

Graham Rawlings

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Dear Sirs,

## **Helios Renewable Energy Project**

Thank you for allowing us the opportunity of commenting on Enso Green Holding's (EGHDL) response to your request for more information dated 26 September.

### **Alternatives and Site Selection Search Criteria**

The Secretary of State is right to query the self-restricted size of the search area and the highly opaque site selection process. I raised both these issues in my letter of 12 January. However, it may be worth going back one stage further and begin by questioning why the grid connection (PoC) at Drax was chosen at the outset.

The applicant claims the “search” began by looking for a site suitable for a “large-scale solar farm in the North Yorkshire region<sup>1</sup>” and states: “Upon identification and securing the PoC at the Drax 132 kV National Grid Substation, the search for an appropriate site could begin in earnest.”

### **The Drax Grid Connection**

What prompted the applicant to identify Drax? It's surrounded by majority BMV land and already with an excess of energy generating and distribution infrastructure. Other more suitable local PoCs were available in North Yorkshire. At least two have subsequently been selected by other developers, at Monk Fryston sub-station (500 MW Light Valley Solar Farm), and Thornton Greener Grid Park substation (500 MW Mylen Leah Solar Farm) where there is an abundance of low grade, non-BMV land according to the ALC maps. The applicant does not explain why these (or indeed other PoCs) were either not offered by National Grid in 2020 when the Bilateral Connection Agreement was signed or were discounted by EGHDL.

The reason can perhaps be found on Enso Energy's own website which reveals how their current 3-step site selection process<sup>2</sup> works in practice. It does not involve a search. Landowners are encouraged to contact Enso:

**“We work with you to understand what you want to achieve with your land, then we consult the local community and apply for planning permission. If you're a landowner and interested in the potential of renewable energy on your land, talk to us.”**

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1 PINS Document Number: EN010140/APP/7.1.2 paragraph 2.4.2

2 <https://ensoenergy.co.uk/landowners/>

A button ("Let's talk") is helpfully provided. Unless EGHDL's business model has changed radically, it would seem the site found them, and not the other way around.

The applicant admits, the 'search' ended as soon as the site "became available."<sup>3</sup> It follows that if the landowner did approach Enso Energy first, no real search ever took place or was at best a cursory one. This would help explain how a project of this scale managed to reach the SoS's desk for approval with fundamental questions being raised about the choice of site.

If a robust search process did take place it's difficult to see what has prevented the applicant from offering far more plausible and convincing details.

## **The 5 Km Search Radius**

The SoS asked for "additional detailed reasons and considerations" for choosing a 5 Km radius, including "economic reasons." What you received were simply more assertions and a restatement of the original methodology, such as it was.

Once the site had been offered, the PoC at Drax was the only logical option. It was then a simple matter of choosing an arbitrarily narrow search radius, eliminating land inside it already occupied, or used for a wind farm or earmarked for two solar farms and dismissing land on the opposite banks of two rivers due to "unnecessary complexity." EGHDL's own artificial search criteria forced the signpost toward their preordained site. There was no systematic 'search' process in any sense that a reasonable person would recognise.

The radius was, EGHDL say, based largely on reducing cost and limiting transmission losses.

However, no costings or economic reasons have been provided. Whilst trenching of HV cables over private land is no doubt expensive, on a £150-200 million project, an additional 2-3 kilometres is hardly likely to seriously impact viability, even less so when spread over a 40-year lifespan. The transmission loss argument is equally unconvincing over such a short distance and at a high voltage.

To conclusively disprove both points, in December 2023 Boom Power applied for the East Yorkshire Solar Farm (EYSF) on land to the North East of the applicant's site and on the other side of the River Ouse, with solar panels stretching beyond Gribthorpe, almost 15 Km from the PoC at Drax Power Station. Indeed, the connection corridor alone is circa 5 Km! Boom Power secured a DCO on 9 May this year.

The only 'additional detailed reason' provided by the applicant is that other UK solar schemes have used a similar distance. This is hardly compelling and as far as I can see, none of the examples listed involved the loss of 97.3% BMV land and, from that standpoint, were not unreasonable locations.

The use of the site for the Helios Project was thus rendered "unavoidable" (EGHDL's word), only by deliberately limiting themselves to a very small, completely arbitrary 'search area' already crowded with two solar farms and other energy generating and transmission infrastructure.

If searching in a 5 Km radius produced a site almost wholly consisting of BMV land, the obvious next step would have been (in order) to (a) continue the search, (b) extend the radius, or (c) look for other grid connection points. EGHDL did none of these things. They prioritised their own self-imposed criteria over clear planning guidance.

## Cumulative impact

National Policy Statement for Renewable Energy Infrastructure<sup>4</sup> (EN-3) paragraph 2.10.26 asks that when choosing a site based on nearby grid exporting capacity, applicants “consider the cumulative impacts of situating a solar farm in proximity to other energy generating stations and infrastructure.” It is one of the very few restrictions on the siting of solar farms. Presumably the authors of EN-3 appreciated that some PoCs would be at risk of excessively large project clusters in close proximity to each other.

EGHDL admit there is “a series of [solar] schemes either recently consented or in the early planning stages” within the search area and conceded in June 2024 that there is already “a significant amount of pre-existing transmission infrastructure<sup>5</sup>” but suggest this is somehow an “additional benefit” for their own scheme. If that was true, paragraph 2.10.26 would become meaningless.

The applicants own Alternative Site Assessment<sup>6</sup> reveals the sheer amount of extant and planned energy generating infrastructure (13 in total, excluding Drax Power Station) in the local area, to which eleven more projects have been added subsequently, as noted in my previous response. There must be a limit to what is deemed acceptable for one small community to bear.

As far as I can see, Helios is the only example among those listed using almost 100% BMV land.

## The use of BMV land

EGHDL was aware of over 1,000 Ha of low grade land to the north east used for the EYSF (Note: less than 13% BMV) but dismissed a similar river crossing because of “unnecessary technical complexity<sup>7</sup>.”

There is also more low grade land to the south west across the River Aire, as the Alternative Site Assessment (Fig 2.10) clearly shows, that was never considered because the search for potential sites effectively ended as soon as “suitable land became available for the Proposed Development within the 5km area, and the search area radius did not need to be expanded to identify additional land<sup>8</sup>.”

This is the key sentence. The word 'suitable' is perhaps slightly disingenuous for a site that is virtually all BMV land.

Para 2.10.29 of the NPPS for Renewable Energy Infrastructure (EN-3) is clear: “poorer quality land should be preferred to higher quality land avoiding the use of 'Best and Most Versatile' agricultural land where possible.”

But EGHDL failed to undertake any real work to find lower grade land and have been unable to produce any of the “most compelling evidence” required by the 2015 Written Ministerial Statement<sup>9</sup> to justify using all BMV land for a solar farm.

If a DCO is granted for the Helios scheme on 97.3% BMV land the SoS will create a dangerous precedent for the future. Every BMV location within 5Km of a PoC will eventually become available for solar farms once all lower quality land had been used. Para 2.10.29 may determine the *order* of development, but will have no effect on the final outcome.

Again, I suggest if this is what the authors of EN-3 intended, they would have been far more explicit in the language used.

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4 <https://assets.publishing.service.gov.uk/media/65a7889996a5ec000d731aba/nps-renewable-energy-infrastructure-en3.pdf>

5 PINS Document Number: EN010140/APP/7.1.2 paragraph 2.6.19

6 PINS Document Number: EN010140/APP/7.1.2 Fig 2.10

7 PINS Document Number: EN010140/APP/10.1 paragraph 3.2.17

8 PINS Document Number: EN010140/APP/10.1 paragraph 3.2.10

9 <https://questions-statements.parliament.uk/written-statements/detail/2015-03-25/HCWS488>

## **Burn Gliding Club**

EGHDL say the proposed Development creates “no significant adverse effects on the operation of the Burn Gliding Club,” something the club clearly disagrees with.

The applicant says BGC have never had to “enter onto their land [the site] to retrieve a glider which has had to undertake an emergency landing in their fields, nor have they seen any damage to their fields, crops or boundaries which would indicate that such an event had occurred<sup>10</sup>.”

This seems cavalier. Because an accident hasn't occurred in the past does not prevent one happening in the future. In any case, as recently as 2020<sup>11</sup> a glider was destroyed and the pilot suffered serious injury during an emergency landing on Common Lane, Burn a few hundred meters north west of the site. This event could easily have taken place on the application site had the wind conditions been different on that day

In 2023 alone the British Gliding Association (BGA) recorded seven emergency field landings<sup>12</sup> in the UK which resulted in substantial damage, part of 144 serious accidents and incidents recorded that year.

## **Network Rail**

Network Rail said in January that it hoped to have reached agreement with the applicant by Deadline 6 (9 April 2025) on access rights affecting a number of plots of land. But here we are in October with NR maintaining its objection to the DCO on the grounds that the draft Order still does not contain the form of protective provisions considered sufficient to protect its assets and to ensure the “safe and efficient operation of the railway.”

## **In conclusion**

The choice of site was always a fundamental mistake. The applicant freely admits to being 'cognisant' of the 'high proportion' (97.3%) of BMV being used but excuses this as being the result of 'constraints' - all of which were self-imposed, not as a result of any legal impediments or planning guidance.

The choice of Drax for the grid connection, the limited 5 Km radius search area, the reluctance to entertain a connection corridor crossing rivers and terminating the search as soon as the site 'became available' were all decisions taken by the applicant alone. It was those deliberate choices that were designed to make the use of high grade agricultural land “unavoidable.” All consistent with the site having been selected beforehand.

This simply cannot be an acceptable process or methodology.

EGHDL essentially created the illusion of having conducted a thorough and reasonable search when in all probability, the site was decided on the moment the landowner offered it. Selection criteria were then reverse engineered to make the choice appear inevitable and therefore encourage the SoS to approve an otherwise totally unsuitable development.

The DCO should be rejected.

Yours Sincerely

Graham Rawlings

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10 PINS Document Number: EN010140/APP/10.1 paragraph 4.2.4

11 <https://asn.flightsafety.org/wikibase/239092>

12 <https://members.gliding.co.uk/wp-content/uploads/sites/3/2024/02/2023-Accident-Review.pdf>