

Our Ref: 23/06010/EIA
Contact: Richard Riggs
Email: Richard.riggs@calderdale.gov.uk
Date: 14 December 2023

**Regeneration and Strategy
Planning Services**
c/o Town Hall
Crossley Street
Halifax
HX1 1UJ

c/o Alison Sidgwick
Natural Power
The Green House
Forrest Estate Dairy
Castle Douglas
DG7 3XS

Dear Alison

Description: EIA Scoping Opinion for the construction of an up to 65 turbine wind farm, solar photovoltaic array, Battery Storage System (BESS), and associated infrastructure
Location: Walshaw Moor Estate, Widdop Road, Heptonstall, Hebden Bridge, Calderdale

EIA Scoping Opinion made in accordance with Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

I write in connection with the above EIA Scoping application received by Calderdale Council on 25 September 2023 (reference 23/06010/EIA), specifically in connection with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 [*the EIA Regulations*].

The EIA Regulations enable an applicant – who is minded to make an EIA application – to ask the relevant planning authority to state in writing their opinion as to the scope and level of detail of the information to be provided in the Environmental Statement.(ES) via a Scoping Opinion.

Regulation 15(2) of the EIA Regulations states that a request for a Scoping Opinion must include:

- a) In relation to an application for planning permission
 - (i) A plan sufficient to identify the land;
 - (ii) A brief description of the nature and purpose of the development, including its location and technical capacity;
 - (iii) An explanation of the likely significant effects of the development on the environment; and,

- (iv) Such information or representations as the person making the request may wish to provide or make.

The Local Planning Authority considers that this has been provided in the applicant's Scoping Report, dated September 2023.

The Local Planning Authority has a duty under Regulation 15(4) of the EIA Regulations to consult the 'consultation bodies' before adopting a Scoping Opinion. National Planning Practice Guidance (NPPG) for Environmental Impact Assessment Paragraph: 042 (Reference ID: 4-042-20170728, dated 28/07/2017) identifies the consultation bodies as including Natural England, Environment Agency, and Marine Management Organisation. The MMO is not considered to be a relevant consultee for this proposal.

Paragraph 042 also states that the term 'consultation bodies' can also include other bodies designated by statutory provision as having specific environmental responsibilities and which the relevant local planning authority or the Secretary of State considers are likely to have an interest in the application. A full list of the consultation bodies and others consulted under this EIA Scoping is provided at Appendix A.

The ES submitted by the applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

Any consultation responses received after the date this Scoping Opinion is published will not be taken into account within this Opinion. Late responses will be made available on the Council's website and to the applicant directly. The applicant should also give due consideration to those comments in preparing an ES.

Structure of this Scoping Opinion

1. The Proposal
2. EIA Approach and Topic Areas
3. Other Information

1. The Proposal

The proposed development would comprise of:

- Up to 65no. wind turbines ranging between 150 – 200m to blade tip height
- Ground-mounted Solar Photovoltaic (PV) panel array
- External transformer housing
- Crane pads
- Access tracks
- Underground electricity cables
- Battery storage units
- Permanent anemometry mast
- Borrow pits
- Temporary construction and storage compound and ancillary infrastructure
- On-site substation
- Temporary construction gatehouse



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- Drainage and drainage attenuation measures (as required)

The lifespan of the proposal would be at least 25-30 years after which time the project would be decommissioned.

The site is located within the Walshaw Moor Estate, close to the northern boundary of Calderdale with Bradford, and would measure c. 2,352 hectares. The site lies within the nationally designated South Pennines Moors Site of Special Scientific Interest (SSSI), and within the internationally designated South Pennine Moors Special Areas of Conservation (SAC) and South Pennine Moors Phase 2 Special Protection Area (SPA). The site also lies in a number of other national and local designations including Green Belt, Special Landscape Areas, and the Wildlife Habitat Networks.

2. EIA Approach and Topic Area

The applicant's submitted Scoping Report sets out the following areas for consideration:

- The Proposed Development
- Project Design
- Cumulative Developments
- Planning and Energy Context
- Ornithology
- Landscape and Visual
- Ecology
- Geology, Peat Hydrology and Hydrogeology
- Noise
- Cultural Heritage
- Access, Traffic and Transport
- Socio-Economics, Land Use, Tourism and Recreation
- Aviation
- Other Issues
 - Shadow Flicker
 - Carbon Calculator
 - Telecommunications
 - Air Quality

Limitations of Scoping Response

National Planning Practice Guidance (NPPG) for Environmental Impact Assessment applications defines a Scoping as *determining the extent of issues to be considered in the assessment and reported in the Environmental Statement. The applicant can ask the local planning authority for its opinion on what information needs to be included.* Furthermore, Paragraph: 034 (Reference ID: 4-034-20170728, dated 28/07/2017) of the NPPG states that *the applicant is responsible for the preparation of the Environmental Statement. In order to ensure the completeness and quality of the Environmental Statement, the applicant must ensure that it is prepared by competent experts and that it is accompanied by a statement from the developer outlining the relevant expertise, or qualifications of such experts, sufficient to demonstrate that this is the case.*

A number of questions for each matter for consideration have been raised by the applicant in framing their Scoping Report. Whilst some of these shall be indirectly answered within this Scoping response, some areas of questioning are considered to fall outside of the scope of an EIA Scoping



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and would be better answered through a pre-application process under the Town and Country Planning Act 1990 (as amended).

Matters such as the required scope and methodologies of the necessary technical assessments are one such case. This is due to the capacity and technical expertise available within the Council, the available capacity within the Planning Department to provide such detailed and extensive advice at the Scoping stage, and the potential for technical consultees not providing a substantive response within the relevant timeframes, potentially leading to key information being missed. Notwithstanding this, some consultee responses directly answer the applicant's questions and give specific technical advice on the expected scope and methodologies to be used. The consultee responses should be read in conjunction with this Scoping response.

For the avoidance of doubt, a lack of a consultee response does not rule out any Likely Significant Effects in that area of technical expertise, nor does it preclude information and/or assessments relevant to that consultee's area of expertise from being included within an ES.

The LPA notes that some areas for consideration have not been included with the submitted Scoping Report and some which the applicant has requested to be scoped out. However, due to a lack of substantive information and assessment at this stage and the largely unknown impacts around the size and scale of the proposal and likely locations of all the on-site infrastructure, most of these matters have been scoped in by the LPA as Likely Significant Effects in EIA terms cannot be ruled out. Unless expressly cited in this Scoping response, no matters for consideration have been scoped out at this stage. Similarly, unless expressly cited in this this Scoping response, all matters scoped in shall be assessed across the construction, operation, and decommissioning and site restoration phases of development.

Key areas scoped into this response include:

- Solar Photovoltaic panel array infrastructure
- Battery storage (BESS) infrastructure
- Other on-site infrastructure necessary for the installation, operation, and decommissioning of the proposal.
- Mitigative tree planting

The LPA notes that the precautionary principle has been applied when assessing the potential impacts of the proposal in EIA terms within this Scoping response.

The applicant is advised to be aware and have regard to any subsequent research or guidelines produced by statutory bodies in the intervening time prior to application to ensure all assessment is undertaken in accordance with the latest advice and research.

Proposed Development and Project Design

An ES must contain the full details of all proposed development. This should include – but is not limited to – full existing and proposed plans and elevations, technical specifications of all temporary and permanent infrastructure, site layout with existing and proposed topographical information, means of site access and internal road and Public Rights of Way layouts (including any proposed temporary or permanent diversions and closures (with appropriate diversions)), underground cabling routes and depths and details of any other underground infrastructure, and full details and locations and temporary access routes of temporary construction compounds and a timescale for implementation and removal.



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A Construction Environmental Management Plan (including Construction Method Statement) would be required, as would a development timeline for the proposed development including details of proposed start dates, the construction period and phasing of development, operational timeframes, and decommissioning / removal of infrastructure from the site and site restoration. A Site Waste Management Plan would be required as part of an ES to demonstrate how all site waste produced during construction would be dealt with in a sustainable manner. This should include materials excavation, re-use of materials, and off-site management of materials.

The LPA notes that the submitted Scoping Report is inconsistent in how the applicant intends to undertake site restoration. Within some sections, all on-site infrastructure is to be removed and within others, foundations and roadways are to be left in situ. For the avoidance of doubt, the LPA is considering this Scoping response on the assumption that all on-site infrastructure would be removed at the decommissioning stage as this would likely be a condition of any planning permission. In doing so, the LPA notes that the National Policy Statement confirms there may be some instances where it would be more harmful to the ecology of the site to remove elements of the development, such as the access tracks or underground cabling, than to retain them. Therefore, a schedule of decommissioning would be required as part of ES for the LPA and consultees to quantify the likely impacts of decommissioning on the matters scoped in within this Scoping response.

The applicant is proposing to end grouse shooting and vegetation burning on the site. Confirmation of the permanence of ended these practices and full details of all proposed land management techniques, roles and responsibilities should be detailed in an ES, including details of any physical site barriers or other hard landscaping requirements / means of enclosure to ensure the safety of the site and other users, such as those using the on-site PRow networks. Changes in the current management of the site as a result of the proposals will need to be assessed in terms of the positive and negative impacts on habitats and species. The applicant should also consider the impacts on wider environmental receptors both on and off-site. The use of tools designed for this purpose, such as Natural England's Environmental Benefits from Nature (EBN) Tool, may be beneficial.

An ES should also provide detailed information on the site selection processes and demonstrate consideration of alternative sites. A sequential approach should be demonstrated, using the whole of England as a starting point for the assessment of suitable sites which shows that alternative sites have been considered and why they were ruled out, and why this site has been selected.

Further to this, a sequential approach to the design evolution of the proposal and layout of the site should be included within an ES. This should demonstrate that the proposed quantum of on-site infrastructure is necessarily required to achieve the proposed levels of electricity generation and storage. It should also demonstrate why the proposed levels of electricity generation (c. 300MW) and storage are required and are considered to be appropriate. Additionally, the ES should also demonstrate that alternative arrangements could not generate and store a similar amount of electricity and whether this could be achieved in a less impactful way on the site and its surroundings in EIA terms. Consideration of alternatives' likely significant effects in EIA terms should be included as a comparison with those of the proposal.

A Community Engagement Plan should be included within an ES to demonstrate how local communities affected by the proposal, including those outside of Calderdale, have been consulted and been able to aid in shaping the scope of the necessary assessments affecting their amenities through local knowledge. Recent changes to the NPPF require community support for onshore wind developments to proceed through the planning process. This would need to be demonstrated as part of a planning application.



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Cumulative Impacts

There are some known largescale infrastructure projects which are currently in the proposal design stage in the vicinity of the site. These include Environment Agency Flood Alleviation Schemes along the River Calder at Hebden Bridge and further afield. The cumulative impacts of all approved, pending consideration, and other known projects at pre-application or EIA Screening and Scoping stages should be taken into consideration within an ES. It is noted that Calderdale LPA only has GIS data for planning applications within its defined boundaries. An ES would need to consider the cumulative impacts of developments from neighbouring LPAs to provide a full assessment of the cumulative impacts of the proposal.

Additionally, there are likely to be projects being undertaken in the vicinity of the site under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), some of which may not require Prior Approval from the LPA to be undertaken. Some known recent PA applications include proposed Yorkshire Water works at Gorple Lower and Widdop Reservoirs. Developments being undertaken under Permitted Development Rights should also be included in the assessment of the cumulative impacts of the proposal in an ES. It is recommended that pre-application engagement with adjacent landowners and statutory undertakers is carried out to ascertain the scope and potential cumulative impacts of nearby Permitted Development works.

Climate Change

The submitted Scoping Report identifies that a Carbon Balance Assessment would form part of an ES and would be undertaken in accordance with the Scottish Government's Carbon Calculator Tool, as there is no England or UK equivalent. This would quantify the CO₂ emissions savings over the life of the Proposed Development against the release of CO₂ from other energy generation methods as a result of implementing the project. It also reports on the time it takes to pay back any carbon debt and the potential effects of the Proposed Development on climate change in terms of carbon savings produced. Additionally, the ES would assess the impact on the peat on-site and to assess the potential effects in terms of CO₂ emissions against the total potential carbon savings of the proposal.

The LPA considers that the use of the Scottish Government's Carbon Calculator Tool is broadly acceptable. However, this does not include methodology for calculating the carbon benefits and carbon impacts of the battery energy storage element of the scheme, the carbon benefits and carbon impacts which land-based PV would entail, and the carbon sequestration that additional tree planting (i.e., above replacement planting) would present (this would depend upon the tree species and forest management proposed). The LPA further considers that assessment of CO₂ production during the fabrication and supply chain phases of development should be calculated to give a robust and full picture of the likely carbon impacts of the proposal.

Demonstration of how the proposal would help to deliver the UK's statutory climate change targets on the way to net zero, and the aims of Calderdale's Local Area Energy Plan (plus any other relevant statutory and non-statutory climate change action plans), should be set out within an ES as part of a Climate Change Statement.

More attention needs to be paid to the impact on peat and what damage will be caused, as detailed later in this Scoping response. Peat if wet will absorb carbon. However, if it dries out because of building the wind turbines and associated concrete pads with excavation down to 4m and other on-site infrastructure such as borrow pits, foundations, and underground cable routes etc., it will become a net carbon emitter.



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Bradford Council note that they consider that an HRA derogation test would be required and that the HRA should be very clear, if imperative reasons of overriding public importance (IROPI) are invoked at Stage 3 that the carbon reduction benefits of the scheme outweigh the adverse effects of carbon release and habitat loss from degraded peat.

Notwithstanding the comments made by Bradford Council, as the competent authority, the LPA would need to undertake a HRA Stage 2 Appropriate Assessment before it can determine any further courses of action which may or may not be required. For the avoidance of doubt, the LPA is not pre-determined on this, or any other matters arising from this EIA Scoping or any future considerations under the Town and Country Planning Act 1990 (as amended).

Landscape and Visual

Landscape Visual Impact

The submitted Scoping Report is predicated on the installation of turbines of no more than 149.9m in height, whereas the proposal is for up to 200m tall turbines. The LPA considers that the additional c 50m in height across 65 turbines would likely have substantially greater impacts than has been assessed at this stage. It is therefore considered that the information submitted at this stage is of little relevance to the proposed development. Additionally, the LPA is not aware of an existing assessment framework for the satisfactory assessment of onshore wind turbines of this size and scale in relation to their landscape visual impacts.

As such, under an ES, a Landscape Visual Impact Assessment (LVIA) (including photomontages) would be required to demonstrate that assessment of the proposal's landscape visual impacts has been sufficiently and robustly undertaken using existing guidance as a baseline given the unprecedented nature of the proposal. Once the final heights of the proposed turbines are known, the study area, suitable receptors and viewpoints, and Zones of Theoretical Visibility should be confirmed with the relevant technical consultees. This should include sequential views from local footpaths and other viewpoints, both in and out of Calderdale, such as Stoodley Pike, Top Withens, Bronte Parsonage Museum, and Haworth, and other areas as set out in the consultee responses, including the Yorkshire Three Peaks of Pen y Ghent, Ingleborough and Wharfedale.

The LVIA should also include Conservation Area within the assessment as CAs contribute to the landscape character of an area. There are also a number of Trig Points which are targets for walkers etc and these include fine views across Calderdale's natural and historic environment which should be considered as LVIA viewpoints. These are Bridestones, Sheepstones, High Brown Knoll and Lad Law. The individual and cumulative impacts of all on-site infrastructure should be considered in the LVIA, alongside the cumulative visual impacts of other developments within landscape.

The site lies within defined Special Landscape Areas as set out in the Calderdale District Landscape Character Assessment and Review of Special Landscape Area Designation (October 2016). These SLAs have been identified for their scenic qualities and important and distinctive views. The site also lies in the settings of defined landscape areas within neighbouring Local Authorities which should also be taken into consideration in an LVIA. Frameworks to aid in the assessment of the proposal's likely significant impacts on the special qualities of these areas, such as Bradford's Landscape Character, Supplementary Planning Document – Local Development Framework for Bradford (October 2008) can be found on the relevant LPA's websites as Supplementary Planning Documents (SPDs) or as Local Plan Background Papers.



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The LPA considers that the proposal as a whole would have a likely significant impact in landscape and visual terms, not just the proposed turbines. As such, an LVIA would need to consider all proposed on-site infrastructure – especially solar PV array[s] and BESS – and topographical changes (including borrow pits and internal road layouts) to the site given its exposed and readily viewable nature by a range of users, including those using the extensive on-site PRoW network. The landscape visual impacts during the construction, operation, and decommissioning phases of development are likely to be different given the different on-site needs such as security fencing and site compounds. Given this, all matters of the proposal's landscape and visual impacts are scoped in.

The LVIA should set out suitable mitigation measures to reduce the landscape visual impacts of the proposal. Any measures, both by themselves and cumulatively with the proposed development, should also be assessed in landscape and visual impact terms given the open nature of the moorland. The proposed extensive tree planting as mitigation is likely to cause significant impacts in this regard in its own right and would need to be considered as part of an ES.

National Parks and Areas of Outstanding Natural Beauty

The proposal would likely be visible from, and therefore have detrimental impacts on, the nearby Peak District and Yorkshire Dales National Parks and the Forest of Bowland and Nidderdale AONBs (now known as National Landscapes). These designated landscapes are given the highest status of protection for their landscape and scenic beauty by the NPPF and would need to be assessed accordingly within an LVIA.

Natural England note that the statutory purposes of the National Park are to conserve and enhance the natural beauty, wildlife and cultural heritage of the park; and to promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. The proposal should assess its likely impacts as to whether it would have a significant impact on or harm those statutory purposes. Relevant to this is the duty on public bodies to 'have regard' for those statutory purposes in carrying out their functions (section 11 A(2) of the National Parks and Access to the Countryside Act 1949 (as amended)). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Natural England also note that the statutory purpose of the AONB / National Landscapes is to conserve and enhance the area's natural beauty. The proposal should be carefully assessed as to whether it would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Green Belt

The site lies within the Green Belt. This type of proposal does not form a recognised exception for appropriate development in the Green Belt under local and national Green Belt Policy. The applicant would, therefore, need to demonstrate a Very Special Circumstances case for consideration. An assessment into the proposal's impacts on the openness (both in terms of its visual and spatial impacts) of the Green Belt should form part of an ES. Similarly, the site also affects the defined Area Around Todmorden, which is noted for its character and openness. Assessment of the proposal's impacts on the openness of this designation should also be included in an ES.

Ecology and Biodiversity



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Richard Seaman
Corporate Lead

Ornithology

The LPA considers that the information submitted in the Scoping Report with regards to the scope and methodologies of assessments pertaining to ornithology to be inadequate and not in accordance with the relevant national and local guidance. The technical scope and methodologies of the required suite of ornithological assessments are set out in fuller terms in the relevant consultee responses from CMBC Biodiversity, Natural England, RSPB, Yorkshire Wildlife Trusts, and Bradford MBC. As such, the LPA considers that all matters pertaining to ornithology are scoped in.

The relevant ornithological assessments required under an ES include:

- Shadow HRA (detailed later in this Scoping response)
- Ecological Impact Assessment (in accordance with CIEEM guidance)
- Nocturnal surveys, particularly for Golden Plover and crepuscular species surveys for Golden Plover, Short Eared Owl, Hen Harrier, and Snipe
- Assessment of impacts on other SPA species including (but not limited to) Whooper Swan, Pink-Footed Geese, Merlin, and Nightjar
- Diurnal, evening and nocturnal surveys, including infra-red, night vision, and acoustic surveys
- Vantage point surveys for appropriate survey effort and durations and covering the whole site plus a 500m buffer outside the site boundaries
- Breeding birds surveys
- Comparative control area surveys
- Recreational impact and disturbance assessment and visitor surveys
- Wind turbine collision risk modelling
- Solar PV and borrow pit risk modelling
- Evidence of how the mitigation hierarchy has been applied regarding site selection and project design
- Assessment of north south movements of birds along the Pennine chain as the proposed development is located at the highest point of the South Pennines, and as birds are known to follow strong topological features, the moorland spine may represent a very important corridor. We do not know, for instance, what impact low frequency noise and infrasound might have on migrating birds.

The LPA expects adequate survey effort, including the coverage of VPs and breeding bird transects, be undertaken, given the large size of the site, to provide a comprehensive overview of bird activity across all relevant seasons. Surveys will be required to cover all areas of the development and a suitable buffer from the site to encompass functionally linked land important for the survival of mobile species which are qualifying features of the SPA.

The survey period should be a minimum of 2 years covering all relevant survey seasons. As the surveys carried out to date do not meet the guidelines for the minimum effort required, the LPA would expect the survey duration be extended to reflect this, to produce a minimum two full years (covering all relevant survey seasons) of comprehensive survey data.

The submitted Scoping Report details that grouse shooting and management are to end on the moor. The ending of shooting and burning would result in changes to habitats and overall suitability for moorland birds. As previously noted, confirmation of the permanence of these measures would be required in an ES as any resumption of shooting or burning on the site post-decommissioning of the proposal would likely impact on site restoration and its future ecological and hydrological



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Corporate Lead

management. The assessment should adequately assess the impacts on birds in the changing habitat, particularly raptors and owls. The assessment must properly quantify the effects on the internationally important bird populations of (but not exclusively) wading birds of the degradation of blanket bog, heath and other habitats.

Habitat Designations

The site lies within an SAC, SPA and SSSI. Given the likely significant impacts of the proposal on these designated habitats site, a HRA must form part of an ES to assess the proposal's likely significant impacts on the conservation objectives of these designated sites. The proposal would also directly impact irreplaceable habitats such as blanket bog and peatland. Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. The site also lies within the Calderdale Wildlife Habitat Network where the proposal's potential impacts have not been referenced within the Scoping Report and should be assessed within the ES. The site and the majority of the surrounding area falls within the CWHN and provides ecological connectivity through the landscape including connecting nearby local wildlife sites to the wider network of the SAC, SPA and SSSI.

The LPA notes that the following Local Wildlife Sites are missing from the Scoping Report and should be assessed for potential impacts as part of the EIA process:

- High Hirst Meadows
- New High Laithe Farm (CHEGD)
- Crimsworth Dean Pastures (CHEGD)
- Clough Hole Pasture (CHEGD)
- Hollin Hall (CHEGD)
- Lower Height Farm
- Ridings
- Hoyle Grasslands
- Acre Mill Meadow

The assessments undertaken as part on an ES should be informed by a suitable level of surveys, including an EclA, National Vegetation Classification (NVC) surveys, peat depth surveys and hydrological surveys. The assessments should also include any land outside the designated site which has a critical function to a habitat feature within a designated site, e.g., by being linked hydrologically. Further information should be provided on how the degraded blanket bog and blanket bog habitat types have been differentiated in the EIA Habitat Survey Map.

Assessment of effects on species should look at the impacts of habitat changes likely to occur in the short, medium and long term (for each phase of development). Changes to site hydrology have the potential to affect blanket bog habitats over differing time frames with the resulting changes to habitat composition and suitability for different species. It will be important to consider the findings of hydrological and hydrogeological assessments in the assessment of effects on habitats and species.

The RSPB considers that the likely effects of the proposal would be so significant that the project would lead to adverse impacts on the integrity of the designated sites and would, therefore, need to address the Habitats Regulations derogations. As the competent authority, the LPA would need to undertake a HRA Stage 2 Appropriate Assessment before it can determine any further courses of action which may or may not be required.



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Reptiles and Amphibians

The LPA considers that all matters pertaining to ecology and biodiversity are scoped in, including consideration of reptiles and amphibians as some known local species priority species and species of local importance and are afforded additional legal protection under the Wildlife and Countryside Act 1981. The LPA considers that, for the reasons set out in the Scoping Report, assessment of Great Crested Newts can be scoped out. The LPA requires reptile surveys are undertaken and mitigation for both reptiles and amphibians are considered within an ES.

There is no reference to potential impacts to invertebrates as a result of the proposals in the Scoping Report. The habitats within the South Pennine Moors SAC support a rich invertebrate assemblage and as identified within the Scoping Report. The proposed development is likely to result in habitat loss and therefore impacts to invertebrates associated with these will need to be assessed within an ES. It should be noted that a range of invertebrates and plants within the South Pennines SAC require bare ground/peat where it is not too frequently disturbed by vehicles or feet.

Bats

The LPA considers that 23 bat detectors are likely to be adequate for Spring deployment. However, it is noted that the locations of the bat detectors to date focusses on the central band of the site only. There are un-surveyed areas in the south west around Widdop Moor and along the north of the site around Middle Moor and Heather Hill. There would appear to be watercourses that could offer commuting and foraging routes. The LPA considers that an increased coverage in these areas should be included in the surveys. Good justification for continued omission of these areas from the static surveys will be required if they are not included.

Notwithstanding the proposed locations, the scope and methodologies of bat surveys and assessments set out in the submitted Scoping Report are considered to be inadequate. Calderdale's Biodiversity team have set out the technical aspects for consideration in their consultee comments. These primarily relate to the requirements for further information regarding the height the detectors are placed, the undertaking of relevant species records to aid the design of the survey methodology and detector locations, assessment of potential bat roosts on or near the site (to include all buildings on the site and those within a 500m buffer, plus any trees with moderate-high potential as roost sites), consideration of hibernation sites on or near the site (scoped in due to the presence of traditional stone buildings and rock faces in and around the site), and the potential impacts to potential bat flight lines between any identified roosting, hibernation features and core sustenance zones for bats, such as Hardcastle Crag. The applicant is advised that zones of transitioning habitats in peatland can be biodiversity hot-spots and should be properly assessed and considered with regards to the layout and transport plans.

Additionally, the LPA notes that recent surveys within West and South Yorkshire have identified important bat swarming (breeding) sites, which may qualify for Local Wildlife Site (LWS) designation, located on similar habitat and topography to the application site. This indicates that disused quarries are an important feature for local bat populations and the assessment should consider whether similar features exist within the impact zone for the proposed development.

The applicant is advised that the agreed guidance on the Minimum Standards for Bats and Wind Turbines in West Yorkshire will need to be followed, which requires static detectors at the height of the proposed turbines in order to gather an accurate estimate for collisions and barotrauma. Bat records should be requested from West Yorkshire Ecology and the West Yorkshire Bat Group.



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Richard Seaman
Corporate Lead

Other Protected Species

The ES should assess the impact across all phases of development on other protected species, including water voles, badgers, White Claw Crayfish, etc. which may be present on the site and its vicinity, which not already highlighted in this Scoping response. In doing so, consideration should also be given to the wider context of the site including in terms of habitat linkages and protected species populations in the wider area.

Fungi

The ES should assess the likely adverse impacts of the proposed habitat loss and tree planting on blanket bog and heathland habitats as well as lower priority habitats. Calderdale supports areas of long-term pasture with internationally significant populations of CHEGD fungi. Tree planting and woodland creation schemes often overlook the impacts of the loss of these diverse and increasingly rare habitats. Survey methodology has not yet been standardised and should involve consultation with Calderdale Council, Natural England and the National Trust. Surveys are seasonally constrained and will need to be carried out between September and December, depending on conditions that season.

Habitat Restoration

The Catchment Recovery Plan being implemented on Walshaw Moor in conjunction with Natural England aims to restore Irreplaceable Blanket Bog Habitats. Assessment of the impacts of the proposal on habitats and other ecological features should consider the improving baseline habitat conditions that would be expected if the CRP was to continue in the absence of the wind farm scheme. The assessment of impacts and effects should include consideration of habitat condition and species distribution changes likely to occur as a result of the cessation of grouse moor management, including shooting and burning.

The ES should assess and describe how habitat restoration works, whether part of bespoke compensation and enhancement strategies or as required for BNG will result in positive outcomes for habits and associated species. Habitat function for protected and notable species as well as other ecosystem services like water storage and carbon capture should be referenced in the Ecology section of the ES.

Biodiversity Net Gain

A Biodiversity Net Gain (BNG) Assessment would be required as part of an ES and be accompanied by the working BNG Metric 4.0 (or latest version) Excel spreadsheets. The submitted Scoping Report details the provision of a full UKHab classification and condition assessment of the site. Whilst this is appropriate for the BNG Assessment, due to the presence of designated site features (including priority and irreplaceable habitat) assessment to National Vegetation Classification (NVC) will be required in all areas where direct or indirect impacts are possible.

In the likely event that there is a loss of any designated features, irreplaceable habitats (included degraded blanket bog) or habitats of very high distinctiveness (as measured by the Biodiversity Metric) resulting from the proposal, should be excluded from the BNG calculation as it will be impossible for the proposal to meet the BNG requirement and claim an overall net gain. A minimum 10% BNG will still need to be achieved on any other non-irreplaceable/very high distinctiveness habitat present on the development site and, given the scale of the proposals and the opportunities present, the LPA would expect the applicant to consider whether over 10% net gain on these habitats may be achievable.



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As the majority of the site is designated as SAC, SPA and a SSSI, any habitats identified as a designated feature of these sites are subject to a restore objective required through the relevant legislation. It is noted that the site is also subject to the Walshaw Moor Catchment Restoration Plan in agreement with Natural England. The applicant will need to apply the principle of additionality when enhancing habitats for BNG to demonstrably exceed existing obligations (i.e., not to deliver something that would or should occur anyway). There will be a requirement to provide habitat mitigation and compensation for the loss of irreplaceable blanket bog habitat within the site. It is essential that this habitat provides functional habitat which provides an enhanced resource for the upland breeding, wintering and passage birds that the site currently supports.

The proposed quantum of tree planting as BNG mitigation is unlikely to be appropriate for the site as it would likely have detrimental impacts on the landscape, ecology, ornithology, and hydrology considerations. Impacts of proposed tree planting will need to be factored into the potential impacts on priority/irreplaceable habitat, peat, and breeding waders within the EIA. The design of BNG should be informed by a full suite of species and habitat surveys, landscape character, peat depth analysis, soil sampling, hydrology and geology to ensure interventions proposed are suitable. Proposed interventions will also need to meet all of the habitat trading rules required within the Biodiversity Metric User Guide.

Calderdale Council is currently involved in the production of the Local Nature Recovery Strategy (LNRS) within West Yorkshire, which will agree priorities for nature recovery and propose actions in the locations where it would make a particular contribution to achieving those priorities. Any proposals for habitat creation, enhancement, and restoration should have regard to the forthcoming West Yorkshire LNRS, in addition to the Local Plan and strategies in Calderdale including the Draft Biodiversity Net Gain Supplementary Planning Document.

Given the points made above regarding the complexity of the delivery of BNG alongside bespoke habitat compensation and existing obligations, it is likely that the applicant will need to clearly demonstrate the delivery of 10% net gain using separate metrics. In the first instance, in accordance with national and local guidelines, BNG should be delivered on-site (within the site boundary). However, where this is demonstrated infeasible, off-site enhancement will be required. The applicant is advised to engage with the Council's BNG Officer at pre-application stage in this regard.

Geology, Peat Hydrology and Hydrogeology

Peat

As part of an ES, Hydrological, Geological and Hydrogeological Impact Assessments would be required. The submitted Scoping Report requests that where any likely non-significant impacts are identified, these are not carried forward for inclusion in the relevant EIA and are 'scoped out'. The LPA considers that given the scale of the site and several key unknown factors (including the locations of on-site infrastructure and volumes of materials to be won from borrow pits, etc.), it is unclear at this stage how 'non-significant' impacts can be reasonably determined. As such, all matters relating to hydrology and geohydrology across all phases of development are scoped in. Additionally, a Peat Landslide Hazard and Risk Assessment with the provision of a peat management plan would be required under an ES.

The LPA questions the methodology to how peat depth has been mapped in the development area within the submitted Scoping Report. Deep peat is classified as areas of peat with a depth greater than 40cm in England (in line with the Heather and Grass etc. Burning (England) Regulations 2023). However, 50cm has been used in the Scoping Report as the definition of deep peat. This is



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Corporate Lead

contrary to the current approach advised by Natural England and DEFRA. The LPA advises that 40cm is used as the definition of deep peat for the modelling of peat maps.

Peat depth measurements should be taken at least every 200m across peat and clarification should be provided regarding the method of the preliminary peat depth survey. A map showing the actual depth recordings should be submitted under an ES. The actual measurements should be compared alongside the interpolated depths given using the Kriging modelling method. The raw data behind these interpolated depths should also be provided. Additionally, a record of the presence/absence of sphagnum species at each survey point should be provided. The target notes that correspond with the target note points from the walkover habitat survey plotted in map 8.2 should also be provided.

The DEFRA guidelines on undertaking surveys for peat, breeding waders and priority habitat for woodland creation should be referred to in the assessment of potential impacts from the tree planting proposals. For woodland creation proposals in upland moorland landscapes peat surveys are generally undertaken first as this typically rules out the greatest area. The peat survey provided has been undertaken broadly as per the specifications for large sites, i.e., based on a 100m x 100m grid. However, for woodland creation the threshold for planting is 30cm and mapping should indicate which points exceed this depth. Any peat of 30cm or more cannot be planted with trees and must be buffered from planting to prevent the likely hydrological impacts from nearby trees.

The applicant is advised that NPPF (Chapter 17) Paragraph 211(d) states that [...] in considering proposals for mineral extraction, minerals planning authorities should not grant planning permission for peat extraction from new or extended sites. Although not strictly a matter for this Scoping response, this would form a material consideration in the assessment of a planning application.

Flood Risk

The site lies predominantly in Flood Zone 1 with some areas of Flood Zones 2 and 3 located throughout the site. The site is also over 1ha in size and therefore requires a Flood Risk Assessment to demonstrate that the development would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere (including hydrologically connected areas downstream), and, where possible, will reduce flood risk overall. The proposal would likely significantly impact on the existing surface and ground water capacity, functionality and performance within the site due to the matters raised throughout this Scoping Report. Additionally, the increase in areas of impermeable areas due to the number of bases and access roads across the site would likely increase the surface water runoff. Given this, consideration of flood risk has been scoped into an ES. It will be important to include consideration of potential off-site flood risk resulting from the proposal in neighbouring Districts as well as within Calderdale's boundaries. Flood risk modelling should demonstrate that the proposal would not increase off-site flood risk and actively seek to reduce it through the use of natural flood management and sustainable drainage techniques.

Furthermore, the development area includes many watercourses which will also include flood risk assets such as culverts, headwalls etc. The ES should consider the impact of the development on the watercourses within the development area and the impacts downstream in terms of flow paths and flood risk. It should also detail how these watercourses will be protected from damage including blockage and siltation and any potential areas where watercourse diversions may be required. This would be subject to Ordinary Watercourse Consent. The EA encourages the applicant to assess the feasibility of opening up of culverts, improvement/naturalisation/creation of new watercourses, and the provision of other environmental infrastructure that would provide wider biodiversity benefits and help deliver Water Framework Directive (WFD) improvements. Existing



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water quality and flow should be monitored throughout the assessment phase to provide a baseline for assessment and future management thereof, with continued monitoring being undertaken throughout the construction, operation and decommissioning phases of development and suitably mitigated where required. The 50m buffer for all identified hydrological features is appropriate, so long as the integrity of hydrological connectivity of the whole unit is also given sufficient attention.

There is also a need to consider the impact of surface water runoff from turbine pads, tracks and roads which can result in erosion of delicate peat down to mineral soil and rock. The impact of the proposed turbine pads, tracks, roads, grid connection and service buildings could all impact on peatland habitats. The surface (catatelm) dries out for a significantly large distance than just the footprint and working area for the proposed structures. This depresses the water table leading first to a change from mire and wet heath to dry heath, then to acid grassland and finally to mineral soil and bare rock. As the peat dries out it is subjected to oxidation and wind erosion with larger scale damage in the longer term. There is a need to look for ways to maintain and if necessary, restore the water table across the area of potential impact from the development. A change from mire and wet heath to dry heath, even though it is an important European habitat, should not be seen as positive.

Drainage Assets and Water Supplies

Yorkshire Water note the presence of their drainage infrastructure throughout the site which would need to be appropriately safeguarded in the site layout with requisite standoff distances achieved. Private water supplies within and adjacent to the site would also need to be protected from pollutants resulting from the development.

The LPA considers that the construction phase of development is scoped in in this regard. The ES should include a Construction Surface Water Drainage Strategy, as well as a SuDS-based surface water drainage strategy post-construction; both of which should include requisite pollution mitigation measures to protect spring and private water sources and distribution networks. Temporary foul water drainage measures should be considered for the construction and decommissioning phases to prevent leachate into the moorland and blanket bog.

Amenity Impacts

Noise

Noise generated from the proposed turbines, transformer housing unit, BESS, and other ancillary plant and its impacts on nearby sensitive receptors should be considered within an ES. This should be undertaken as a Noise Impact Assessment for all phases of development given the scope and length of time intrusive groundworks, erection and installation of infrastructure, and removal of infrastructure and backfilling / site restoration would likely take and the likely significant impacts it would have on the health and wellbeing of local residents and other users of the site.

The LPA notes that review of noise guidance for onshore wind turbines, dated September 2023 by WSP for the Department for Business, Energy & Industrial Strategy, which notes the shortcomings of ETSU-R-97 and the IOA GPG. However, it is recognised that ETSU-R-97 currently remains the agreed criteria for wind turbine noise. As part of the noise assessments, reference should be made to ETSU-R-97 and the IOA GPG in terms of low frequency, and to the “West Yorkshire Planning Consultation, Guidance, Noise & Vibration” document, dated May 2016. The procedure for the assessment of low frequency noise complaints set out in Salford University Guidance 2009 should be considered. In relation to ancillary plant and transformer, BS 4142:2014+A1:2019 should be referred to as part of the assessment.



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Shadow Flicker

A Shadow Flicker Assessment would be required as part of an ES given the presence of dwellings within and adjacent to the site boundaries which would likely be significantly detrimentally affected by shadow flicker from the 65 proposed turbines. The assessment should be robust and take account of potential shadow flicker impacts from each of the proposed turbines on sensitive receptors, both on site and within a 5km distance from the site depending on the final height and directionality of the turbines. The assessment should demonstrate the impacts of shadow flicker throughout the day as the sun moves across the site which would affect different receptors and different times.

Glint and Glare

As no details of the proposed solar PV array[s] have been submitted at this time, an assessment of glint and glare would be required as part of an ES on nearby receptors, including dwellings, businesses, PRowWs, and the local highway network. Glint and glare should also be factored into the LVIA at receptor points within each of the ZTVs which have an outlook onto the proposed solar PV array[s].

Air Quality

The LPA considers that consideration of air quality should be scoped in for the construction and decommissioning phases of development due to the likely intensive use of the site for a prolonged period of time of large delivery vehicles and plant and machinery resulting in likely relatively largescale emissions outputs in a remote area, as well as dust creation from ground, excavation, and profiling works. An Air Quality Impact Assessment should be included in an ES and undertaken in accordance with the guidance contained in the West Yorkshire Low Emissions Strategy and Air Quality & Emissions Technical Planning Guidance (or equivalent guidance). Air quality during the operational phase can be scoped out due to the likely much less intensive use of the site. The submitted Scoping Report details the provision of an Outline CEMP as part of the ES. The LPA concurs with this provision.

Archaeology and Conservation

Archaeology

Given the site's underlying blanket peat bog and geology, the proposal is likely to have significant impacts on preserved archaeological remains across the site. Additionally, the proposal's likely impacts on peat hydrology, dewatering and changing drainage patterns could detrimentally impact on any remains across the whole site, not just those in areas to be excavated for turbine foundations, borrow pits, or other infrastructure and roadway foundations. A Palaeo-Environmental Assessment with scientific dating and deposit modelling of the blanket bog would be required to review the significance of any buried deposits and help form mitigation strategies to prevent loss of the resource. The deposit modelling would aid in assessing the archaeological potential of the buried deposits across the site. The parameters of this assessment should be defined and agreed in consultation with Historic England and West Yorkshire Archaeology Advisory Services and the results clearly presented in an ES.

WYASS require that the applicant studies the County archaeological research agenda for the Mesolithic and later periods when designing their archaeological studies and surveys according to the strategies outlined in these documents. A modelled and evaluated archaeological approach



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Richard Seaman
Corporate Lead

should be undertaken and walkover surveys should be carried out over the whole site to inform an Archaeological Desk-Based Assessment to be included within an ES. The applicant is also advised of a current University of York Mesolithic Study in the vicinity of the site which should be considered in the archaeological assessment design.

Designated and Non-Designated Heritage Assets

There are numerous designated and non-designated heritage assets within and in the vicinity of the site. To understand the proposal's likely significant impacts on the significance of these assets and their settings, an ES should contain a Site Walkover/Site Visit Survey to include all views and settings implications of the proposal – provided through a Settings Assessment – of designated and non-designated heritage assets identified across the whole site and within a 5km buffer of the site. The LPA also considers that assessment of all designated heritage assets with 15km of the site should also be scoped in and included in the assessment. Calderdale's topography of linear valleys and high plateaux means that views can be far-reaching and significant when far away, or conversely close views may be curtailed due to the steep valley edges.

Conservation Areas which would be affected by the proposal should also be assessed. This would be particularly relevant to Heptonstall, Hebden Bridge, Todmorden and Lumbutts & Mankinholes (plus any outside of Calderdale such as Haworth CA). The wind turbines would be visible in the backdrop to these historic settlements, and the landscape within which they are experienced contributes to their significance. Agricultural farmsteads and hamlets would be affected by the proposal as the wild open hillside landscape around them contributes to their significance, indicating the difficult land which these farmers and domestic-scale textile were working within.

The potential impacts of the construction and likely residual impacts during the operational phase of development should be assessed. The desk-based assessment would need to be enhanced with fuller site-based assessment in a later phase. The results of these assessment should be subsequently fed into a Heritage Impact Assessment which should also consider the cumulative impacts of existing and the proposed development on the identified designated and non-designated heritage assets. The scope and methodologies of the required assessments should be agreed with the relevant heritage bodies including Historic England, Calderdale Conservation, and West Yorkshire Archaeology Advisory Services.

Assessment of the contribution setting makes to significance is nuanced and requires careful consideration. It is welcomed that the Scoping Report sets out the intention to employ the methodology of GPA3 (The Setting of Heritage Assets, Historic Environment Good Practice Advice in Planning, prepared by Historic England). The study should be careful not to de-scope assets from consideration by employing a broad-brush approach in the early stages to only include those thought to have 'a potential for likely significant effect'.

As most of the heritage impact assessment work is yet to be undertaken, the LPA considers that assessment of the proposal likely significant impacts on designated and non-designated heritage assets during all phases of development should be scoped in, given the likelihood for changing material impacts and the magnitude of those impacts of the significance and settings of the heritage assets during construction, operation, and decommissioning.

The applicant is advised that the LPA does not have a local list. Therefore, assessment methodology should include the identification of non-designated heritage assets during site walkovers and from desk-based sources, using the professional judgement of the authors of the heritage chapter.



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Access, Traffic and Transport

Site Access

Full details and assessment of the appropriateness of all proposed site accesses – including any outside of Calderdale Council’s boundaries (which would require consultation and assessment with neighbouring LPAs) – should be clearly demonstrated within an ES. A Site Access Management Plan and HGV / Oversized Vehicle Access Route should also be included within an ES to manage the quantum of deliveries at the site and the impacts of site traffic on the local highway network. The timing of construction should be very carefully considered as the local highway network leading to the site is very steep and narrow with tight switchback turns which are likely to be ungritted during winter months leading to potentially dangerous road conditions for larger and heavy vehicles. An audit of the proposed access routes should be undertaken as part of an ES to demonstrate that they would be capable of taking the expected sizes and volumes of delivery traffic to and from the site.

The locations, sizes, and required works to facilitate all proposed site compounds during the construction and decommissioning phases of development should also be included in the relevant plans and assessments within an ES.

The National Trust notes that within the Hardcastle Craggs property there are existing single width steep crushed stone estate roads run through the property (which the Trust has the responsibility to maintain), which are the only access routes for some tenant farmers up onto the moors. NT would not accept any access arrangements for construction and/or operation and maintenance of the windfarm using these constrained routes.

Local and Strategic Road Networks

A Transport Assessment, including an Access Route Assessment and Traffic Management Plan, would be required as part of an ES to assess the proposal’s likely significant impacts on the local and strategic road networks. This is given the expected use oversized delivery vehicles with abnormal loads and likely high frequency of trips being made between Ports of Entry and the site during the construction and decommissioning phases. The likely timescales of the construction and decommissioning phases are expected to be lengthy. As such, a TA is required given the likely protracted impacts on the local and strategic road networks over a long period of time. The decommissioning period has also been scoped in as the applicant would be required to restore the site to its previous condition following the minimum 25-year operational phase. This would likely require the use of heavy plant and machinery and oversized delivery vehicles on-site to remove the built form and underground infrastructure associated with the proposal.

It is also noted that some of the local road network may be subject to weight restrictions due to land stability and other concerns, and the ability for large vehicles to safely navigate the roads. Any bridges along the proposed access route would need to be assessed for their suitability to accommodate oversized and heavy vehicles and mitigation proposed within an ES should there be no alternative functional routes available.

The LPA considers that the assessment of the proposal’s impacts on the local and strategic road networks can be reasonably scoped out at this time as site access requirements during operation would likely be limited to maintenance and emergency access. Notwithstanding this, a schedule of maintenance for the lifetime of the proposal should be included in an ES to quantify the site access required during the site’s operational phase.



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Richard Seaman
Corporate Lead

National Highways recommends following the guidance set out in DfT Circular 01/2022 when considering the impact of the development at the Strategic Road Network when considering the assessment of the transport impacts of the development proposal.

On-Site Roads

The proposal would require the construction of an on-site road network between site accesses and the turbine and other infrastructure. As part of an ES, full details of all routing, construction methods (including floating roads), foundation volumes, and means of decommissioning and removal would be required. Assessments of the likely impacts of the roads on the other matters scoped in under this Scoping response should also be included in the relevant technical assessments.

Public Rights of Way

An extensive PRoW networks runs throughout the site, including local, waymarked, national trails, and national cycle trails. Any physical impacts on the functionality and/or accessibility of the PRoW networks should be considered under an ES. Consideration of the PRoW networks would need to include any likely impacts and wider cumulative impacts to the accessibility of the networks and landscape for all users, and full details of any proposed temporary or permanent diversions, closures, or extinguishments resulting from the final site layout. The applicant is advised that any required diversions, closures, or extinguishments would need to be consented through the relevant regulatory regimes outside of the Town and Country Planning Act 1990 (as amended).

Socio-Economics, Tourism and Recreation, and Cultural Heritage

Cultural Heritage

The site and wider area sit in Bronte country and was home to local author Ted Hughes (amongst others). The surrounding moorland is intrinsically linked with literature and is, therefore, considered to be internationally important in terms of its role in British culture and tourism. The sense of openness and wild, remote, landscape are fundamental to Wuthering Heights. While there are key locations associated with the Brontes, the sense of the vastness of the moors behind Haworth is equally as important as it immerses visitors into the landscape described in the novels. While there has been some change to the moors due to management for grouse shooting and reservoirs, the absence of tall infrastructure is notable. The outline of the hills rising up in the distance, and then the open tops with space all around them defines the skyline.

Stoodley Pike is a monumental obelisk built by public subscription. The monument was originally started in 1814 to commemorate the surrender of Paris to the allies, and finished after the Battle of Waterloo when peace was established. This monument collapsed, but was rebuilt in 1856 when peace was restored after the war with Russia. Stoodley Pike is located on the tip of a high moorland plateau above Todmorden. It is remarkable for its exposed moorland setting and affords views over the glaciated valley with its historic settlements and on towards the upland pastures, historic farmsteads and moorland beyond. Its remote setting contributes to its significance. Stoodley Pike is an icon of Calderdale. The monument and the moors around it attract many walkers, runners, cyclists, horse riders and ornithologists. The effect of the development on the setting of this listed building should be fully understood.

Bradford Council notes that the proposal could result in profound harm to this internationally recognised cultural asset of the Bronte landscape. They consider that the significance is such that there has been previous very serious exploration of promoting the landscape, including the application site and its immediate surroundings for World Heritage Site status, on the basis of the



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Richard Seaman
Corporate Lead

literary importance. Whilst the LPA acknowledges this exploration of further cultural designation, the site is not currently designated as a WHS and, therefore, cannot be assessed as such. Should the site's designations change between this Scoping response and the determination of a planning application, this would become a material consideration to be assessed at that time.

As part of an ES, a Cultural Heritage Assessment would be required. However, the LPA notes that no methodology or suggestions are made in respect of assessing how the proposal would impact upon the heritage significance in relation to the Bronte landscapes and cultural heritage. In general terms, the assessment should cover the visual and heritage impacts of the proposal on the experience and usability of the cultural landscape and its key sites, and its likely economic impacts on local tourism and the international reputation of the area. These matters should be qualified and quantified as part of the assessment. The LPA notes that some innovation is likely to be required to do so given the unprecedented nature of the proposal in an important cultural landscape such as this. The applicant is, therefore, advised to approach the Bronte Society and Calderdale and adjacent Councils at pre-application stage to understand further the significance of the landscape and to help in establishing a method for comprehensively evaluating potential impacts on the cultural heritage.

Tourism and Recreation

The submitted Scoping Report states that the link between onshore wind energy developments and the tourism sector has been a subject of debate and there is little evidence on the impact in England. This is likely due to the moratorium on new onshore wind development in England in 2015. The Scoping Report further notes that the most recent research [in Scotland] has not found a link between tourism employment, visitor numbers and onshore wind development. As part of a 2021 study, research identified 16 wind farms with a capacity of at least 10 megawatts that became operational between 2015 and 2019. Whilst this may be the case for wind farm of at least 10MW, the proposal would look to achieve 300MW which is substantially more than those areas looked at with the recent study. As such, the LPA considers that the emergency evidence base in this regard is inadequate to assess or rule out visitor number impacts from an onshore wind farm of such unprecedented scale. The LPA therefore considers that all matters relating to impacts on tourism and recreation are scoped in.

As part of an ES, a tourism and recreation assessment would be required to demonstrate how the proposal would impact on the local economy during each phase of development and whether there would be any lasting reputational impacts arising from the proposal. The assessment should look at the local economy of the surrounding towns and villages, as well as the impacts on the economies of Calderdale and surrounding affected Local Authority areas, particularly Bradford and its relationship with the Bronte cultural landscape, Yorkshire and the Humber, and the UK. Impacts on the usability and desirability of national trails which cross and run in the vicinity of the site should also be included within a relevant assessment. The figures for use of these routes should be available. The applicant is advised to contact the Pennine Way Project Officer based within the Yorkshire Dales National Park Authority in this regard.

It is unclear how the Scoping Report intends to define the sensitivity of an economy/tourism and recreation asset. The scope and methodologies to be used within the tourism and recreation assessment should be agreed at pre-application stage with the relevant departments and guidance available from Calderdale Council and neighbouring authorities, as well as relevant national guidance.

Socio-Economic Impacts



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Richard Seaman
Corporate Lead

The submitted Scoping Report sets out that a socio-economic impact assessment would form part of an ES and its methodology would be predicated on the information provided in the Department for Energy Security and Net Zero (2023), Overarching National Policy Statement for Energy (EN-1). The LPA considers that the scope of assessment required by EN-1 to be broadly acceptable, although its scope should not be limited to the proposal's impacts within Calderdale, but also within adjacent Local Authority areas affected by it. Furthermore, the scope of the assessment should not be limited to construction and operational phases but should also include decommissioning and site restoration given the likely socio-economic impacts of this phase 25-30 years' after construction.

As well as those matters addressed in EN-1, a socio-economic assessment should also include assessment of the direct and indirect impacts of the proposal on fuel poverty and the cost of living, the health impacts of people living and working in and around the site during each phase of development, and consideration of shared/community ownership of the infrastructure assets.

Aviation, Defence, Weather and Telecommunications

Aviation

Leeds Bradford Airport has raised concerns over the likelihood of the proposal to adversely impact on flight safety. LBA notes that several of the proposed wind turbines would be in line of sight of the airport's Watchman Primary Surveillance Radar (PRS). Concerns have also been raised with regards to the likely impacts on the safeguarding of all Instrument Flight Procedures (IFP). As such, the proposal would require an IFP safeguarding assessment completing which would be conducted by LBA's Approved Procedure Design Organisation (APDO). This, and any other LBA required assessments, should be undertaken prior to the submission of a planning application and form part of an ES. Full details of the proposed site layout and technical specifications of the turbines would also be required to assess the requirement for the positioning of aviation obstacle lighting, including proximity to and impact on IFPs. LBA would also require evidence of consultation between the developer and the CAA in relation to lighting requirements/schemes. Any proposed mitigations on LBA flight safety infrastructure would require CAA consultation and potentially technical approvals.

National Air Traffic Services (NATS) has identified likely adverse impacts resulting from the proposal on the safeguarding and operation of its radar and navigation aid infrastructure. They recommend pre-application engagement by the applicant to assess the likely impacts and provide suitable mitigation measures where appropriate. The LPA considers that as part of an ES, the likely impacts of the proposal on NATS's operational infrastructure should be assessed.

Other statutory consultees including the Civil Aviation Authority, Manchester and Humberside Airports have not submitted formal consultee comments. However, the LPA considers that similar assessments to those outlined in this report to assess the proposal's likely impacts on the radar, monitoring, and other such infrastructure and operational assets of these bodies should be duly assessed as part of an ES. Furthermore, pre-application consultation is advised with these bodies to ascertain the scope and methodologies of the assessments required.

Defence

The Defence Infrastructure Organisation (DIO) Safeguarding Team (MoD) requires the inclusion of the specified aviation lighting to avoid physical obstruction resulting from the proposal on low flying aircraft as the site lies within Low Flying Area 8 (LFA 8). Whilst this is not a matter for inclusion within an ES, it should be demonstrated on the plans submitted in support of a planning application. The precise locations and grid references of the proposed wind turbines should form part of the plans submitted as part of an EIA planning application. The DIO note that their comments are



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Richard Seaman
Corporate Lead

without prejudice and that any changes to the proposed site layout submitted under this EIA Scoping would require re-consultation with them.

Weather

The Met Office require a suitable assessment within an ES to fully consider the potential effects from the proposed development on the Met Office weather radar at Hameldon Hill. The assessment should confirm which turbines are in the line of sight of the radar antenna, including the provision of ground heights and tip height (AOD) of the turbines. It should also indicate which turbines are in the beam of the radar at the 2 lowest scan elevations (0.5 deg and 1.0 deg), noting the beam width of 1 deg. The radar antenna is located at NGR: 381030,428750 and at height: 402.5m AOD. A revised site layout should also be considered to demonstrate that the proposed turbines are located outside of the line of sight and the beam of the weather radar or the turbine height is reduced to remove them from the beam of the weather radar where possible.

Communications

The proposal is likely to have a significant impact in EIA terms on the strategic communications networks West Yorkshire Police (operated by Motorola Solutions) and other emergency services, as well as other telecommunications and radiocommunications services and receptors operated and/or overseen by OFCOM, BT Openreach, and other telecommunications service providers. Impacts on television transmission and reception are also considered to be likely. A Telecommunications Impact Assessment would be required as part of an ES to demonstrate the proposal's likely impacts on the strategic and other telecommunications assets and networks and propose suitable impact avoidance and/or mitigation measures so as to not functionally disrupt the operations of these networks or assets.

Other Issues

Borrow Pits and Mineral Resources

No information has been submitted within the Scoping Report regarding the scale, size, number frequency, and locations of the proposed borrow pits likely to be required to win mineral and aggregate/ballast materials for use within the site. Additionally, no information has been submitted regarding the type and volume of materials required and where it would be used within the site. Therefore, all matters in relation to borrow pits and the winning of minerals and underlying materials within the site are scoped in.

As part of an ES, a Mineral Resource Assessment would be required along with borrow pits being considered in other ecological and landscape assessments outlined in this Scoping response. As the dimensions, frequency, and location of the borrow pits are unknown, the LPA cannot scope out land stability issues resulting from the use of the pits. This could be particularly prevalent for those pits located near existing and proposed on-site infrastructure such as trails, buildings, and roadways. The topographical changes to the site resulting from the borrow pits is also likely to be extensive and would need to be assessed in the relevant assessments.

Details would also be required to how the pits would be made safe for people and fauna during the lifetime of the development and how they would be restored during the decommissioning phase. Information would also be required in a Site Waste Management Plan under an ES to detail how excess and unneeded spoil and other materials would be dealt with from the borrow pits, as well as any other excavated materials from the site from activities such as digging foundations, crane pads, roadways, and underground cabling. The likely hydrological impacts of reinstatement of the



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Richard Seaman
Corporate Lead

groundworks should also be considered with an ES as part of the required hydrological assessments.

Best and Most Versatile Agricultural Land

The majority of the site lies with Agricultural Land Classification Grades 4 (Poor Quality Agricultural Land) and 5 (Very Poor Quality Agricultural Land), with some areas of defined non-agricultural land. Given this, the LPA considers that assessment of BMV agricultural land can be scoped out of an ES.

Microclimates

Given the size and scale of the proposal, an ES should consider the potential impacts of the proposal on local microclimates (e.g., surface air and ground temperatures, atmospheric conditions and humidity, air turbulence, etc.) and the effects these may have on factors such as designated habitats sites, the drying out of peatlands, protected species, and users of the site (including residents, workers, and recreational users), etc. across the lifespan of the proposal. The impacts of site restoration on microclimate considerations should also be included within an ES as after 25-30 years of operation as the climatic conditions during this time may have altered the site's [e.g.] ecology and hydrology to a point where restoration could be damaging to the site and its surroundings.

Health and Safety

The installation of substantially large and electricity generating/storage infrastructure, as well as other infrastructure such as borrow pits, on the site has the potential to introduce significant risks in terms of health and safety. An ES should consider the measures to be taken to allow safe use of the site by all users and fauna. The assessment should also consider emergency management procedures in cases of fire, breakage and dislodgement, impacts of gale force winds, and other such phenomena, as these would be likely to have significant and/or disastrous impacts on the site and its surroundings.

3. Other Information

(i) The Habitats Regulations:

Calderdale Council has a statutory duty under the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 [*the Habitats Regulations*] when carrying out its functions as the competent authority. Under Article 6(3) of the Habitats Directive, the Council must consider if the development is likely to have a significant effect on the conservation objectives of relevant 'Natura 2000 sites', through undertaking a 'Habitats Regulations Assessment' (HRA). Under Regulation 63 of the Habitats Regulations, a competent authority may not grant permission to a project which is likely to have an adverse effect unless appropriate mitigation measures are put in place and are demonstrated to be deliverable within the planning proposal.

The site lies in the South Pennines Moors Site of Special Scientific Interest (SSSI), the South Pennine Moors Special Areas of Conservation (SAC), and South Pennine Moors Phase 2 Special Protection Area (SPA).

Under Regulation 63 of the Habitats Regulations, as the competent authority, Calderdale Metropolitan Borough Council has undertaken Stage 1 of a Habitat Regulations Assessment (HRA): Screening. The Stage 1 Assessment concludes that the potential for likely significant effects on



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Richard Seaman
Corporate Lead

either of the European Sites as a result of the proposals cannot be excluded and therefore, the HRA must proceed to Stage 2: Appropriate Assessment.

Regulation 27 of the EIA Regulations and the National Planning Practice Guidance (NPPG) both expect the EIA and HRA processes to be undertaken in a coordinated manner when relevant, i.e., to a similar timescale and using similar information. As such, the Council is also formally requesting that further information should be provided in this regard through a 'Shadow Habitats Regulations Assessment' (SHRA) to be assessed by the Local Planning Authority – as the competent authority – in consultation with Natural England as the relevant statutory body. This should include information on ornithology, habitats, botanical, hydrology, water quality and peat. It is important that all impact pathways, as outlined within Natural England's response, are considered including both direct and indirect impacts throughout all phases of the development including construction, operation and decommissioning. The potential impacts which are possible through woodland creation should also be considered in the SHRA.

(ii) Calderdale Council Validation Requirements:

Please be advised that the relevant validation information available [here](#) to support a planning application is required notwithstanding this determination that the proposal is considered EIA Development and an Environmental Statement should be prepared. Similarly, if the applicant does respond to confirm that a Screening Direction is being requested, or if they receive a Screening Direction response from the Secretary of State to the effect that an Environmental Statement is not required, this does not replace or supersede the requirement to provide the outstanding information to comply with the Council's Validation Checklist. Failure to provide the validation information will cause a delay to the determination of the application whether or not an Environmental Statement is required.

(iii) Environmental Statement Structure:

The ES report should include information regarding the planning history of the site and the summary of the policy context pertinent to the site. Within each of the assessment chapters, the main structure of the information presented, should include the following:

- Assessment Methodology
- Baseline Conditions
- Likely Significant Effects
- Mitigation and Enhancement
- Cumulative Effects
- Summary of Findings

The ES should be supported by technical appendices where appropriate and also include a non-technical summary providing summary of the Environmental Statement in non-technical language.

Note to Applicant

All consultee responses received by the LPA under this EIA Scoping shall be shared with the applicant alongside this Scoping response. The applicant is advised that pre-application advice should be sought from the relevant statutory and technical consultees regarding their respective areas of expertise and to agree the scope and methodologies of the required assessments where they have been not included in this Scoping response. Please note that consultees outside of the Council may have their own pre-application fee charging policies.



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Corporate Lead

Should you require any further information or wish to discuss the content of this letter, please do not hesitate to contact the case officer.

Yours sincerely

R Riggs

Richard Riggs
Principal Planning Officer

For and on behalf of
Director of Regeneration and Strategy
Corporate Lead for Planning



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Corporate Lead

Appendix A – Consultations Carried Out under 23/06010/EIA

Calderdale Council	External Consultees
Countryside Services / Biodiversity	Burnley Council
Highways Section	Kirklees Council
Lead Local Flood Authority	Bradford Council
Spatial Planning	Pendle Borough Council
Environmental Services (Pollution Control)	Leeds City Council
Conservation	North Yorkshire Council
Tree Officer	West Yorkshire Combined Authority
Minerals Officer	Natural England
Climate and Environment	Environment Agency
Economy, Housing and Investment	RSPB
Public Health	Historic England
Legal Officer	Coal Authority
Tourism and Rural Development	National Trust
Heptonstall Parish Council	CPRE
Wadsworth Parish Council	National Highways
Blackshaw Parish Council	The Ramblers Association
Erringden Parish Council	Yorkshire Wildlife Trust
Ripponden Parish Council	Yorkshire Water
	West Yorkshire Archaeology Advisory Service
	West Yorkshire Ecology
	West Yorkshire Geology Trust
	West Yorkshire Police (Motorola Solutions)
	Calder and Colne Rivers Trust
	Moors for the Future
	Friends of the South Pennines
	White Rose Forest
	South Pennine Packhorse Trails Trust
	South Pennine Park
	The Bronte Society
	Leeds Bradford Airport
	Humberside Airport
	Manchester Airport
	Ministry of Defence
	National Air Traffic Services (NATS)
	Civil Aviation Authority
	Met Office
	National Grid
	OFCOM
	BT Openreach
	Slow the Flow
	Ban the Burn
	Upper Calderdale Wildlife Network

The LPA notes that other consultees may be consulted as part of a planning application if / as they become known throughout the pre-application process or otherwise.



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