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Applicant's Hearing Action Points Update

February 2025

Helios Renewable Energy Project

The Applicant's Hearing Action Points Update

Planning Inspectorate Reference: EN010140

February 2025

Prepared on behalf of Enso Green Holdings D Limited

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1. Introduction

1.1. Overview

- 1.1.1. This document has been prepared on behalf of Enso Green Holdings D Limited ('the Applicant') to update the ExA on the progress of the Applicant's Hearing Action Points as issued on 9 December 2024 for the Issue Specific Hearing 1 ('ISH1') **[EV3-002]** and the Compulsory Acquisition Hearing 1 ('CAH1') **[EV4-002]**.
- 1.1.2. The Applicant will update this document to provide an update on each outstanding action at each deadline and will include Action Points for the Applicant arising from any other hearings as they occur. The Action Points listed relate only to those assigned to the Applicant and do not update on those solely for third parties.

2. Update on Hearing Action Points

No	Party	Action	ExA Deadline	Applicant Update	Deadline Delivered
ISH1					
1	Applicant	Submit calculation on generating capacity over the lifetime of the generating station, how degradation in panels is accounted for, showing initial generation once built and generation at the end of its 40 year lifespan.	D2	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraph 2.1.5).	D1
2	Applicant	Confirm in writing how you consider that the dDCO would prevent the wholesale repowering of the generating station. In doing so, please make specific reference to the definition of 'maintain' in Article 2 of the dDCO and any other Articles/Schedules in the dDCO and any measures in the control documents.	D1	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 2.3.4 – 2.3.7).	D1
3	Applicant	Following confirmation that the dDCO should prohibit the wholesale repowering of the site, can an estimate be provided of the likely number of replacement panels which could be fitted as part of the general ongoing maintenance of the site during its operational lifetime.	D2	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraph 2.3.8).	D1
5	Applicant	Provide clarification to the Environment Agency (and submit for the Examination) as to what activities could occur as site preparation works. In doing so, please make reference to Article 2 of the dDCO, the CEMP and any other relevant control document.	D2	Revised definitions of "commence" and "site preparation works" have been agreed with the Environment Agency and amended in Part 1 Article 2 of the dDCO submitted at D4.	D4
6	Applicant	Provide clarity (with reasoning) of the finished floor levels for the buildings/structures in the BESS. In particular, provide clarity as to whether this would be 300mm above ground level or above the predicted design flood level.	D2	Section 2 of the 'Water Environment Supplementary Assessment' submitted at D4 provides clarification on the finished floor levels which has been agreed with the Environment Agency. The Flood Risk Assessment submitted at D4 has been amended accordingly.	D4
7	Applicant	Provide volumetric calculation on flood risk which could be caused by the physical solar farm infrastructure, such as the piling/mounting infrastructure	D2	The Applicant has carried out the assessment work requested and has provided a copy to the	D2

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		(water displaced by panel infrastructure).		Environment Agency (the 'Water Environment Supplementary Assessment' sent 09/01/25). The Environment Agency has agreed this matter. The Water Environment Supplementary Assessment has been submitted at D4. The Flood Risk Assessment submitted at D4 has been updated accordingly.	D4
8	Applicant	Provide clarity on how operational pollution control measures are secured in OEMP (and any other relevant document).	D2	The oOEMP [APP-124] has been updated and submitted at D2.	D2
9	Applicant	In the event of a failure of the panel tracking system, resulting in a significant portion of the panels being stuck in the downward position, provide evidence relating to the impact on flood water flow. If the lower portions of the panels would have an effect on this, what measures could/should be put in place (within the dDCO/control documents) to prevent undue impacts on flood water flow.	D2	Section 5 of the 'Water Environment Supplementary Assessment' shared with the Environmental Agency (09/01/25) addresses this Action point. The Environment Agency has agreed this matter. The Water Environment Supplementary Assessment has been submitted at D4. The Flood Risk Assessment submitted at D4 has been updated accordingly.	D2 D4
10	Applicant	Update in respect of the drafting for flood compensation strategy and piling and hydrogeological risk assessments, including updates on the liaison with the Environment Agency.	D2	The wording of the piling and hydrogeological risk assessment requirements has been agreed with the Environment Agency, as included in Requirements 19 and 20 of the dDCO submitted at D4.	D4

				The Applicant continues to liaise with the Environment Agency regarding the flood compensation strategy.	
11	Applicant	Provide update on the use of swales to the Environment Agency.	D2	Section 6 of the 'Water Environment Supplementary Assessment' shared with the Environmental Agency (09/01/25) addresses this Action Point. The Environment Agency have confirmed that this point has been addressed. The Water Environment Supplementary Assessment has been submitted at D4.	D4
12	Applicant	Provide clarity in respect of how the water abstraction licensing will be managed (which will not be secured within the DCO).	D2	The Applicant refers the ExA to the Consents and Licences Position Statement which confirms at Table 1 point 3 states the following: <i>This is a post-consent item which will be kept under review. If groundwater pumping/dewatering is required, an application will be made by the Applicant's contractor as necessary.</i>	D2
13	Applicant	Provide clarity in respect of the points raised by Natural England on soil sampling data and the sequencing of numbers.	D2	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 3.2.8 – 3.2.10 and Appendix B).	D1
14	Applicant	Provide written information to set out how the final interconnecting cable corridor will be confirmed as a smaller area to that indicated in Works No: 4A and then how soil sampling will be secured (in the dDCO and control documents) and used to inform soil management for these works.	D2	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 3.2.18 – 3.2.24).	D1

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15	Applicant	Provide examples of currently installed tracking panels and any evidence as to the effect of the movement on grazing livestock (particularly sheep).	D2	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 3.2.47 – 3.2.48).	D1
16	Applicant	Provide the Solar UK report relating to evidence of biodiversity within existing solar farms, with relevant sections signposted.	D1	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 3.3.6 – 3.3.8 and Appendix D).	D1
17	Applicant	Provide confirmation that all mitigation for ground nesting birds is proposed to be sited within the Order Limits and provide evidence that this land would be sufficient.	D1	This is provided within the Written Summary of the Applicant's Oral Submissions at ISH1 as a Post Hearing Note (Paragraphs 3.3.12 – 3.3.13 and Appendix E).	D1
18	Applicant	Review the dDCO and relevant control documents including the oLEMP, oCEMP in respect of the implications of 'site preparation' being outside the triggering of ecological mitigation controls. Liaise with the Council and Natural England of this matter through the SoCG process and provide an update to the Examination.	D2	Revised definitions of "commence" and "site preparation works" included in Part 1 Article 2 of the dDCO submitted at D4.	D4
19	Applicant and North Yorkshire Council ("NYC")	Continue to progress discussions in respect of the provision/upgrading of vehicular accesses and matters relating to securing adequate controls for the crossing of highways during construction. Indicate the position in respect of any commuted sums which may be necessary. Provide an update at D2.	D2	The Applicant and NYC held a meeting on 29/01/25 to discuss this matter. The updated oCTMP has been revised to include the agreed provisions between both parties.	D4
20	North Yorkshire Council	Provide Applicant with matters of concern/queries relating to timings for discharge of requirements in the dDCO and related control documents.	ASAP		
	Applicant	Provide update of progress.	D3	NYC have provided their comments on the dDCO. The Applicant has updated the dDCO submitted at D4.	D4
CAH1					
1	Applicant	Setout how the DCO (and/or relevant control document) would explicitly ensure that the Undertaker has funding secured (such as being provided as a	D2	The Applicant has amended the wording of the dDCO submitted at D4.	D4

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		bond to the relevant landowners) for decommissioning. To include details of how this would be approved (ie by the LPA).			
2	Applicant	Updated Table 1 in Statement of Reasons (AS-011). Should any submissions (such as through written representations) be provided by any Affected Persons reference (including the Examination Library reference number) to the written submissions to be included in Table 1.	D3	An updated Statement of Reasons Table 1 (4.2.1) was submitted at D3 and has been updated at D4.	D4