Carlton Towers. These other highly graded assets are of the highest significance hence their inclusion within the assessment in the ES Chapter. These have been assessed against a methodology which we agree with and largely due to their relatively large distance away from the proposal site, the impact upon this significance is considered to be low or nil.</p>	

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Reference	Theme	Issue Raised	Applicant's Response
		<p>Therefore, we agree with the assessment made in the ES chapter relating to the impact, or lack thereof, on the significance of the other highly graded designated heritage assets in this chapter.</p> <p>Additionally, in paragraphs 6.3.9 - 6.3.22, the document further clarifies the terminology surrounding significance and impact between EIAs and NPPF/NPS EN-1 terms.</p> <p>For example, Table 6.1 outlines the 'criteria for establishing value/sensitivity' which identifies the relative significance level of heritage assets as High, Moderate, Low, or No Heritage Significance.</p> <p>Table 6.2 outlines the 'Criteria for Establishing Level of Impact/Change' which categorises levels of impact in terms of 'High', 'Medium', 'Low', 'Negligible' and 'No Change'.</p> <p>Table 6.3 'Significance of Effect' combines the above two tables to compare the 'value/sensitivity of heritage asset' against the 'magnitude of impact' producing an overall assessment from 'neutral', 'minor', 'moderate' to 'major' effects.</p> <p>The use of these matrixes is often not supported when used in isolation. 6.3.20 states: In accordance with the requirements of the EIA Regulations, this assessment has assessed the significance of effects resulting from the Proposed Development's impacts; however, NPS EN-1 considers impacts in terms of levels of harm or loss to the significance of an asset from a proposed development. A significant effect identified in this assessment would not necessarily equate to a finding of substantial harm, as defined in the NPS EN-1. Equally, a less significant effect identified in this assessment may result in a higher/eve/ of harm according to the NPS EN-1. Professional judgement has been used throughout this assessment to ensure that where a matrix-based system has been employed (as set out in Table 6.3), a robust assessment of the potential significance of the effect (in EIA</p>	

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Reference	Theme	Issue Raised	Applicant's Response
		<p>terms) to the heritage asset has been reported within this assessment.</p> <p>This acknowledgement and clarification over assessing significance and impact and meeting the requirements of different application types is an important one. It has made it clear on what the significance is of the designated heritage assets, the contribution of their setting to this significance, the impact considered to arise from the scheme upon this significance, including at all stages of the development from construction to decommissioning. We agree that this is an appropriate methodology for the assessments of significance and impact to be carried out by.</p>	
HE-04	Assessment Methodology	<p>Overall, the Environmental Statement [EN010140/APP/6.1.6] and Appendix 6.1 Cultural Heritage Technical Appendix [EN010140/APP/REF/6.3.6.1] has provided an acceptable and consistent assessment of significance and impact, albeit not in the form of a singular Heritage Impact Assessment which was outlined within Historic England's pre-application advice.</p> <p>This assessment was expected to include a consistent and robust assessment of the significance of the designated heritage assets, and the contribution setting makes to this significance. It was also expected to include an assessment of the impact the DCO scheme would have upon this significance, identifying whether this harm could be avoided, mitigated or reduced.</p> <p>Based upon this baseline of significance, they have used a consistent methodology to assess the potential impact of the development at construction, operational, and decommissioning phases. Within this they have sought to establish: the likely significant effects, mitigation, and likely residual effects.</p> <p>Where the other 75 assets are within a zone of interest, the Applicants have created a table to justify their absence from the main ES chapter. The Applicants have assessed the significance and impact to justify their absence from the main ES Chapter text.</p>	

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Reference	Theme	Issue Raised	Applicant's Response
		<p>Therefore, the significance of the most sensitive heritage receptors, and the contribution of setting to the significance, has been adequately assessed, in our opinion.</p> <p>We are content that they have approached the assessment in accordance with the relevant requirements, that we broadly agree with the conclusions they have come to on the level of impact that would arise, and that we consider that the safeguards for dealing with the impact can be appropriately dealt with through the proposed design and conditions of the DCO.</p> <p>Overall, Historic England has no further concerns relating to the impact on the significance of the two Grade I listed buildings highlighted in our pre-application advice as being points of potential concern. The Applicant has provided an assessment of significance and impact in the form of the ES Chapter and Cultural Heritage Technical Appendix in lieu of the expected HIA. We agree to the methodology used as well as the conclusions drawn from them - relating specifically to Camblesforth Hall and Carlton Towers.</p>	

2.3. National Gas Transmission Plc

Table 2.3 – National Gas Transmission Plc

Reference	Theme	Issue Raised	Applicant's Response
NGT-01	Protective Provisions	<p>Further to NGT's relevant representation dated 26 September 2024, NGT wishes to make this written representation in relation to Enso Green Holdings D Limited's (Promoter) application for a development consent order (DCO) for the Helios Renewable Energy Project DCO (Proposed Development). As set out in NGT's previous representation, NGT has infrastructure which is within or in close proximity to the proposed Order Limits, NGT's rights of access to inspect, maintain, renew and repair such apparatus must also be maintained at all times and access to inspect and maintain such apparatus must not be restricted. Therefore, whilst NGT does not object in principle to the Proposed Development proposed by the Promoter, NGT does object to the Proposed Development being carried out in close proximity to its apparatus unless and until suitable protective provisions and related agreements have been secured to its satisfaction. NGT also objects to any compulsory acquisition powers for rights or other related powers to acquire land temporarily, override or otherwise interfere with easements or rights being invoked which would affect its apparatus, assets, land or rights over its land. The NGT project team is liaising with the Promoter and has been for some time prior to the commencement of the examination. NGT expects this to continue during the examination. NGT is currently in negotiations with the Promoter to agree protective provisions for the protection of its apparatus and rights. This objection is maintained unless and until NGT's standard form of protective provisions have been agreed with the Promoter and included in the Draft Order. This is because these protective provisions are required by NGT to ensure the adequate protection of its interests, statutory undertaking and compliance with relevant safety standards. NGT's standard form protective provisions were sent the promoter's solicitors on 11 November 2024 and despite our continued chasing we have not yet received a substantive response in relation to NGT's request of these being placed on the face of the</p>	<p>The Applicant is in negotiations regarding protective provisions with NGT and the Applicant considers that it will be able to come to an agreement with NGT by the close of the examination. In the event that protective provisions are not agreed, the Applicant reserves the right to make a detailed representation in response to the comments raised in this Written Representation.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		Draft Order. NGT will continue to liaise with the Promoter in order to reach a hopeful agreement on the protective provisions ahead of the close of the examination. For reference we have appended NGT's standard protective provisions to this Written Representation at Appendix 1. Until satisfactory agreement has been reached with the Promoter as regards to the protective provisions, NGT continues to and reserves the right to make further submissions to the examination at a later date.	

2.4. National Grid Electricity Transmission Plc

Table 2.4 – National Grid Electricity Transmission Plc

Reference	Theme	Issue Raised	Applicant's Response
NGET-01	NGET Assets	<p>NGET owns or operates the following infrastructure within or in close proximity to the proposed Order Limits for the Project. These assets form an essential part of the electricity transmission network in England and Wales. The details of the electricity assets are as follows:</p> <ul style="list-style-type: none"> • Drax1 132kV substation • Camblesforth 66kV substation • 4VJ 400kV OHL – Drax - Eggborough 1; • Drax – Eggborough 2 • 4VH 400kV OHL – Drax – Keadby – Thorpe Marsh; • Drax – Thorpe Marsh • Camblesforth to Drax 66kV underground cable. • Associated fibre cables 	<p>The Applicant has no reason to dispute this. However, it is only the assets within the Order Limits which may be affected by the Proposed Development.</p>
NGET-02	NGET Assets - Protective Provisions	<p>As a responsible statutory undertaker, NGET's primary concern is to meet its statutory obligations and ensure that any development does not impact in any adverse way upon those statutory obligations. As such, NGET has a duty to protect its position in relation to infrastructure and land which is within or in close proximity to the draft Order Limits. As noted, NGET's rights to retain its apparatus in situ and rights of access to inspect, maintain, renew, repair and refurbishment such apparatus located within or in close proximity to the Order Limits should be maintained at all times and access to inspect and maintain such apparatus must not be restricted.</p> <p>NGET will require protective provisions to be included within the draft Development Consent Order (the "Order") for the Project to ensure that its interests are adequately</p>	<p>The Applicant is in negotiations regarding protective provisions with NGET. In the event that protective provisions are not agreed, the Applicant reserves the right to make a detailed representation in response to the comments raised in this Written Representation.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		<p>protected and to ensure compliance with relevant safety standards.</p> <p>NGET is liaising with the Applicant in relation to such protective provisions, along with any supplementary agreements which may be required.</p> <p>NGET requests that the Applicant continues to engage with it to provide explanation and reassurances as to how the Applicant's works pursuant to the Order (if made) will ensure protection for those NGET assets which will remain in situ, along with facilitating all future access and other rights as are necessary to allow NGET to properly discharge its statutory obligations.</p> <p>NGET will continue to liaise with the Applicant in this regard with a view to concluding matters as soon as possible during the DCO Examination and will keep the Examining Authority updated in relation to these discussions.</p>	
NGET-03	Compulsory Acquisition	<p>The Applicant is seeking compulsory powers over plots 68 and 69 which forms part of NGET's substation at Drax. NGET objects to the compulsory acquisition of its assets, land or rights over its land in the absence of an agreed form of Protective Provisions. It is essential that nothing contained within the Order prevents NGET from continuing to deliver future plans or from accommodating other electricity connection customers to meet its statutory obligations. Furthermore, the Applicant is seeking compulsory powers over a number of plots which include NGET overhead line assets, access rights and/or interests . As noted, where the Applicant intends to acquire land or rights, or interfere with any of NGET's interests in land, NGET will require further discussion with the Applicant and NGET will require its standard Protective Provisions to be included within the Order NGET reserves the right to make further representations as part of the Examination process in relation to specific interactions with its assets but in the meantime will continue to liaise with the Applicant with a view to reaching a satisfactory agreement.</p>	

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Reference	Theme	Issue Raised	Applicant's Response
NGET-04	Interaction with NGET future development	<p>NGET is promoting the Eastern Green Link 2 project (EGL2). EGL2 is a 2GW electricity transmission to connect the transmission systems of Scotland and England. It is a nationally significant project which benefits from consent and regulatory approval. There is an urgent need for EGL2 as part of the decarbonisation of the electricity grid and, in particular, in the context of the target of 50GW of offshore wind energy by 2030. NGET was granted planning permission from East Riding of Yorkshire Council (application reference 22/01990/STPLFE) on 3 March 2023 (the ERYC Permission) and was granted planning permission from North Yorkshire Council (with application reference 2022/0711/EIA) on 11 August 2023 (the NYC Permission) for the development of the onshore components for EGL2. These comprise approximately 68km of underground High Voltage Direct Current (HVDC) cables from Fraisthorpe to Drax, a converter station located off New Road at Drax and underground High Voltage Alternating Current (HVAC) cables between the converter station and Drax 400kV Substation as well as associated temporary works to facilitate construction.</p> <p>It is expected that construction of the onshore components will be undertaken between 2024 and 2029. NGET is currently seeking voluntary land rights in respect of the EGL2 project and made The National Grid Electricity Transmission plc (Scotland to England Green Link 2) Compulsory Purchase Order 2023 on 5 September 2023 (the CPO). A decision on the confirmation of the CPO is expected shortly.</p> <p>The interaction between the Project and EGL 2 relates to Work No. 5 (Grid Connection Cable Corridor) and plots 62, 66, 68 and 69 as shown on the Land Plan and described in the Book of Reference. It is proposed that new rights will be acquired by the Project over plot 62 (New Road) and also over plots 66, 68 and 69 (land surrounding the substation). This land is required as part of the EGL2 project in relation to access and the proposed AC connection corridor.</p>	<p>The Applicant is liaising with NGET regarding the interaction of EGL2 with this project and will update the ExA accordingly at a future deadline. In the event that agreement is not reached, the Applicant reserves the right to make a detailed representation in response to the comments raised in this Written Representation.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		NGET will require its ordinary protective provisions to apply in respect of EGL2. In order to avoid serious detriment to NGET and its undertaking, the Applicant must not be granted powers of acquisition or temporary possession in respect of any land required for EGL2. It is not considered necessary to the Applicant to acquire rights over plot 62 given that this plot consists of public highway.	

2.5. Natural England

Table 2.5 – Natural England

Reference	Theme	Issue Raised	Applicant's Response
NE-01.1	<p>International Designated Sites</p> <p>Humber Estuary SPA</p> <p>Humber Estuary Ramsar</p> <p>Lower Derwent Valley SPA</p> <p>Lower Derwent Valley Ramsar</p>	<p>Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA / Ramsar sites and comments on the conclusions of the HRA – ‘Amber’ Risk.</p> <p>We welcome the submission of Appendix B as part of the Applicant's Deadline 1 submission ‘The Applicant's Responses to Relevant Representations’ [REP1-004] and the draft Statement of Common Ground [PDA-004]. Please refer to NE1.2 and NE1.3 below for our comments on the additional information provided, and the outstanding key points. We advise that at present this issue remains ‘amber’.</p>	<p>The Applicant has provided a Response to Natural England Relevant Representations and Updated Information to Inform a Habitats Regulations Assessment directly to Natural England on 13 January 2025, a meeting was held with Natural England on 21 January 2025 to discuss the documents. The Applicant is awaiting written comments. Agreement is being sought with Natural England through the Statement of Common Ground process and updated documents will be submitted to the ExA once they are agreed with Natural England. In the (unlikely) event that disagreement remains this will be set out in the SoCG and further written representations.</p>
NE-01.2		<p>Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA / Ramsar sites and comments on Ornithology report (APP-145) – ‘Amber’ Risk.</p> <p>We note and welcome that REP1-004 and PDA-004 include statements in sections NE01.1 - NE01.3 around further information to be provided at future deadlines. We will update our advice when this information is provided. In summary, this is due to include:</p> <ul style="list-style-type: none"> • Updates to the desk study. 	<p>As discussed in response to NE-01.1.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		<ul style="list-style-type: none"> • Consultation with local bird groups/other organisations that may hold relevant information. • Use of the BTO's WeBS data to examine collected survey data again peak counts for the estuary as a whole/ for the most relevant sectors. • Provision of the transect routes. • Explanation regarding the data collection and varied coverage. • Clarification on the peak count of lapwings and how this is calculated. • Further justification on the nocturnal survey approach. 	
NE-01.3		<p>Potential loss of functionally linked land (FLL) for the relevant qualifying bird features of the listed SPA / Ramsar sites and comments on Ornithology HRA – ‘Amber’ Risk.</p> <p>We welcome that the Applicant will set out the additional information requested under NE1.2 in the HRA, as detailed in REP1-004 (Table 2.16; NE-01.3)</p> <p>We note that Appendix B in REP1-004 and PDS-004 is referred to for comments relating to the criteria for determination of FLL. We welcome that these matters will also to be considered in an updated HRA and that the Applicant is engaging on these points.</p> <p>In relation to the comments provided by the Applicant in Appendix B, we consider our key comments to be as follows:</p> <p>1. The approach in the Natural England 2021 North West of England study NECR361 that used 0.5% of the GB population or 1000 individuals to determine significance of functionally linked land was deemed suitable at a regional-scale and we do not consider this appropriate at development site level. We have advised previously in</p>	As discussed in response to NE-01.1.

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Reference	Theme	Issue Raised	Applicant's Response
		<p>this case, and in similar cases across the Yorkshire and northern Lincolnshire region, that assessment here should relate the survey results to the relevant designated site populations (i.e., the Humber Estuary SPA/Ramsar and Lower Derwent Valley SPA/Ramsar in this case).</p> <p>2. In relation to assessing the results against the designated site populations above, as previously advised, the 1% approach can be used as a rule of thumb to help determine whether a site comprises functionally linked land. However, as advised in other similar cases, the 1% approach should be combined with other assessment such as how birds are using the project site in each season, and site characteristics such as habitat type in the years of survey. For example, this could include any cropping regimes that may impact its suitability to support SPA birds (see point 5 below for more detail).</p> <p>3. We welcome the clarifications around usage of the site by golden plover, shelduck, mallard and oystercatcher during the surveys conducted. We acknowledge that these represent low numbers, however, we cannot make a complete assessment of these figures until the pending information outlined above in NE1.2 is provided.</p> <p>4. In relation to lapwing numbers, it is stated that "During the 2021/22 season, over the 12 field surveys, numbers ranged from 0 to 211 birds, with an average count of 55." We note that the Applicant has applied a different approach to waterbird assemblage species, however, we would advise that the 1% rule of thumb (and other supporting assessment as detailed above in point 2) is also applied to waterbird assemblage species. We have provided this advice for other similar projects in the Yorkshire and northern Lincolnshire region. If the 1% rule of thumb is applied to the lapwing peak of 211, this would represent 1.38% of the 21/22 WeBS count and 1.32% of the 22/23 WeBS count for the Humber Estuary SPA.</p>	

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Reference	Theme	Issue Raised	Applicant's Response
		<p>This also represents 3.4% of the 22/23 WeBS count for Lower Derwent Ings (Lower Derwent Valley SPA/Ramsar). However, as in point 3 above, we cannot make a complete assessment of these figures until the pending information outlined above in NE1.2 is provided. The source of the 211 peak count should also be clarified in the additional assessment as this does not appear to align with the survey results; therefore, it is unclear if this represents a total across multiple survey days.</p> <p>5. In relation to cropping regime, we have previously advised that information on crop cover at the time of the bird surveys should be provided alongside the survey results. We noted that Appendix 8.2 now includes some of this information in Table 3.14. We advise that the HRA should consider this information in informing the assessment. This can include the typical cropping pattern of the site, based on historic and future cropping data, and indicate how frequently different crops are present during the wintering and passage periods (e.g. '5 in 10 years'). In particular, the assessment should indicate how frequently short crop or bare ground (suitable for wading birds) and other crops such as winter wheat (suitable for geese) are present, to inform how the site functions as feeding or roosting areas for different SPA bird species. The inclusion of this information will help inform whether the single year of surveys undertaken is representative of the annual habitat type, and the feeding potential of the site.</p>	
NE-02		<p>Noise and visual disturbance during construction to potential FLL for the relevant qualifying bird features of the listed SPA/Ramsar sites – 'Amber' Risk.</p> <p>We note and welcome that REP1-004 and PDA-004 state in NE-02 that further assessment of construction noise and disturbance along</p>	As discussed in response to NE-01.1.

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Reference	Theme	Issue Raised	Applicant's Response
		<p>grid corridor to field 339 will be carried out. We will update our advice when this information is provided.</p> <p>As stated in RR-068, we still consider that indirect disturbance impacts could be possible, depending on the outcome of the further assessment around FLL pending above in NE1.2 and NE1.3. Depending on the outcome of this, this could include other areas other than field 339, and further assessment would then be required of impacts on these areas.</p> <p>We continue to advise that any further noise/visual disturbance assessment could incorporate information already provided, such as discussion of screening already present around the development site. We would also continue to advise that any additional required noise assessment should provide predicted noise levels during construction; and be compared to the background levels present.</p>	
NE-03		<p>Operational impacts (visual disturbance) to any adjacent FLL for the relevant qualifying bird features of the listed SPA / Ramsar sites – ‘Amber’ Risk.</p> <p>We note and welcome that REP1-004 and PDA-004 state in NE-03 includes a statement that further glint and glare justification will be provided at a future deadline. We will update our advice when this information is provided.</p>	As discussed in response to NE-01.1.
NE-04	<p>International Designated Sites</p> <p>All relevant international designated sites</p>	<p>Potential air quality impacts from construction traffic on international designated sites – ‘Amber’ Risk.</p> <p>We note the Applicant's position in REP1-004, and PDA-004 (NE-04), that the air quality assessment information will be provided in an updated HRA at a future deadline. We will advise further after submission of this information.</p>	As discussed in response to NE-01.1.

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Reference	Theme	Issue Raised	Applicant's Response
NE-08	<p>International Designated Sites</p> <p>In-combination impacts on all relevant international designated sites</p>	<p>Potential in-combination impacts on all relevant international designated sites – ‘Amber’ Risk.</p> <p>We note and welcome that the Applicant states in NE-08 of REP1-004 and PDA-004 that an updated cumulative assessment with consideration of East Yorkshire Solar Farm and will be provided at a future deadline. We will advise further after submission of this information.</p> <p>We also continue to advise (as in RR-068) that for all internationally designated sites for which impacts have been screened out alone, there has been no subsequent assessment of potential in-combination impacts at the screening stage in Table 8.12 of Chapter 8 of the ES (please also refer to note NE9 in relation to how information has been presented between the ES and the HRA). We would advise this is provided.</p>	As discussed in response to NE-01.1.
NE-09	<p>International Designated Sites</p> <p>All relevant international designated sites</p>	<p>General advice on HRA procedure for the project – ‘Grey’ Risk.</p> <p>We note that the HRA focuses predominantly on screening for impacts on the Lower Derwent Valley SPA/Ramsar and the Humber Estuary SPA/Ramsar and draws on detail from Table 8.12 in Chapter 8 of the ES for other internationally designated sites. We note however, that the HRA does not provide the detail around why LSE can be ruled out for the listed sites. We note that there is some detail present in Table 8.12 of Chapter 8 of the ES, and we would advise that any relevant detail from this table is included in the final HRA, so that all information used to inform the HRA is in one location.</p>	As discussed in response to NE-01.1.
NE-10	<p>Nationally Designated Sites</p> <p>All relevant</p>	<p>Potential air quality impacts from construction traffic on nationally designated sites – ‘Amber’ Risk.</p>	As discussed in response to NE-01.1.

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Reference	Theme	Issue Raised	Applicant's Response
	nationally designated sites	We note the Applicant's position in REP1-004, and PDA-004 (NE-10), that the air quality assessment information will be provided at a future deadline. We will advise further after submission of this information.	
NE-11	<p>Nationally Designated Sites</p> <p>Humber Estuary SSSI</p>	<p>Potential impacts on the Humber Estuary SSSI – ‘Amber’ Risk.</p> <p>As stated in RR-068, our advice regarding Humber Estuary SSSI broadly coincides with advice set out above for Humber Estuary SPA/Ramsar. We noted however that the SSSI is designated for additional features, and that potential impacts on these features should also be considered in the relevant assessment and appropriate justification provided where impacts are ruled out.</p> <p>We note that the Applicant states in NE-11 of REP1-004 and PDA-004 that further consideration will be provided, however, this states that this will be for the SPA/Ramsar site and not the SSSI. We would advise clarification is provided around whether the features of the SSSI are due to be assessed also.</p>	As discussed in response to NE-01.1.
NE-12	<p>Nationally Designated Sites</p> <p>Derwent Ings SSSI</p> <p>Melbourne & Thornton Ings SSSI</p> <p>Brighton Meadows SSSI</p>	<p>Potential impacts on the Derwent Ings, Melbourne & Thornton Ings and Brighton Meadows SSSI – ‘Amber’ Risk.</p> <p>As stated in RR-068, our advice regarding Derwent Ings SSSI, Melbourne & Thornton Ings SSSI, and Brighton Meadows SSSI broadly coincides with advice set out above for Lower Derwent Valley SPA/Ramsar. We noted however that these SSSI's are designated for additional features, and that potential impacts on these features should also be considered in the relevant assessment and appropriate justification provided where impacts are ruled out.</p> <p>We note and welcome that the Applicant states in NE-12 of REP1-004 and PDA-004 that further consideration will be provided around Derwent Ings, Melbourne & Thornton Ings and Brighton Meadows</p>	As discussed in response to NE-01.1.

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Reference	Theme	Issue Raised	Applicant's Response
		SSSIs at a future deadline. We will advise further after submission of this information.	
NE-13	<p>Nationally Designated Sites</p> <p>Eskamhon Meadows SSSI</p>	<p>Potential impacts on the Eskamhorn Meadows SSSI – ‘Amber’ Risk.</p> <p>We note the Applicant's position in REP1-004, and PDA-004 (NE-13), that the air quality assessment information will be provided at a future deadline. We will advise further after submission of this information.</p>	As discussed in response to NE-01.1.
NE-14 (Page 7 in Natural England's Written Representations)	<p>Nationally Designated Sites</p> <p>Thorne, Crowle & Goole Moors SSSI</p> <p>Hatfield Moors SSSI</p>	<p>‘Green’ Risk</p> <p>Natural England is satisfied that ‘green’ and ‘yellow’ issues are unlikely to result in adverse effects on the integrity (AEoI) of the above designated sites, subject always to the appropriate mitigation / compensation as outlined in the application documents being secured adequately. Please find a summary of each ‘green’ or ‘yellow’ issue below, and refer to RR-068 for further details:</p> <ul style="list-style-type: none"> • Impacts on the breeding nightjar feature of both Thorne, Crowle & Goole Moors SSSI and Hatfield Moors SSSI (‘green’) [NE14] 	The Applicant welcomes this comment. The SoCG with Natural England will be updated to reflect this point of agreement.
NE-15 (Page 7 in Natural England's Written Representations)	<p>Nationally Designated Sites</p> <p>River Derwent SSSI</p>	<p>‘Yellow’ Risk</p> <p>Natural England is satisfied that ‘green’ and ‘yellow’ issues are unlikely to result in adverse effects on the integrity (AEoI) of the above designated sites, subject always to the appropriate mitigation / compensation as outlined in the application documents being secured adequately. Please find a summary of each ‘green’ or ‘yellow’ issue below, and refer to RR-068 for further details:</p> <ul style="list-style-type: none"> • Impacts on the interest features of River Derwent SSSI (‘yellow’) [NE15] 	The Applicant welcomes this comment. The SoCG with Natural England will be updated to reflect this point of agreement.

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Reference	Theme	Issue Raised	Applicant's Response
NE-17	Soils and BMV Agricultural Land	<p>Soils and best and most versatile agricultural land – ‘Green’</p> <p>Based on the additional clarifications provided in REP1-004 and PDA-004, we have no further comments to make in relation to soils and BMV agricultural land.</p> <p>The final Soil Management Plan (SMP) must be secured in the DCO.</p>	<p>The Applicant welcomes this comment and confirms that the Soil Resource and Management Plan is secured by Requirement 8. The SoCG with Natural England will be updated to reflect this point of agreement.</p>
PART III: Natural England's detailed comments on the Development Consent Order (DCO) and associated documents – Table 2			
General comment	General comment	<p>‘Amber’ Risk</p> <p>Please note that depending on the outcome of the ‘amber’ issues in Table 1 as the Examination progresses, Natural England may have further comments to make on the draft DCO that are no currently included here.</p>	<p>Noted, the Applicant is committed to resolving these issues with Natural England and following the issue of updated documents and a meeting with Natural England, is awaiting further comments and will aim to reach agreement through the SoCG (response to NE-01.1).</p>
Schedule 2, Part 1, Requirement 8 (Page 39)	Development Consent Order	<p>‘Green’ Risk</p> <p>Natural England consider this an essential requirement. We agree the comments we previously made in regard to the Soil Management Plan are now resolved.</p>	<p>The Applicant welcomes this comment. The SoCG with Natural England will be updated to reflect this point of agreement.</p>
Schedule 2, Part 1, Requirements 4, 7, 5, 10 (Pages 38-40)	Development Consent Order	<p>‘Green’ Risk</p> <p>It is noted in PDA-004 that “Measures to prevent impacts to protected species will be implemented through the CEMP, OEMP, DEMP and LEMP, which are secured via DCO requirements 4, 7, 5 and 10 respectively, as set out in the dDCO [AS-007].” We can confirm we have no further comments in relation to this.</p>	<p>The Applicant welcomes this comment. The SoCG with Natural England will be updated to reflect this point of agreement.</p>

2.6. Network Rail Infrastructure Limited

Table 2.6 – Network Rail Infrastructure Limited

Reference	Theme	Issue Raised	Applicant's Response
NR-01	Draft DCO	<p>Further to Network Rail Infrastructure Limited's (Network Rail/NR) relevant representation submitted on 27 September 2024 (Relevant Representation), Network Rail wishes to make this written representation in relation to Enso Green Holdings D Limited's (the Promoter) application (Application) for The Helios Renewable Energy Project Order 202[] (DCO). The draft DCO submitted with the Application includes provisions which would, if granted, authorise the Promoter to exercise powers to compulsorily extinguish the following rights held for the benefit of Network Rail (as set out in the Relevant Representation (Document Reference: RR-272)):</p> <ol style="list-style-type: none"> 1. Right of entry relating to maintaining works and fences as contained in a Conveyance dated 27 June 1969 for the benefit of unknown land (plot 55); 2. Right of entry relating to maintaining works and fences as contained in a Conveyance dated 27 June 1969 for the benefit of unknown land (plot 56); 3. Right of entry relating to maintaining works and fences as contained in a Conveyance dated 27 June 1969 for the benefit of unknown land (plot 57); 4. Restrictive covenant to not interfere with or damage electric lines and to not place or deposit anything and restrictive covenants relating to construction, earthworks, laying of concrete and planting of vegetation as contained in a Deed dated 4 February 2010 and varied in a Deed of Rectification dated 15 April 2010 (plot 59); 5. Personal covenant to maintain culverts, level crossings, lineside fences and other works as contained in a Conveyance dated 23 June 1969 (plot 61); 6. Right of entry relating to inspecting, maintaining and repairing works and fences as contained in a Conveyance dated 27 June 1969 (plot 61). 	<p>The Applicant does not dispute the existence of the rights as set out by Network Rail within the Order Limits but has confirmed to NR that it has no intention of extinguishing these rights and is in discussion with Network Rail in respect of resolving this concern.</p>

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Reference	Theme	Issue Raised	Applicant's Response
		<p>7. Network Rail has also identified the following further right in the Book of Reference which is not referenced in the Relevant Representation and may, through the exercise of powers in the draft DCO, be extinguished by the Promoter: "Right of entry relating to maintaining works and fences as contained in a Conveyance dated 27 June 1969 for the benefit of unknown land" (plot 59), (together the Rights).</p>	
NR-02	Protective Provisions	<p>Network Rail is in discussions with the Promoter as to the preservation of the Rights and the Promoter has confirmed that it does not intend to extinguish any of the Rights. In order to be in a position to withdraw its objection, Network Rail will require:</p> <p>suitable protective provisions to be included within the DCO to ensure that the Promoter is obliged to preserve the Rights and is restricted from exercising compulsory acquisition powers under the DCO which would have the effect of extinguishing the Rights;</p> <p>a private agreement to be entered into with the Promoter obliging the Promoter to preserve the Rights. Network Rail and the Promoter are in discussions as to the requirements set out above and hope to reach agreement in order to facilitate the withdrawal of Network Rail's objection. As the current draft DCO does not contain any restriction on the Promoter from extinguishing the Rights as at the date of this Written Representation Network Rail continues to object to the making of the Order on the ground that the extinguishment of the Rights may compromise Network Rail's ability to maintain the safe and efficient operation of the railway network. Network Rail is hopeful that the parties will have reached agreement by Deadline 6 (9 April 2025) on these matters.</p>	<p>The Applicant is in discussions with Network Rail regarding the appropriate mechanism(s) to resolve their concerns. The Applicant is also hopeful that matters will be resolved by Deadline 6.</p>

2.7. The Woodland Trust

Table 2.7 – The Woodland Trust

Reference	Theme	Issue Raised	Applicant's Response
TWT-01	Overall position	The Woodland Trust holds concerns in relation to the impact of the proposals on veteran trees. Our concerns in particular relate to the potential for encroachment on root systems arising from insufficient buffering.	The Applicant's position is that there are no veteran or ancient trees within the Order Limits. This is confirmed by detailed surveys of the site undertaken by qualified and experienced ecologists and arboriculturists,
TWT-02	Ancient and Veteran Trees	<p>Ancient and veteran trees are irreplaceable habitats and afforded a high level of protection in planning policy. They possess unique features which provide a rich and diverse range of habitats, playing host to countless other species. In particular, many rare invertebrate, fungi and lichen species are dependent on the decaying wood provided by such trees</p> <p>1 Veteran trees are disproportionately valuable parts of the natural environment and where they occur outside of woods they are also particularly important for landscape connectivity.</p> <p>2 They are an essential part of our landscape and cultural heritage.</p> <p>The Government's 'Keepers of Time' policy stresses the importance of ancient and veteran trees: "Ancient and veteran trees are rich in biodiversity. They provide food, shelter and breeding sites to large numbers of species including birds, bats, fungi and insects, which are often restricted in their distribution. They can be found both inside and outside of woodlands."</p> <p>The National Planning Policy Framework (NPPF), paragraph 193, states: "When determining planning applications, local planning authorities should apply the following principles:- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and</p>	The Applicant agrees this is the national planning policy position with regard to ancient and veteran trees.

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Reference	Theme	Issue Raised	Applicant's Response
		<p>ancient or veteran trees) should be refused, unless there are wholly exceptional reasons⁷⁰ and a suitable compensation strategy exists;"</p> <p>Footnote 70 defines exceptional reasons as follows: "For example, infrastructure projects (including nationally significant infrastructure projects, orders under the Transport and Works Act and hybrid bills), where the public benefit would clearly outweigh the loss or deterioration of habitat."</p>	
TWT-03	Impact on Veteran Trees	<p>We note the Applicant's response (16th December 2024) to the concerns raised by the Woodland Trust in our Relevant Representation. We welcome clarification that there will be no modifications to Sandwith Lane and therefore the two ATI veteran oak trees ID 14482 and ID 14481 will be unaffected by the proposals. We note also the clarification that incorrect terminology was used to describe trees T255 and T278 as "borderline ancient" and that this description will be amended in an updated revision of the Arboricultural Impact Assessment to "borderline veteran". With regards to the assessment and classification of trees, the methodology used by the Applicant to determine the veteran status of trees on site is unclear. We acknowledge that government definitions do not provide precise, measurable parameters against which to easily recognise veteran trees. It is therefore important that the Applicant provides information to demonstrate how Natural England and Forestry Commission's standing advice, government's planning practice guidance (see below), and expert reference texts, have been taken into account in respect of the classification of veteran trees. We would recommend that the assessment is carried out by a veteran tree specialist, ideally accredited through VETcert - Arboricultural Association - VETcert (trees.org.uk). Planning Practice Guidance (PPG) for the 'Natural Environment', updated on 21st July 2019 and intended to clarify and interpret the NPPF, states: "Veteran trees may not be very old but exhibit decay features such as branch death or hollowing. Trees become ancient</p>	<p>The Applicant's position is that there are no veteran or ancient trees within the Order Limits. This is confirmed by the detailed surveys of the site undertaken by qualified and experienced ecologists and arboriculturists.</p>

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		<p>or veteran because of their age, size or condition. Not all of these three characteristics are needed to make a tree ancient or veteran as the characteristics will vary from species to species." Veteran features are not necessarily a product of tree age or size; they are also influenced by a tree's life or environment. A key function of the term 'veteran' is to capture trees that have exceptional habitat value as well as those with cultural and heritage value. The term is not a true ecological grouping and serves to help us identify trees important for biodiversity in their own right and as part of a wider assemblage; veteran trees are important for the accumulation of features that are unable to be replicated within our lifetime.</p>	
TWT-04	Mitigation	<p>We note the Applicant's response that "the specific details of works around individual trees will be the subject of LPA consent through the Detailed Design Approval process as part of Requirement 3 of the dDCO". As part of this process we would expect the Applicant to take into account Paragraph 5.2.4 of BS 5837 guidelines, which states: "particular care is needed regarding the retention of large, mature, over-mature or veteran trees which become enclosed within the new development" and that "adequate space should be allowed for their long-term physical retention and future maintenance". Importantly, whilst BS 5837 guidelines state that trees should have a root protection area of 12 times the stem diameter (capped at 15m), the guidelines recognise that veteran trees need particular care to ensure adequate space is allowed for their long-term retention. Natural England and Forestry Commission's standing advice³ states the following with regards to root protection areas/buffer zones: "For ancient or veteran trees (including those on the woodland boundary), the buffer zone should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5 metres from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. This will create a minimum root protection area. Where assessment shows other</p>	<p>The Applicant is aware of and understands the recommendations set out in the Standing Advice produced by Natural England and the Forestry Commission, and that the Standing Advice advises buffer zones (that extend beyond Root Protection Areas), are one tool that can be used to assist in avoiding impacts on ancient or veteran trees.</p> <p>The Applicant has confirmed that specific details of works around individual trees will be the subject of LPA consent through the Detailed Design Approval process as part of Requirement 3 of the dDCO [AS-007]. Whilst it is the Applicant's position that there are no ancient or veteran trees on site, should this change then appropriate buffers in line with the Standing Advice, that ensure compliance with the NPPF, can be applied and respected.</p>

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		impacts are likely to extend beyond this distance, the proposal is likely to need a larger buffer zone.”	
TWT-05	Design response	As the design progresses, the Applicant should provide additional information on the methodology and approach used to identify and classify veteran trees so that the Examining Authority and the Local Planning Authority can be assured that all veteran trees on site have been provided with appropriate mitigation and protection.	The Applicant has provided detail on the assessment undertaken and its position is that there are no veteran or ancient trees within the Order Limits.

3. The Applicant’s Responses to Public Written Representations

Table 3.1 – The Applicant’s Responses to Written Representations provided at Deadline 2 – Public

PINS Reference	Written Representation	Applicant’s Response
REP2-042	I am objecting to the methodology and extreme language used in this project as being too legal and complex in nature. However I am concerned that the fire precautions of the battery storage units have not been evaluated and are too close to human habitation. I also need to note that there have not been control or agreement to costs of the electricity produced by the Helios project and this should have been controlled for the good of the uk population. Please send this comment to other sections of the inspection if not appropriate to this section.	The Applicant has addressed the concerns raised here in the Responses to Relevant Representations [REP1-004] Section 3.17.
REP2-045	I fear the proposed development will ruin the agricultural land for no good reason. Solar panels should be on roof tops. The wildlife will be murdered and the landscape ruined. Local people will suffer from the ruination of their local area, the construction itself devastates the area, the visual impact and noise will affect residents physical and mental health.	The Applicant has addressed the concerns raised herein the Responses to Relevant Representations [REP1-004] : <ul style="list-style-type: none"> • Agricultural Land (Section 3.2) • Alternatives (Section 3.4) • Biodiversity (Section 3.5) • Visual Impact (Section 3.13) • Construction Noise Impact (Section 3.14) • Health and Wellbeing (Section 3.18)
REP2-046	This letter expands on the issues raised in my submission of 6 September 2024. Whilst acknowledging the need for more renewable energy, the planning system should seek to balance that against potential adverse impacts. However, recent decisions by the Secretary of State Ed Milliband risk tilting things in favour of a solar farm free-for-all. It appears the last remaining serious material considerations against solar farm developments are projects involving (a) the excessive use of BMV land, and (b) cumulative impacts when in proximity to other energy generating infrastructure. The Helios application should be rejected on both grounds. The	The National Planning Policy Framework December 2024 (“the NPPF”) at paragraph 6 states that ‘ <i>Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements</i> ’. However, the Applicant does not consider the quoted Written Ministerial Statement from Eric Pickles to be relevant to the Proposed Development

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	<p>previous government's policy towards solar energy was summed up in 2013 by Energy minister Greg Barker, in a speech to the solar PV industry: <i>“Solar is a genuinely exciting energy of the future, it is coming of age and we want to see a lot, lot more. But not at any cost... not in any place... not if it rides roughshod over the views of local communities.”</i> (my added emphasis). Mr Miliband now seems quite determined to 'ride roughshod' over the views of local communities, but consent for Helios would be confirmation that solar farms are also now welcomed in any place and at any cost. In short, all planning constraints would be removed.</p> <p><u>Use of BMV land</u></p> <p>Helios uses 393.8 Ha of agricultural land, all but 2.7% of which is BMV, according to the applicant's ALC report (PINS Ref: EN010140/APP/6.3.14.1). In a 2015 written ministerial statement (which is still valid for planning matters I believe) Eric Pickles, then Communities Secretary, said: <i>“We are encouraged by the impact the guidance [on the UK's solar photovoltaic strategy] is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence.”</i> Para 2.10.29 of the NPPS for Renewable Energy Infrastructure (EN-3) says: <i>“While land type should not be a predominating factor in determining the suitability of the site location applicants should, where possible, utilise suitable previously developed land (PDL), brownfield land, contaminated land and industrial land. Where the proposed use of any agricultural land has been shown to be necessary, poorer quality land should be preferred to higher quality land avoiding the use of “Best and Most Versatile” agricultural land where possible.”</i> The latest guidance from a Commons Research Briefing says: <i>“Whilst the development of ground mounted solar arrays is not prohibited on sites of agricultural land classified 1, 2 and 3a, or designated for their natural beauty, or recognised for ecological or archaeological importance, the impacts of such are expected to be considered and are discussed under</i></p>	<p>as it does not reflect the current position of the government regarding agricultural land. It has been superseded by the National Policy Statements EN1 and EN3 and the written ministerial statement of Claire Coutinho the Secretary of State for Energy Security and Net Zero in May 2024.</p> <p>The Applicant has addressed the concerns raised regarding the use of agricultural land and the consideration of alternatives in the Responses to Relevant Representations [REP1-004] Sections 3.2 and 3.4 respectively.</p>

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	<p><i>paragraphs 2.50 and 2.53. It is recognised that at this scale, it is likely that applicants’ developments may use some agricultural land, however applicants should explain their choice of site, noting the preference for development to be on brownfield and non-agricultural land.”</i> The applicant provides a narrative in Chapter 4 Alternatives and Design Evolution, (PINS Ref: EN010140/APP/6.1.4) without offering any 'compelling evidence' for the use of virtually all (not some, note) BMV land or even an explanation of their choice. The main driver behind the site's location appears to be the proximity of a suitable grid connection and the applicants self-imposed 5Km distance, nothing more. BMV land should be used as a last resort after exhausting other potentially available and more preferred land types, as EN-3 suggests, and of which Selby has an excess.</p>	
	<p><u>Cumulative impact</u></p> <p>The site's proximity to Drax is, in my opinion, a compelling reason for NOT approving the project precisely because of the cumulative impacts set out in National Policy Statement for Renewable Energy Infrastructure3 (EN-3) paragraph 2.10.26: Where a site is based on “nearby available grid export capacity” as this one is, the applicants should: “... <i>consider the cumulative impacts [plural, note] of situating a solar farm in proximity to other energy generating stations and infrastructure.</i>” The authors of EN-3 clearly recognised that the limited number of suitable high-voltage grid connections would inevitably lead to many projects being tightly clustered around certain locations – like Drax – and expressly say the impact of many projects in one location should be 'considered'. The applicant lists a number of schemes (PINS Ref: EN010140/APP/6.3.15), 13 of which are definitely “energy generating” of one type or another, that are extant, under construction, recently approved or in the process of being determined. Note also the list doesn't actually include Drax Power Station itself, the UK's largest renewable energy source. Since then, nine (9) further applications have been submitted for well over 700MW of solar farms in the Selby district alone, demonstrating the cursory nature</p>	<p>As set out in Chapter 15.1 Cumulative Effects [APP-035] and in line with Advice Note Seventeen: Cumulative Effects Assessment Relevant to Nationally Significant Infrastructure Projects, as issued by the Planning Inspectorate, a long and short list were provided to PINS and NYC for agreement via the Scoping Report (Appendix 2.1 [APP-111]), and an updated list provided in a letter to NYC in May 2023 (which was used to inform the assessment of cumulative effects undertaken in the PEIR). An updated list was provided in a letter to NYC in January 2024 to inform the assessment of cumulative effects undertaken for the ES; these letters are provided at Appendix 15.1 [APP-175] and Appendix 15.2 [APP-176] (“the Letters”) respectively, No response was received from NYC on either occasion and as such the Applicant</p>

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	<p>of the applicants search for alternative sites. The vast majority are on lower grade agricultural land and, as far as I know, none of the sites were identified for development in the Selby 2013 Core Strategy or the latest draft Local Plan These are to North Yorks CC:</p> <ul style="list-style-type: none"> • Quintas Cleantech: 49MW solar farm (SF) plus a 10MW battery storage system (BESS) on 58.9 Ha of farmland East of Broad Lane Cawood (NY Ref: ZG2024/1324/SCN). • Quintas Cleantech: 30MW plus a 10MW BESS on 55 Ha of farmland either side of the A163 Market Weighton Road at Barlby (NY Ref: ZG2024/1323/SCN). • Greenergy Renewables: Solar farm and associated BESS infrastructure on 38 Ha of farmland (93% BMV) at Port Jackson Farm, off Selby Road, Camblesforth (NY Ref: ZG2024/1074/SCN). • Ivegate: 10MW on 13.97 Ha of land off Weeland Road Knottingley (NY Ref: ZG2024/0936/FULM). • Pegasus Group: 49MW and co-located BESS on 87 Ha of BMV agricultural land at Scalm Park Wistow (NY Ref: ZG2024/0605/SCN). • ABEI Energy: 13.3MW on 17.5 Ha of land to the Southeast of Little Fenton on Sweeming Lane, Little Fenton (NY Ref: ZG2024/0579/SCN). • Noventum Power: 49MW together with ancillary development on 62 Ha of agricultural land near Hillam Grange, Austfield Lane Hillam (NY Ref: ZG2023/1271/FULM). • One Planet Developments: Solar farm together with associated infrastructure on 24.78ha of farmland at Nordens Barn Farm, Common Lane South Milford (NY Ref: G2023/0481/SCN). <p>Additionally, two projects above 50MW have been submitted to NSIP:</p>	<p>proceeded with the list set out in the Letters. The shortlist of schemes for cumulative effects assessment was assessed in the ES and Chapter 15.1 and was kept under review until submission of the planning application.</p> <p>With regard to cumulative schemes, the EIA can only assess schemes which are reasonably foreseeable or include sufficient information (i.e. planning applications have been submitted or received planning permission), the EIA cannot consider the impact of schemes submitted after the planning application has been submitted and it is the onus is on subsequent planning applications to, as relevant, consider cumulative effects in-combination with the Helios Renewable Energy Project.</p> <p>In relation to the two Nationally Significant Infrastructure Projects schemes identified in the Written Representation (EN0110012 Light Valley Solar Limited and EN0110002 Mylen Leah Solar Limited) both schemes are at the pre-application stage and no application has been submitted, therefore these were not considered as cumulative schemes. Both projects submitted Scoping Reports to the Secretary of State (after the submission of Helios Renewable Energy Project application in July 2024). The Scoping Report associated with Light Valley (submitted in November 2024) identifies the Helios Renewable Energy Project as a cumulative</p>

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	<ul style="list-style-type: none"> • Light Valley Solar for a 500MW array on 1,066 Ha of agricultural land near Monk Fryston using a grid connection at Monk Fryston sub-station. • Mylen Leah Solar for a 500MW array and BESS on 1,100 Ha near Holme on Spalding Moor connected to the Thornton Greener Grid Park substation. <p>I note that we have yet to see a single solar PV project refused on any grounds, and as things stand, nor do I expect to. Other rural landowners in the district will I am sure want to take advantage of having a guaranteed income of £700-£1000 per acre, per year and the steady flow of applications can only increase. There is obviously no shortage of better, smaller projects or poorer quality, easily available, agricultural land, and therefore no reason at all for Helios to use much needed BMV land. Camblesforth will soon have energy generating infrastructure to the north, south and east, all close to the village boundary. Helios to the west would close a ring around the community. I daresay there is nowhere in England surrounded by more and more different types of "energy generating stations and infrastructure" or at a higher density. Helios uses no PDL, brownfield, contaminated or industrial land as suggested by EN-3 and virtually zero low grade agricultural land. I don't believe this is what the planning authorities intended, and certainly not in an area already overwhelmed with energy infrastructure. If Helios is approved it is hard to see what would prevent any solar farm of any capacity being approved in any rural area in England and on any agricultural land classification however productive and valuable it is, and notwithstanding the amount of existing energy infrastructure already in place. There is a growing presumption that approval will automatically follow any solar farm application which risks fuelling the kind of free-for-all that we are already starting to see. There has to be some reasonable limit to what is acceptable.</p>	<p>(long list) to be considered in the EIA. The Scoping Report for Mylen Leah Solar (submitted in January 2025) does not include a list of schemes, however due to its location it is anticipated that the Helios Renewable Energy Project will have to be considered as a cumulative scheme by that project.</p> <p>Regarding the eight cumulative schemes identified within North Yorkshire Council's jurisdiction, five of the identified schemes (ZG2024/1324/SCN, ZG2024/1323/SCN, ZG2024/1074/SCN, ZG2024/0936/FULM and ZG2024/0605/SCN superseded by ZG2024/1129/FULM) were submitted after the Helios Renewable Energy Project application and therefore could not be considered in the cumulative effects assessment. Rather, as relevant, these schemes and any future planning applications should consider the Helios Renewable Energy Project as a cumulative scheme in their assessments. Of the three remaining schemes, two (ZG2024/0579/SCN and G2023/0481/SCN) have secured Screening Opinions prior to the submission of the Proposed Development; however, no subsequent planning applications have been lodged. As such, these schemes were scoped out of the cumulative assessment due to insufficient information being available for evaluation. The final remaining scheme (ZG2023/1271/FULM) was considered in the long list (as set out in Appendix 15.2 Cumulative</p>

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		<p>Schemes Letter to NYC January 2024 [APP-176]) however was scoped out of the short list due to the low height of the development, intervening highways and other built development between that project and the Site.</p> <p>Compliance with EN-3 and the other National Policy Statements is illustrated in the National Policy Statement Accordance Tables [REP2-024 - REP2-026].</p>
	<p><u>The applicant</u></p> <p>Finally, Enso Green Holdings D Ltd is merely a front for Macquarie Group Services Australia PTY Ltd, a venture capitalist business known as the “Vampire Kangaroo” with a questionable record of public utility ownership. In 2017 for example, while paying little or no UK tax, Macquarie left Thames Water suffering under a £10.5bn debt mountain after extracting £2.8bn in dividends and loan interest. Thames Water is now close to collapse. Macquarie are unlikely to put social responsibility above profits. I would be extremely wary of any assurances provided by EGHD about complying with any planning conditions, and if you decide to recommend approval, I urge you to be similarly sceptical.</p>	<p>The Funding Statement [AS-012] contains information about the Applicant and how the Proposed Development will be funded.</p>
REP2-047	<p><u>Statement of Disagreement: Helios Solar Application – Selby</u></p> <p>I am writing to formally express my objection to the Helios application for the proposed solar farm in Selby. While I recognize the importance of renewable energy in addressing climate change, this proposal raises significant concerns that outweigh its purported benefits.</p> <p>Use of BMV (Best and Most Versatile) Agricultural Land: The proposed site is classified as BMV land, which represents high-quality, versatile farmland critical for</p>	<p>The Applicant has addressed the concerns raised in this Written Representation in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Agricultural Land (Section 3.2) • Cumulative Impact (Section 3.9) • Public Rights of Way (Section 3.19) • Visual Impact (Section 3.13) • Construction Noise Impact (Section 3.14)

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	<p>sustainable agricultural production. Converting this land to a solar farm will irreversibly reduce its potential for food production, which is increasingly vital given current food security concerns. The government's planning guidelines emphasize the need to protect BMV land from non-agricultural uses, and this application conflicts with that principle.</p> <p>Cumulative Impact of Solar Farms in the Area: Selby and its surrounding areas are already experiencing significant pressure from existing and proposed solar farms. The cumulative visual and environmental impact of these developments cannot be understated. The industrialization of the rural landscape risks altering the character of the area, reducing its aesthetic and recreational value for residents and visitors alike.</p> <p>Rights of Way and Recreational Access: The proposed development risks obstructing or negatively impacting established rights of way, which are integral for public access to the countryside. Footpaths and bridleways in the area provide valuable recreational opportunities and support the physical and mental well-being of local residents. Any obstruction or degradation of these pathways would undermine their purpose and disrupt the enjoyment of the area by walkers, cyclists, and riders.</p> <p>Proximity to Housing: The proposed site is located in close proximity to residential areas, raising concerns about the impact on local communities. Residents may face issues such as noise and light pollution during construction and operation, as well as the long-term visual intrusion of the solar panels. This proximity could also negatively affect property values and quality of life for those living nearby.</p> <p>Concerns About Battery Storage and Fire Risk: The inclusion of battery storage systems in the proposed solar farm presents significant safety and environmental risks. Lithium-ion batteries are prone to thermal runaway, leading to fires that are difficult to extinguish and may release toxic chemicals. In the event of a fire, standard firefighting methods risk contaminating the soil and local water sources</p>	<ul style="list-style-type: none"> • Property Values (Section 3.18) • BESS Safety and Fire Risk (Section 3.17) • Biodiversity (Section 3.5) • Alternatives (Section 3.4) <p>With regards to light pollution, as set out in the outline Construction Environmental Management Plan (the 'oCEMP') [REP2-005], lighting will be limited to the construction compounds only, with temporary lighting at the grid connection works and all lighting would be designed to limit any impact on sensitive receptors by directing lighting downward (with luminaire tilts restricted to 0%) and away from the Site boundary and existing vegetation.</p> <p>With regards to tall trees, as set out in Paragraph 8.5.20 of ES Chapter 8 Biodiversity [APP-028], trees present within the Site will be retained and protected during construction. No veteran or ancient trees will be removed and tall trees will only be removed where it is necessary to do so as they are obstructing or interfering with construction, maintenance operation or decommissioning of the authorised development, constitute a danger to persons using the authorised development or obstruct or interfere with the passage of construction vehicles to the extent necessary for the construction of the authorised development as per Article 40 of the dDCO [AS-007])</p>

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	<p>with hazardous substances from the battery chemicals and firefighting materials. The application does not adequately address how such incidents would be managed without causing long-term damage to the ecological environment and the surrounding agricultural land. This is a critical omission that raises serious questions about the site's safety and the preparedness of emergency services to handle such events.</p> <p>Risk to Tall Trees Providing Windbreaks: Tall trees around the proposed site serve as vital windbreaks, protecting the land from soil erosion caused by strong winds. The removal or disruption of these trees as part of the development would increase the vulnerability of the land to erosion, particularly on exposed agricultural land. Soil erosion not only reduces land fertility but also contributes to runoff that can harm local watercourses and ecosystems. The application fails to adequately address how the integrity of these natural windbreaks will be preserved or mitigated.</p> <p>Environmental and Ecological Concerns: Large-scale solar farms can disrupt local ecosystems, including habitat loss for wildlife. The long-term effects on soil quality and drainage systems on BMV land are also concerns that have not been adequately addressed in the application.</p> <p>Alternatives for Renewable Energy Development: There are less impactful alternatives for solar developments, such as brownfield sites or rooftops, that do not require sacrificing valuable agricultural land or encroaching on residential areas. Prioritizing these options would balance renewable energy goals with the need to preserve our natural, agricultural, and community resources.</p> <p>In conclusion, while I support the transition to renewable energy, I strongly believe that the Helios application for a solar farm in Selby is not an appropriate use of the site. It would cause disproportionate harm to the local environment, agriculture, public access, and residential communities, while introducing significant safety risks with its battery storage systems and increasing the risk of soil erosion through the</p>	

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	<p>loss of critical windbreaks. I urge the planning committee to reject this application and instead consider more suitable alternatives for renewable energy development.</p>	
<p>REP2-048</p>	<p>98% of the proposed land for this solar farm is BMV land, highly fertile land is crucial for the country to grow its own food, every solar farm given permission on this productive land reduces our ability to do this. Low grade land should be found to put solar farms on, the proximity to Drax should not be a factor in siting this farm. This site is very close to the homes on West Bank, it is literally, planned to the ends of their gardens with no screening in place. The impact of this is vast, both for the wellbeing & mental health of the residents, the noise impact and the devaluation of property.</p> <p>I am highly concerned about the impact to wildlife, there are bats, barn owls, large birds of prey in the area. Bristol university did a study which stated there is a detrimental impact to Bats when solar farms are built. The siting of this solar farm would significantly impact the area changing it from rural to industrial. I am also concerned about the cumulative impact, there are already two solar farms approved in a the area, and a very large battery store.</p> <p>The proposed area is a flood risk area, not turning the soil will increase the flood risk, this will increase over time too. The area is very flat with no natural drainage, it is totally reliant on a network of dykes. Additional drainage & flood precautions would need to be put in place.</p> <p>Many of the traditional lanes in the area, such as Race Lane, Stockwith Lane, Bull Alley Lane, and Brick Lands lane are used regularly by walkers, Horse riders, cyclists, regularly means several times a day. The concern is these will become inaccessible, either through the Enso blocking them or just because they are unsafe during the building of the site. I have used them for 20 years and have neighbours & friends who have used them to horse ride on for over 50 years.</p>	<p>The Applicant has addressed the concerns raised in this Written Representation in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Agricultural Land (Section 3.2) • Biodiversity (Section 3.5) • Cumulative Impact (Section 3.9) • Flood Risk (Section 3.20) • Public Rights of Way (Section 3.19) • Socio-Economics (Section 3.18) • Construction Traffic Impact (Section 3.19) • BESS Safety and Fire Risk (Section 3.17) • Construction Noise Impact (Section 3.14) • Operational Noise Impact (Section 3.14) <p>With regards to the impact on nearby homes, ES Chapter 7 Landscape and Views [APP-027] assesses the impact of the Proposed Development on nearby visual receptors and concludes that the effects on visual receptors are minor/negligible – negligible (not significant), reducing following the establishment of planting. The Landscape Strategy Plan [APP-054] demonstrates that there will be screening in the form of existing trees and vegetation and additional proposed hedgerow trees between the southern portion of the Proposed Development and West Bank.</p>

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	<p>The noise close to these would make it dangerous riding horses along these tracks & there would need to be safety zones if machinery was coming for the horses to safely get out of the way.</p> <p>This scheme is offering no highly skilled or well paid jobs for the local communities, they have said the only jobs would be temporary or low skilled. So no benefit to the local communities to see a continual benefit.</p> <p>The roads in the area are not designed for high numbers of HGV traffic, there are lots of pets, children which I worry about, all the new houses have had a significant impact on the roads making them very busy, it is now difficult to exit [REDACTED] into Carlton, and the main road between Selby & Goole now has continuous traffic, the road has become too busy for the width of the road.</p> <p>The fire risk from the large number of battery storage facility is also a concern, there is already a large storage facility close to Drax. Over 100 containers is a huge site, with the prevailing west wind & the lack of provision if there is a fire, there is great concern about evacuation & impact to local residents.</p> <p>I am also very concerned about the noise, during construction it will be unbearable for residents, severely impacting our day to day lives. Then the ongoing noise from the site, both the high pitched hum from the solar to the noise from the battery storage facility which they have requested the acceptable levels are increased so they can achieve these.</p>	
REP2-050	<p>a) Why is the applicant choosing Drax for this site?</p> <p>When I asked this question at a meeting they held, I was informed by one of their representatives that it was close to Drax and therefore would cost less to set up. We are constantly being told by the Government, that we are required to import a large proportion of our food, as, we are not self sufficient. To allow this site to go ahead would remove 476 hectares of Prime agriculture land, 96% of which is Grade1 and 2. The war in Ukraine has shown us how quickly we can lose a source</p>	<p>The Applicant has addressed the concerns raised in this Written Representation in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Alternatives (Section 3.4) • Agricultural Land (Section 3.2) • Cumulative Impact (Section 3.9) • Health and Wellbeing (Section 3.18) • Noise Impact (Section 3.14)

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	<p>of our supply chain. Surely there are more than enough brown field sites and roofs that can be used. The amount of electricity that will be generated is minimal for half the year as we have seasonal cloud cover. I know this, as I have solar panels on my roof. Surely there are other areas in the country that have far more sunshine than we do.</p> <p>b) The cumulative impact on this rural area is massive. The village of Camblesforth will be completely surrounded. The residents will be living in an industrial estate. There are already two solar farms which are in the process of being built, along with an ash plant. We know we have lived with Drax at our back door for years but we have still been able to open our doors and see green fields and walk and live in quiet surroundings. Residents are able to wander the footpaths, children can play in the fields, ride, enjoy the wildlife. People's physical and mental health will suffer. People must count.</p> <p>c) Noise and light pollution both of which are known to cause physical and mental health problems. How does the applicant intend assuring us that these will be within the permitted limits. What do they intend doing to ensure the limits are not exceeded by the cumulative effect. The applicant stated that there had been no significant health effects to the population group identified. Of course they had not identified any effects, no research has been carried out. As this site will be one of the first of this size to be built.</p> <p>d) Battery storage, should there be a fire, our homes and village would be covered in toxic fumes within minutes due to the prevailing winds direction.</p> <p>e) Residents are already having problems selling homes and that is because of this proposal.</p> <p>f) What is going to be put in place to allow residents to access the main road from Camblesforth to Selby. It is a very busy road at present and people have problems coming on to the road. This will be a nightmare when heavy lorries block it should this scheme go ahead.</p>	<ul style="list-style-type: none"> • BESS Safety and Fire Risk (Section 3.17) • Property Values (Section 3.18) • Construction Traffic Impact (Section 3.19) <p>With regards to light pollution, as set out in the oCEMP [REP2-005], lighting will be limited to the construction compounds only, with temporary lighting at the grid connection works and all lighting would be designed to limit any impact on sensitive receptors by directing lighting downward (with luminaire tilts restricted to 0%) and away from the Site boundary and existing vegetation.</p> <p>As set out in the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-007], whist the Applicant has prepared indicative plans for the number of units that will be in operation, the exact numbers of solar panels and BESS units cannot be confirmed at this stage as technology may improve, changing requirements in terms of unit numbers and size. The indicative plans represent a worst case scenario for the purposes of the Environmental Impact Assessment in the ES. As set out in Paragraph 2.2.5, Figure 3.3 Indicative Design [APP-041] shows 76 battery container units, 38 inverter/transformers, one control room and one switch room within the Battery Energy Storage System (BESS) compound.</p>

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	g) How many panels and BESS containers will there be? What size are these? We are still waiting for the answers to these questions	
REP2-052	<p>1. ISSUE SPECIFIC HEARING 1 (ISH1)</p> <p>1.1 Location</p> <p>The Applicant has given the impression that Drax is the only viable option for siting this development. Surely this is incorrect? - There are other grid connections within the UK, that wouldn't have involved removing 476 hectares of land, 96% of which is Grade 1 and 2 agricultural land, and especially when added to the other solar farms approved or proposed in this area. - - There are less impactful alternatives such as brownfield sites and rooftops. There are also areas with more annual sunshine hours. Having solar panels on my property, I can say with absolute certainty that the electricity generated for over 6 months of the year is poor due to frequent seasonal cloud cover. The Applicant states in CPC-01 (Principle of Proposed Development) that the development "will provide a significant amount of low carbon electricity over its lifetime" - What do they class as significant? - - How does this compare with other parts of the country with more annual sunshine hours? What research has the Applicant carried out in relation to this factor? May we have sight of these source documents? We surely must weigh up the benefits of achieving renewable energy and the likely return especially against the devastating impact of industrializing the rural landscape and altering the character of the area, reducing its aesthetic and recreational value for residents/visitors. The cumulative impact of solar farms, battery stores and housing developments already approved and proposed in this area, and all at the same time, is going to have a significant impact on traffic road safety and volume, noise and disturbance.</p> <p>1.2 Use of Best and Most Versatile Land</p> <p>The Applicant gives the impression that it is unfortunate that the land designated (within a 5km circumference) happens to be Grade 1 and Grade 2 land. Surely convenience (or just because the land was offered for development) shouldn't</p>	<p>The Applicant has addressed the concerns raised in this Written Representation ("WR") in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Alternatives (Section 3.4) • Landscape (Section 3.13) • Cumulative Impact (Section 3.9) • Agricultural Land (Section 3.2) • Property Values (Section 3.18) <p>As set out in the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-007], whist the Applicant has prepared indicative plans for the number of units that will be in operation, the exact numbers of solar panels and BESS units cannot be confirmed at this stage as technology may improve, changing requirements in terms of unit numbers and size. The indicative plans represent a worst case scenario for the purposes of the Environmental Impact Assessment in the ES. As set out in Paragraph 2.2.5, Figure 3.3 Indicative Design [APP-041] shows 76 battery container units, 38 inverter/transformers, one control room and one switch room within the Battery Energy Storage System (BESS) compound.</p> <p>The Applicant notes that this WR contains several questions regarding the noise output of elements of</p>

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	<p>override every other factor especially when the negative cumulative impact is so huge and far reaching? In justifying its position, the Applicant has previously referred to the Environmental Statement (chapter 14 Soil and Agricultural Land [APP-034] paragraph 14.5.85) that the Government Statement (Food supply & Food Security, Defra) at the end of 2022 confirmed “there are no food security concerns at the present time” Surely the operative words are “present time”? Since 2022, there have been a vast number of ongoing and proposed solar farms across the country, especially in Yorkshire, that are replacing our high-quality agricultural land and raising national concern as to food security. We currently import 46% of the UK’s food and sacrificing farmland for solar farms is a short-sighted approach, particularly given the increasing uncertainties of worldwide supply routes. This surely demonstrates that agricultural land is more valuable than ever, considering demand for sustainable food production, coupled with climate pressures? It should be noted that the country was perilously close to power blackouts last Wednesday (08/01/25) as the cold weather increased predictable demand, wind farms were becalmed with minimal returns from solar farms, obviously producing nothing after sunset. As a result, the energy companies were forced to pay inflated prices from abroad with wholesale prices spiking at £1352 per mW hour, TWENTY times the average cost. Also, on the 10/01/25 the energy company, Centrica, frighteningly revealed that the country had less than ONE weeks supply of gas demand currently in storage. The massive expansion of, and a proportionate future reliance on, wind and solar, of which Helios is just one supplier, means the country will not survive the cold, windless, sunless weather conditions we have, especially in Yorkshire. Losing invaluable farmland to a renewable energy that is so unreliable is not viable and is economically, ethically and morally wrong. NB British farmland also plays a key role in carbon sequestration, biodiversity, and flood prevention— ecosystem services that are critical in the fight against climate change. Covering these areas with solar panels risks disrupting these essential benefits, creating unintended environmental consequences.</p>	<p>the Proposed Development. The noise impact of the Proposed Development is assessed in ES Chapter 11 Noise and Vibration [APP-031], which concludes that following the implementation of embedded mitigation and measures to be adopted, the Proposed Development will have a negligible effect (not significant) in terms of noise and vibration in the construction, operation and decommissioning phases. The Local Impact Report from North Yorkshire Council [REP2-034] confirms that the Authority is satisfied that the requested safeguards are in place.</p> <p>Community benefit packages containing financial contributions are not a material consideration when determining planning applications as confirmed by R. (on the application of Wright) v Resilient Energy Severdale Ltd [2019] 1 W.L.R. 6562. The Applicant is committed to providing a community benefit package but this will be progressed after the DCO application has been determined. The benefits which are material planning considerations are set out in section 6 of the Planning Statement [APP-228]. These benefits include, but are not limited to, providing a reliable energy output, increasing renewable energy generation as per the critical national priority for the provision of nationally significant low carbon infrastructure, contributing positively to the Gross Value Added (GVA) in North Yorkshire, generating indirect employment</p>

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	<p>1.3 Tracking Solar Panels</p> <p>Hopefully from questions raised prior to Deadline 1, the Applicant will have confirmed the number of solar panels proposed. Also in response to my question, the Applicant will have provided details of the locations where identical panels of the size and nature and of similar numbers are used (especially as they have stated they are "widely used across the UK"). Cirencester was put forward as an example at the Hearing, which is a much smaller development and not comparable. Please can the Applicant now confirm the following: • How many string inverters are proposed which feed into the power transformers? • What is the level of noise in dBs, from each converter and from each solar panel? • What would be the cumulative dB measurement of noise levels emitted from the site as a whole? A string inverter can generate a sound pressure level of 74dB at 1m, which is not noisy in itself but when there are hundreds of inverters, coupled with the transformer units, it can rise to a significant level of noise • Will these levels be within the permitted limits for residential areas of 45dB at night and 55dB for daytime? • What measures are proposed to mitigate the potential problems arising from noise? NB Research into the long-term effects of noise pollution from solar farms is still in its infancy, so please can the Applicant avoid stating that there is no research to support that there is a problem! The constant hum from inverters and transformers, especially in quiet rural areas, can be particularly noticeable and consequently a nuisance. Ongoing studies are likely to provide more insights in the coming years and we must ensure at this stage that our local population is not going to be subjected to unacceptable disturbances, especially mindful of the number of BESS's proposed too, so that we retain the peace and tranquillity of this rural community.</p> <p>1.4 Battery Energy Storage Systems (BESS)</p> <p>In my submission to meet deadline 1, I asked the question "Please can the Applicant confirm the maximum number of shipping container sized BESSs they are proposing?" If this number has now been provided by the Applicant I would like to</p>	<p>opportunities, opportunities for farm diversification, and offering significant habitat enhancement measures that deliver a quantifiable biodiversity benefit.</p>

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	<p>ask: • What is the level of noise in dBs from each BESS? • What would be the cumulative dB noise levels emitted from the whole site? • Will these levels be within the permitted limits for residential areas of 45dB at night and 55dB for daytime, especially as there are properties close by? • What measures are proposed to mitigate the potential problems arising from noise? It is concerning that the Applicant has previously stated that it is not possible to declare as low as reasonably practicable (ALARP), a fundamental concept in UK Health & Safety law, in terms of weighing up a risk against the trouble, time and money needed to control it. Does this demonstrate that the Applicant does not want to go to the time, trouble or expense of meeting legal requirements that exist to mitigate against excessive noise pollution which otherwise would cause serious harm to the health, safety and wellbeing of those living within the vicinity?</p> <p>2. RESPONSE TO THE APPLICANTS WRITTEN SUBMISSIONS</p> <p>2.1 Property Prices</p> <p>The Applicants response (KM-01 page 92) is “there is no empirical evidence to suggest that the presence of solar farms affect nearby property prices” and “in any event is not a material planning consideration”. Firstly, research into the impact on house prices close to solar farms is still in its infancy but common-sense dictates that transforming your vicinity from a tranquil and peaceful village in the countryside to an industrialised sized solar farm and battery storage area (with the construction and ensuing operation and ongoing maintenance) will significantly impact property prices and the ability to sell. It is already becoming an issue! A friend currently selling her house received an apparently now routine question from the buyer's solicitor asking “we note from the environmental search that the property is within 2kms of existing or proposed solar farms. Please can the seller confirm that this has not affected the property” Secondly, this is not a normal planning application! It is of great magnitude and will fundamentally change the environment, landscape, character and lifestyle of residents in the area. What compensation is to be given to local residents who find themselves in the position of losing money on their</p>	

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	<p>property, or their inability to sell, due to this vast development and all the accompanying disbenefits it will bring?</p> <p>2.2 Health and Mental Wellbeing</p> <p>On page 17 of the Applicants "Response to Relevant Representations" December 2024, under NYC16 the Applicant states that no significant effects to the population groups were identified. To date, no research been carried out as to the impact on the mental health and wellbeing of local residents adjacent to a site of this magnitude as there hasn't been a development as huge (or if there has, it is still in its infancy). Upon what basis therefore does the Applicant make such a bland statement? The Applicant also cites data that identifies Selby is "performing better in relation to physical & mortality stats and mental health and behavioural risk factors ...than the region of Yorkshire and the Humber and England". Again what does this prove? This data was obviously compiled before the area has and is likely to be transformed into a Solar farm metropolis and therefore has no significant meaning or bearing.</p> <p>2.3 Community Benefit Contribution</p> <p>Under NYC-19 page 20, the Applicant is refusing to consider the provision of community benefits until after the DCO is granted. Based on the Applicants record to date of showing minimal, if any, concern for local residents, "being open to providing" is hardly reassuring! May I suggest that such benefits should be discussed and agreed at this stage and made a condition of the DCO should it be granted.</p> <p>3. MARCH HEARING Please may I register to speak at the March hearing as a very concerned resident and member of the HALT local campaign group. Thank you for time in considering my submission.</p>	

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REP2-053	<p>The guidance in the new national planning policy framework has been changed has made it impossible for local planning authorities to voice concerns stating they should support planning applications for all forms of renewable and low carbon development. (so what chance have local peoples views got of being heard and listened to) The upheaval this development this is going to cause for our community is going to be huge, From affecting our diverse wildlife to the increased carbon footprint with the vast amounts HGV's going through our country Roads. It has been mentioned the panels are going to be ethically sourced this will not be the case, all these panels will be produced in China and all the Lithium will be mined by Ethnic groups who will be paid peanuts for Producing which is criminal. we are going to used guinea pigs as this technology is a first the size of the structures be a blot on the landscape visionally for many years to come as they be seen from A1041. Benefits none for the local community the only people benefitting out this are the Landowner, Solar Farm Developer, and the Chinese government who will be rubbing their hands with glee at all the money they are going to Make.</p>	<p>The Applicant has addressed the concerns raised in this Written Representation in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Biodiversity (Section 3.5) • Construction Traffic Impact (Section 3.19) • Landscape (Section 3.13) <p>With regards to ethical procurement, as set out in Section 3.18 of the Responses to Relevant Representations [REP1-004], prior to procurement of components the Applicant will undertake full supply chain audits to ensure that components are appropriately sourced.</p>

4. The Applicant's Responses to Comments on Deadline 1 Submissions

Table 4.1 – The Applicant's Responses to Comments on any additional information/submissions received by Deadline 1

PINS Reference	Comments	Applicant's Response
REP2-040	<p>The Applicant requested further detail on the operations at Burn Airfield to assist its consultant. The enclosed document responds to that request.</p> <p>Enclosed Document: Burn Gliding Club - Further Information in Response to The High Level Investigative Report Produced for Stantec UK Ltd for The Helios Renewable Energy Project.</p>	<p>The Applicant confirms that the enclosed document was received from Burn Gliding Club on 19 December 2024. The Applicant requested further information from Burn Gliding Club on 14 January 2025. This was received from the Club on 26 January 2025. The Applicant will now progress the further assessment work and continue to engage with Burn Gliding Club in this respect.</p>
REP2-037	<p>I live in Camblesforth. I moved to the village 18 years ago and regularly walked/ran around the village and open countryside, enjoying the peace and tranquility of its surroundings which supported me in my mental health battle and helped 'blow away the cobwebs'. It was/is wonderful to spot all manners of wildlife including deer, birds of prey and ground nesting skylarks to name but a few.</p> <p>I now work for Royal Mail in delivery so do not walk or run as regularly as previously, for obvious reasons! However, I walked down Camela Lane a few days ago and what I saw before me utterly shocked and devastated me. The sheer vastness of the land being used for the installation of solar panels is beyond belief. I was left open mouthed and teary eyed at the decimation of arable land and wildlife habitat in front of me, along with high fences, preventing wildlife from roaming free and sometimes trapping them within its boundaries. It became clear that I had underestimated how much of a detrimental impact it would have on the land, the wildlife and the village itself. What I thought was a public right of way has been fenced off. I went home with a tear in my eye and won't ever take that once scenic and mind clearing walk again.</p>	<p>The Applicant has addressed the concerns raised in this Comment in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Biodiversity (Section 3.5) • Landscape (Section 3.13) • Public Rights of Way (Section 3.19) • Agricultural Land (Section 3.2) • Property Values (Section 3.18) • Alternatives (Section 3.4)

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	<p>I understand that more of this decimation is planned for surrounding areas and I would urge anyone to seriously consider the effect not only on our declining wildlife, which absolutely nobody seems to be remotely concerned for, but also the fact our farmers are now being paid NOT to grow crops on useable land. It beggars belief. Another issue is obviously how this would/will affect house prices in the area.</p> <p>A big factor for many choosing to live here, me included was the surrounding greenery with working farms and abundant wildlife. When [REDACTED], I moved my whole life here and it was a blessing. [REDACTED] cannot be allowed to further ravage the area and I do not see the benefit of it to anyone other than those who have exchanged contracts.</p> <p>Would it not be a sensible suggestion (to whom it may concern) that solar panels can and should be installed on roofs, for example schools, hospitals, car parks, shopping centres, places of worship, Houses of Parliament, factories, businesses?</p> <p>Companies responsible for these applications and those passing applications should be considering the impact on small communities, villages, arable land and the wonderful countryside that the UK should really be proud of and be doing everything possible to protect. The Amazon rainforest is dramatically shrinking and along with house building and projects such as solar farms, we are heading in the same direction. I have read (Naturalengland.org) that regarding solar farms there is next to no evidence or research into their ecological impacts, which I would suggest it is urgently needed and 'concerns have been raised that solar PV developments have the potential to negatively impact a broad range of taxa including birds, bats, mammals, insects and plants. In light of this, it is highly recommended that research is undertaken into the ecological impacts of solar PV arrays across a broad range of taxa at multiple geographical scales'.</p> <p>I would urge anyone to have a walk down Camela Lane in Camblesforth and not be affected by what you see.</p>	

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<p>REP2-043</p>	<p>BMV</p> <p>After watching the videos from the inspectorate meetings in December, it was stated that the only land available was BMV, As stated by many during this process, we are in times of food insecurity and I my view taking out acres of prime agricultural land for solar panels which at best have an efficacy of 20%, is not a solution but rather a huge problem. The impacts on BMV from the construction, operational and decommissioning phases are stated in the impact assessment report carried out by the Welsh Gov 2023.</p> <p>The main impact of the 3 phases is deep soil compaction resulting in the loss of versatility of BMV land, and in wetter parts of England and Wales soil compaction results from mainly trafficking and alleviation is reported to depths of 45cm. It can take many years for soils to recover from compaction and compaction may be permanent. Runoff from panels can result in rivulets, which can lead to soil erosion. Research on the impact of solar panels on microclimate beneath panels highlights the changes in temperature and vegetation growth. The decommissioning phase involves the removal of infrastructure. The issues of pile pull out are considered, including corrosion and fracture of the pile. Add in the leeching of toxic chemicals and we are talking about natural soil suicide.</p> <p>Biodiversity</p> <p>The applicant mentioned biodiversity benefits. How can tearing up BMV land and filling with metal frames and glass panels, surrounding it with high fencing be of benefit to biodiversity? The recent erection of fencing for an already approved solar farm in the area has seen deer trapped,(video posted on the HALT group Facebook page)</p> <p>Glare</p> <p>After driving along roads in recent days, with low winter sun and little cloud, the glare from the has been terrible, and potentially dangerous, I envision that being</p>	<p>The Applicant has addressed the concerns raised in this Comment in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Agricultural Land (Section 3.2) • Hazardous Materials (Section 3.17) • Biodiversity (Section 3.5) • Glint and Glare (Section 3.11) • Cumulative Impact (Section 3.9)

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	<p>surrounded by huge solar panels this would be amplified, causing a hazard to drivers.</p> <p>Efficacy</p> <p>I would question the reliability and efficiency of solar panels, with the UK averaging 17% sunshine per year, and the north experiencing a reduced amount. Along the storm damage as seen by the effects of storm Darragh recently. Is solar really what we should be covering our green and pleasant land with?</p> <p>Cumulative impact.</p> <p>The shear scale of this project combined with others that are being proposed and the ones already approved is mind blowing. I already feel that the impact of this has had an effect on my mental health. I feel very angry, upset about the loss of land to industrial scale 'Green' projects at the expense of food security, financial loss to residents, when house prices will inevitably drop dramatically. Who wants to live in the middle of a solar factory???</p>	
REP2-044	<p>In addition to my earlier submission, I would like to invite members of the planning committee to visit me at my location in the area of [REDACTED] and [REDACTED]. Having looked at maps over the years, I have found what the eye can see in a location, helps one to make a better-informed decision. The object of the exercise, is to see where Helios propose to site, the Battery Energy Storage System (BESS) plant, which will house a large number of sea containers, full of batteries, Transformers, Inverters, Fan coolers and associated electrical devices, all of which produce noise. The BESS is just one field away from our dwellings, and is approximately [REDACTED] away from my property, and the surrounding Pub and houses.</p> <p>I can't overemphasise, that the PREVAILING WESTERLY WINDS, put ourselves directly in the firing line, with regard to noise (24 hours 365 days a year for 40 years) but also the potential of what lithium-Ion Batteries can subject both us to, and the quality land if they catch fire. The village of Camblesforth with associated</p>	<p>The Applicant has addressed the concerns raised in this Comment in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Landscape and Visual (Section 3.13) • BESS Safety and Fire Risk (Section 3.17) • Cumulative Impact (Section 3.9) • Health and Wellbeing (Section 3.18) • Agricultural Land (Section 3.2)

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	<p>housing, is approximately 1425 meters/1.425km also directly in the line of fire. Whilst it is easy for some to say, that the probability of fire is low, it is a fact that these fires do occur! The BESS is much too close to substantial, households with no consideration to the prevailing Westerly winds. It should be sited much further away from human habitation, but I suspect it was easy to site there with minimal cost.</p> <p>SOLAR PANELS</p> <p>Could the Planning Inspectorate get Helios to build a temporary Solar Panel, out of scaffolding, to scale at maximum height (Panels Rotate) so that we can actually see for real, what they propose to bestow upon us. The pictures in the leaflets etc I think, can give a false impression which can be deceiving. May I suggest it be situated in a field alongside the A 1041 Selby to Camblesforth road-side stretch from Jowland Winn Lane to Crossley wood Just before The Black Dog Pub. Whilst each company likes to suggest, that their complex would not have a detrimental effect on the area. I would like the Inspectorate to strongly look again at the cumulative impact, surrounding our lovely village of Camblesforth.</p> <p>CUMULATIVE IMPACT</p> <p>We have Drax Power Station. There are two additional Solar Farms, which have been passed and are starting to be constructed around Camblesforth. Camela Lane close to the northern village boundary of Camblesforth, on 113 hectares. Wade House Lane to the south east of Camblesforth. Together with the Helios site, Camblesforth will be totally surrounded and placed inside an Industrial Complex. Boom Power is hoping to build a Solar Farm near Howden which is just to the east of Drax. This will negate 1200 Hectares of food producing Land. We also have Rusholme wind farm, which is a 12-turbine wind farm located near Drax, in North Yorkshire. Drax Power is going to start recovering, a lifetime deposit of Pulverised Fuel Ash (PFA). Some by rail, but the rest by Road. Drax Power is to receive power from up North to come from Bridlington with all the upheaval that that will entail.</p>	

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	<p>Drax Power is looking to put in a carbon capture pipeline to the North Sea. All of these, will put extra vehicular strain on the a A1041, which is already struggling at the present time, and the A645, irrespective of the new homes that are being, and going to be built in the area. The combination of all these schemes, that we will miserably have to endure, will take years to build.</p> <p>Is this concentrated area, not doing more than enough, for the energy needs of our Country?</p> <p>I think it is grossly misunderstood, what the recreational benefits our countryside and country lanes provide, in addition to producing abundant food to sustain us. I believe they provide not only physical wellbeing, but also mental wellbeing, which is exactly what the Doctors prescribe. This not only has benefits to the people who use them, but potentially reduces the burden on our already overstretched National Health Service. (What price can you put on that?)</p> <p>It is my opinion that this small island we live in, cannot afford to SQUANDER the precious land that feeds us, and our animals. Please remember we have alternative means of making electricity. I believe there is a place for Solar Panels, but not on top quality land that feeds us. You don't have to be Einstein to know the difference between right and wrong. But for me, to do this, I believe is not only criminal, unethical, and an irresponsible thing to do. It will make us as a nation, less self-sufficient and more reliant on foreign imports and at what cost/availability. It will make a relatively few people very rich, and the majority of people in the area, a lot poorer in many other ways, than just monetary.</p> <p>Please reject this application and restore my belief in COMMON SENCE, not only for the country, our sake, but for our Children and our Children's Children.</p>	
REP2-049	<p>Further to my previous points I also feel strongly that it appears Yorkshire seems to be being targeted by solar farms out of all proportion. Nearly every day yet another company is submitting plans and the sites all seem to be on agricultural land and it doesn't appear that alternatives are even being looked at. At the end of the day yes</p>	<p>The Applicant has addressed the concerns raised in this Written Representation in the Responses to Relevant Representations [REP1-004]:</p> <ul style="list-style-type: none"> • Energy contribution in area (Section 3.19)

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	<p>we may have heat but we won't have any food. Also in light of recent and increasing storms extensive damage was caused to more than one site of panels. The carbon footprint of these panels is high so where is the green effect of that? And unless I have missed something there is questions on whether they can be recycled at all - yet another problem for the environment.</p>	<ul style="list-style-type: none"> • Alternatives (Section 3.4) • Carbon footprint (Section 3.6) • Decommissioning (Section 3.6)
<p>REP2-051</p>	<p>On behalf of myself and my household (3 persons) – as concerned residents and members of the HALT Local Campaign Group</p> <p><u>In relation to Rule 8 Letter:</u></p> <p>The HALT group does not appear to have been included as an interested party, even though, registration was made for representation and I spoke on behalf of the group of 800+ members at the hearing. As such, an invitation to submit written representations was not received nor was a statement on common ground made available to be viewed by the members of HALT. The group is made up of local residents, many of which have concerns, in my view these are the very people who need to be airing their views in terms of principles of agreement or disagreement, as they will be the very people impacted upon within the direct communities.</p> <p>The timetable for submissions for D2 was set at 13th January 2025; The Rule 6 letter requested that the applicant seek to engage with interested parties, in terms of the Statement of Common Ground process and yet the HALT committee heard nothing, even though the applicant is aware of the group and their concerns. Even the local Parish Councils in the areas that would be affected, only received requests in line with the Statement of Common Ground Process just days before the deadline, with some not even receiving an accompanying Statement of Common Ground with their requests to engage in the process.</p> <p>It is my understanding that this process is to demonstrate that the plans are based on effective and ongoing cooperation and that the applicant has sought for the plans to be agreed with interested parties, such as the Parish Councils. To not even supply the statement to the relevant councils and to give mere days for</p>	<p>The ExA specified the Interested Parties with whom the Applicant should prepare Statements of Common Ground in the Rule 6 Letter and finalised this list in the Rule 8 Letter. The ExA has not requested that the Applicant prepare a Statement of Common Ground with the HALT group.</p> <p>The Applicant is engaging with the Parish Councils to prepare Statements of Common Ground. The Parish Councils are expected to represent the views of the public. Draft Statements of Common Ground with the Parish Councils were prepared by the Applicant and shared with the Parish Councils ahead of submission at Deadline 2, as requested by the ExA in the Rule 8 Letter Examination Timetable. The Applicant is seeking to engage with the Parish Councils to progress these throughout the Examination process. As set out in Annex F Section 6 of the Rule 6 Letter, updated versions of the Statements of Common Ground can be submitted at any subsequent Examination Deadline as is appropriate.</p>

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	<p>comment, when it is commonly known that it will need to be discussed by the councils during their scheduled meetings, which tend to take place monthly, does not give the impression that the applicant genuinely wants to engage the Parish Councils. West Bank and Hirst Courtney Parish Council were not even included at all in the earlier presentations by Enso and have only now been included in the process, even though the proposed development would directly impact on their residents, going right up to the edge of back gardens in some places. Yet Enso contacted several councils far outside of the area, for their opinions, which not surprisingly came back showing as no concerns, as the project proposed is not in their area, so would have no impact. I may be cynical but perhaps this was intentional.</p>	
	<p><u>ISH1 Discussions & Action Points</u></p> <p>No. 1 Degradation of Panels: This action point referred to how degradation of panels was accounted for in terms of generating capacity. I would like to visit this on another front, and that is in relation to the finance planned for replacements and maintenance of both the solar panels and batteries, as we appreciate that neither is likely to last through to the 40 year end date of the project proposed. I would also like to see more detailed information on the replacement and maintenance aspects, as this is not necessarily the replacement of just one or two panels or one battery, this is likely to be happening in bulk and therefore is more like an addition to the construction phase, rather than a general maintenance aspect, in terms on impact to the environment and local residents.</p> <p>No. 7 Flood Risk: This appeared to be somewhat skimmed over relatively quickly, and yet the local area has seen flood warnings just a few weeks ago, so this is a very real risk that I believe requires far more consideration, as the land in question is of Flood Zones 2 & 3.</p>	<p>As confirmed in the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-007], once the Proposed Development has been built and is operational, there will be no repowering requiring wholesale replacement of the panels. Instead, if a panel fails, it will be repaired or replaced, but this is part of routine maintenance of the development.</p> <p>The Proposed Development is supported by a detailed Flood Risk Assessment [APP-232 – APP-234; AS-015] which considers flood risk from all sources of flooding in detail and has been reviewed by both the Environment Agency and North Yorkshire Council which are broadly supportive of our approach and remaining points of detail are being resolved. In addition, the Flood Risk</p>

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	<p>Unaccompanied Site Inspection by [REDACTED] 02/12/24 & 05/12/24: I believe that the site visit will have allowed the inspector to see, first-hand, just how close the BESS is proposed to be in relation to residential properties on Chester Court Road and Hardenshaw Lane and the further dangers that the prevailing wind poses, to the residents of these streets and the villagers of Camblesforth, should there be a fire. With this in mind I would welcome a further review of this aspect.</p> <p>It is not even clear how many batteries there will be, at the first meeting 50 were mentioned, at the next public meeting this figure had doubled to 100 and yet there are no figures given within the documentation, that I can see as to the final number of batteries proposed. There are, however, statements such as declaring that ALARP cannot be met and other statements saying that details are unable to be shared in terms of suppression systems, at this time. I would very much like to know specifics, as I cannot see how decisions can be taken without these. I would also be keen to know more on the Fire Department's views on such a large proposal, so close to residential properties. If this proposal were to be approved, I would ask for residents health and safety to be put at the forefront and for any BESS to be located not centrally for ease, and cost reduction, but as far away from residential properties as is practicable.</p> <p>Cumulative Impact: There have been further solar farms proposed in recent months in the local area, in addition to this proposal and the 2 already approved. I would like to see these further proposals (at least 3) taken into account within the cumulative impact assessments.</p> <p>Traffic Management Plans were discussed at ISH1, again I would like to see these additional proposals taken into account and not just viewing the impacts of this proposal in isolation. We are seeing more proposals popping up in a race to connect at Drax, are we even assessing the true picture when we don't know if the race is now finished, or is further projects will also come to the surface; I believe</p>	<p>Assessment is informed by the results of a site specific flood model which has undergone a thorough review by the Environment Agency and has been approved for use.</p> <p>As set out in the Written Summary of the Applicant's Oral Submissions at Issue Specific Hearing 1 [REP1-007], whilst the Applicant has prepared indicative plans for the number of units that will be in operation, the exact numbers of BESS units cannot be confirmed at this stage as technology may improve, changing requirements in terms of unit numbers and size. The indicative plans represent a worst case scenario for the purposes of the Environmental Impact Assessment in the ES. As set out in Paragraph 2.2.5, Figure 3.3 Indicative Design [APP-041] shows 76 battery container units, 38 inverter/transformers, one control room and one switch room within the Battery Energy Storage System (BESS) compound. As set out in the draft Statement of Common Ground with North Yorkshire Fire and Rescue Service (NYFRS), the Applicant liaised with the NYFRS during the preparation of the application and continues to seek its feedback through the SoCG process.</p> <p>For a detailed response to the query regarding cumulative schemes, please see the response to REP2-046 above.</p>

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	<p>the latter to be highly likely. Until the full picture is known how can the cumulative impact on traffic, BMV, etc. be truly assessed.</p> <p>Community Benefits: There do not appear to be any benefits to the local community and/or residents most affected, even though they will feel the brunt of this proposal if it is to go ahead, on both a 24/7 day-to-day aspect but also in terms of an impact on their property values. The applicant does not intend to consider any community benefits until after the DCO is granted, surely this should be discussed and agreed prior to consent, as who is to say it will happen at all if it is not tied in.</p> <p>Biodiversity Net Gains: Species such as sheep and meadow flowers proposed to be added are alien to the area. Should there not be more weighting on the net biodiversity impacts, in terms of natural biodiversity. It wasn't even clear at the ISH1 if the applicant does intend adding sheep, so does the biodiversity net gain stated actually hold water. Is there a clear management plan going forward, as meadow flowers are unlikely to flourish without this?</p> <p>Screening: Rabbits are rampant in the area, I can testify on this aspect personally, as their burrowing and stripping of plants constantly affects our garden. It is all very well planting immature screening but how will this be managed to ensure they are not eaten/stripped in the early stages and thereby preventing growth through to maturity and screened views in 15 years. Will they be replanted if this happens? How will this be monitored and managed?</p>	<p>The cumulative impact in terms of traffic is assessed within ES Chapter 10 Transport and Access [APP-030], which concludes that there are no significant cumulative effects through the construction, operation and decommissioning phases. As set out in response to REP2-046 above, the EIA can only assess schemes which are reasonably foreseeable or include sufficient information (i.e. planning applications have been submitted or received planning permission), and is not required to consider the impact of schemes submitted after the planning application has been submitted. Schemes which follow an application are instead required to assess themselves against previously submitted schemes.</p> <p>Community benefit packages containing financial contributions are not a material consideration when determining planning applications. The Applicant is committed to providing a community benefit package but this will be progressed after the DCO application has been determined. The benefits which are a material planning consideration are set out in section 6 of the Planning Statement [APP-228]. These benefits include, but are not limited to, providing a reliable energy output, increasing renewable energy generation as per the critical national priority for the provision of nationally significant low carbon infrastructure, contributing positively to the Gross Value Added (GVA) in North</p>

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		<p>Yorkshire, generating indirect employment opportunities, opportunities for farm diversification, and offering significant habitat enhancement measures that deliver a quantifiable biodiversity benefit.</p> <p>The Outline Landscape and Ecological Management Plan [APP-143] provides information on proposed vegetation establishment, maintenance and management. A detailed Landscape and Ecological Management Plan will be secured via Requirement 10 of the DCO, as set out in the dDCO [AS-007].</p>
	<p>Groundwater Protection: It was acknowledged by the applicant that the proposed site is situated in a Groundwater Source Protection Zone 3 which houses a Principle Aquifer, hence the mention of lining the BESS compounds with impermeable liners, geomembranes. It was stated by the applicant that with this being the case that no infiltration testing was to be conducted of these areas as there is no pollution risk. Geomembranes have a service life of between approximately 20 – 50 years, this project is to be 40 years in operation, it is therefore possible that the geomembranes may fail during this period. The Environmental Agency LFES Report (GEHO0409BPNH-E-E) states that liquids and gases permeate geomembranes as vapours or gases on a molecular scale by diffusion. The rate of permeation it is said depends on a molecular scale by diffusion. The rate of permeation, it is reported, depends on the solubility of the liquid and the diffusibility of the dissolved molecule in the geomembrane. The report goes on to say that geomembranes are subject to physical stresses during transportation, site handling, installation and during their life. Is there quantitative evidence to establish that the geomembrane will hold up to the stresses placed upon it? Exposure to chemicals can cause stress cracks in geomembranes. Have the membranes been tested against the chemicals that would be present within the</p>	<p>The use of geomembrane liners is common solution to prevent the formation of a pollution pathways and are used in the design of SuDS features, landfills amongst other applications.</p> <p>The principles of using a geomembrane liner to 'seal' the Substation and BESS compound is established in the FRA (and drainage strategy) [APP-232 – APP-234; AS-015].</p> <p>A more detailed specification of the impermeable liner used will be provided at detailed design, with the necessary details subject to approval from the local planning authority as per Requirement 3 of the dDCO [AS-007]. The detailed design of the impermeable liner would take into account best practice design guidance and any geomembrane liner product and installation would comply with the</p>

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	<p>batteries or produced as a result of a battery fire? The effects of chemical stress, it is stated in the report, may take decades to appear. Will membranes be replaced if any, even small amounts of, chemical leakage take place? And or periodically to avoid such stresses? Biological attack has been observed with some plasticised geomembranes due to the susceptibility of some plasticisers and other monomeric constituents of the compound to biodegradation. Attacks by rodents (and similar pests) on the liner system can't be ruled out, according to the Environment Agency, and burrowing activities by other animals can damage the subgrade or protective layers of the geomembranes. Has this been taken into account considering the vast rabbit population, moles and rodents in the area? Validation reporting for geomembranes should include field and laboratory tests alongside details of remedial action. I would very much like to see details of this having taken place against the real environment, as is.</p> <p>Food Production and BMV Matters: The applicant acknowledged that the vast overwhelming majority of the search area within 5km of the Drax grid connection is good agricultural land, with BMV across the whole search area. With this in mind, and the government policy to avoid BMV land in favour of lower grade agricultural land for such establishments, I believe that it should also be taken into account that Drax is not the only National Grid connection point. If all the land in the surrounding area of Drax is BMV land then surely applicants should be looking at alternative locations that do not host such fertile food producing soils?</p> <p>March Hearing: I would firstly like to thank you for considering the points made above and secondly I would like to register to speak, as both a concerned resident (on behalf of my household) and as a member of the HALT local campaign group, at the March hearing.</p>	<p>relevant British Standard and manufacturers recommendations.</p> <p>As set out in Section 4 of the Planning Statement [APP-228], the UK is committed to achieving net zero by 2050 and to achieve this there is a target of increasing solar generation to 70GW by 2035. Clean Power 30 acknowledges that it is possible to build, connect and operate a clean power system for the country by 2030. This will involve several elements of the energy strategy to deliver simultaneously, in full and at maximum pace. In order to deliver the objective to reform the grid connection process and create the necessary capacity, all available connections will be required.</p>