



The Planning Inspectorate

(submitted via email to
HeliosRenewableEnergy@planninginspectorate.gov.uk)

Planning Services (Selby Area)
North Yorkshire Council
Civic Centre
Doncaster Road
Selby
North Yorkshire
YO8 9FT
Email: [REDACTED]@northyorks.gov.uk
Tel: 0300 1312131
Web: www.northyorks.gov.uk

Our Ref ZG2023/1102/GOV
Your Ref EN010140
Date 9 April 2025

Dear Sir/Madam

Application by Enso Green Holdings D Limited for an Order Granting Development Consent for the Helios Renewable Energy Project.

Deadline 6

Please find attached submission from North Yorkshire Council (NYC) as follows:

- Response by North Yorkshire Council on the Examining Authority's written questions and requests for information (ExQ2)



Assistant Director - Planning



Helios Renewable Energy Project

EN010140

North Yorkshire Council

Response to EXA Written Questions 2

ExQ2	Question to:	Question:
2. Design, parameters and other details of the proposed development		
Q2.0.1	North Yorkshire Council (NYC)	Would the council consider it helpful if the applicant provided an outline design principles document, including design parameters, in a certified document which would be secured by a requirement? (also see sub-section 7.7 on the draft Development Consent Order (dDCO))
	Response	<p>North Yorkshire Council consider it would be helpful if the applicant were to provide an outline design principles document, including design parameters, in a certified document which would be secured by a Requirement of the DCO.</p> <p>On this development we would consider clarity and certainty of design extremely important, to ensure quality of design and to reduce adverse effects. Currently, we are unable to find any specific reference to parameters or design guidance in the DCO and relevant information split across multiple documents and plans.</p> <p>While there is some reference to parameters and design within the Environmental Statement Chapter 3 [App-03 Table 3.2] these are insufficiently explained, with uncertainty and many details to be resolved at a later stage as 'Design Guidance', which is unnecessary. Equally, we would not wish to rely on the current oLEMP to define and secure the parameters and design principles.</p>
Q2.0.2	NYC	<p>If the answer to Q2.0.1 is yes then please could the council comment in general terms on the adequacy of the outline design principles document provided for the Heckington Fen Solar Park, order made 24 January 2025, recognising that it would have to be made specific to the proposed development?</p> <p>EN010123-000953-7.1 - Outline Design Principles - Rev 4.pdf</p>
	Response	<p>Generally, NYC would welcome an outline design principles document similar to that provided for Heckington Fen Solar Park (ref: EN010123-000953-7.1 - Outline Design Principles - Rev 4.pdf) .</p>

ExQ2	Question to:	Question:
		<p>This provides an appropriate scope and level of detail expected but should be made specific to the proposed development.</p> <p>We would also wish to see the parameters and design principles clearly drawn together on one place for clarity and to avoid confusion, and to cross reference to other supporting plans where these are needed to explain the spatial layout and arrangement (for example, fig. 3.2 Parameter Plan [App-040], BESS and Substation Preliminary Drainage Strategy Drawing [APP-061].</p> <p>The Council is concerned that each part of the proposed development component would be developed to the maximum set. The layout, scale and density of each field should be a matter to be agreed between the applicant and Council, as some fields are more sensitive than others either due to the landscape sensitivity or relationship to dwellings. We would wish to see a mechanism embedded in the plan to avoid build out to the maximum and to ensure that the Council is not duty bound to discharge requirements at the maximum.</p> <p>The Council would be happy to work with the applicant to develop a plan that is acceptable to both parties.</p>
3. Site selection and alternatives		
Q3.0.1	All interested parties (IPs)	<p>With regard to Alternative Site Assessment [APP-227]:</p> <ul style="list-style-type: none"> Is the applicant or any other IP aware of any guidance on the siting of solar farms in relation to dwellings in England, if there is what does it say, please provide a reference? Is the applicant or any other IP aware of any guidance on the siting of solar farms more generally in relation to dwellings, for example the World Health Organisation or internationally, if there is what does it say, please provide a reference?

ExQ2	Question to:	Question:
		<ul style="list-style-type: none"> Is there any research available or emerging research on the impact of living near a solar farm? If so, what does it indicate?
	Response	<p>North Yorkshire Council is not aware of any applicable national or international guidance on acceptable distances between solar farms and dwellings.</p> <p>British Standard BS4142:2014 provides guidance on noise arising from commercial or industrial use which would be applicable to the project.</p> <p>The landscape and visual impact assessment demonstrates significant adverse residual effects on landscape and views within the study area, particularly cumulative effects. The proposed scheme will impact on the quality of landscape and green space in proximity to settlements of Camblesforth, Drax Barlow, Carlton and Hirst Courtney.</p> <p>There is increasing evidence to show that access to green space can bring physical and mental health benefits and that people with better access to green space enjoy a wide a wide range of health benefits. This principle is supported by Public Health England Improving access to greenspace: 2020 review and The Health Foundation Relationship between access to green space and health The Health Foundation.</p> <p>A reduction in the quality of the natural environment and setting and the impact that this may have on local residents is a concern for North Yorkshire Council. Concerns relating to public health were reiterated in North Yorkshire Council's LIR Chapter 17 Public Health.</p> <p>North Yorkshire Council has encouraged the applicant to consider the application of green infrastructure in relevant submissions including at Scoping [EIA Scoping, adopted by the SoS 14 July 2022], with reference to national and local policy and to the national guidance for green infrastructure set out in Natural England's Green Infrastructure Framework, Green Infrastructure Principles and the England Green Infrastructure Mapping.</p>

ExQ2	Question to:	Question:
		There is no evidence of use or reference to these Standards or the associated mapping data in the Applicant's submissions
4. Biodiversity, ecology and natural environment		
Q4.0.2	North Yorkshire Council	With regard to unresolved matters, what is NYC seeking, for example a new/ modified requirement, a new/ modified certified outline plan secured by a requirement, or a development consent obligation agreed with the Applicant? Could the council provide details and evidence of policy, guidance, research or comparable precedent that would support its case?
	Response	<p>Matter 1 – Monitoring of ground nesting birds and bats</p> <p>The Council would like to see a formal monitoring commitment for these species within the oLEMP with detail provided within the detailed LEMP (Requirement 10). This is to ensure that the compensation provided for ground nesting birds is effective and supports the conclusion drawn within the ES. Otherwise, how will can it be known whether there has been a residual negative (or positive effect on the birds themselves). In terms of bats, current research has found negative effects of ground mounted solar PV upon foraging and commuting bats (see research papers below) and it is noted for both these species that further research is needed. Monitoring intervals of 5 years would not be onerous, and results could be submitted to NYC alongside the BNG monitoring.</p> <p>Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity</p> <p>Elizabeth Tinsley, J��r��my S. P. Froidevaux, S��ndor Zseb��k, Kriszta Lilla Szabadi, Gareth Jones</p> <p>First published: 07 August 2023</p> <p>Renewable energies and biodiversity: Impact of ground-mounted solar photovoltaic sites on bat activity - Tinsley - 2023 - Journal of Applied Ecology - Wiley Online Library</p>

ExQ2	Question to:	Question:
		<p>Solar-Panels-and-Wildlife-Review-2019.pdf – see para 2.26, 2.29 (bird monitoring), 2.40 & 2.41 (research required for bats), 2.54 (monitoring), 3.2 (monitoring to further knowledge)</p> <p>Solar farms can be wildlife havens – stresses the need for monitoring of Solar PV sites and recommends operators use the standardised approach to monitoring. A Standardised Approach to Monitoring Biodiversity • Solar Energy UK This report states in the opening paragraph:</p> <p><i>“Ecological monitoring of solar farms plays an important role in assessing change, identifying management issues, and ensuring planning obligations are met. It also provides us with valuable data to explore the impacts that solar farm developments are having on our environment; this will become increasingly important as more and larger solar arrays are constructed to meet our energy requirements and climate change commitments.”</i></p> <p>Matter 2 – BNG</p> <p>NYC welcomes the voluntary commitment from the applicant to provide 10% net gain for biodiversity, however unless this can be secured it should not be promoted within the application as a benefit of the development. The metric relies on habitats being in place and managed for a period of 30 years to provide the benefit stated within the metric. NYC would expect to see the long-term management and monitoring secured either through a specific requirement for BNG within the DCO, to form a specific bullet point within Requirement 10 (LEMP) or as a separate legal agreement such as a section 106.</p>

ExQ2	Question to:	Question:
7.The draft Development Consent Order (dDCO) [REP4-004]		
7.4 Schedule 2 Requirements		
Part 1 Requirements		
Q7.4.2	The applicant and North Yorkshire Council	Paragraph 7. Operational Environmental Management Plan (OEMP): Do the applicant and the council agree that operational noise is sufficiently covered within the outline Operational Environmental Management Plan (oOEMP) and that there is no need for a separate requirement on noise?
	Response	This is agreed, Operational noise can be covered within the OEMP
Q7.4.4	The applicant and North Yorkshire Council	Paragraph 13. Construction working hours: in addition to audibility not satisfying the test of precision, to form part of a requirement, would it not be better for the detail on this issue to be within the Construction Environmental Management Plan (CEMP)/outline Construction Environmental Management Plan (oCEMP) rather than on the face of the dDCO?
	Response	This is agreed – Working hours can be dealt with within the CEMP
Q7.4.5	The applicant and North Yorkshire Council	Paragraph 13. Construction working hours: Whilst this matter appears to be agreed, in order to reduce the need for on-site lighting/ temporary power generation described in the oCEMP and the adverse local effects that can cause, could construction be limited to daylight hours Monday to Friday only, potentially subject to 0700-1900 limit, or leave the matter to be agreed with the council via the CEMP/ oCEMP? (see also Q7.6.8)
	Response	Either approach is acceptable to North Yorkshire Council and no objection is raised.

ExQ2	Question to:	Question:
10. Landscape and visual		
Q10.0.2	North Yorkshire Council	With regard to unresolved matters what is NYC seeking, for example a new/ modified requirement, a new/ modified certified outline plan secured by a requirement or a development consent obligation agreed the Applicant? Could the council provide details and evidence of policy, guidance, research or comparable precedent that would support its case?
	Response	<p>North Yorkshire Council (NYC) are seeking further landscape mitigation to be delivered by a Community Mitigation Fund and secured by a S106 agreement. A Landscape Mitigation Proposal has been submitted by North Yorkshire Council [REP5-017], with Draft Heads of Terms set out at Appendix A.</p> <p>NYC wish to maintain its concern about the significant adverse residual landscape, visual and cumulative effects as a consequence of the Proposed Development, including the significant adverse cumulative effects</p> <p>NYC maintain that it is not sufficient to simply accept significant adverse residual effects. In this case it is reasonable and necessary to further mitigate, reduce and offset those adverse impacts on environment, including the long-term and cumulative adverse impacts, following the mitigation hierarchy, in-line with the requirements of NPS EN-1 Part 4.</p> <p>NYC are seeking mitigation for those community areas impacted and is directly related to the development; necessary to make the development acceptable in planning terms; fairly and reasonably relate to the scale and kind to the proposal.</p> <p>Given the transformational landscape-scale of the project (encompassing 475ha) with significant residual landscape and cumulative effects in proximity to the settlements of Camblesforth, Drax, Hirst Courtney, and Barlow, North Yorkshire Council would wish to see a mitigation proposal proportionate to the nature and scale of the proposed development.</p>

ExQ2	Question to:	Question:
		<p>It is proposed that the Applicant should provide a Community Off-Site Mitigation Fund of £500 per MW /year export generation as annual payments, for the life of the scheme. Fund and projects delivery will focus on the local community and parish council area affected and prioritise locations as close to the Proposed Development as possible within 5km from the site boundary as a starting point. Justification, scope and range of the mitigation fund and projects are also outlined in the proposal.</p> <p>NYC consider that the proposed Community Mitigation Fund should be used specifically to provide offsite mitigation to compensate for the substantial visual harm, extensive loss of rural character, loss of quality amenity space between and adjacent to settlements, harm to local well-being and mental health to the locality and vast loss of enjoyment of open countryside for the period of a generation.</p> <p>Delivery of landscape mitigation via a fund would be similar to the approach on planning applications for other major developments and infrastructure projects and where impacts cannot be sufficiently resolved on the site and where impacts extend to a wider study area beyond the site.</p> <p>Where justified, the principle of delivering offsite mitigation within North Yorkshire, to reduce on-site and off-site impacts of significant major development and NSIPs through S106 agreements and within DCO are not unusual for North Yorkshire Council, working with delivery partners such as the AONB Management Teams, charities and trusts such as Two Ridings Community Foundation, and through other delivery fund agreements. An example of this principle was given at the ISH2 (Drax Repower NSIP ref: EN010091), where landscape works and funds via a 'Landscape Mitigation Contribution' were secured by S106 Agreement in order to deliver off-site mitigation within the surrounding area impacted up to 3km</p> <p>EN010091-001134-8-5-25_Legal_agreement_s.pdf</p>

ExQ2	Question to:	Question:
		Documents Drax Re-power While the type of development is different, the principle to secure an offsite mitigation proposal for an NSIP is the same.
12.Socio-economic (including agriculture)		
Q12.0.2	North Yorkshire Council	Would the council consider it helpful if the applicant provided an outline supply chain, employment and skills plan as a certified document which would be secured by a requirement?
	Response	<p>North Yorkshire Council would welcome an outline supply chain, employment and skills plan, in a certified document secured by a Requirement in the DCO.</p> <p>An outline supply chain, employment and skills plan would provide a commitment from the applicant to ensure that economic benefits, where possible, would be locally felt. The main benefits would be during the construction phases with minimal benefits during the operational phase. There would however be a further opportunity for local economic benefit at decommissioning phase, although this would mainly be in the supply chain. Notwithstanding, the Council consider that these benefits too should be locally directed and recommends that a decommissioning outline supply chain, employment and skills plan be prepared at the time of decommissioning. This should be secured as a requirement in the DCO.</p> <p>Although such a document would be helpful, NYC does not consider that this alone addresses the Council's concerns regarding socio-economic impacts, especially the implications on public health, from the proposed development.</p>
Q12.0.3	North Yorkshire Council	If the answer to Q12.02 is yes then please could the council comment in general terms on the adequacy of the outline supply chain, employment and skills plan provided for the Heckington Fen solar park?

ExQ2	Question to:	Question:
		EN010123-001015-7.12 - Outline Supply Chain, Skills and Employment Plan - Rev 4.pdf
	Response	<p>North Yorkshire Council would welcome a plan similar to that provided for Heckington Fen Solar Park EN010123-001015-7.12 - Outline Supply Chain, Skills and Employment Plan - Rev 4.pdf It provides an appropriate scope and level of detail expected and would need to be specific to the proposed development.</p> <p>In the event of a plan being prepared the Council would seek to engage with the applicant to input into a list of partners, education provides and business support groups.</p>