



HELIOS RENEWABLE
ENERGY
PROJECT

Preliminary Environmental Information Report

Volume 2: Main Text and Figures

Chapter 1: Introduction

October 2023

1. Introduction

1.1.1. This chapter is supported by the following figure:

- Figure 1.1 Site Location Plan

1.1.2. This chapter is supported by the following appendix:

- Appendix 1.1 Statement on the Expertise and Qualifications of the Competent Experts Contributing to the PEIR as Required by Regulation 14(4)(b) of the EIA Regulations.

1.2. Introduction

1.2.1. This Preliminary Environmental Information Report ('PEIR') has been prepared on behalf of Enso Green Holdings D Limited (the 'Applicant') in relation to an application to be made to the Secretary of State ('SoS') for the Department for Energy Security and Net Zero under Section 37 of the Planning Act 2008 (as amended) ('the PA2008'), seeking a Development Consent Order ('DCO') for the Helios Renewable Energy Project ('the Proposed Development').

1.3. The Environmental Impact Assessment ('EIA') Process

1.3.1. The EIA requirement for Nationally Significant Infrastructure Projects ('NSIPs') is transposed into law through the *Infrastructure Planning (Environmental Impact Assessment) Regulations 2017* (the 'EIA Regulations'). The EIA Regulations specify which developments are required to undergo EIA and schemes relevant to the NSIP planning process are listed under either 'Schedule 1' or 'Schedule 2'. Those developments listed in Schedule 1 must be subject to EIA, while developments listed in 'Schedule 2' are only subject to EIA if they are considered 'likely to have significant effects on the environment by virtue of factors such as its nature, size or location' (Regulation 3(1) of the EIA Regulations). The selection criteria for Schedule 2 development are set out in Schedule 3. The Proposed Development falls under Schedule 2 of the EIA Regulations.

1.3.2. This PEIR presents the preliminary findings of the EIA undertaken for the Proposed Development and has been compiled in accordance with the EIA Regulations, including Regulations 12 and 14 and Schedule 4, discussed as follows in this

chapter.

- 1.3.3. The EIA Regulations set out the statutory process and minimum requirements for the provision of adequate environmental information to enable the EIA process. The EIA, activities, surveys, and studies will be reported in the Environmental Statement ('ES').
- 1.3.4. The EIA process can be broadly summarised as consisting of three main elements that take place prior to the submission of the DCO application, including the ES:
- Scoping: the Applicant submits a Scoping Report in support of a request for a Scoping Opinion from the Planning Inspectorate ('PINS'), who conduct scoping on behalf of the SoS for Department of Energy Security and Net Zero. PINS must consult defined consultation bodies before issuing the Scoping Opinion. The request for a Scoping Opinion (refer to Appendix 2.1) was submitted on Monday, 6th June 2022, and the Scoping Opinion (refer to Appendix 2.2) was adopted on Thursday, 14th July 2022.
 - Consultation: the Applicant is required to conduct pre-application consultation in accordance with the PA2008 and associated guidance and Regulations, which includes the EIA Regulations. For EIA development, the applicant must consult on preliminary environmental information which is the information listed in Regulation 14(2) of the EIA Regulations which has been compiled by the Applicant and is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development and any associated development. This PEIR has been prepared for the Proposed Development. It has incorporated the findings of the surveys and initial assessments and enables consultees to develop an informed view of the likely significant environmental effects of the Proposed Development. Feedback is being sought from the local communities and other stakeholders on this PEIR.
 - ES Preparation: the ES is prepared taking into account the responses to the consultation process. The ES for the Proposed Development will advance the content of the PEIR and incorporate the responses from the consultation and results of the surveys undertaken. It will also describe any changes made to the project and any mitigation measures that need to be implemented. The ES will form part of the DCO application.

1.4. The Purpose of the PEIR

- 1.4.1. This PEIR takes the form of a draft ES and contains the initial findings of the assessment of likely significant environmental effects resulting from the construction, operation and maintenance, and decommissioning phases of the Proposed Development, including initial measures, where necessary, to mitigate significant adverse environmental effects. The PEIR is being published to accompany formal consultation and publicity under Sections 42, 47 and 48 of the PA2008 and the Applicant is actively seeking comments on the PEIR from consultees. The information contained within the PEIR is 'preliminary', reflecting design development to date. It does not represent a final project design, and environmental assessment conclusions contained herein are also preliminary and subject to change.
- 1.4.2. Consultation responses on the information provided will aid the Applicant in refining the Proposed Development's design. The final design will be assessed for likely significant environmental effects in the ES to be submitted in support of the DCO application. The consultation process will also be used to continue to obtain information that will inform the final assessment of impacts which will be contained within the ES.
- 1.4.3. Regulation 12(2) of the EIA Regulations defines '*preliminary environmental information*' as:
- '... information referred to in regulation 14(2) which –*
- a) *has been compiled by the applicant; and*
- b) *is reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development (and of any associated development)'*
- 1.4.4. The PEIR has been prepared in accordance with the Planning Inspectorate's *Advice Note Seven: Environmental Impact Assessment: Process, Preliminary Environmental Information and Environmental Statements*¹. Paragraph 8.4 of Advice Note Seven states:
- 'There is no prescribed format as to what PEI should comprise and it is not expected to replicate or be a draft of the ES. However, if the Applicant considers this to be appropriate (and more cost-effective) it can be*

¹ Available at: <https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-seven-environmental-impact-assessment-process-preliminary-environmental-information-and-environmental-statements/#8> Accessed August 2023.

presented in this way. A good PEI document is one that enables consultees (both specialist and non-specialist) to understand the likely environmental effects of the Proposed Development and helps to inform their consultation responses on the Proposed Development during the pre-application stage.'

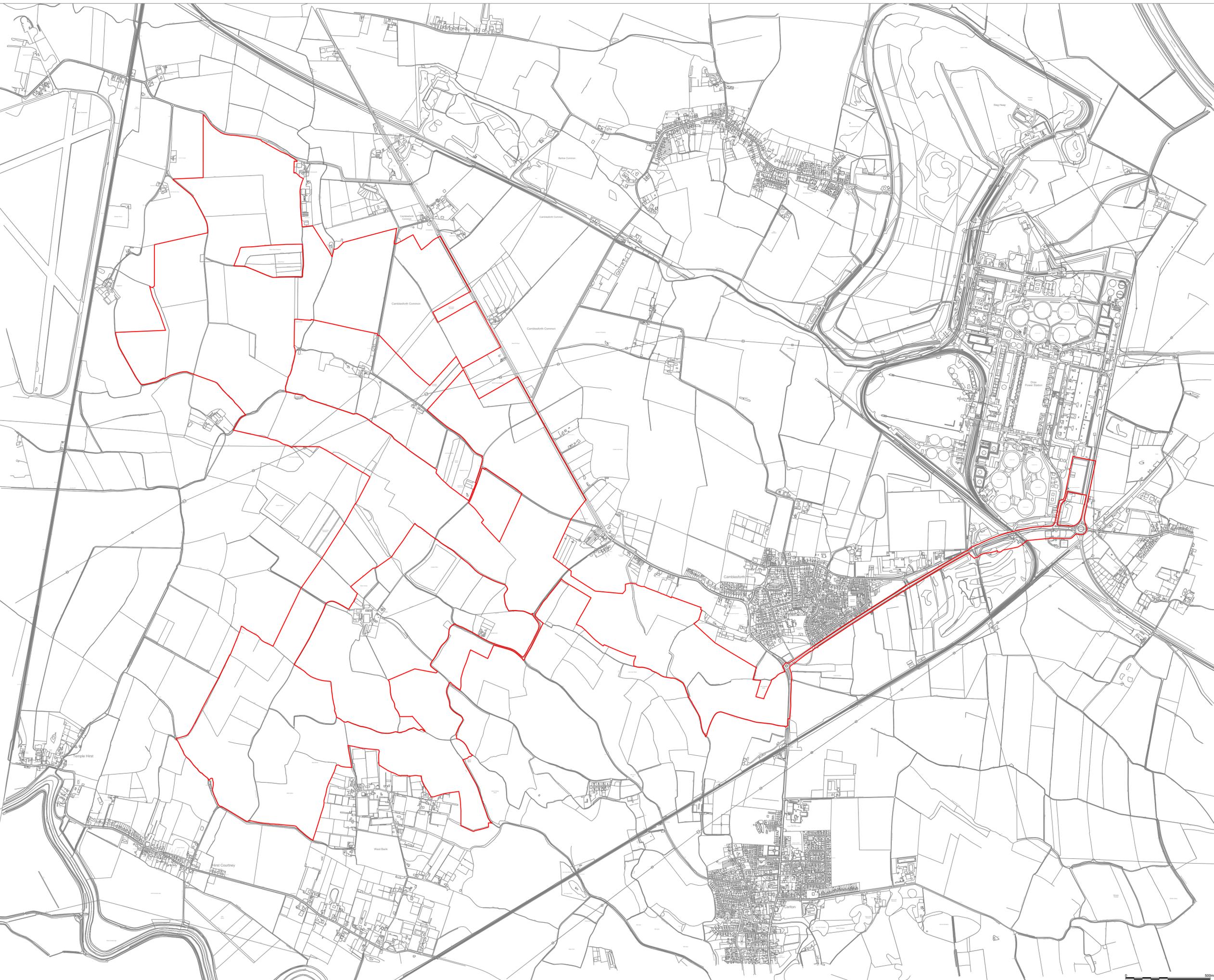
- 1.4.5. This PEIR is being published alongside other documents that comprise the statutory pre-application consultation and publicity for the Proposed Development, in accordance with the requirements of Sections 42, 47 and 48 of the PA2008. Feedback on the PEIR received from consultees, along with a summary of other relevant issues raised during consultation, will be recorded and referenced within the ES, and the Consultation Report to be submitted with the DCO application, with commentary on how the feedback was considered further and how it informed the evolution of the Proposed Development's design.

1.5. The Proposed Development

- 1.5.1. The Proposed Development comprises the proposed construction, operation and maintenance, and decommissioning of a renewable energy generating project on 475.68 hectares ('ha') (approximately 1,175 acres) of land located to the south-west of the village of Camblesforth and to the north of the village of Hirst Courtney in North Yorkshire ('the Site'), within the administrative area of NYC (refer to Figure 1.1 Site Location Plan).
- 1.5.2. The Proposed Development has an expected energy generating capacity in excess of the 50MW threshold for onshore generating stations in England and therefore constitutes an NSIP under sections 14(1)(a) and 15(1) and (2) of the PA2008. Accordingly, the Applicant intends to make an application for a DCO to authorise the Proposed Development. The DCO will include a description of the Proposed Development and will be accompanied by an ES prepared in accordance with the EIA Regulations, with the Proposed Development falling under Schedule 2 of the EIA Regulations.

Figure 1.1 Site Location Plan

KEY
Site Boundary



Revisions:
01 - (12/07/2022 JS) Revised boundary
02 - (21/02/2023 JS) Revised boundary
03 - (20/04/2023 JS) Revised boundary
04 - (28/04/2023 JS) Revised boundary
05 - (12/06/2023 JS) Revised boundary
06 - (20/07/2023 JS) Revised boundary
07 - (03/08/2023 AD) removal of sheets 2 & 3

ALL DIMENSIONS TO BE CHECKED ON SITE WORK
TO FIGURED DIMENSIONS ONLY REPORT
DISCREPANCIES TO THE OFF AT ONCE BEFORE
PROCEEDING COPYRIGHT ACT APPLIES.
© Enso Energy Ltd. Crown Copyright. All rights reserved.
© 2023 Emapsite license number 0100031673



Project Title:
Helios Renewable Energy Project

Drawing Title:
Site Location Plan

| | | |
|------------------|-----------|------------|
| DRWG No: | Rev: | Sht no: |
| DX-01-P01 | 07 | 1/1 |

| | |
|------------|-------------|
| Drawn by : | Checked by: |
| AD | KL |

| | |
|----------------------|-------------------|
| Scale: | Date: |
| 1:10,000 @ A1 | 03/08/2023 |

1.6. The Applicant

1.6.1. Enso Green Holdings D Limited (the ‘Applicant’) is a joint-venture partnership between Enso Energy and Cero Generation. Enso Energy is one of the UK’s most experienced renewable energy developers, with an unparalleled focus on solar energy. Cero Generation is a leading solar energy company, working across Europe to support the transition to a net-zero future.

1.7. The Structure of the PEIR

1.7.1. The PEIR comprises two volumes and a Non-Technical Summary (‘NTS’). Authors of each chapter and the structure of the PEIR is set out in Table 1.1. In line with Regulation 14(4)(a) of the EIA Regulations, the PEIR has been prepared by competent experts and the relevant expertise or qualifications of the experts are provided at Appendix 1.1 Statement on the Expertise and Qualifications of the Competent Experts Contributing to the PEIR as Required by Regulation 14(4)(b)) of the EIA Regulations.

Table 1.1: Structure of the PEIR and Helios Renewable Energy Project Team

| Chapter no. | Chapter Title | Author |
|---|--|----------------------|
| Volume 1: PEIR Non-Technical Summary | | |
| Summary of the information provided in the PEIR in non-technical language | | |
| Volume 2: PEIR Main Text and Figures | | |
| 1 | Introduction | Stantec ² |
| 2 | EIA Methodology | Stantec |
| 3 | Site and Development Description | Stantec |
| 4 | Alternatives and Design Evolution | Stantec |
| 5 | Construction and Decommissioning Methodology and Phasing | Stantec |
| 6 | Cultural Heritage | Pegasus |
| 7 | Landscape and Views | SLR ³ |
| 8 | Biodiversity | Avian Ecology |

² In the EIA Scoping Report submitted to the Planning Inspectorate (Appendix 2.1 of the PEIR), Barton Willmore, now Stantec was stated as the author of Chapters 1, 2, 3, 4, 5, 12, 13, 15 and 16. Although Stantec are now these chapters’ author, the author remains unchanged.

³ In the EIA Scoping Report submitted to the Planning Inspectorate (Appendix 2.1 of the PEIR), Barton Willmore, now Stantec was stated as the author of Chapter 7 Landscape and Views; however, SLR are now this chapter’s author.

| Chapter no. | Chapter Title | Author |
|--|------------------------------|--------------------------------|
| 9 | Water Environment | PFA ⁴ |
| 10 | Transport and Access | Transport Planning Associates |
| 11 | Noise and Vibration | Inacoustic |
| 12 | Climate Change | Stantec |
| 13 | Socio-Economics | Stantec |
| 14 | Soils and Agricultural Land | Kernon Countryside Consultants |
| 15 | Cumulative Effects | Stantec |
| 16 | Summary and Residual Effects | Stantec |
| Volume 3: Technical Appendices | | |
| Technical data, figures, plans and reports to support the chapters in Volume 2 | | |

1.8. The Consenting Process

The DCO Process

- 1.8.1. The process for applying for a DCO is as set out in the PA2008, including the thresholds above which certain developments are considered to be nationally significant and therefore require development consent, and setting out this statutory process of consenting of NSIPs. Section 31 of the PA2008 states that a DCO is required for development that is or forms part of an NSIP. The Proposed Development comprises an NSIP and therefore the Applicant intends to submit an application for a DCO for all elements of the Proposed Development.
- 1.8.2. The DCO application process is split into the following six stages:
- Pre-application (the DCO application is currently at this stage);
 - Acceptance;
 - Pre-examination;
 - Examination;
 - Decision; and
 - Post-decision.
- 1.8.3. During the pre-application phase, Part 5 of the PA2008 requires promoters of a DCO application to engage in pre-application consultation with statutory consultees and

⁴ In the EIA Scoping Report submitted to the Planning Inspectorate (Appendix 2.1 of the PEIR), Neo Environmental was stated as the author of Chapter 9 Water Environment; however, PFA are now this chapter's author.

other listed parties under Section 42 of the PA2008 and the local community under Section 47 of the PA2008. The proposed application must also be publicised under Section 48 of the PA2008.

- 1.8.4. The EIA Regulations make provisions for various matters in connection with making a DCO application, including in respect of the pre-application consultation described above. Details of the pre-application consultation with the local community that the Applicant is intending to carry out for the Proposed Development will be published in a Statement of Community Consultation ('SoCC'). This PEIR has been published in support of the statutory consultation and publicity required under Sections 42, 47 and 48 of the PA2008.
- 1.8.5. Following the completion of pre-application consultation, the DCO application for the Proposed Development will be prepared and submitted to the SoS via PINS. In line with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulation 5(2)(a) 2009 ('APFP Regulations'), the application will be accompanied by *'the environmental statement required pursuant to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and any scoping or screening opinions or directions'*.

1.9. Planning and Energy Policy Context

National Policy Statements

- 1.9.1. Where a National Policy Statement ('NPS') has effect in relation to development of the description to which the application relates (a 'relevant NPS'), Section 104(2) of the PA2008 provides that the SoS must have regard to any relevant NPS. Other matters which the SoS must have regard to, under Section 104(2) of the PA2008, include any local impact report, any matters prescribed in relation to development of the description to which the application relates, and any other matters which the SoS thinks are both important and relevant to decision.
- 1.9.2. NPSs set out the government's objectives for the development of nationally significant infrastructure, and each NPS covers a different aspect of nationally significant infrastructure. Under Section 104(3) of PA2008, the application must be determined in accordance with the relevant NPS. As there is no current NPS that explicitly deals with solar or energy storage of the nature proposed as part of the Proposed Development, the DCO application for the Proposed Development would

need to be determined by the SoS under Section 105(2) of the PA2008. Section 105 provides that the SoS must, in cases where no NPS has effect, have regard to any local impact report, any matters prescribed in relation to development of the description to which the application relates, and any other matters which the SoS thinks are both important and relevant to the decision.

1.9.3. There are currently two NPSs that, whilst they do not have effect for the Proposed Development, are important and relevant to the determination of the DCO application for the Proposed Development. These are:

- **Overarching National Policy Statement for Energy (EN-1) (July 2011)**⁵ ('NPS EN-1'): Sets out a commitment for the UK to transition to a low carbon economy and establishes the national need for energy infrastructure, including energy storage. It also includes a series of Assessment Principles against which DCO applications for energy infrastructure should be determined.
- **National Policy Statement for Electricity Networks Infrastructure (EN-5) (July 2011)**⁶: Should be read in conjunction with NPS EN-1. This NPS sets out required assessments and technology-specific matters for consideration. It covers above ground electricity lines whose nominal voltage is expected to be 132kV or above. However, paragraph 1.8.2 states that any other kind of electricity infrastructure (including underground cables at any voltage and associated infrastructure such as substations and converter stations) will be covered by this NPS if it constitutes associated development for which consent is sought along with an NSIP such as a generating station.

1.9.4. The relevance of the draft NPS in informing decisions on applications relevant to the Proposed Development, despite the NPS not yet being adopted, is highlighted by Paragraph 4.1 of the Longfield development decision letter, which states:

'The relevance of Draft NPS EN-1 to the development of large-scale solar projects has been confirmed by the SoS's decisions on the Cleve Hill Solar Park project (Ref: EN010085) (28th May 2020), the Little Crow Solar Project (Ref: EN010101) (5th April 2022), and the Longfield Solar Farm Project (Ref: EN010118) (26th June 2023). 'The Overarching National Policy Statement

⁵ Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47854/1938-overarchingnps-for-energy-en1.pdf Accessed August 2023

⁶ Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/47858/1942-nationalpolicy-statement-electricity-networks.pdf Accessed August 2023

(“NPS”) for Energy EN-1 sets out the need and urgency for new energy infrastructure to be consented and built as soon as possible. Draft NPS (“dNPS”) EN-1 explicitly includes solar generation within its scope, recognising the urgent need for such technology and the contribution it can make to achieving Net Zero, providing security of supply and an affordable, reliable system. NPS EN-1 recognises the utility in electricity storage to combat intermittency of renewable generation and that the UK requires more total electricity capacity than it has now’

1.9.5. Paragraphs 7.1 and 7.2 of the Cleve Hill decision letter state:

‘The Secretary of State notes... the absence of a type-specific National Policy Statement for solar power or for battery storage (although the general presumption in favour of all types of energy generation in National Policy Statement EN-1 is a relevant and important matter, even if the presumption of need and that the relative weight to be given to specified criteria in EN-1 does not directly apply in this case). In the absence of a type specific National Policy Statement, the Secretary of State is required to determine applications for development consent for nationally significant infrastructure projects against section 105 of the Planning Act 2008.’

‘National Policy Statement EN-1 which gives support to renewable electricity generating nationally significant infrastructure projects is relevant and important to the consideration of the Application.’

1.9.6. The Government issued revised draft NPSs in March 2023. The relevant provisions are referred to are as follows:

- Revised (Draft) Overarching NPS for Energy (EN-1) (March 2023)⁷ (‘Revised (Draft) NPS EN-1’); and
- Revised (Draft) NPS for Electricity Networks Infrastructure (EN-5) (March 2023)⁸.

1.9.7. Revised (Draft) NPS for Renewable Energy Infrastructure (EN-3) (March 2023)⁹

⁷ Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147380/NPS_EN-1.pdf
Accessed August 2023

⁸ Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147384/NPS_EN-5.pdf
Accessed August 2023

⁹ Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1147382/NPS_EN-3.pdf
Accessed August 2023

should be read in conjunction with Revised (Draft) NPS EN-1 and applies to the types of renewable energy infrastructure listed in paragraph 2.6.1, including solar photovoltaic over 50MW.

- 1.9.8. Once designated, the revised draft energy NPSs will replace the existing NPSs. If the revised draft NPSs are designated prior to the acceptance of the application for examination, then the application should be determined pursuant to Section 104 of PA2008.

Local Policy

- 1.9.9. The Planning Act 2008 ('Act 2008') Section 104 and 105 both include Local Impact Reports ('LIR') as a document the SoS must have regard to in their decision making process. The LIRs are informed by the relevant local planning policy. Furthermore, paragraph 4.1.12 of NPS EN-1 acknowledges that the policies outlined in Development Plan documents and other Local Development Framework documents may hold significance and relevance in the decision-making process of planning. However, in cases where conflicts arise, this paragraph stipulates that the NPS takes precedence for the purpose of the SoS's planning decision-making.
- 1.9.10. The local planning policy is therefore likely to be of consideration in the SoS decision and the local planning policy is formed:
- Selby District Core Strategy Local Plan (2013)¹⁰;
 - Selby District Local Plan Publication Version (2022)¹¹;
 - Selby District Local Plan (2005)¹² (saved policies); and
 - Minerals and Waste Joint Plan 2015-2030 (2022)¹³.
- 1.9.11. Each technical chapter (Chapter 6 to 14) of the PEIR will set out the relevant policies

¹⁰ Available at: https://www.northyorks.gov.uk/sites/default/files/fileroot/planning_migrated/planning_policy/CS_Adoption_Ver_OCT_2013_REDUCED.pdf Accessed August 2023

¹¹ Available at: <https://democracy.selby.gov.uk/documents/s16614/Appendix%201%20Publication%20Local%20Plan.pdf> Accessed August 2023

¹² Available at: <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-your-local-area/selby-planning-policy/selby-development-plan> Accessed August 2023

¹³ Available at: <https://www.northyorks.gov.uk/planning-and-conservation/planning-policy/planning-policy-minerals-and-waste> Accessed: August 2023

to their assessments.