



The Planning Inspectorate

By email

HeliosRenewableEnergy@planninginspectorate.gov.uk

Our ref: XA/2025/100337/01-L01

Your ref: EN010140

Registration number: 20050710

Date: 9 April 2025

Dear Sir/Madam

DEADLINE 6 - COMMENTS ON ANY ADDITIONAL INFORMATION / SUBMISSIONS RECEIVED BY DEADLINE 5; RESPONSES TO ExQ2; UPDATED PADS.

The comments presented below have been made in response to information submitted by the Applicant at Deadline 5.

We note there were no questions to the EA at ExQ2.

An updated Principal Areas of Disagreement Summary Statement (PADSS) has been submitted separately and is also appended to this letter for completeness.

[REP5-008] Statement of Commonality

Para.4.4 We agree with the position as described here. We have now agreed the wording of a requirement to tie the delivery of the floodplain compensation to the delivery of the BESS/Substation compound. This requirement should be included in a revised DCO at Deadline 7.

[REP5-013] Status of Negotiations on Protective Provisions

The Applicant has requested amendments to our standard protective provisions, and there is continued active discussion between the Applicant's and the EA's legal advisors to resolve this. We agree with the statement provided in Table 1.1, and anticipate that agreement on PPs will be reached by Deadline 7.

[PD-005] Examining Authority's Written Questions 2 (ExQ2)

Q14.0.1 Water environment commentary – We agree with this commentary and are satisfied there are no questions from the ExA at this time.

Yours faithfully

[Redacted signature]

Planning Specialist – National Infrastructure Team

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Appendix 1

Helios Renewable Energy - Environment Agency Principal Areas of Disagreement Summary Statement Version: 04 dated 09.04.2025

The following terms have been used in the column headed 'Likelihood the concern will be resolved during the Examination' –

- Highly likely – where agreement should be possible, or a relatively simple change is required.
- Likely – where an issue is still being discussed, but we believe it can be resolved.
- Unlikely – where agreement on an issue is unlikely or it is difficult to identify a solution.

Ref	Area of disagreement	Summary of concern held by Environment Agency	What needs to be changed / included / amended to overcome the disagreement?	Likelihood the concern will be resolved
	Flood Risk - Compensatory flood storage	Inadequate analysis of floodplain loss, together with the lack of commitment to undertaking a possible floodplain compensation scheme, present a risk of increased flood risk elsewhere. No evidence has been supplied to justify the stated assumption that the amount of floodplain lost by the installation of solar panel arrays is negligible. The flood risk compensation scheme proposed in the FRA as mitigation for the loss of floodplain is not secured in the draft DCO.	1) Use the area volume method to determine the volumetric displacement of the solar panel arrays in the design flood scenario and assess the potential impact on flood levels that this might have across the study area to confirm that the displacement of flood water is negligible and would not increase flood levels. 2) Commit to the provision of the proposed floodplain compensation scheme for predicted flood risk in the 2080's epoch, to provide mitigation for this epoch. Or provide evidence to justify that this scheme will not be necessary for the lifetime of the development.	1) Resolved 2) Highly likely
	Pollution prevention	CEMP currently does not apply to site preparation works	Amend wording of Requirement 4	Resolved
	Pollution prevention	No details have been provided regarding operational pollution prevention measures in the routine management of potentially contaminated drainage from BESS compound. Such contamination could reach the underlying aquifer via drainage into attenuation ponds and into ditches/ watercourses.	Provide outline operational controls to monitor for, prevent, and manage spills and leaks within the BESS compound in outline OEMP, and provide detailed controls in Site Maintenance Plan.	Resolved
	Pollution prevention	Requirement 4(2) of the Draft DCO states that CEMP must include a protocol in the event that unexpected contaminated land is identified. This protocol is not included in the Outline CEMP.	Provision in the revised Outline CEMP for a contamination watching brief and discovery protocol, requiring consultation with the Environment Agency if unexpected land contamination is encountered during ground investigation or construction.	Resolved