



PINS Document Number:
ENO10140/APP/8.1.11

Statement of Commonality

April 2025



Helios Renewable Energy Project

Statement of Commonality

Planning Inspectorate Reference: EN010140

April 2025

Prepared on behalf of Enso Green Holdings D Limited

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|---------------------|---------------|------------|
| Project Ref: | 33627/A5/SOCG | |
| Status: | Draft | Issue |
| Issue/Rev: | Deadline 2 | Deadline 6 |
| Date: | January 2025 | April 2025 |
| Prepared by: | AB | AB |
| Reviewed by: | JB | JB |

Stantec
7 Soho Square
London
W1D 3QB

Tel: 020 7446 6888



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1. Introduction

1.1. Overview

- 1.1.1. This Statement of Commonality ('SoC') has been prepared by Enso Green Holdings D Limited (the 'Applicant') in respect of the Helios Renewable Energy Project Development Consent Order (DCO) (the 'Proposed Development').
- 1.1.2. The purpose of this document is to summarise the status and progress of the Statements of Common Ground (SoCGs) and to provide a Statement of Commonality, setting out matters that are common to more than one SoCG.
- 1.1.3. Section 2 summarises the status of each SoCG at each Examination Deadline.
- 1.1.4. Section 3 shows the status of matters that are common to several interested parties which span over multiple SoCGs.
- 1.1.5. Section 4 provides a summary of the current position between the Applicant and other parties. The individual SoCGs provide full detail on specific matters.

2. Statement of Common Ground Status

2.1. Summary of Current Position

2.1.1. This section provides an update on each SoCG, with Table 2.1 providing a high-level position on the status of each SoCG. Within Table 2.1:

- **SoCG in draft** – the draft has been drafted by the Applicant and discussion is ongoing prior to reaching a signed SoCG;
- **Final signed SoCG with all matters agreed** – the final SoCG has been signed by both parties and all matters are agreed; and
- **Final signed SoCG with matters outstanding** – the final SoCG has been signed by both parties are there remain matters outstanding that the Applicant and other party agreed will not be resolved during Examination.

Table 2.1 Status of SoCGs

| SoCG Party | Procedural Deadline A | Deadline 1 | Deadline 2 | Deadline 3 | Deadline 4 | Deadline 5 | Deadline 6 | Deadline 7 | Deadline 8 | Deadline 9 | Deadline 10 |
|---|--------------------------|---------------------------------------|--|---------------------------------------|---------------------------------------|--|---|------------|------------|------------|-------------|
| North Yorkshire Council | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | SoCG in draft | SoCG in draft | N/A – no SoCG submitted at this time. | | | | |
| Natural England | SoCG in draft | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | SoCG in draft | Final signed SoCG with all matters agreed | N/A – final version submitted at D5. | | | | |
| The Environment Agency | SoCG in draft | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | SoCG in draft | | | | |
| National Highways | SoCG in draft | N/A – no SoCG submitted at this time. | Final signed SoCG with all matters agreed | N/A – final version submitted at D2. | N/A – final version submitted at D2. | N/A – final version submitted at D2. | N/A – final version submitted at D2. | | | | |
| Historic England | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | | | | |
| North Yorkshire Fire and Rescue Service | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | The SoCG with NYFRS will not be completed. | | | | |

| | | | | | | | | | | | |
|---|---------------------------------------|---------------------------------------|---------------|---------------------------------------|---------------------------------------|---------------------------------------|--|--|--|--|--|
| Burn Gliding Club | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | | | | |
| Carlton Parish Council | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | | | | |
| Hirst Courtney and West Bank Parish Council | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | The SoCG with HC & WB PC will not be completed. | | | | |
| Camblesforth Parish Council | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | SoCG in draft | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | N/A – no SoCG submitted at this time. | | | | |

3. Commonality

3.1. Introduction to Commonality

3.1.1. This section of the SoC provides an overview of the topics covered in the SoCGs. **Table 3.2** sets out where there is commonality in the topics discussed between the Applicant and the parties, where matters have ongoing discussions, or where the matters have reached a final position with no agreement.

3.1.2. The figure below shows the status of each topic based on the colour provided.

Table 3.1 – Key

| Cell | Status |
|------|---------------------------------------|
| | Matter agreed |
| | Matter subject to ongoing discussion |
| | Matter not agreed |
| | Matter not relevant / raised by party |

3.1.3. **Table 3.2** is a live table and will be updated at each deadline.

Table 3.2 – Statement of Commonality

| | | | Topics Considered | | | | | | | | | | | | | | | | | | |
|-----------------------------|-----------|--------------|-------------------|-------------|-------------------|--------------|-------------------|--------------------|----------------------|-------------------|----------------|-----------------|---------------|---------------------------|--------------------|-------------|-------------------|--------|-----------------|---------|--------------------------|
| SoCG Party | Principle | Alternatives | Cultural Heritage | Archaeology | Landscape & Views | Biodiversity | Water Environment | Transport & Access | Public Rights of Way | Noise & Vibration | Climate Change | Socio-Economics | Public Health | Soils & Agricultural Land | Cumulative Effects | Air Quality | Ground Conditions | Safety | Glint and Glare | Gliding | Draft DCO / Requirements |
| North Yorkshire Council | | | | | | | | | | | | | | | | | | | | | |
| Natural England | | | | | | | | | | | | | | | | | | | | | |
| The Environment Agency | | | | | | | | | | | | | | | | | | | | | |
| National Highways | | | | | | | | | | | | | | | | | | | | | |
| Historic England | | | | | | | | | | | | | | | | | | | | | |
| Burn Gliding Club | | | | | | | | | | | | | | | | | | | | | |
| Carlton Parish Council | | | | | | | | | | | | | | | | | | | | | |
| Camblesforth Parish Council | | | | | | | | | | | | | | | | | | | | | |

4. Current Position

4.1. Overview

4.1.1. This section of the SoC provides a summary of the current position between the Applicant and other parties. The individual SoCGs provide full detail on specific matters.

4.2. North Yorkshire Council

4.2.1. The Applicant submitted a draft SoCG with North Yorkshire Council (NYC) at Procedural Deadline A and subsequently shared it with NYC directly on 26th November 2024. The draft is based upon the Relevant Representations from NYC **[RR-277 and RR-278]**.

4.2.2. NYC provided a more detailed assessment of the Application in its Local Impact Report **[REP2-034]** and the Applicant updated the draft SoCG accordingly taking into account the matters raised in the LIR and following a meeting with NYC on 13th January 2025. The updated draft was shared with NYC on 22nd January 2025.

4.2.3. The Applicant met with NYC on 27th January 2025 and agreed a draft SoCG. This was submitted at Deadline 3. The Applicant has further engaged with NYC in relation to Highways, Public Rights of Way, Ecology and Landscape and agreement has been reached on a number of matters. An updated draft SoCG was submitted at Deadline 4.

4.2.4. Following Issue Specific Hearing 2 the draft SoCG was updated further in respect of landscape and ecology and was submitted at Deadline 5.

4.2.5. The Applicant is updating the SoCG based on NYC's Deadline 5 submissions and will submit an updated Statement of Common Ground at Deadline 7 following discussion with NYC. The Applicant anticipates that the outstanding matters in the current draft of the SoCG will be 'Not Agreed'.

4.2.6. Where appropriate, the Applicant has responded to NYC's Deadline 5 submissions within 'The Applicant's Responses to Deadline 5 Submissions' [Deadline 6 Submission].

4.3. Natural England

4.3.1. The agreed SoCG dated 20th March 205 was submitted at Deadline 5.

4.4. The Environment Agency

- 4.4.1. The Applicant submitted a draft SoCG with the Environment Agency at Procedural Deadline A and subsequently shared it with the Environment Agency directly on 26th November 2024. The draft was based upon the Relevant Representation from the Environment Agency **[RR-117]**. The Environment Agency confirmed on 27th November that they were satisfied with the SoCG at this stage and had no comments or feedback.
- 4.4.2. The SoCG has been updated with details of the additional assessment work and information prepared by the Applicant and shared with the Environment Agency on 9th January 2025 (the 'Water Environment Supplementary Assessment'). The Applicant has been engaging with the Environment Agency via email in respect of the Water Environment Supplementary Assessment and the majority of matters have now been agreed between the parties. An updated draft SoCG was submitted at Deadline 4 to reflect these discussions.
- 4.4.3. The Applicant has now agreed the detail of a Flood Management Strategy Requirement with the Environment Agency. An updated SoCG has been submitted at Deadline 6 to reflect this position. The Applicant is continuing to engage with the Environment Agency regarding Protective Provisions, the only remaining matter between the parties.

4.5. National Highways

- 4.5.1. The agreed SoCG dated 7th January 2025 was submitted at Deadline 2.

4.6. Historic England

- 4.6.1. The Applicant submitted a draft SoCG with Historic England at Procedural Deadline A and subsequently shared it with Historic England directly on 26th November 2024. The draft is based upon the Relevant Representation from Historic England **[RR-143]**.
- 4.6.2. Historic England advised on 16th December 2024 that they would not progress the SoCG until after the Written Representations stage. The Applicant will continue to liaise with Historic England to progress the SoCG following the publication of their Written Representation. Historic England set out its position in its Written

Representation submitted at Deadline 2 **[REP2-028]**. This confirms that there are no matters of disagreement between the parties.

- 4.6.3. The Applicant updated the SoCG accordingly and submitted this to Historic England on 22nd January 2025 with a request that Historic England signed the SoCG as there were no matters outstanding. Historic England advised that they would not sign the SoCG until ExQ1 were published. Since the publication of the “Rule 8(3), Rule 9, Rule 13 and Rule 16 letter” notifying that ExQ1 would not be published, the Applicant has requested that Historic England sign the SoCG, however, no response has been received. The Applicant submitted the unsigned SoCG at Deadline 4.
- 4.6.4. The Applicant is in contact with Historic England who are now considering the request for the SoCG to be signed.

4.7. North Yorkshire Fire and Rescue Service

- 4.7.1. The Applicant submitted a draft SoCG with North Yorkshire Fire and Rescue Service (NYFRS) at Procedural Deadline A and subsequently shared it with NYFRS directly on 26th November 2024. The Applicant has been liaising with NYFRS since this date and the NYFRS confirmed on 10th January 2025 that it is awaiting ‘further sector guidance from the National Fire Chiefs Council’ regarding these types of consultation.
- 4.7.2. The Applicant discussed the SoCG with NYFRS on 4th April 2025. NYFRS advised that they would not enter into a SoCG as there is no statutory requirement for them to do so. They also advised that the appropriate point for the FRS to respond to the Proposed Development would be at consultation from the LPA when the requirement to submit a final Battery Safety Management Plan is discharged, as per Requirement 9 in the dDCO **[REP5-003]**. The Applicant is therefore not continuing to engage with NYFRS regarding the SoCG.

4.8. Burn Gliding Club

- 4.8.1. The Examining Authority (ExA) requested a SoCG be prepared between the Applicant and Burn Gliding Club (BGC) in the Rule 8 letter dated 11th December 2024. The Applicant prepared a draft SoCG based on BGC’s Relevant Representation **[RR-043]** and additional documentation and consultation as set out in the SoCG. This version was submitted at Deadline 2 and shared with Burn Gliding Club on 9th January 2025.

- 4.8.2. The Applicant agreed with BGC to undertake further assessment work based on additional information provided by BGC on 26th January 2025. The updated assessment work has been submitted at Deadline 4 (the High-level Investigative Report and the Solar Photovoltaic Glint and Glare Assessment). An updated draft SoCG was shared with BGC for their comment at Deadline 4
- 4.8.3. The Applicant is updating the SoCG based on the BGC's Deadline 5 submissions and will submit an updated Statement of Common Ground at Deadline 7 following discussion with BGC. The Applicant anticipates that the outstanding matters between the parties will be 'Not Agreed'.
- 4.8.4. Where appropriate, the Applicant has responded to BGC's Deadline 5 submissions within 'The Applicant's Responses to Deadline 5 Submissions' [Deadline 6 Submission].

4.9. Carlton Parish Council

- 4.9.1. The Examining Authority (ExA) requested a SoCG be prepared between the Applicant and Carlton Parish Council in the Rule 8 letter dated 11th December 2024. The Applicant prepared a draft SoCG based on Carlton Parish Council's Relevant Representation [RR-050]. This draft version was submitted at Deadline 2 and was shared with Carlton Parish Council on 10th January 2025.
- 4.9.2. Carlton Parish Council acknowledged receipt of the draft SoCG in an email dated 11th January 2025 and advised that it would be discussed at a future Parish Council meeting.
- 4.9.3. The Applicant met with representatives for Carlton Parish Council on 20th March 2025 and discussed the Statement of Common Ground process. The Parish Council is due to consider the matter at its next meeting and will provide an update to the Applicant and the ExA at a future deadline. The Applicant has not received any further correspondence from Carlton Parish Council ahead of Deadline 6 and an updated draft SoCG has not therefore been provided.

4.10. Hirst Courtney and West Bank Parish Council

- 4.10.1. The Examining Authority (ExA) requested a SoCG be prepared between the Applicant and Hirst Courtney and West Bank Parish Council in the Rule 8 letter dated 11th December 2024. The Applicant prepared a draft SoCG based on their

Relevant Representation **[RR-142]**. This draft version was submitted at Deadline 2 and was shared with Hirst Courtney and West Bank Parish Council on 10th January 2025.

4.10.2. Hirst Courtney and West Bank Parish Council has advised in an email dated 12th January 2025 that a draft SoCG would be discussed at future Parish Council meeting.

4.10.3. Hirst Courtney and West Bank Parish Council provided a submission at Deadline 5 **[REP5-015]**. The Parish Council set out its continuing objection to the Proposed Development and its objection to the SoCG. The Applicant does not therefore intend to enter into further discussions on the draft SoCG on the basis that there is no common ground between the parties and a SoCG will not be provided.

4.11. Camblesforth Parish Council

4.11.1. The Examining Authority (ExA) requested a SoCG be prepared between the Applicant and Camblesforth Parish Council in the Rule 8 letter dated 11th December 2024. The Applicant prepared a draft SoCG based on their Additional Submission **[AS-004]**. This draft version was submitted at Deadline 2 and was shared with Camblesforth Parish Council on 10th January 2025.

4.11.2. Camblesforth Parish Council acknowledged receipt of the draft SoCG in an email dated 10th January 2025 and advised that it would be discussed at a future Parish Council meeting. The Applicant has not received any further correspondence from Camblesforth Parish Council ahead of Deadline 6 and an updated draft SoCG has not therefore been provided.