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The Applicant's Responses to Deadline 6 Submissions

April 2025

Helios Renewable Energy Project

The Applicant's Responses to Deadline 6 Submissions

Planning Inspectorate Reference: EN010140

April 2025

Prepared on behalf of Enso Green Holdings D Limited

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CONTENTS

1. Introduction..... 3

1.1. Overview..... 3

1.2. Structure of this Document..... 3

2. Deadline 6 Submissions 4

3. The Applicant’s Responses to Deadline 6 Submissions 6

3.1. North Yorkshire Council 6

1. Introduction

1.1. Overview

- 1.1.1. This document sets out the responses from Enso Green Holdings D Limited (the 'Applicant') to the representations submitted by Interested Parties at Deadline 6 (the 'Deadline 6 submissions') in relation to the Development Consent Order Application (the 'DCO Application') for the Helios Renewable Energy Project (the 'Proposed Development').
- 1.1.2. The Deadline 6 submissions were published on the Planning Inspectorate website on 11th April 2025. A total of seven Deadline 6 submissions were provided by Interested Parties, comprising both statutory consultees and local residents.

1.2. Structure of this Document

- 1.2.1. This document provides responses from the Applicant to the matters raised in the Deadline 6 submissions and is structured as follows:
- **Section 2** – List of Deadline 6 Submissions with the Applicant's Comments; and
 - **Section 3** – Applicant's Responses to Deadline 6 Submissions (North Yorkshire Council's Responses to ExQ2).
- 1.2.2. References to the DCO Application documentation, as received by the Planning Inspectorate on 2 July 2024, are provided in accordance with the referencing system as set out in the Planning Inspectorate's 'Helios Renewable Energy Project Examination Library'.

2. Deadline 6 Submissions

Table 1.1: List of Deadline 6 submissions from Statutory Consultees and other Organisations

| PINS Reference | Interested Party | Document | Applicant's Comments |
|----------------|---------------------------|---|---|
| REP6-037 | North Yorkshire Council | Responses to the ExA's Second Written Questions (ExQ2) | See Section 3 for response. |
| REP6-038 | Environment Agency | Comments on any information requested/submissions received by Deadline 5, Responses to ExQ2, Updated PADS | The Environment Agency's position matches the Statement of Common Ground submitted at Deadline 6 [REP6-032] . The final outstanding matter (protective provisions) has been agreed, and an updated final Statement of Common Ground is submitted at Deadline 7. The Applicant has included the agreed protective provisions in the dDCO at Deadline 7 subject to the Environment Agency withdrawing their objection at Deadline 8. See Annex A (Rev B) [Deadline 7 Submission] for further information. |
| REP6-039 | Environment Agency | Updated PADS where any substantive changes have been made | |
| REP6-040 | National Gas Transmission | Responses to the ExA's Second Written Questions (ExQ2) | Protective Provisions have agreed with National Gas Transmission and are included in the dDCO submitted Deadline 7. It is therefore expected that NGT will be withdrawing their objection imminently. See Annex A (Rev B) [Deadline 7 Submission] for further information. |

Helios Renewable Energy Project
The Applicant's Responses to Deadline 6 Submissions

Table 1.2: List of Deadline 5 submissions from Local Residents

| PINS Reference | Interested Party | Document | Applicant's Comments |
|-----------------------|-------------------------|--|---|
| REP6-041 | Pamela Joy Spreckley | Response to: Applicant's Written Summary of the Applicant's Oral Submissions - OFH 2 | <p>The Applicant notes that a reference has been provided for the WHO recommendation that solar farms should be located at least 2 miles from residential properties. To clarify, submission ID 28466 refers to a written representation [REP1-130] received on East Yorkshire Solar Farm from local residents Beckitt and MacMillan, which states '<i>The World Health Organisation recommends that Solar Farms should be 2 miles from residential properties</i>'¹. It does not refer to a document published by the World Health Organisation.</p> <p>The Applicant has no further comments on this submission.</p> |
| REP6-042 | Pamela Joy Spreckley | Response to: Applicants Written Summary of the Applicant's Oral Submissions - ISH 2 | The Applicant has no further comments on this submission. |
| REP6-043 | Pamela Joy Spreckley | Responses to the ExA's Second Written Questions (ExQ2) | The Applicant has no further comments on this submission. |

¹ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010143/EN010143-000629-Beckitt%20and%20MacMillan%20-%20Other.pdf>

3. The Applicant's Responses to Deadline 6 Submissions

3.1. North Yorkshire Council

- 3.1.1. Table 3.1 includes the Applicant's comments on North Yorkshire Council's Responses to the ExA's Second Written Questions, where necessary.

Table 3.1 – Responses to the ExA's Second Written Questions (ExQ2) [REP6-037]

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|------------------|---|---|
| 2. Design | | |
| Q2.0.1 | <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. While there is some reference to parameters and design within the Environment 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> | <p>The Applicant has prepared an Outline Design Principles document which is submitted at Deadline 7 and has amended Requirement 3 to secure this. It has also been added to Schedule 11 to be certified in accordance with article 38.</p> |

Helios Renewable Energy Project
The Applicant's Responses to Deadline 6 Submissions

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|------------------------|--|--|
| Q2.0.2 | <p>Generally, NYC would welcome an outline design principles document similar to that provided for Heckington Fen Solar Park.</p> <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> | <p>As set out in Section 3.3 of ES Chapter 3 Site and Development Description [APP-023], the Rochdale Envelope principle has been adopted in respect of the assessment of the Proposed Development within the ES, whereby maximum parameters have been assessed to determine the potential for significant effects and to identify suitable mitigation measures. Should the DCO be granted, it will permit the construction and operation of the Proposed Development up to those maximum parameters as assessed in the Environmental Statement (article 4 of the dDCO). The maximum parameters assessed accord with the need to make efficient use of the 190MW connection available in this location.</p> <p>The Applicant has engaged throughout with the Council but to date the Council have not told the Applicant which fields that they consider to be more sensitive than others nor raised any concerns in respect of impacts on particular dwellings. The Applicant has produced an Outline Design Principles document which is submitted at Deadline 7 and has amended Requirement 3 to secure this. It has also been added to Schedule 11 to be certified in accordance with article 38.</p> |
| 4. Biodiversity | | |
| Q4.0.2 | <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</p> | <p>Matter 1 - Monitoring of ground nesting birds and bats</p> <p>The Applicant's position on this matter is set out in paragraph 5.2.2 of the Written Summary of the Applicant's Oral Submissions – Issue Specific Hearing 2 [REP5-012]: The</p> |

Helios Renewable Energy Project
The Applicant's Responses to Deadline 6 Submissions

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|------|---|---|
| | <p>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>Matter 2 - BNG 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> | <p><i>Applicant confirmed that it was not necessary to monitor the species as the habitats would be monitored as a result of the LEMP and therefore there should be no reason why the species wouldn't continue to use the site.</i></p> <p>The peer-reviewed research paper referenced by NYC (Tinsley <i>et al</i>, 2023) concludes with regards to bats that “Solar photovoltaic developments should be screened in Environmental Impact Assessments for ecological impacts, and appropriate mitigation (e.g. maintaining boundaries, planting vegetation to network with surrounding foraging habitat) and monitoring should be implemented to highlight potential negative effects”. ES Chapter 8 Biodiversity [APP-028] includes assessment of the likely impact of the Proposed Development on bats including any mitigation required. With regards to monitoring, the Applicant's position is set out above.</p> <p>Matter 2 – BNG The Applicant's position on this matter is set out in response to Local Impact Report paragraphs 9.12 – 9.14 in the Applicant's Response to NYC's Local Impact Report [REP3-010]. The Applicant has complied with Section 4.6 of NPS EN1 so far as is appropriate. The Applicant has undertaken a BNG assessment using the statutory metric and has demonstrated that the Proposed Development will be able to deliver environmental and biodiversity net gain. The delivery of the gains is secured in the LEMP by Requirement 10 and it is not appropriate or necessary for the Applicant to do anything more as the statutory regime is not yet in force for NSIPs. Paragraph 4.6.1 and 4.6.2 of NPS EN1 make it clear that applications must comply with a biodiversity gain objective which to date has not been set out in a biodiversity gain statement. Consequently, the Applicant's</p> |

Helios Renewable Energy Project
The Applicant's Responses to Deadline 6 Submissions

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|----------------------|---|---|
| | | position is that it has undertaken an assessment and secured the delivery of gain appropriately in the dDCO. |
| 10. Landscape | | |
| Q10.0.2 | <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. Given the transformational landscape-scale of the project (encompassing 475ha) with significant residual landscape and cumulative effects in proximity to the settlements of</p> | <p>The Applicant's position on this matter is set out in Table 3.1 of The Applicant's Responses to Deadline 5 Submissions [REP6-034].</p> <p>The Applicant notes that NYC has made a further reference to the S106 Agreement² for the Drax Repower Project (EN010091). It should be noted that this S106 contains a provision for specific landscaping projects within 3 kilometres of the Drax Repower Project to support objectives identified in the Leeds City Green and Blue Infrastructure Strategy. Five projects were identified and set out in the S106 Agreement together with a provision for any other works located within 3 kilometres of the Drax Repower Project, aimed at offsetting its effects.</p> <p>As noted in the Applicant's Written Summary of the Applicant's Oral Submissions – Issue Specific Hearing 2 [REP5-012], the Applicant considers that the off-site mitigation fund agreed between NYC and Drax is for a fundamentally different type of development.</p> <p>NYC's Landscape Mitigation Proposal does not provide details of projects that can be directly linked to the Proposed Development and that will offset the residual impacts of it. The Applicant maintains its position that it used the design process and an iterative assessment process to avoid and reduce</p> |

² [EN010091-001134-8-5-25_Legal_agreement_s.pdf](#)

Helios Renewable Energy Project

The Applicant's Responses to Deadline 6 Submissions

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|------|--|--|
| | <p>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> <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 though S106 agreements and within DCO are not unusual for North Yorkshire</p> | <p>potential landscape effects where possible. The proposed landscape strategy is considered to be effective in reducing the potential landscape and visual effects of the Proposed Development. Off-site mitigation is therefore not required.</p> <p>The Applicant also reiterated the above points and outlined the community benefits of the Proposed Development in The Applicant's Responses to Written Representations and Comments on D1 Submissions [REP3-009]</p> <p>The Applicant's position is therefore unchanged from ISH2, as presented in paragraphs 4.1.5 and 4.1.6 of the Written Summary of the Applicant's Oral Submissions – Issue Specific Hearing 2 [REP5-012].</p> |

Helios Renewable Energy Project

The Applicant's Responses to Deadline 6 Submissions

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|---------------------------|--|--|
| | <p>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>While the type of development is different, the principle to secure an offsite mitigation proposal for an NSIP is the same.</p> | |
| 12. Socio-economic | | |
| Q12.0.2 | <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</p> | <p>The Applicant has prepared an Outline Supply Chain, Employment and Skills Plan which is submitted at Deadline 7 and has included a new Requirement 23 in the dDCO to secure this. It has also been added to Schedule 11 to be a certified document in accordance with article 38 of the dDCO.</p> |

Helios Renewable Energy Project

The Applicant's Responses to Deadline 6 Submissions

| ExQ2 | North Yorkshire Council Response | Applicant's Response |
|---------|---|----------------------|
| | regarding socio-economic impacts, especially the implications on public health, from the proposed development. | |
| Q12.0.3 | <p>North Yorkshire Council would welcome a plan similar to that provided for Heckington Fen Solar Park. 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> | |