



The Planning Inspectorate

By email

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

**Your ref:** EN010140

**Registration number:** 20050710

**Date:** 24 April 2025

Dear Sir/Madam

**DEADLINE 7 - COMMENTS ON ANY ADDITIONAL INFORMATION / SUBMISSIONS RECEIVED BY DEADLINE 6; UPDATED PADS.**

The comments presented below have been made in response to information submitted by the Applicant at Deadline 6.

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

All issues are now resolved in principle. The final remaining issue concerns the wording of the protective provisions. The wording has now been agreed, and we await the submission of the agreed protective provisions in the dDCO at Deadline 7, and expect to be able to confirm that this has been resolved at Deadline 8.

**[REP6-004] draft Development Consent Order**

We have reviewed the updated dDCO [REP6-004] and are satisfied with the changes as they relate to the Environment Agency, specifically the inclusion of Requirement 22 - Flood Management Strategy. This is reflected in the updated PADSS appended to this letter, which now shows all principal areas of disagreement as 'Resolved'.

**[REP6-016] to [REP6-031] Flood Risk Assessment**

We have reviewed the updated FRA documents and are satisfied that these reflect the agreed Flood Management Strategy. This information alongside the agreed requirement is satisfactory to resolve this issue.

**[REP6-033] Statement of Commonality**

Para.4.4 We agree with the position as described here. Since D6 we have now agreed the wording for Environment Agency Protective Provisions, which were the sole remaining matter between the parties.

**[REP6-032] Draft Statement of Common Ground with the Environment Agency**

The SoCG as submitted at Deadline 6 was correct at the time of submission. A revised SoCG that reflects the agreement of the protective provisions has now been submitted at Deadline 7.

We expect to be able to confirm that this issue is resolved at D8, following submission of revised DCO at D7.

Yours faithfully

[REDACTED]

**Planning Specialist – National Infrastructure Team**

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## **Appendix 1**

### **Helios Renewable Energy - Environment Agency Principal Areas of Disagreement Summary Statement Version: 05 dated 24.04.2025**

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) Resolved
	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