

Wadsworth Parish Council's response to Calderdale Energy Park's Environmental Impact Assessment Scoping Request to the Planning Inspectorate

September 2025

Contents

Introduction	2
Summary of Main Points	
An overall summary plus summaries of each detailed response by chapter	4
Chapter 1	31
Chapter 2	37
Chapter 3	48
Chapter 4	53
Chapter 5	61
Chapter 6	74
Chapter 7	80
Chapter 8	98
Chapter 9	120
Chapter 10	126

Introduction

The proposed development of Calderdale Energy Park (CEP) lies entirely within the parish of Wadsworth. The Planning Inspectorate has identified us as “a consultation body” and we can confirm Wadsworth PC wish to pass comment on the scoping report. The residents of Wadsworth are overwhelmingly opposed to the destruction of the moorland that the construction of CEP will cause, and in a recent online survey of parishioners conducted by Wadsworth PC, 93% of the close to 400 respondents were against the development. Therefore the Parish Council feels a particular responsibility to scrutinise the lengthy scoping report produced by CEP as much as is possible within the limited time frame available.

Despite the excessive length of the scoping report at 577 pages it contains very little definite substance or confirmed proposals. It does however contain a considerable amount of irrelevant information that inflates the size of the report and deters potential readers. As an example an ornithological survey of The North Pennines included within the scoping report has no relevance to this proposed development in The South Pennines.

Before commenting more specifically about the content of the scoping report we would like to make some general observations about the scoping report, which is a very lengthy tome that appears to have several sections copied and pasted in from other reports. The report is not in an accessible format and despite being an excessive length has no executive summary, and uses acronyms throughout that impair comprehension. As to the content we have found the scoping report to be riddled with errors to varying degrees of seriousness. Some are relatively minor and indicate that proof reading of the document was either non-existent or at best very poor, whilst others are positively misleading. For example with reference to routes into the site, the M65 is referred to as the M56, the A646 becomes the A464 where speed limits in Mytholmroyd are 20 mph not 30 mph as stated in the report, and the distance from Ovenden Moor wind farm to CEP is quoted as being 8.2 km whereas it is actually 2.8 km. Reference is also made to rivers in Scotland where text has obviously been removed from other documents and clearly not been altered.

It is easy to understand how such errors have occurred but is indicative of the lack of attention to detail paid by the authors of the scoping report in its preparation. Other errors are more fundamental and throw doubt over the credibility of the whole report. There is a clear lack of familiarity with the local area and its geography as the villages of Pecket Well and Heptonstall, two communities that will be significantly affected by the development should it go ahead, are separately described as being east of the site whereas they are in fact to the south. On page 51 of the report it is stated that Hebden Bridge (population 4,500) is 3.5 km to the south-east of the nearest boundary of the turbine area, yet on the very same page it states that there are “approximately 48 residential properties within approximately 3.5 km of the turbine area”. This latter statement is not only wrong but is very misleading. Such erroneous and conflicting statements within the scoping report led us to be sceptical regarding the validity of the whole report. Nevertheless we wish to comment more specifically on certain aspects of the scoping report in the sections below.

To mention just one in this introduction however, the scoping report concentrates on the route from the west via Laneshaw Bridge for the abnormal loads including the turbines themselves, but the vast majority of traffic to the site will come from the north. Loads of limestone aggregate coming from quarries in The Yorkshire Dales, and crushed basalt from Cumbria, both will need to pass through Keighley town centre and Oxenhope. An engineer who has worked on similar developments in Scotland has calculated that the amount of aggregate required to construct 41 wind turbines on Walshaw Moor with an estimated 40 km of access roads and associated crane platforms to be approximately 700,000 tonnes. Assuming that the average payload of the trucks delivering the aggregate to be 20 tonnes, that equates to 35,000 deliveries full and 35,000 return journeys empty.

Expressed differently there would be **one lorry every three minutes** taking the route to and from site during working hours for the two years of construction. This would lead to a logistical nightmare and almost certain gridlock on local roads, and backs up our assertion that the Scoping Report has not been prepared to a level of accuracy or detail befitting a Nationally Significant Infrastructure Project, or to allow a reliable Environmental Impact Assessment to be made based on it.

Summary of Main Points

The following responses have been compiled by Wadsworth Parish Council in collaboration with local groups and individuals who have an active interest in the moors. In particular we would like to thank Ban the Burn and the Upper Calderdale Wildlife Network for their input, both groups have been actively involved in monitoring the habitat and wildlife on the moors for over a decade before the wind farm proposal was announced.

Due to time constraints we have only been able to comment in detail on chapters 1 to 10, by not responding to 11 to 19 does not mean we necessarily agree with any of the statements made in those chapters.

Overall Summary

At the start of the Scoping Report, the Planning and Policy Context analysis is characterised by a lack of objectivity. It seems to prejudge the SOS decision on the upcoming DCO application, through its overemphasis of the presumption of consent for Critical National Priority infrastructure projects, and its disregard of policies that constrain it.

Such policies include protections for peatland, and the exception to the presumption of consent in the event of residual unacceptable flood risk and risk to irreplaceable blanket bog. (EN-1, 4.2.15) Relatedly, its EN-NPS overview fails to include the flood risk Section 5.8 of a relevant EN-NPS.

This missing policy is crucial for the Hebden Bridge Flood Area, which already experiences severe flooding that academic research shows is worsened by drainage of Walshaw Moor Estate. The Scoping Report doesn't even mention the Flood Area.

Representation of the planning policy context can be tracked through to the Scoping Report's many errors and omissions - first and foremost the cardinal failure of the EIA approach (Chapter 3 to follow the 2017 EIA regulations).

We believe the EIA approach in Chapter 3 cannot be carried out lawfully according to the 2017 EIA regulations, as long as the apparent misuse of the Rochdale Envelope approach continues as an apparent pretext for insufficient detail in the environmental assessment.

The Rochdale Envelope approach to environmental impact assessment is intended to permit an application to be made when it includes uncertain ***details*** about the Proposed Development. But **the whole Proposed Development is uncertain** at the moment. This creates the impression that the Scoping Report is taking advantage of the Rochdale Envelope approach as "a blanket opportunity to allow for insufficient detail in the environmental assessment" - despite the Planning Inspectorate's warning in its online Advice Note 9 not to do this.

Given the uncertainty of everything about the Proposed Development, how can the Scoping Opinion fulfill its task of requiring the Proposed Development to remain materially the same, when the Applicant submits the Environmental Statement and the DCO application?

This would require an actual Scoping Report description of the Proposed Development that is sufficient to enable the main effects of the scheme to be properly assessed. But key elements turbine layout, tracks, cable routes, grid connection, substation and BESS locations, and restoration and possible compensation measures for blanket bog and other peatland habitats are all still only indicative.

The Scoping Report's EIA approach completely ignores the Ecosystem Approach for assessing impacts on a complex peatland system. This requires an understanding of hydrological and ecological connections across the entire peatland area. Instead, EIA focusses separately on different aspects of the peatland, and the Scoping Report fails to link across the different technical chapters.

The result is a failure to understand how the Proposed Development's likely significant adverse impacts on the SAC/SSSI and SPA extend far beyond the infrastructure footprint, because of the complex hydrological and ecological connections across the whole mosaic of interrelated peatland habitats.

Chapter 5, The Proposed Development, is inadequate to its purpose of explaining its "the likely significant environmental effects" (para 1.4.6, Table 1-1), because all the Proposed Development's elements are still only indicative. (Para 13.6.18) You can't identify the impacts of something you can't define.

There is no information about the range of options under consideration for the Proposed Development, and no clarity about the process for coming up with Proposed Development preferred options/design parameters between now and January 2026. This is when both the Preliminary Environmental Information Report and the statutory consultation are due.

Notably, in Chapter 5 there seems to be no grasp of restoration measures. But they were touted in the non-statutory consultation as a key justification of the choice of location for the Proposed Development. This omission is repeated throughout the technical chapters.

We think this is a direct consequence of the lack of objectivity in Chapter 2, and its disregard of the exception to the presumption of consent in the event of residual unacceptable flood risk, and risk to irreplaceable blanket bog. It's almost as if the Scoping Report prefers not to draw attention that that, because it is potentially a key stumbling block to the Proposed Development.

Be that as it may, it is a common feature of all the technical chapters that they persistently overlook and underestimate the extent of blanket bog on Walshaw Moor Estate, and also fail to consider the Proposed Development's blanket bog restoration, mitigation and enhancement measures.

With all its lack of objectivity and accuracy, and its dangerous errors and omissions, we think the Scoping Report is basically a mockery that, if not sorted in the Scoping Opinion, would make it impossible for the Secretary of State to know if the DCO application, Environmental Statement and Shadow HRA, if and when they arrive on his desk, refer to the same Proposed Development

as this Scoping Report sketches. Because there simply is not enough information here about what the Proposed Development is, and *sketches* is the operative word.

All the Scoping Report is, is a list of uncertainties that matches the degree of uncertainty allowable for offshore wind farms, under Planning Inspectorate guidance on the Rochdale Envelope. Everyone knows that Walshaw Moor is an extremely difficult site for a big energy park, but if it is as difficult as offshore, really what's the point?

The rebrand of the Proposed Development as Calderdale Energy Park has not addressed the fundamental problem of the unsuitability of the location. We have said from the start, in response to the first Scoping Report in September 2023, that the choice of location is clearly inappropriate. This is still the case with the current rebrand and its reduced number of turbines of an increased size, retaining a comparable overall capacity.

The real problems of this new indicative turbine layout are brushed under the Scoping Report carpet. Chapter 5 - The Proposed Development doesn't refer to the impacts of the resulting overcrowding in the indicative turbine layout, although a desktop study of industry guidelines would have given them pause for thought. Such guidelines point to environmental, economic, and safety impacts of overcrowded turbine layout, including implications for noise and vibration.

The economic impacts might seem to be the applicant's problem not ours. But they are a public problem to the extent that onshore wind power is publicly subsidised through the Contracts for Difference scheme and constraints payments. So we have a legitimate concern for the energy park's engineering efficiency.

Like the first Scoping Report, this one gives no convincing climate or nature-based justifications for choosing to place an offshore-scale wind farm on the South Pennine Moors SAC, SPA, and SSSI - the most highly environmentally protected land in the country. The site is a vital carbon sink of national importance, with at least 50% of the Turbine Area comprising blanket bog, according to the questionable UK Hab survey reported in the Biodiversity Chapter. We are confident this underestimates the blanket bog area since much of what the Scoping Report classifies as dry heath is degraded blanket bog.

The Scoping Report throughout shows a dangerous lack of baseline knowledge of the moor and its surrounding area. To a considerable extent this is because of a disregard for local, situated knowledge - when it has been freely offered, but rebuffed. Cavendish Consulting has failed to respond to many attempts at communication by the parish council forum chair, the Keighley and Ilkley MP and local voluntary environmental groups such as Ban the Burn and Upper Calderdale Wildlife Network.

The lack of local knowledge and adequate baseline information is particularly exemplified in Chapter 8 about hydrology. By any normal standards of probity and accuracy, it should provide a clear assessment of the flood risk to the Hebden Bridge Flood Area from the Proposed Development and indicate what in order to mitigate this risk. But it lacks clear, assessable

information on how the Scoping Report proposes to assess and mitigate the flood risk impacts of the Proposed Development on the Hebden Bridge Flood Area.

We think this is a breach of a national policy requirement for Local Planning Authorities and statutory advisors to have the best and most assessable information from applicants. (2025 Draft NPS EN-1 para 4.2.13)

This does not hide the fact that baseline hydrology, peat and habitats information is dangerously lacking, which means that the Applicant is oblivious to flood risks to Hebden Bridge that are obvious to anyone who knows the moor from experience.

The Scoping Report's ignorance of what it has to deal with in terms of the Proposed Development's location is also the result of an evident failure to carry out basic desktop study (eg regarding the borrow pits and the unsuitable aggregate they'd produce) and lack of, or poor quality of, baseline surveys. Habitats, peat depth and hydrology baseline surveys are a case in point.

The arrogance shown in Chapter 2 at the start of the Scoping Report, in overlooking policies aimed at providing additional protection for peatland, and exceptions to the presumption of consent when there is an unacceptable risk of flooding and/or loss of irreplaceable blanket bog, tracks directly through the Scoping Report. And the persistent failure to link across the different technical chapters obscures this line of causation, making it harder to tease out.

We find the Scoping Report unfit for purpose. A few further examples from Upper Calderdale Wildlife's response to the Ornithology Chapter show additional grounds for this conclusion.

Chapter 6 on Ornithology is weakened by downplaying the scale of the Proposed Development. Saying a 41-turbine wind farm on 2352ha of protected peatland has "low potential for significant habitat loss" shows a lack of understanding of the scale of the Proposed Development and its construction.

The chapter fails to integrate impacts on birds with impacts on their peatland habitats, although they are inseparable. The species list is incomplete, omitting known breeding birds including Merlin—a key SPA species. The presence of Golden Plover is downplayed.

The proposed surveys are insufficient, and the process of environmental survey/Proposed Development design seems to be back to front in terms of the design of the turbine area. Para 6.4 4 states that the design of the turbine area has been adapted to minimise impacts. But the design of the proposed development should take account of survey work yet to be completed, so we would expect the survey work to inform the design and turbine layout.

As elsewhere in the Scoping Report, the description of the moorland habitats under-represents blanket bog and over-emphasises areas of dry heath. Using the best scientific evidence is a

material planning consideration (2025 EN-3 Draft National Policy Statement) but this seems to be disregarded often.

There is a failure to cross reference information across ornithology, peat hydrology and carbon and climate chapters. But these aspects of the moor are all fundamentally linked and the environmental impacts of the Proposed Development can only be understood if they are considered as such.

Survey flaws and a back-to-front approach to the relationship between environmental surveys and design of the Proposed Development are evident.

There are no proposed restoration measures, and no clarity about any category of restoration, whether additional restoration to enhance the Walshaw Moor habitat as part of the Proposed Development, or Natural England's stated position that restoring SAC habitats to favourable condition, and the Walshaw Moor Restoration Plan, are existing obligations.

There is no clarity about *any* of these categories of restoration, given Natural England's lack of monitoring for the Walshaw Moor Catchment Restoration Plan since 2017.

There isn't any attempt to link concerns for the Proposed Development's likely impacts on Walshaw Moor's biodiversity on and above (birds) the protected peatland, with impacts on hydrology, and so on the peat carbon impacts that are the subject of Chapter 9.

We could go on. We have not exhausted examples of the Scoping Report's characteristic errors, omissions and distractions, but feel further repetition is unnecessary.

Chapter 1 - Introduction

In addition to this Chapter, together with Upper Calderdale Wildlife Network we have responded in detail to Chapters 2-10 of the Calderdale Energy Park Scoping Report.

Our core response is that the Scoping Report is fundamentally flawed and fails in its statutory purpose, as defined by relevant sections of the EIA Regulations 2017.

These are the key points that have led us to this view.

1. Lack of Independence and Objectivity

We believe the Scoping Report is not the unbiased, objective document it should be. For example, Chapter 2 presents a selective overview of national energy policy. It heavily emphasises the presumption of consent for Critical National Priority infrastructure projects while omitting crucial policies that qualify or override this presumption on environmental grounds.

We believe the impression this creates, of a misleadingly favourable policy context for a big onshore wind farm development on internationally protected peatland, appears to prejudge the outcome of the vital Habitats Regulations Assessment.

This bias is compounded by a consistent under-representation throughout the Scoping Report of the extent of the protected blanket bog habitat on Walshaw Moor, which skews the entire environmental impact assessment.

2. Misuse of the 'Rochdale Envelope' approach to environmental impact assessment

The Scoping Report admits the Proposed Development is almost entirely indicative and uncertain. (Para 13.6.18). This level of vagueness seems to make a proper assessment of environmental impacts impossible and undermines the Scoping Opinion's purpose (which is to provide a description of the Proposed Development which is sufficient to enable the main environmental effects of the scheme to be properly assessed.)

The Scoping Report uses the 'Rochdale Envelope' approach for dealing with uncertainty about the Proposed Development, but we think it is misusing the approach as an opportunity to allow for insufficient detail in the environmental assessment – despite the Planning Inspectorate's warning in its online Advice Note 9 not to do this.

If the Scoping Opinion allows this to continue, the Proposed Development is likely to undermine environmental protections for Walshaw Moor and the surrounding areas.

However, as far as we know, if Calderdale Energy Park wants this kind of flexibility about the Proposed Development, initial design parameters for the Proposed Development have to be properly assessed and taken into account in the pre-application stage. We think this means the Applicant has to produce preferred options for most elements of the Proposed Development by

January 2026 - the scheduled date for the Preliminary Environmental Information Report and statutory public consultation. This seems unrealistic and unsafe,

3. Inadequate Approach to Environmental Impact Assessment

Compounding the misuse of the Rochdale Envelope Approach, the Scoping Report reveals critical deficiencies in proposed environmental assessments.

Inaccurate descriptions of moorland habitats consistently overemphasise dry heath and under-represent the extent of priority protected blanket bog. The Scoping Report doesn't seem to have a grasp of blanket bog restoration measures. It makes only the barest mention of blanket bog restoration as an existing part of Walshaw Moor's status as an SSSI/ SAC, or of the Walshaw Moor Estate 2017-2042 Catchment Restoration Plan.

Proposed additional mitigation, restoration, and compensation measures are vague, misconceived, and demonstrate a lack of understanding of peatland ecology.

Despite claims in Table 7.11 that their approach now meets Natural England's expectations, the technical chapters reveal errors and omissions. For example, a back-to-front approach to environmental assessment is stated in Chapter 7, where habitat surveys for offsite cable corridors and access routes are scheduled *after* preferred routes have been chosen. This suggests these surveys are a token gesture and we are highly critical of this topsy-turvy process.

4. Flawed representation of the Habitats Regulations Assessment

We can't imagine that the bias shown in Chapter 2 will help with the decision-making process for Calderdale Energy Park's DCO application, Environmental Statement and the Shadow HRA that the Applicant intends to submit.

The real policy context for a large wind farm on protected peatland is conflicted, attempting to balance climate goals with binding international commitments to restore nature (the Kunming-Montreal Treaty) and the government's drive for economic growth.

In presenting a self-serving version of the policy context, the Scoping Report obscures crucial exceptions to the presumption of consent for Critical National Priority infrastructure projects, such as when mitigation of adverse impacts still leaves residual impacts that present an unacceptable flood risk or risk to irreplaceable habitats. Both are of direct relevance here.

The report fails to even mention the Hebden Bridge Flood Area, which already suffers severe flooding that is worsened by Walshaw Moor Estate's mismanagement. It is disturbing that HRA issues, including potential derogation, are clouded by this pro-development bias and a disregard for policies that provide additional protections for peatland. We are deeply concerned that the restoration of this precious landscape could be entrusted to people who appear not to grasp its importance.

5. Socio-Economics and a Lack of Corporate Transparency

There is a lack of transparency in the Scoping Report's cursory information about the applicant, Calderdale Wind Farm Ltd, and the “sponsorship” provided by Next Gen Infra, a subsidiary of Al Gihaz Holding.

Although we are not aware of any legislative or regulatory requirement for this, we contend that the public has a right to know more about who will be the ultimate owner and custodian of this internationally significant protected site, and accountable to Natural England and Defra.

Transparency is also in the public interest regarding:

- Corporate responsibility for potentially significant adverse impacts on water quality and flood risk.
- Who would pay for off-site biodiversity compensation.
- Who would manage the Community Benefit Fund.

So we would appreciate it if some corporate due diligence could be scoped into the socio-economics assessment.

6. Conclusion

In short, we find the Scoping Report is biased, vague, and unsafe. It fails to provide a robust or objective basis for the many decisions that need to be made about the Proposed Development in a short timeframe during the pre-application stage. Let alone the Environmental Statement and crucial Habitats Regulations Assessment. We call upon the Planning Inspectorate to sort out these problems in its Scoping Opinion.

Summary: Chapter 2 – The Planning Policy Context

Our response focuses on the Scoping Report's biased and incomplete overview of National Policy Statements for renewable energy. We believe this creates a misleadingly favourable policy context for the Proposed Development on internationally protected peatland.

The report's selective presentation of policies heavily emphasises the presumption of consent for Critical National Priority infrastructure projects while omitting crucial policies that qualify or override this presumption on environmental grounds. Key omissions that seriously undermine the report's objectivity include:

Exceptions to the presumption of consent: – such as when mitigation of “adverse impacts” from a big renewable energy project still leaves a “residual impact”, and this presents an unacceptable flood risk or risk to irreplaceable habitats. (EN-1, 4.2.15) We are shocked at this omission. The Scoping Report's missing information is crucial for the Hebden Bridge Flood Area. It already experiences severe flooding that is worsened by mismanagement of Walshaw Moor Estate. The Scoping Report doesn't even mention the Flood Area.

Additional 2025 peatland protections for designated peatlands as sites for wind farms, such as requiring applicants to seek and rule out other locations first.

Requirements for clarity and scientific evidence in big onshore wind farm planning applications, which should be clear and assessable and make “appropriate and extensive use” of the best scientific evidence (Draft EN-3, 2.12.148).

Selective quotation from a policy statement that omits the crucial sentence stating that designation of a protected site “may make consent for such construction more difficult to secure.”

We argue these omissions are self-serving, designed to downplay the significant policy hurdles CEP faces, particularly concerning the Habitats Regulations Assessment.

Relatedly, we challenge the policy direction to follow NatureScot guidance on siting infrastructure on shallower peat. We contend this guidance is flawed and not supported by peat science literature, citing the IUCN UK Peatland Programme, which states that shallow peat is a significant carbon store and often ecologically vital, and it is more appropriate to site big windfarms on mineral soils. We reject the Scoping Report's depth-based definition of peat (>0.3m) as scientifically inadequate and inappropriate for conservation purposes.

Finally, we highlight the omission of a policy requiring the Secretary of State to consider if adverse effects on site integrity are temporary or reversible (Draft EN-3, 2.12.150). Given that peatland damage from drainage is effectively irreversible over meaningful timescales (potentially centuries), this is a critical consideration for a 35-year project. We stress that the “best scientific evidence” must be a material consideration and that all monitoring data from wind farms on peat should be made public for peer review.

In summary, we believe Chapter 2 presents a garbled and biased policy overview that prejudices the outcome of the application and fails to provide the objective, comprehensive information required for a proper assessment.

Summary: Chapter 3 – Approach to Environmental Impact Assessment

We question the feasibility of the Scoping Report's Approach to Environmental Impact Assessment, because of the high level of uncertainty surrounding the Calderdale Energy Park Proposed Development.

It seems impossible for Calderdale Energy Park to comply with Schedule 4 of the EIA Regulations 2017. This requires the description of the Proposed Development to be sufficient to enable the main effects of the scheme to be properly assessed. But key elements—turbine layout, tracks, cable routes, grid connection, substation and BESS locations, and restoration and possible compensation measures for blanket bog and other peatland habitats—are all still only indicative.

There are fine words about complying with the regulatory requirements for environmental impact assessment of the Proposed Development, but little about what that means in practice. And where there is specific Habitat survey information in the Biodiversity Chapter, it says these surveys of the Cable Corridor and Site Access Search Areas will be completed *after* identification of the preferred options. We are highly critical of this back-to-front approach.

The Scoping Report plans to use the 'Rochdale Envelope' approach for dealing with uncertainty about the Proposed Development, but we think it is misusing the approach as an opportunity to allow for insufficient detail in the environmental assessment - despite the Planning Inspectorate's warning in its online Advice Note 9 not to do this.

The 'Rochdale Envelope' approach requires the DCO application and Environmental Statement to contain details of the outline Design Parameters for the Proposed Development. Even though currently no such parameters exist, Chapter 3 says the Applicant will have these details by next summer, when they plan to submit the DCO application.

But as far as we know, if Calderdale Energy Park wants this kind of flexibility about the Proposed Development, initial design parameters of the Proposed Development have to be properly assessed and taken into account in the pre-application stage.

The timeline allows only three and a half months to develop these parameters. January 2026 is the scheduled date for the Preliminary Environmental Information Report and statutory public consultation. This seems unrealistic and unsafe, given the inadequate and questionable baseline surveys for habitats, hydrology and peat.

We don't know what to make of a mention that the Planning and Infrastructure Bill could upset the statutory consultation appplecart, and that Calderdale Energy Park will follow the latest requirements.

Finally, Chapter 3 completely ignores the Ecosystem Approach for assessing impacts on a complex peatland system. This approach, endorsed by the Convention on Biological

Diversity, requires an understanding of hydrological and ecological connections across the entire peatland area. Instead, the Scoping Report focusses on isolated aspects of the peatland, and fails to link across the different technical chapters. The result is a failure to understand how the Proposed Development's likely significant adverse impacts on the SAC/SSSI and SPA extend far beyond the infrastructure footprint, because of the complex hydrological and ecological connections across the whole mosaic of interrelated peatland habitats.

In short, we believe the EIA approach in Chapter 3 cannot be carried out lawfully according to the 2017 EIA regulations, as long as the apparent misuse of the Rochdale Envelope approach continues as a pretext for insufficient detail in the environmental assessment.

Summary: Chapter 4 – Scoping Boundary and the Surrounding Area

The Scoping Report in general, and Chapter 4 in particular, give us no reason to change our response to the first Calderdale Windfarm Scoping Report in September 2023, that Walshaw Moor Estate is an inappropriate place for a big wind farm. The rebrand of Calderdale Energy Park since then has done nothing to alter our view.

These are our reasons.

1. There is a better alternative

We think landscape scale blanket bog restoration is a better way of achieving the net zero carbon, biodiversity, flood management and local economy aims that Calderdale Wind Farm developers claim their £500m scheme would deliver – while unaccountably proposing to build it on internationally important, highly protected blanket bog and other peatland habitats.

We are at a loss as to why the Applicant thinks it is a good idea to put a wind farm on the most highly environmentally protected land in the country, when both the non-statutory consultation and the current Scoping Report fail to demonstrate convincing climate or nature reasons for it.

We oppose placing a wind farm on the South Pennine Moors SAC, SPA, and SSSI - the most highly environmentally protected land in the country. The site is a vital carbon sink of national importance, with at least 50% of the Turbine Area comprising blanket bog, according to the project's questionable UK Hab survey. We are confident that the area is more than that, as much of what the Scoping Report classifies as dry heath is degraded blanket bog.

The Scoping Report fails to provide convincing climate or nature-based justifications for this location, leading us to question if the motive is simply profit. This would not bode well for the future of this protected moor.

2. Inaccurate Baseline Information and Too-Tight Timeframes

We are not reassured by the promise of “extensive survey effort and assessment through both EIA and HRA approaches.” This chapter alone contains basic errors; paragraph 4.3.2 misdescribes the habitat, contradicting the Biodiversity Chapter.

We have detailed in our response to Chapter 3 why it seems unlikely that the Applicant will meet a January 2026 deadline for producing preferred design parameters for the Proposed Development, that will enable the main effects of the scheme to be properly assessed. But that is the schedule for the statutory consultation and the Preliminary Environmental Information Report.

3. Failure to Address Past Concerns

In 2023, the Scoping Report errors and omissions served to obscure the unsuitability of the site. The 2025 Scoping Report has not satisfactorily addressed the serious errors and omissions we identified in the 2023 report.

Our response to Chapters 7, 8 and 9 points out that none of these and other issues that we raised back in 2023 has been resolved in the 2025 scoping report. These issues included:

1. An incorrect definition of deep peat.
2. Failure to consider the implications of Natural England's removal of a proposed track from the measures in the 2017-2042 Walshaw Moor Estate Catchment Restoration Plan, after interpolated "shallow peat" depth measurements along the proposed track turned out to be deep peat, once probed in real life by a member of the public.
3. Proposed use the Scottish Government Carbon Calculator for Wind Farms on Peat (2023 Scoping Report, 15.1.2), while ignoring experts's calls for an urgent review of the calculator's continued applicability because of developments in the science of peatland management and significant drops in emissions factors for electricity generation.

4. The Newly Emerged Aggregate Problem

Walshaw Moor looks even more inappropriate now. Since the 2023 Scoping Report, some simple citizen desktop study (which the project team should have done for itself) has shown that the proposal to source aggregate from onsite borrow pits is unrealistic, and that there would be quite extreme likely adverse environmental and transport impacts of importing the necessary aggregate onto the site. There is more about this in our response to Chapter 5.

5. Expansion of the Project's Spatial Extent

The project's spatial extent has grown to include Cable Corridor and Site Access Search Areas, threatening further damage to the protected SAC and SPA which includes some of these areas. We are extremely worried about the proposed North West access track, carrying constant aggregate traffic as well as heavy mobile cranes and hundreds of Abnormal Indivisible Loads.

The current Scoping Report fails to rectify past flaws and introduces new, significant concerns. We continue to campaign, as part of a wider Peatland Alliance, for a legislative ban on wind farms on protected peatlands. The Walshaw Moor Estate and its surrounding areas remain completely unsuitable for the Proposed Development.

Summary: Chapter 5 – The Proposed Development

Chapter 5 is inadequate for its purpose. According to (para 1.4.6, Table 1-1) this is to explain “the likely significant environmental effects of the Proposed Development on the environment” [sic]. But it doesn’t do this.

Key points are:

- All elements of the Proposed Development are still only indicative, 3 months on from the non-statutory consultation.
- It is unclear what the process is for coming up with preferred options for all elements of the Proposed Development between now and January 2026. Both the Preliminary Environmental Information Report and the statutory consultation are due then.
- The Scoping Report seems to be exploiting the Rochdale Envelope approach to environmental impact assessment, which is intended to permit an application to be made when it includes uncertain details about the Proposed Development. But the whole Proposed Development is uncertain at the moment. It looks as if the Scoping Report is taking advantage of the Rochdale Envelope approach as “a blanket opportunity to allow for insufficient detail in the environmental assessment” - despite the Planning Inspectorate’s warning in its online Advice Note 9 not to do this.
- Because the Proposed Development is almost entirely indicative, we can’t see how the Scoping Opinion can fulfill its task of requiring the Proposed Development to remain materially the same when the Applicant submits the Environmental Statement and the DCO application. So we think the Scoping Opinion will have to require the production of preferred options for the various elements of the Proposed Development by January 2026.
- The Scoping Report consistently under-represents the extent of blanket bog on Walshaw Moor. This skews the assessment of environmental impacts. Additional blanket bog restoration is intended to be a key part of the Proposed Development. But mitigation and restoration measures in Chapter 5 are vague, misconceived, and lack understanding of peatland ecology.
- The Proposed Development is stymied by lack of local knowledge and failure to carry out basic desktop studies of engineering and practical realities on Walshaw Moor and offsite areas. Chapter 5 makes an unrealistic claim about sourcing suitable aggregate from onsite borrow pits which would have been resolved by a quick desktop study. As it is, Chapter 5 fails to address the massive logistical and environmental impacts of importing the aggregate into the site. These and potential health impacts need to be scoped in.
- Other areas of ignorance about major engineering constraints presented by the moor include evident carelessness about the instability of the peat and impossibly steep

gradients in the NW search area for an access road for Abnormal Indivisible Loads and crane lorries.

- Related Scoping Report Chapters show that key Walshaw Moor baseline surveys were not done properly or even at all, particularly peat depth, habitats and hydrology surveys. The environmental consequences are not good, particularly for the moor's hydrology and increased flood risk in the Hebden Bridge Flood Area. There is an inadequate plan for subsequent environmental surveys to offsite areas.
- For these reasons, the Proposed Development is shown to be potentially environmentally destructive and dangerous.

Summary: Chapter 6 – Ornithology

1. Belittling Environmental Impacts, Lack of Objectivity

We find that the report's independence is compromised by statements that pre-judge the conclusion of other reports and significantly understate the project's scale and impacts. Saying a 41-turbine wind farm on 2352ha of protected peatland has "low potential for significant habitat loss" shows a lack of understanding of the scale of the Proposed Development and its construction. Similarly, when Golden Plover is explicitly cited in the SPA, stating that they "may" use the area during "key" periods is disingenuous. We also object that the term 'ornithological features' is unnecessarily obtuse and commodifies nature. We request plain English be used.

2. Inadequate Baseline Data and Survey Methodology

The Scoping Report persistently underplays the extent and importance of blanket bog, although this is the priority habitat in the SAC and vital for the birds that live on the moor.

The habitat map is inaccurate, classifying large areas of degraded blanket bog as upland heath. This is contradicted by Magic Map, DEFRA's Priority Habitats map, and the JNCC's citation about the SAC, which confirms all blanket bog is an Annex I habitat. This misclassification undermines the entire environmental impact assessment of Proposed Development on the protected site.

The species list is incomplete, omitting known breeding birds like Short-eared Owl, Long-eared Owl, and Merlin—a key SPA species. Other omitted species include Greylag and Pink-footed Geese, and several waders. Target species are not named in section 6.3.16.

The chapter fails to integrate impacts on birds with impacts on their peatland habitats, although they are inseparable. Critically, the proposed surveys are insufficient:

- * Winter raptor surveys and the establishment of control monitoring sites, as requested by us and the RSPB, are omitted. Land access cannot be a valid excuse given Walshaw Moor Estate's ownership of comparable surrounding land.
- * Survey areas do not include proposed access roads and cable corridors, despite National Policy requiring early routing consideration. The timetable risks making this survey work redundant.
- * Surveys for high-altitude passage birds, like the red-listed Swift, are mis-timed (March/October vs. May/August), and the specific threat of turbine-infrasound is ignored.
- * The impacts of artificial lighting on migration and breeding birds are not considered.

In addition, we are concerned that the survey- design process seems to be back to front in terms of the design of the turbine area. Para 6.4 4 states that the design of the turbine area has been adapted to minimise impacts. But the design of the proposed development should take account of survey work yet to be completed, so we would expect the survey work to inform the design and turbine layout. If this is not the case, there seems little point in carrying out these surveys.

This back-to-front process has been noted in habitat surveys too, in our response to Chapter 7. Ban the Burn's response to Chapter 3 notes it as a systemic problem with the Applicant's approach to EIA.

3. Construction and Blanket Bog Mitigation/Restoration Lip Service

The construction proposals are vague and inadequate:

- Avoiding only the peak nesting season (April-May) is not enough - as the breeding season extends from February to July. The phrase "wherever practicable" provides a worrying loophole.
- Proposals to use handheld equipment seem like a cut and paste from somewhere else - how can you build a massive windfarm with handheld tools? Avoiding artificial lighting "wherever practicable" requires an explanation.
- There is no commitment to off-site waste disposal.
- Proposed restoration has been a major justification for the acceptability of the project on this highly protected blanket bog. But there is no mention of habitat restoration during the windfarm's operation, and no clarity about any environmental measures and mitigation during construction to help avoid or reduce the potential for significant adverse effects.

5. Scoping Out Effects of the Proposed Development

We strongly disagree with scoping out all non-target species. Buzzard, Kestrel, Whinchat and other non-target bird species that should be "common and widespread" are not necessarily so and the Proposed Development's effects on them need to be assessed.

The impact of the fenced Battery Energy Storage System (BESS) compound on habitat fragmentation must also be assessed.

6. Conclusion

We hope these flaws will be remedied in the Planning Inspectorate's Scoping Opinion and that statutory consultees will support this.

Summary: Chapter 7 – Biodiversity

1. Generally

A major concern across a number of Scoping Report Chapters - including this- is the inaccuracy of the description of the moorland habitats, under-representing blanket bog and over-emphasising areas of dry heath. This is the case in this chapter.

Using the best scientific evidence is a material planning consideration (2025 EN-3 Draft National Policy Statement) but this seems to be disregarded often.

There is a failure to cross reference information between this chapter, the previous chapter on ornithology, the chapter on peat hydrology and the chapter on carbon and climate. But these aspects of the moor are all fundamentally linked and need to be thought of as such in order to understand the environmental impacts of the Proposed Development.

2. Policy and legislative context omissions

This section of Chapter 6 omits some key policy documents:

4. The UK Biodiversity Framework 2024,
5. The Kunming-Montreal Global Biodiversity Framework,
6. Defra's Irreplaceable Habitats Policy, and
7. Natural England's new Definitions of Favourable Conservation Status for blanket bog and heathland.

3. Surveys and Baseline Conditions

Survey flaws and a back-to-front approach to the relationship between environmental surveys and design of the Proposed Development are evident in this Chapter. This problem is also highlighted in other Chapter summaries (1,3,6) so is not repeated here.

Apart from to say that while Chapter 7 has corrected the error in the seriously misleading Walshaw Moor Estate UK Habitats survey map, that was used in the non-statutory consultation Brochure, and now records approximately 50% of the turbine area as blanket bog (a significant correction from next to nothing), we are fairly confident that large areas that are described as dry heath are in fact probably degraded blanket bog.

4. Blanket bog restoration and monitoring

As with all the other chapters that mention it, the Biodiversity chapter's references to blanket bog restoration are muddled, confusing, and vague. There are no proposed restoration measures - a feature of the entire design process for the Proposed Development which Chapters 3 and 5 particularly address. A key uncertainty seems to be around the idea of using restoration to enhance the Walshaw Moor habitat as part of the Proposed Development, and Natural England's

stated position that restoring SAC habitats to favourable condition, and the Walshaw Moor Restoration Plan, are existing obligations, and any restoration measures carried out as part of the proposed development must be additional.

There is no clarity about *any* of these categories of restoration, given Natural England's lack of monitoring for the Walshaw Moor Catchment Restoration Plan since 2017.

There isn't any attempt to link concerns for the Proposed Development's likely impacts on Walshaw Moor's biodiversity on and above (birds) the protected peatland, with impacts on hydrology, and so on the peat carbon impacts that are the subject of Chapter 9i.

The decommissioning plan is to leave turbine foundations and roads in place, which will permanently alter hydrology, habitat, birds and natural carbon capture and storage. Meaning that the Scoping Report should scope in continued environmental monitoring of Walshaw Moor over several decades as the only way to begin to understand the long-term impacts.

Additional critical Issues have been raised in other Chapter summaries, so won't be repeated here

5. Conclusion – how to keep it all interlinked?

We are aware that in trying to make the links that the Scoping Report hasn't bothered with, there is a fair amount of repetition across our response to different chapters. This makes us wonder whether maybe Scoping Reports for big wind farms on protected peatland need another format that structurally links consideration of all the different aspects that make up upland blanket bog. Instead of splitting them apart and so coming up with what is more or less ecological and environmental impact nonsense.

As it is, an attempt to link everything up ends up meaning having to say some permutation of the same things across about 5 different chapters. Maybe a set of common topics should be put in a pool with a set of little tethered satellites where each individual topic can put their distinct environmental survey/proposed development design material, while interacting with the common material.

Summary: Chapter 8 – Hydrology, Hydrogeology, Geology and Peat

Our main concern is the lack of clear, assessable information on how the Scoping Report proposes to assess and mitigate flood risk impacts of the Proposed Development on the Hebden Bridge Flood Area.

We think this is a breach of a national policy requirement for Local Planning Authorities and statutory advisors to have the best and most assessable information from applicants. (2025 Draft NPS EN-1 para 4.2.13)

This failure is compounded by the apparent misuse of the ‘Rochdale Envelope’ approach, already described in summaries of Chapters 1, 3 and 5. So we won’t repeat it here.

There are various means by which Chapter 8 evades the issue of the Proposed Development’s unacceptable flood risk to Hebden Bridge Flood area.

- **Lack of clarity about Study Areas**

The proposed 1km Flood Risk Study Area does not extend to the Hebden Bridge flood area. While the 2-5km hydrology study area should include it (since Hebden Bridge is 3.5km from Walshaw Moor) the Scoping Report doesn’t explicitly confirm this or properly address the direct hydrological pathways from the moor to the town.

2. Lack of Local Knowledge & Ecological Thinking

The chapter displays a poor understanding of local hydrology. It fails to mention crucial infrastructure like the sluice and spillway in Greave Clough, which directs overflow runoff towards Hebden Bridge, and does not reference the Hebden Bridge Flood Alleviation Scheme, which has just been submitted for planning permission.

3. Fundamental Omission of Blanket Bog

The chapter astonishingly ignores the presence of the living blanket bog habitat. It treats peat, hydrology, and biodiversity as separate issues, failing to recognise they are an interdependent system. The destruction of the bog’s surface vegetation through both intentional and unintentional drainage due to the Proposed Development would increase flood risk by speeding up runoff.

4. An Outdated and Flawed Definition of Peat

The report’s reliance on a depth-based definition of peat (>0.3m) is scientifically unsound. It disregards Natural England’s new guidance and IUCN UK Peat Programme advice that shallow peat <0.3m is ecologically and hydrologically critical. This error underpins ill-founded environmental mitigation measures.

5. Ineffective and Unclear Environmental Measures

The proposed measures during construction and operation are vague and based on the flawed definitions above. Key details are missing, such as volumes of peat to be excavated relative to volumes of peat to be reinstated, the duration of impacts (which evidence of peatland drainage show could last 150+ years), and how runoff will be managed without causing more peat damage. The plan for 'permeable' access tracks can't disguise the fact that they will still disrupt the peat hydrology, with the near-certain consequence of damage to irreplaceable blanket bog and the disruption of the internationally protected site's integrity that implies.

6. Dangerous Scoping-Out of Major Risks

We strongly disagree with the decision to scope out the risk of major accidents, including peat slides. The protected moor North West of the site, proposed as the location for the Abnormal Indivisible Load access road, has a history of bog bursts (e.g., Crow Hill, 1824).

Recent peat slides in Shetland linked to wind farm tracks construction show the risk is not necessarily mitigated by reliance on the Scottish Government Peat Landslide Hazard and Risk Assessments guidance, which the Scoping Report advocates.

Although the guidance is the best there is, when it comes to windfarm Environmental Impact Assessment work, developers have tended to cherry-pick only those parts that they can easily address, while ignoring or glossing over the more difficult parts

7. Underestimation of Cabling Impacts

The Scoping Report incorrectly dismisses underground cabling as having no hydrological effects once in operation. Cable trenches can act as drainage channels, disrupting peat hydrology and causing drying, especially on steep slopes. The report also fails to address the potential heat output from cables and its impact on peat.

8. Conclusion

In short, we are dismayed by Chapter 8. It lacks the scientific rigor, local knowledge, and objectivity required for a Nationally Significant Infrastructure Project on internationally protected peatland that is the source of a flood-prone river in a tightly-packed valley town. It fails to provide the necessary information to assess the true flood risk to Hebden Bridge and identify if it is mitigable, or the irreversible damage to the protected blanket bog and interrelated peatland habitats of the South Pennine Moors SAC/SPA.

Summary: Chapter 9 – Carbon and Climate Change

1. Fundamental Flaw in Peatland Carbon Accounting

Chapter 9 lacks a credible methodology for measuring carbon emissions from the destruction and drainage of peatland. The developers repeatedly reference the Scottish Carbon Calculator for Wind Farms on Peat, ignoring the fact the IUCN UK Peat Programme has told the DESNZ that before this tool is applied across England's peatlands, the calculator should be significantly updated in the light of recent policy changes and advancements in science.

This is also the recommendation of the recent Scottish government-commissioned Phase 1 review, as detailed in the report 'Carbon Calculator for wind farms on Scottish peatlands: an evidence assessment'.

This means any assessment of the single most significant carbon cost of this development on blanket bog is entirely speculative. A worst-case scenario must be assumed for these emissions until the recommended Calculator updates have been made.

2. Unjustified Assumptions and Lack of Robust Baselines

We strongly object to the unsupported assumption in paragraph 9.3.6 that baseline GHG emissions are "likely to be small." This pre-judges the outcome and avoids the necessary rigorous analysis. A thorough baseline must be established, requiring a range of site survey data.

This should include an assessment against a future scenario where the blanket bog is restored, as per the Walshaw Moor Catchment Restoration Plan and other restoration measures which Table 7_10 in Para 7.5.28 refers as "normal practice" under the objectives of the designated sites.

This idea is supported by the carbon calculator evidence assessment already referred to. It suggests that the Calculator's focus should shift to evaluating the impacts of windfarm and other development on peatlands/habitat carbon emissions. Specifically, whether it improves the environment and sequesters CO₂ effectively. This would redefine 'payback time' as the period needed to restore peatland to a 'near pristine' condition from a reported baseline, compared to, for example, the restoration of the site without a wind farm development, through a variety of other financial sources, given Scotland's widespread peatland restoration efforts.

3. Vague and Meaningless Mitigation Commitments

Section 9.4 on 'Environmental Measures' is devoid of substance. It states that measures "will be implemented" but fails to specify what these measures are, instead using anticipatory language like "it is anticipated that measures...will be included." Crucially, there is no explanation of how the magnitude of "likely significant effects" will be measured, which risks making the entire Environmental Impact Assessment (EIA) a meaningless exercise.

4. Misleading Use of "Carbon Benefits" and Flawed Displacement Logic

We repeatedly object to the use of the term "carbon benefit(s)" (e.g., 9.5.1, 9.5.7), as it prejudices the assessment's outcome. The logic used to calculate these supposed benefits is fundamentally

flawed. The alternative baselines (9.5.13) assume the development will displace gas generation, but this is inaccurate. With over 31GW of wind power already in the pipeline, new developments cannot claim to displace generation that will already have been largely supplanted. Gas generation will primarily act as backup for periods of low wind. The only valid comparison is the emissions intensity of the electricity produced compared to other practical large-scale sources like nuclear, solar, and other wind farms, particularly those on mineral soils.

5. Inappropriate Scoping Out of Emissions and Lack of Clarity

We disagree with the proposal to scope out any emission sources that allegedly constitute less than 1% of the lifecycle carbon (9.5.3). If these emissions have not been quantified, the developers cannot possibly know if they meet this criteria. Furthermore, the statement that "The significance of effects for individual emissions sources will not be considered" (9.5.6) is incomprehensible and requires urgent clarification.

6. Unsubstantiated Methodological Claims and Speculative Statements

The document makes references to methodologies in the 'Hydrology, Hydrogeology, Geology and Peat assessment' (Chapter 8) for measuring peat emissions (9.5.18, 9.5.23), but no such methodology is evident in that chapter. We also reject as entirely speculative the claim that embodied carbon is "likely to represent the largest component" of the lifecycle footprint (9.5.38), especially given the unquantified and potentially massive emissions from peat disturbance, and the likely loss of carbon sequestration as peat forming vegetation and habitats are degraded as a result of adverse impacts on the peat hydrology.

7. Over-optimistic Projections and a Better Way Forward

The use of a 35-year project lifetime is optimistic; a more standard 25-year lifespan should be adopted. Finally, we believe the current site-selection process, driven by developer profit, is flawed. We advocate for a strategic, plan-led approach, where a body like Great British Energy, building on work by the University of Exeter and the RSPB, identifies viable sites with the least impact on communities and nature, thereby streamlining planning and ensuring genuinely green outcomes. We also advocate for landscape scale blanket bog restoration as a better alternative use of Walshaw Moor Estate.

8. Conclusion

In conclusion, the chapter, in its current form, is inadequate, relies on unjustified assumptions, and fails to provide the rigorous and transparent assessment required to evaluate the true carbon cost of developing on this sensitive peatland habitat.

Summary: Chapter 10 - Landscape and Visual Scoping Report

As a group dedicated to protecting our precious upland landscapes, particularly the irreplaceable blanket bog, we have serious concerns about the adequacy of the assessment and the apparent lack of understanding of the landscape's ecological criticality.

Generally & Literature

We note the report is prepared by a qualified professional, but the foundational understanding of the landscape is flawed.

Study Area & Baseline Conditions

The proposed 1km study area for the cable corridor is insufficient. The potential loss of mature trees and woodland will have visual impacts extending well beyond this limit, requiring professional judgement to extend the visual envelope.

Critically, the baseline description is inaccurate. Describing the landcover as "largely rough grassland" is wrong and dangerously underestimates the extent and importance of the internationally designated blanket bog habitats, as clearly outlined in National Character Area (NCA) 36. The description of geological features is also incorrect. Furthermore, the list of nearby wind farms omits those on Todmorden Moor, and landscape designations fail to include the Nidderdale National Landscape.

Viewpoint Assessment

The selection of viewpoints is inadequate and lacks transparency. Despite stakeholder feedback in 2023 highlighting major omissions like Sheepstones Edge and the Yorkshire Three Peaks, these are still missing. Now that turbine heights are confirmed at 200m, the visibility zone is vastly larger, yet key viewpoints within the Peak District and from locations like Lund Tower are not included. We are concerned about how and when stakeholder feedback will genuinely be incorporated.

Environmental Measures & Construction

The approach to mitigation is wholly inadequate. Describing environmental restoration as a "consideration" is unacceptable; it must be a core ethos. The proposed mitigation, focusing on grassland planting and woodland creation, is entirely misguided for a blanket bog environment and demonstrates a fundamental failure to grasp the primary objective: restoring the peatland hydrology and sphagnum-dominated bog for biodiversity, carbon, and water management. The report fails to define "notable landscape features" and seems oblivious to the fact that the most important feature is the blanket bog itself. Entrusting the restoration of this internationally important habitat to a process that shows such a lack of understanding is hugely concerning.

Scope of Assessment & Effects Scoped Out

The cumulative assessment lacks detail. It must include sequential effects along key rights of way (e.g., Pennine Way, Brontë Way) and consider the loss of ‘sense of openness’—the experience of wild, unimpaired spaces.

We strongly disagree with scoping out townscape assessments for villages like Haworth and Heptonstall, whose skylines will be dramatically altered. The permanent hydrological changes caused by buried concrete foundations mean decommissioning will not restore the site; these long-term effects must be assessed.

Likely Significant Effects & Other Omissions

The landscape and visual impact of the Battery Energy Storage System (BESS) is not properly considered. The 15km study area underestimates the regional impact of placing development on the highest point of the South Pennines.

Major omissions include: a failure to assess perceptual qualities like wildness and tranquillity (as required by the GLVIA); a failure to recognise that physical effects on the hydrologically connected blanket bog will extend beyond the development footprint; and a failure to acknowledge the clear adverse effect on landscape character, such as the loss of wildness, which is not a subjective matter.

In conclusion, the scoping report demonstrates a critical failure to understand the landscape it proposes to alter. Without a fundamental shift towards prioritising the restoration and protection of the blanket bog ecosystem, the resulting Environmental Statement will be fundamentally flawed.

PB 21/9/25

Full Responses to Scoping Report by Chapters

The following more detailed responses have been compiled by Wadsworth Parish Council in collaboration with local groups and individuals who have an active interest in the moors. In particular we would like to thank Ban the Burn and the Upper Calderdale Wildlife Network for their input, both groups have been actively involved in monitoring the habitat and wildlife on the moors for over a decade before the wind farm proposal was announced.

Due to time constraints we have only been able to comment in detail on chapters 1 to 10, by not responding to 11 to 19 does not mean we necessarily agree with any of the statements made in those chapters.

Chapter 1 - Introduction

The Introduction refers to three topics which align closely with Ban the Burn's concerns about the Proposed Development:

- Approach and methodologies for environmental impact assessments (paras 1.1.3, 1.1.4)
- Socio economics (paras 1.2.1, 1.2.2)
- Habitats Regulations Assessment (para 1.4.8)

We touch on these topics below.

Initial comment regarding the independence of this Scoping Report

Our initial comment is that we believe the Scoping Report should present unbiased, objective information in all its sections. But throughout the Chapters that we have responded to (1-9) we find that this is not the case, and that the Scoping Report is not independent, as it should be.

For example, the Chapter 2 overview of renewable energy policies omits and misquotes key aspects of Energy National Policy Statements that determine the Secretary of State's decision on the Habitats Regulations Assessment.

We consider that the selection of policies in **Chapter 2** creates a misleading impression of the policy context for big wind farms on protected peatland – particularly with regard to the presumption of consent for Critical National Priority infrastructure projects like Calderdale Energy Park.

We believe such a biased selection of policy statements about what the Secretary of State has to consider when deciding whether to consent a big windfarm on protected peatland creates a false impression. It seems to prejudge the outcome of the Appropriate Assessment

The Scoping Report's apparent unwillingness to confront the fact that the proposed development's location is internationally significant protected peatland seems to be reflected in its consistent under-representation of the extent of blanket bog on Walshaw Moor. This skews the assessment of environmental impacts.

Additional blanket bog restoration is intended to be a key part of the Proposed Development. But mitigation and restoration measures are vague, misconceived, and lack understanding of peatland ecology.

The Proposed Development is still almost entirely indicative and uncertain

The Scoping Report **Para 13.6.18** says the Proposed Development is almost entirely indicative.

Because the Proposed Development is almost entirely indicative, we can't see how the Scoping Opinion can fulfill its task of requiring the Proposed Development to remain materially the same when the Applicant submits the Environmental Statement and the DCO application.

So we think the Scoping Opinion should require the production of preferred options for the various elements of the Proposed Development by January 2026. (When the Preliminary Environmental Impact Report and Statutory Public Consultation are due,)

It looks as if the Applicant is taking advantage of the Rochdale Envelope approach as “a blanket opportunity to allow for insufficient detail in the environmental assessment” - despite the Planning Inspectorate’s warning in its online Advice Note 9 not to do this.

There is evidence of insufficient detail in the environmental assessment in Technical Aspect Chapters 6-8.

And the Applicant doesn’t seem to be following the required constraints analysis and design process for the Proposed Development.

This seems to undermine several Energy National Policy Statements: for Energy (EN-1), the NPS for Renewable Energy Infrastructure (EN-3) and the NPS for National Networks. All stress the need to ensure that the significant effects of a Proposed Development have been properly assessed. (Source: Nationally Significant Infrastructure Projects - Advice Note Nine: Rochdale Envelope, para 1.3)

If the Scoping Opinion doesn’t address this problem, we fear the Applicant will undermine environmental protections for Walshaw Moor and the offsite areas where Calderdale Energy Park infrastructure would be sited.

We hope this apparent misuse of the Rochdale Envelope approach will be stopped in the Scoping Opinion.

Approach and methodologies for environmental impact assessments

Paragraph 1.1.3 says “The Proposed Development will include offsite compensation measures, and opportunities for mitigating, restoring and where possible, enhancing biodiversity on the moor that will retain water and restore designated bog habitat. Consultation with Natural England has commenced on the approach to mitigation, compensation, restoration and enhancement and the measures will be included with the Environmental Statement (ES).”

Paragraph 1.4.2 says “The purpose of this Scoping Report is to request an opinion from the SoS on the scope, and level of detail, of the information to be provided in the Environmental Statement under Regulation 10(1) of the EIA Regulations...[It] is also used to obtain agreement on the approach and methodologies for assessments which will be reported in the ES, which will accompany the Application.”

We find that it seems impossible for Calderdale Energy Park to comply with Schedule 4 of the EIA Regulations, which requires the description of the Proposed Development to be sufficient to enable the main effects of the scheme to be properly assessed.

This is because the whole project seems currently too vague for the environmental impacts to be assessed, even on the basis of the Rochdale Envelope approach which the Scoping Report

says they will use because of uncertainty about the Proposed Development. (Scoping Report 2.3.12, and section 3.2, page 33.)

The Scoping Report consistently underrepresents the extent of Walshaw Moor's blanket bog, which is protected as a Priority Annex 1 habitat by the South Pennine Moors Special Area of Conservation. It doesn't seem to have a grasp of restoration measures.

There seems little understanding that blanket bog restoration is a key part of Walshaw Moor's status as an SSSI/ SAC, and that in addition the Walshaw Moor Estate 2017-2042 Catchment Restoration Plan prescribes restoration and infrastructure measures intended to restore 1,000ha of the moor by 2042.

These are given only the barest mention and the Scoping Report doesn't consider the implications of Natural England's failure to monitor the Catchment Restoration Plan.

It is impossible to gather what the Biodiversity Chapter means when it refers to additional restoration measures as part of the Proposed Development.

A major concern is the inaccuracy of the description of the moorland habitats in a number of Chapters, which under-represents blanket bog and over-emphasises areas of dry heath.

As with all other elements of the Proposed Development, the Scoping Report only refers to indicative measures for mitigation, restoration and, where possible compensation (including off site, within an area defined in Fig 4.3.).

Chapter 5 "The Proposed Development" barely mentions these measures. When it does, proposed measures in the Scoping Commitment Appendix A turn out to be vague and misconceived.

We have focused carefully in our response to Chapters 6-9 on the proposed approach and methodologies for assessments.

This was initially because in the Calderdale Energy Park non-statutory consultation (29 April 2025- 10 June 2025) the baseline survey information and methods for Walshaw Moor's peat depth, hydrology and habitats were full of errors and omissions.

Ban the Burn, Upper Calderdale Wildlife Network and others raised this problem with the Calderdale Energy Park project team both by email and at the Hebden Bridge public exhibition on 13th and 17th May 2025. Their answers made little sense and were self-contradictory. We included this in a complaint about the non-statutory public consultation that we emailed to the Calderdale Energy Park team FAO Christian Egal on 10th June 2025.

Since Calderdale Energy Park failed to respond we sent a Statement of Concern to the Local Planning Authority in early August 2025. It is [downloadable here](#), in case of interest.

Chapter 7 Biodiversity, **Table 7.11** says that the Project Team is now following Natural England's advice about baseline survey data collection, assessment, and delivery of mitigation/compensation now meets Natural England's expectations.

We have checked this claim carefully against further information in Chapter 7, as well as Chapters 6, 8 and 9. Our analysis is given in our response to these chapters.

With all due respect, we find it hard to believe the Scoping Report's claim (**Table 7.11**) that baseline survey data collection, assessment, and delivery of mitigation/compensation now meets Natural England's expectations.

For example, Chapter 7, para **7.4.12** says Habitat surveys of the Cable Corridor Search Areas and Site Access Search Areas will be completed after identification of the preferred options. This is repeated in **para 7.4.25**. We are highly critical of this approach as we consider it imperative that some form of habitat survey informs the selection of the preferred routes for cable corridors and access routes.

Should we assume that the selection of a preferred route will not be influenced in any way by the habitats that are potentially crossed?

This reinforces our opinion that these surveys are little more than a token gesture.

Habitats Regulations Assessment

Paragraph 1.4.8 says that Calderdale Energy Park will also undertake and provide a detailed assessment of potential effects upon the internationally-designated Special Area of Conservation and Special Protection Area that are part of the Walshaw Moor site, as part of a separate Habitats Regulations Assessment in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations (2019)).

Our comments on inadequate environmental assessments that are apparent in the Scoping Report and the non-statutory consultation before it, also apply to the Shadow HRA that the Applicant intends to submit along with the ES and DCO application.

We've already commented that we think the outcome of the Appropriate Assessment seems to have been prejudged in the Applicant's favour as a result of the Scoping Report's lack of independence and objectivity in its Chapter 2 overview of current and draft National Policy Statements on Renewable Energy,

We don't think this is accurate or helpful in arriving at the best decision in ecological, climate, health and socio-economic terms.

As far as we can see, the policy context for a big wind farm on protected peatland isn't anything like as cut and dried as Chapter 2 and its overview of renewable energy policies makes out. And we can't imagine that the decision-making process is helped by pretending it is.

We believe the Scoping Report should tell the story of the real renewable energy policy context that Calderdale Energy Park has to negotiate. The UK - like everywhere else - faces twin nature and climate crises, plus a government drive for economic growth that is expected international investment will deliver.

So the current policy context for big onshore wind farms/renewable energy parks is conflicted. Although the government is bent on accelerating the construction of big onshore wind farms, it also has a binding international policy commitment to restoring and protecting nature and biodiversity (The Kunming-Montreal Treaty). Ministers from Defra, and Ed Miliband himself, explicitly recognise the need to balance nature and climate in this time of the interlinked nature and climate crises.

This is the real context that the Proposed Development has to negotiate, with significant real-world consequences.

So we are particularly shocked that the policy overview in Chapter 2 omits to identify exceptions to the presumption of consent – such as when mitigation of “adverse impacts” from a big renewable energy project still leaves a “residual impact”, and this presents an unacceptable flood risk or risk to irreplaceable habitats. (EN-1, 4.2.15)

Both unacceptable flood risk and risk to irreplaceable blanket bog are of obvious relevance to the Proposed Development, and they are interlinked in ways the Applicant seems not to recognise, judging from the Scoping Report. Neither is adequately addressed in the Scoping Report’s account of environmental impact assessment.

The Scoping Report’s missing information is crucial for the Hebden Bridge Flood Area. It already experiences severe flooding that is worsened by mismanagement of Walshaw Moor Estate. The Scoping Report doesn’t even mention the Flood Area.

The only reason why we know about the unacceptable flood risk exception to the presumption of consent is because the Environment Agency told us at their Hebden Bridge Flood Alleviation Scheme public consultation in March this year.

It is disturbing that throughout the Scoping Report, Habitats Regulations Assessment issues, including regarding derogation, seem clouded by the Scoping Report’s bias towards the presumption of consent for Critical National Priority infrastructure projects and its disregard of National Policy Statements that provide additional protections for peatland. It is hugely concerning that the restoration of this precious landscape is being entrusted to those that appear to have no grasp of its importance.

Socio-economics

Paragraph 1.2.1 identifies the applicant as CWFL, who are sponsored by Next Gen Infra, a global investment group and subsidiary of Al Gihaz Holding.

Para 1.2.2 identifies Al Gihaz Holding as a player in the UK power supply chain through UK subsidiaries Lamprell and Enshore Subsea

We think the lack of information about CWFL (Calderdale Wind Farm Ltd) is problematic, as is the use of the word “sponsorship” to describe the relationship between Next Gen Infra, its parent company Al Gihaz Holding and Calderdale Wind Farm Ltd.

As far as we have been able to establish from Companies House records and email communication with Gibraltar Companies House, the corporate inter-relationships are more complicated than Paragraphs 1.2.1 and 1.2.2 suggest.

We think transparency about the ownership, financial obligations, corporate governance and interrelationships of Calderdale Wind Farm Ltd. could usefully be scoped into the Socio-economics impact assessment.

This suggestion probably won't go anywhere, since there is no policy or legislative basis to require it, at least as far as we know. But we contend that the public need more information about who would be the owner and custodian of Walshaw Moor, accountable to Natural England and Defra for managing and restoring the internationally significant and Habitats Regulations-protected site.

Likewise we think the public need to know who would hold corporate responsibility for Calderdale Energy Park's impact on water quality and flood risk in the Upper Calder Valley.

Transparency would be in the public interest regarding who would be responsible for paying off-site areas for compensatory biodiversity restoration and any schemes to "make up for" habitat, bird and wildlife destruction on the protected site, caused by the wind farm.

The public also need to know that due diligence would be done into whatever company would be responsible for payments into a Community Benefit Fund.

Chapter 2 – The Planning Policy Context

In responding to Chapter 2, Planning Policy Context, Ban the Burn has focused on its overview of current and draft National Policy Statements on Renewable Energy that relate to environmental impact assessments and determine the decisions the Secretary of State has to make about them. (Scoping Report Section 2.3, down to paragraph 2.3.27)

As far as we know this may be the first big onshore wind farm application for a protected peatland site in England. So we see it as a test case for all the government's Net Zero planning reforms. Whatever can go here, on this most highly protected site, will go on any protected site anywhere in England.

We have commented on policies that are included in the overview, and how the Scoping Report presents them.

We have also commented on policies that are omitted from the overview, but which are important to Calderdale Energy Park's environmental impact assessments and will help to determine the Secretary of State's decision about the DCO application.

There are many crucial omissions from the overview of current and draft National Policy Statements on Renewable Energy that are relevant to Calderdale Energy Park.

Initial comment regarding the independence of this scoping report

We believe all Chapters and sections should give unbiased and objective information.

We consider that the selection of policies creates a misleading impression of the policy context for wind farms on protected peatland – particularly with regard to the presumption of consent for Critical National Priority infrastructure projects like Calderdale Energy Park, and how this affects the Secretary of State's decision on the Habitats Regulations Assessment of the proposed development.

The overview of renewable energy policies omits and misquotes key aspects of the Statements that determine the Secretary of State's decision on the Habitats Regulations Assessment.

We believe such a biased selection of policy statements about what the Secretary of State has to consider when deciding whether to consent a big windfarm on protected peatland creates a false impression. It seems to prejudge the outcome of the Appropriate Assessment.

Key omissions

The Scoping Report's renewable energy policies overview omits policies about:

- Exceptions to the presumption of consent for Critical National Priority infrastructure projects (including that unacceptable flood risk creates such an exception) (EN-1, 4.2.15)
- NONE of draft NPS EN-1 Section 5.8 relating to Flood Risk is included in the overview of current and draft National Policy Statements on Energy

- The need for applications to be clear and accessible to both the public and decision makers (2025 Draft NPS EN-1 para 4.2.13) and for Local Planning Authorities and statutory advisors to have the best and most assessable information from applicants. (2025 Draft NPS EN-1 para 4.2.14)
- The requirement for applicants to make “appropriate and extensive use” of the best scientific evidence (Draft EN-3, Paragraph 2.12.148)
- Additional protections for peatland as a potential site for big onshore windfarms (Draft EN-1 Paras 2.3.2, and 2.12.74 and others)
- The requirement that “unacceptable risk to, or unacceptable interference with...irreplaceable habitats” (eg blanket bog) overrides the presumption of consent. (EN-1, 4.2.15)
- How the presumption of consent for Critical National Priority infrastructure projects overrides existing legal protections for Green Belt and SSSIs (EN-1, 4.2.17)
- The requirement for the Secretary of State to secure compensatory measures to offset adverse effects to site integrity as part of a derogation of Habitats Regulations Assessments, when an applicant has shown that there are no deliverable alternative solutions, and that there are Imperative Reasons of Overriding Public Importance, (EN-1, 4.2.22)
- The requirement for applicants whose surveys have found peat in their project location, to follow new NatureScot guidance on principles in development design – eg infrastructure should be sited on areas of shallower peat, and soil disturbance should be minimised. (Draft EN-3 paragraph 2.12.76)
- A requirement for the Secretary of State to consider the extent to which predicted adverse effects on site integrity/conservation objectives are temporary or reversible, and the timescales for recovery. (Draft National Policy Statement EN-3 para 2.12.150)

Analysis of these missing policies and why the omissions matter to Calderdale Energy Park

We are sorry that our analysis is a bit messy. The timeframe for response is short, we are not experts, and it has been hard to tease what is missing from the overview of current and draft renewable energy policies, and why it matters.

But we believe it is important to try and tell the story of the real renewable energy policy context that Calderdale Energy Park has to negotiate.

We think the current policy context is quite conflicted. Although the government is hell-bent on accelerating the construction of big onshore wind farms, it also has a binding international policy commitment to restoring and protecting nature and biodiversity (The Kunming-Montreal Treaty). Ministers from Defra and Ed Miliband himself overtly recognise the need to balance nature and climate in this time of the interlinked nature and climate crises.

We don't think the policy context for a big wind farm on protected peatland is anything like as cut and dried as Chapter 2 and its overview of renewable energy policies makes out.

We are particularly shocked that the overview of renewable energy policies omits information about exceptions to the presumption of consent that attach to infrastructure projects that are deemed a Critical National Priority.

We are also shocked at the Scoping Report's silence about the policy that unacceptable flood risk creates such an exception.

In other words, it could be grounds for the Development Consent Order Application to fail, if Calderdale Energy Park's environmental impact assessment/shadow Habitats Regulation Assessment doesn't show that the runoff from the site would be no greater than before the wind farm was built. (There is more about this in our response to Chapter 8, Hydrology, Peat etc.)

But the policy overview in Chapter 2 seems to omit any mention of renewable energy policies about flood risk, as it affects Hebden Bridge and downstream valley towns.

Instead Chapter 2 of the Scoping Report is keen to draw attention to a presumption of consent for Critical National Priority infrastructure projects like Calderdale Energy Park, in paragraph 2.3.7 (referencing EN-1, Section 4.2); and in paragraph 2.3.16 (referencing Draft EN-1, Section 4.2),

But it omits any balancing reference that the presumption of consent appears to be modified by Draft EN-1 Paras 2.3.2, and 2.12.74 (and others) which provide additional protections for designated peatland as a site for big windfarms.

It also omits to identify exceptions to the presumption of consent – such as when mitigation of “adverse impacts” from a big renewable energy project still leaves a “residual impact”, and this presents an unacceptable flood risk or risk to irreplaceable habitats. (EN-1, 4.2.15)

These omissions make the presumption of consent for Calderdale Energy Park seem way more cut and dried than we believe it in fact is

We can see a probable reason why Calderdale Energy Park feels the need to make these self-serving policy selections. The Scoping Report is clear that Calderdale Energy Park will submit a shadow Habitats Regulation Assessment along with their DCO application (para 1.4.8) and anticipates that this will lead to an Appropriate Assessment that may well include facing the derogation tests (para 3.11.4, Table 7-16).

In other words, they know they need a get out of jail free card to get Calderdale Energy Park consented by the Secretary of State. Because renewable energy policies covering irreplaceable habitats and additional protections for peat make it appear that the presumption of consent can be overridden.

So it is in their interest to make the claim in Scoping Report paragraph 2.3.16, that Calderdale Energy Park's status as a Critical National Priority Infrastructure project makes that process easier, without mentioning any policy qualifications due to the fact that they plan to build on protected peat. They prefer to focus on the fact that Critical National Priority status:

“significantly reduces the likelihood of consent being refused due to residual impacts that remain after the mitigation hierarchy has been applied, [enabling] the SoS to give due weight to the strategic importance of low-carbon infrastructure when making planning decisions.”

Another apparently self-serving policy reference is in Para 2.30.20. This selectively quotes the Draft EN-3 Para 2.12.149 policy about how the Secretary of State assesses impacts on ecologically designated sites including SACs, SPAs and SSSIs. It makes Calderdale Energy Park’s chances of getting consent look more certain than maybe they are. The selective policy quote is:

“the designation of an area as a protected site (including SACs, SPAs, Ramsar sites and SSSIs) does not necessarily restrict the construction or operation of onshore wind farms in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1).”

This is what Draft EN-3 para 2.12.149 actually says:

“The designation of an area as a protected site (including SACs, SPAs, Ramsar sites and SSSIs) does not necessarily restrict the construction or operation of onshore wind farms in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1). However, it may make consent for such construction more difficult to secure. ”

Those examples show why we think information presented in the overview of current and draft National Policy Statements on Energy is garbled and not objective

We think this is an attempt to fudge the issue of building a wind farm on protected peatland, downplay the habitat’s policy protections and prejudice the outcome of the application.

It also makes unnecessary work for readers who have to try and tease out meaning and carry out additional fact checking when they should be able to take it as read that the Scoping Report information is clear, accurate, unbiased and objective.

This undermines the renewable energy policy requirement for applicants to provide the best and most assessable information

The relevant policy requirements are for:

- Applications to be clear and accessible to both the public and decision makers (2025 Draft NPS EN-1 para 4.2.13)
- Local Planning Authorities and statutory advisors to have the best and most assessable information from applicants 2025 (Draft NPS EN-1 paras 4.2.13- 4.2.14)

“Applicants and their consultants and advisors must ensure that their applications are clear and accessible to both the public and decision makers. To meet the Clean

Power 2030 Mission proportionality, clarity and focus will be priceless.” (2025 Draft NPS EN-1 para 4.2.13

“Local Planning Authorities and statutory advisors need the best and most assessable information from applicants so that they can easily spot all the relevant issues, agree the majority of those issues early and focus their attention on any controversial issues.” (Draft NPS EN-1 para 4.2.14).

How the presumption of consent for Critical National Priority infrastructure projects overrides existing legal protections for Green Belt and SSSIs

The overview of current and draft National Policy Statements on Energy omits the policy (EN-1, 4.2.17) that clarifies how the presumption of consent for Critical National Priority infrastructure projects overrides existing legal protections for Green Belt and SSSIs, both of which apply to Calderdale Energy Park.

Doesn't Calderdale Energy Park think this policy is important? We think it is, because until now we have been wracking our brains about how Green Belt and SSSI protections could possibly be overridden.

This policy turns out to list the tests that the Secretary of State ASSUMES a Critical National Priority infrastructure project will pass, including:

“where development within a Green Belt requires very special circumstances to justify development; where development within or outside an SSSI requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact of the development on the features of the site that make it an SSSI, and any broader impact on the national network of SSSIs.”

The Scoping Report disregards exceptions to the presumption of consent

Why? This is obviously crucial to Calderdale Energy Park, which is relying on presumption of consent because of its status as a Critical National Priority infrastructure project.

As already mentioned, EN-1, 4.2.15 clarifies that an exception to the presumption of consent is residual impacts that remain after the mitigation hierarchy has been applied, if they:

“present an unacceptable risk to, or unacceptable interference with, human health and public safety, defense, irreplaceable habitats...or unacceptable risk...onshore to flood...risk.”

It is hugely important to Hebden Bridge and downstream that unacceptable flood risk creates an exception to the presumption of consent for Critical National Priority infrastructure projects like Calderdale Energy Park (EN-1 para 4.2.15).

We need to know that if Calderdale Energy Park can't find a way to make sure that it won't worsen the flood risk in the valley, it will not be consented. This is what the Environment Agency told us during the public consultation on the Hebden Bridge Flood Alleviation Scheme.

So why doesn't the Scoping Report say so?

The renewable energy policy about Flood Risk is omitted

NONE of draft NPS EN-1 Section 5.8 relating to Flood Risk as it affects Hebden Bridge and downstream valley towns is included in the overview of current and draft National Policy Statements on Energy.

Confusing omission of key policies relating to Habitats Regulations Assessments, irreplaceable habitats and the presumption of consent

The overview of current and draft National Policy Statements also omits Energy EN-1, 4.2.22 about Habitats Regulations Assessments:

"For HRAs, where an applicant has shown that there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation."

But this seems to be checkmated by the EN-1, 4.2.15 requirement that "unacceptable risk to, or unacceptable interference with...irreplaceable habitats" (eg blanket bog) overrides the presumption of consent.

So does this mean that the Secretary of State can't secure compensatory measures for damage to site integrity, if the damage is to irreplaceable habitats?

The Scoping Report needs to at least try to clarify this.

Chapter 2 pretty much avoids peat-related renewable energy policies

It gives peat short shrift in Para 2.3.19, by garbling the requirement in Draft EN-3 para 2.12.52 for applicants to have regard to the specific biodiversity, ecological, hydrological and environmental considerations relating to peat:

“with regards to environmental considerations [Draft EN-3]para 2.12.52 states ‘applicants should have regard to the specific biodiversity, ecological, hydrological and environmental considerations that relate to the proposed onshore wind development...namely Birds and bats: and Peat.’ ”

Our analysis became particularly tangled here, because a typo in Draft EN-3 makes it hard to find the paragraphs referring to peat that it directs applicants to consider. They turn out to be Draft EN-3, 2.12.74-2.12.78.

Draft EN-3 para 2.12.74 says,

“Onshore wind farm sites within England may be proposed on peatland. Peat soils are rich in carbon and disturbance can lead to climate impacts. Peatlands are sensitive habitats that are important for many species of flora and fauna. In some instances, soil disturbance may lead to change in the local hydrological regime which can affect biodiversity and the water environment. Applicants should therefore seek and rule out other locations before siting developments on peatland.”

New guidance from NatureScot about windfarms on peat

Finally, the Scoping Report’s overview of relevant current and draft National Policy Statements on Energy omits the direction to applicants whose windfarm project is on peatland to follow new guidance from NatureScot (Draft EN-3 paragraph 2.12.76.). This is that minimising soil disturbance and siting infrastructure on “areas of shallower peat” are key design principles for the Proposed Development:

“New guidance is available from NatureScot on a good practice approach to development on peatlands. Where the survey has identified the presence of peat, applicants should demonstrate adherence to these principles in development design. For example, infrastructure should be sited on areas of shallower peat, and soil disturbance should be minimised.” (Draft EN-3 paragraph 2.12.76)

This policy doesn’t make a lot of sense to us.

The South Pennine Moors are very different from Scotland

The South Pennine Moors are very different from Scotland. And shallower peatlands (ie 30cm or less) are hugely significant for the range of peatland ecosystem services that we now value, and should not be damaged by wind farm developments.

In Scotland, windfarms like Strathy and Whitelee are built on peatland that was formerly non-native commercial woodland. For example 35 wind turbines are proposed at South Strathy of a similar size (7 MW) to those proposed for Walshaw Moor. Strathy North Wind Farm is already constructed and operating. The area is in the Flow Country, one of Europe’s most important

blanket bogs, however, at Strathy the wind farm will see removal of some 1000 hectares of non-native commercial woodland and restoration of the peatlands, so it is seen as environmentally beneficial rather than the case here in Calderdale where destruction of blanket bog is inevitable should this project go ahead.

Siting infrastructure on areas of shallower peat is not supported by the peat science literature

The IUCN UK Peatland Programme have challenged the draft National Policy Statement EN-3 section on peatland habitats (2.12.76), as the suggestion is not supported by the literature.

Areas of shallow peat are, if anything, less resilient and more vulnerable to degradation than deeper peat. (<https://www.iucn-uk-peatlandprogramme.org/news/draft-legislation-potentially-puts-large-carbon-stores-risk>)

They nevertheless continue to be substantial carbon stores. The carbon content of shallow peat up to 30cm is the same as tropical rainforest, so sacrificing it as a policy principle could have substantial implications for UK emissions reporting and the UK's Nationally Determined Contributions.

Areas of shallow peat are often vital to the wider ecology and hydrological function of connected deeper peat deposits, and often have their own distinctive biodiversity as part of important areas of transitional habitat.

The IUCN UK Peat Programme response to the Draft NPS EN-3 consultation concluded,

“The ideal sites would generally be situated on mineral soils.”

This is Ban the Burn's position too and we explain why in our response to Chapter 4.

We also return to this question in our response to Chapter 8, in relation to the Scoping Report's depth-based definition of peat, which is inappropriate and contradicts Natural England's definition of peat in its new Definitions of Favourable Conservation Status for blanket bog and heathland.

A June 2023 [briefing from the IUCN UK Peat Programme](#) pointed out that

“To meet climate change goals, as much peat carbon stock as possible needs to be secured, including that contained in shallower peats...regulation should start with a science-based definition.”

Science-based definition of peat

“Peat is an aggregation of dead plant matter that has resisted complete decomposition, specifically as a result of waterlogging, whether by groundwater, rain, fog or dew (rather than by desiccation, acidity or other means) and has accumulated in situ (Lindsay and Andersen, 2016; Lourenco et al., 2022)...An area possessing such an accumulation of material is termed a peatland, and this remains the case, whether or not the area continues to support peat-forming conditions or peatland vegetation.

“Peatlands display a continuum of depths from initial thin layers to deposits of 15 m or more (Lindsay, 2010). Peat thickness may vary for several reasons, including date of peat initiation, slope, water chemistry and climate. In the natural, untouched scenario, waterlogging unites all parts of a peatland with different depth profiles into a hydrologically connected entity.” (IUCN UK Peat Programme, Use of Peat Depth Criteria: Accounting for the Lost Peatlands, June 2023)

In contrast, as mentioned above, the Scoping Report (8.3.23) seems to be using a depth-based definition of peat – it refers to “a peat model interpolated from the Phase 1 data [that] confirms the presence of peat (>0.3m by the Soil Survey of England & Wales definition) over much of the Turbine Area.”

Ban the Burn does not accept the Scoping Report’s depth-based definition of peat. We explain this in our response to Chapter 8’s hydrology section, together with the explanation in the June 2023 IUCN Peat Programme ‘Use of Peat Depth Criteria’ paper that

“Modern [conservation] requirements... cannot so easily be met by using a simple depth threshold: moss-generated surface roughness which slows flood peaks may require a moss carpet only a few centimeters thick; peat soils of only 30 cm are still sufficiently carbon-rich to exceed the emissions of many other habitats if destroyed, and peatland margins are often biodiversity hotspots because they represent transition zones between differing habitats. As a consequence...an increasingly widespread move away from minimum depth thresholds when defining peat...helps to highlight, in a way that a depth threshold does not, the extraordinary quantity of carbon stored in peat soils when compared with other soil types.”

The best scientific evidence is a material planning consideration

Chapter 2, The Planning Policy Context (paragraph 2.3.18) does refer to the Draft EN3, Section 2.12 which provides detailed guidance on what onshore wind proposals may consist of and how they should be assessed.

But it omits any reference to Draft EN-3 Paragraph 2.12.148, which requires that:

“The Secretary of State should be satisfied that in the development of their proposal, the applicant has made appropriate, and extensive, use of on-site assessments and up-to-date evidence from previous deployments and research results from scientific peer reviewed papers, and assessed through Habitats Regulation Assessment processes (including the mitigation

hierarchy) the impact on any protected species or habitats, as well as having regard to requirements set out in 5.4.39 of EN-1 (e.g. the Environment Act 2021)."

We think that any "evidence from previous deployments", that Calderdale Energy Park may rely on in its Environmental Statement and Shadow Habitats Regulation information, should be put in the public domain and open to scientific peer review.

Ban the Burn and Upper Calderdale Wildlife Network have recently written to the Calder Valley MP about this. In a constituency surgery meeting on 20th August 2025 our MP Josh Fenton-Glynn referred to evidence he had, that infrastructure on peatlands doesn't necessarily damage their ecological integrity, and so doesn't need to be avoided. As he refused to reveal the source of the evidence, we are fairly confident this evidence is not in the public domain. We therefore assume that it is windfarm companies' "evidence."

We know windfarm companies are meant to carry out impact monitoring but as far as we know practically none of the results from such monitoring ever reaches the public domain, so the data are never subject to critical scientific peer review.

Ban the Burn believe that monitoring by windfarm companies should be made public and subject to scientific scrutiny – surely such openness would be in the public interest? (In this context, we think Chapter 8 should explain the reasons why it thinks proposed environmental measures to avoid or mitigate the hydrology effects of the construction of the Proposed Development by avoiding deep peat are going to be effective.)

Secretary of State should consider the extent to which adverse effects are temporary or reversible, and the timescales for recovery

A final significant omission from the Chapter 2 overview of current and draft National Policy Statements on Energy, is this peat-science-related requirement for the Secretary of State to consider the extent to which predicted adverse effects on site integrity/conservation objectives are temporary or reversible, and the timescales for recovery. (Draft National Policy Statement EN-3 para 2.12.150)

Our response to Chapter 8 includes detailed comments on the Scoping Report's omission of this policy.

The worst-case duration of the effects of peat drainage, which is an inevitable consequence of building infrastructure of peatland, is estimated at 150 years. Examples in The Fens (see the Holme Fen Post) continue to show shrinkage (up to 4 m) more than 150 years after initial drainage.

But the actual duration and data will only be known retrospectively, pointing to the need for decades-long monitoring even after operation and decommissioning of the Energy Park [Chico, G., Clewer, T., Midgley, N.G. et al. The extent of windfarm infrastructures on recognised European blanket bogs. Sci Rep 13, 3919 (2023). <https://doi.org/10.1038/s41598-023-30752-3>]

Restoration of peatland damage caused by windfarm construction is impossible over the net zero timeframe. The peat has taken thousands of years to form and cannot be replaced faster. So damage could not be restored at the end of Calderdale Energy Park's 35-year life. Even shallow (30cm) peat has taken 300 hundred years to form.

According to peat scientist Dr Guaduneth Chico,

“establishing windfarms on peatland in pursuit of greener energy risks compromising and undermining the green-energy transition.” [Add REF]

Full depth blanket bog stores around 1600 tonnes of carbon per hectare – four times as much as tropical rainforest. It's one of the most biodiverse habitats in the world – and one of the most threatened.

There is more info on the extent to which the effects are temporary or reversible, and the timescales for recovery (if possible) in our Response to Chapter 8. Hydrology, Hydrogeology, Geology and Peat, and Chapter 9. Carbon and Climate Change).

Chapter 3 – Approach to Environmental Impact Assessment

How is the Scoping Report Approach to Environmental Impact Assessment in Chapter 3 feasible, when there is no certainty about the Proposed Development? (See also our response to Chapter 5.)

It seems impossible for Calderdale Energy Park to comply with Schedule 4 of the EIA Regulations, which requires the description of the Proposed Development to be sufficient to enable the main effects of the scheme to be properly assessed.

The whole project seems currently too vague for the environmental impacts to be assessed, even on the basis of the Rochdale Envelope approach which the Scoping Report says they will use. (Scoping Report **para 2.3.12**, and **section 3.2, page 33**.)

The Rochdale Envelope approach is for carrying out environmental impact assessments when details of the Proposed Development are still uncertain. But the whole Proposed Development is uncertain (Scoping Report Chapter 5), just as it was in the non-statutory consultation from 29th April to 10th June 2025.

Pretty much all aspects of the Proposed Development are still only indicative and it is likely to be subject to change even after the DCO application is submitted (Scoping Report **paragraph 13.6.18**).

Calderdale Energy Park seem to be hiding behind the fact that it is a complex onshore wind farm on blanket bog, and claiming that there is a lot of uncertainty (the same as for an offshore windfarm, according to Planning Inspectorate ‘Rochdale Envelope’ guidance), that they can’t resolve before making the application.

We think, more haste less speed. They need to do the baseline and environmental assessment work properly that is needed to define the range of design parameters for the Proposed Development, so it is at least clear what they are considering.

At the moment there is nothing really to go on, turbine placement, tracks, cable routes, grid connection, location of onsite substation and BESS are all only indicative, so how do you make a sensible judgement?

Para 2.3.12 notes that the ‘Rochdale Envelope’ approach requires the identification of reasonable worst-case scenarios. This applies to all elements of the Proposed Development. **Para 3.2.1** refers to PINS Advice Note Nine on the Rochdale Envelope.

The use of worst-case scenario parameters is so that an Environmental Impact Assessment is not done on the basis of the indicative Proposed Development, because this could result in under-reporting of effects if the scheme is built differently.

This would breach Schedule 4 of the EIA Regulations 2017 (Scoping Report **para 3.10.1**), which requires the description of the Proposed Development to be sufficient to enable the main effects of the scheme to be properly assessed.

At the moment there are almost NO design parameters for the Proposed Development – it is vague with little indication of the range of options they’re considering. An exception seems to be that **para 4.1.12** says that the search areas defined in Fig 4-3 allow consideration of the likely significant environmental effects of the full range of options for two site access roads, the two offsite cabling route options to whichever grid connection is eventually approved, and off-site compensation and highways works.

However this is put in doubt by **paras 7.4.12 and 7.4.25 which** say Habitat surveys of the Cable Corridor Search Areas and Site Access Search Areas will be completed following identification of the preferred options.

We are highly critical of this approach. It is no good making a statement of intent to consider the likely significant environmental effects of the Proposed Development if some form of habitat survey is not then carried out to inform the selection of the preferred routes for cable corridors and access routes.

Should we assume that the selection of a preferred route will not be influenced in any way by the habitats that are potentially crossed? This reinforces our opinion that these surveys are little more than a token gesture.

This has to be a major flaw in the approach to environmental impact assessment. Will this be described in detail in the ES? (**Para 3.10.1** promises that “The EIA process will be documented in an ES which will describe the Proposed Development, give full details of the EIA methodology and any technical methodologies and data used in support of the assessment.”

Para 3.10.1 indicates that the ES will detail any enhancement, mitigation and compensation measures that have been employed; present the assessment of likely significant environmental effects; and provide a schedule of proposed mitigation and monitoring arrangements.

But Chapters 5 and 7 are garbled about the Proposed Development’s additional restoration measures, on top of restoration that is already part of of Walshaw Moor’s status as an SSSI/ SAC, and the Walshaw Moor Estate 2017-2042 Catchment Restoration Plan that prescribes restoration and infrastructure measures intended to restore 1,000ha of the moor by 2042 (although Natural England has not been monitoring this.) The Proposed Development includes indicative mitigation, restoration and, where possible, compensation measures But Chapter 5 barely mentions this and when it does, proposed measures in the Scoping Commitment Appendix A turn out to be vague and misconceived.

So as far as we can see there are fine words about complying with the regulatory requirements for environmental impact of the Proposed Development, but little about what that means in practice. This is why we think the Scoping Report is misusing the Rochdale Envelope approach as an opportunity to allow for insufficient detail in the environmental assessment” - despite the Planning Inspectorate’s warning in its online Advice Note 9 not to do this.

Somehow, by the time they submit their DCO application they need to have come up with Proposed Design parameters that are not so flexible and indicative that the likely effects of the scheme cannot be established.

Para 3.2.2 says they will have “details of the outline Design Parameters for the Proposed Development” by the time they make the DCO application next summer. We think these have to feature realistic maximum and minimum parameters, so that an assessment of the reasonable worst-case scenario can be undertaken.

The trouble is, Calderdale Energy Park can’t just rock up to the DCO application next summer, with their realistic maximum and minimum outline “Design Parameters for the Proposed Development” as the basis for reasonable worst-case scenario assessment.

Apparently if Calderdale Energy Park wants this kind of flexibility about the Proposed Development, the design parameters of the Proposed Development have to be properly assessed and taken into account in the pre-application stage. How can they get this sorted in time?

And we also think that the Scoping Opinion has to define the Proposed Development sufficiently clearly for it to be possible to identify if the application, Environmental Statement and Shadow HRA describe the Proposed Development that is materially the same.

They have until January 2026 to present the Proposed Development design parameters to statutory consultees at the pre-application stage

January 2026 is when the Applicant intends to publish the Preliminary Environmental Information Report, as well as the start of the 6 week statutory consultation.

Para 3.4.6 says the Preliminary Environmental Information must include information that:

‘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)’ (Regulation 12(2)(b) of the EIA Regulations).

So it looks as if the Applicant has three and a half months to come up with realistic maximum and minimum outline Design Parameters for the Proposed Development. Because that is what’s needed to assess the worst-case environmental impacts that the Rochdale Envelope approach requires.

We understand that the Gunning Principles also require that the Statutory Public Consultation (scheduled for January 2026) presents the public with a clear range of options for all elements of the Proposed Development.

How is this going to be possible?

Para 3.3.1 says they will use relevant baseline conditions of the site and its surrounds to identify environmental constraints and opportunities needed to develop the design of the Proposed Development.

But the baseline surveys for hydrology, peat depth and habitats that they presented in the non-statutory consultation brochure were not fit for purpose. Our response to Chapters 7, 8 and 9 shows there are still problems with environmental surveys for these technical aspects.

A lot more work is likely to be needed to bring baseline conditions data for the site and its surrounds to the point where they're fit for identifying the environmental constraints and opportunities that will determine the design parameters for the Proposed Development. (More info below in section headed 'Ecosystem approach is needed for hydrology and other peatland baseline surveys', and in our responses to Chapters 6,7,8,9.)

The Scoping Report 3.4 says the Preliminary Environmental Impact Report will indicate the likely significant effects of the Proposed Development. That sounds like an extra step on top of the the Proposed Development design process indicated in **3.3.1**.

How are they going to do all this in three and a half months?

The Scoping Report indicates the Planning and Infrastructure Bill could upset the statutory consultation apple cart

Maybe they won't have to – **para 3.4.7** randomly mentions that at the time of statutory consultation (starting in January 2026), if the UK government has by then passed the Planning and Infrastructure Bill, which includes two clauses that remove the requirement for statutory consultation at the pre-application stage for major infrastructure projects, Calderdale Energy park will follow:

“ the latest requirements, to ensure adequate consultation has been undertaken.”

That seems an odd way of putting it, since “the latest requirements” are intended to “scrap burdensome statutory consultation requirements.” (Ministry of Housing, Communities and Local Government). The Planning and Infrastructure Bill also aims to amend the Environmental Impact Assessment Regulations 2017.

So it might have been truer for 3.4.7 to say Calderdale Energy Park will follow “the latest requirements, to ensure consultation is avoided.”

What with one thing and another, we think it's impossible for Calderdale Energy Park to comply with Schedule 4 of the EIA Regulations, and their approach to Environmental Impact Assessment is untenable.

Unless it is saved by the Planning and Infrastructure Bill, this seems pretty terminal for the project, given that:

“The purpose of this Scoping Report is to request an opinion from the SoS on the scope, and level of detail, of the information to be provided in the Environmental Statement under Regulation 10(1) of the EIA Regulations...[It] is also used to obtain agreement on the approach and

methodologies for assessments which will be reported in the ES, which will accompany the Application.” (Para 1.4.8)

Ecosystem approach is needed for hydrology and other peatland baseline surveys

The Ecosystem Approach to Environmental Impact Assessment doesn't seem to get a mention in Chapter 3. It was introduced in 1994 through the Convention on Biological Diversity and includes defining functional units of analysis that reflect the spatial and temporal linkages of peatland elements through hydrological connections, rather than a focus on individual vegetation types and simple distance buffers.

This is what Ban the Burn and Upper Calderdale Wildlife were trying to get across to Cavendish Consulting when we started asking them in May 2024 how the Calderdale Wind Farm developers had been carrying out hydrology and peat surveys for the environmental baseline data. (Please see more info in our response to the Scoping Report Chapter 2's omission of renewable energy policy statements on Flood Risk from its overview of current and draft National Policy Statements on Energy.)

During the non-statutory consultation we persisted with questions about the use of the ecosystem approach in any baseline hydrology survey, because there was no evidence of it in the non-statutory consultation brochure. The Project Team admitted no hydrology survey had yet been carried out, but said they would be doing one later.

We have sent Calderdale Council Planning Department and other statutory consultees our Statement of Concerns about the non-statutory consultation. Section 2 of the Statement of Concerns is about Hydrology and Peat Map errors and omissions and there is more detail in Appendices.

Chapter 4 – Scoping Boundary and the Surrounding Area

We respond to Chapter 4 in terms of whether the 2025 Scoping Report has adequately addressed the inappropriateness of the Turbine Area that we identified in our response to the 2023 Scoping Report.

In 2023 we rejected Walshaw Moor Estate as an inappropriate site for the proposed windfarm. We still do.

Nothing that the rebranded Calderdale Energy Park has proposed in its non-statutory consultation or this new Scoping Report has satisfactorily addressed the inappropriateness of the site.

We are at a loss as to why the Applicant thinks it is a good idea to put a windfarm on the most highly environmentally protected land in the country, when both the non-statutory consultation and the current Scoping Report fail to demonstrate convincing climate or nature reasons for it.

We have ended up assuming that the shortsighted motive is profit. This creates doubts about the eventual landowner's suitability (if this application is consented) as a custodian of this highly protected moorland which is of vital importance to the lives of people who live near it, and has intrinsic value as a part of nature. (Please see our response to Chapter 15)

Our response to the September 2023 Calderdale Wind Farm Scoping Report was:

“We are in favour of onshore as well as off shore wind energy, but Walshaw Moor Estate is not an appropriate site for the huge proposed Wind Farm.

“Walshaw Moor is one of the rare areas of upland blanket bog in the UK and should be protected as a vital carbon sink on a par with tropical rainforest. But The Habitat Survey for the Scoping Report shows that most of the proposed turbines would be built on blanket bog or degraded blanket bog.”

The rebrand of Calderdale Energy Park since then has not altered our view that Walshaw Moor Estate should not be the location for a wind farm

Table 7.16 in the 2025 Scoping Report sums up Ban the Burn’s 2023 rejection of the wind farm’s location as:

“Concerns...the development will have detrimental impacts on the blanket bog, degraded blanket bog priority habitats and any associated wildlife within the indicative site.”

It says the concerns related to the sensitive habitats on Site have been noted and:

“The nature and extent of habitats on site, in particular blanket bog will be subject to extensive survey effort and assessment through both EIA and HRA approaches. Appropriate and proportionate mitigation and compensation measures are being developed to account for losses of sensitive habitat and will be provided in greater detail at PEIR and ES stage. These will also consider potential impacts on species associated with these habitats.”

We are not reassured by the promise of “extensive survey effort and assessment through both EIA and HRA approaches”.

Our response to Chapter 3, Approach to Environmental Impact Assessment, explains why we find this unfeasible.

In our response to Chapter 2, we have explained our concerns about the HRA process under the new “presumption of consent” for Critical National Priority infrastructure projects.

Our complaint to Calderdale Energy Park about environmental baseline surveys errors and omissions in the non-statutory consultation, and our subsequent Statement of Concerns to Calderdale Council Planning Department and other statutory consultees, don’t seem to have had the effect of improving the baseline information in the Scoping Report. Please see our response to Chapters 7-9 for more info.

The Chapter on the Scoping Boundary and the Surrounding Area can’t even get its description of the Turbine Area’s habitat right. Para 4.3.2 wrongly says the Turbine Area habitat is mainly rotationally burned upland heath, managed for and used as a grouse moor, with areas of rough grazing (predominantly for sheep).

It isn’t, and it contradicts the Biodiversity Chapter. The Special Area of Conservation is mainly designated for blanket bog. The Biodiversity Chapter 7.4.10 says the Turbine Area comprises typical upland habitats including areas of blanket bog, dry and wet heath, acidic and neutral grasslands. 7.4.13 says the UK Habitat Classification survey results (see Table 7-8) show that approximately 50% of the 2,262 ha Turbine Area comprises of blanket bog in varying condition.

Ban the Burn sent a complaint to Calderdale Energy Park at the end of the non-statutory consultation about errors and omissions in the habitats map and they failed to reply, so we sent a Statement of Concerns to Calderdale Council Planning Department and other statutory consultees. We have more comments about the habitats baseline data in our response to Chapter 7.

The Applicant intends that the Preliminary Environmental Impact Report and the Environmental Statement will provide baseline survey and assessment information, and appropriate and proportionate mitigation and compensation measures to account for losses of sensitive habitat.

As we have said in our response to Chapter 3, we doubt that by January 2026, when the Preliminary Environmental Information Report is due, all the information will be available that **3.4.6** says ‘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)’ (Regulation 12(2)(b) of the EIA Regulations).

The Applicant is using the ‘Rochdale Envelope’ approach to environmental impact assessment, because of uncertainties about what the Proposed Development is going to be. (Chapter 5, The Proposed Development)

In such a case, we believe that the information that is reasonably required for the Preliminary Environmental Information Report has to include realistic maximum and minimum outline Design Parameters for the Proposed Development. They are needed in order to assess the worst-case environmental impacts that the Rochdale Envelope approach requires.

How are the Project Team going to be able to pull all that information together, when they currently seem quite clueless about the range of design parameters for the Proposed Development?

The 2023 “concerns” Calderdale Energy Park attribute to Ban the Burn in Table 7.16 are incomplete

Our concerns about the 2023 Scoping Report remain. The 2025 Scoping Report hasn’t addressed them all.

We were and remain concerned that Scoping Report errors and omissions serve to obscure the unsuitability of the site. Table 7.16 in the 2025 Scoping Report has ignored the points we made about the 2023 Scoping Report:

- It defined deep peat wrongly (>50cm, when at the time it was >40cm, and is now >30cm).
- It omitted to say that in 2019 Natural England had amended the 2017-2042 Walshaw Moor Estate Catchment Restoration Plan to remove the proposed firefighting track from its measures, because the interpolated “shallow peat” depth measurements along the proposed track turned out to be wrong. A member of the public probed the length of the track and found it was deep peat. Despite this, the 2023 Scoping Report still proposed to build 65 onsite tracks over the peat on the basis of interpolated peat measurements – one track for each wind turbine, designed to allow for abnormal loads (2023 Scoping Report, 3.5).

- Its proposed scope of assessment for potential impacts on the hydrological, geological and hydrogeological environment completely omitted the issue of peat as a carbon sink/source of emissions. (2023 Scoping Report, 9.9)
- It proposed to use the Scottish Government Carbon Calculator for Wind Farms on Peat (2023 Scoping Report, 15.1.2), but omitted to say that experts, including the calculator's main author, were calling for an urgent review of the calculators' continued applicability because the science of peatland management has moved forward, and emissions factors for electricity generation are likely to drop significantly owing to reduced fossil-fuel use in electricity generation.

Please see our response to Chapters 7, 8 and 9 which points out that none of these issues has been resolved in the 2025 scoping report.

The current Scoping Report seems unaware that in 2019 Natural England removed the firefighting track from the Catchment Restoration Plan. The 2025 Scoping Report **(7.4.7)** mistakenly still includes "installation of a track" as one of the measures to achieve the CRP aims of "restoration of 1,000 ha of blanket bog over the term of this agreement." This is part of a more general failure to carry out adequate desktop studies. (For example the issue of the unsuitability of aggregate from Walshaw Moor borrow pits, discussed below.)

Another indication of the failure to carry out adequate desktop studies is the Scoping Report's silence on the 2024 detailed review of the Scottish Government Carbon Calculator for Wind Farms on Peat. This has resulted in the recommendation that it should be significantly updated in the light of recent policy changes and advancements in science. (More info in our response to Chapter 9.)

Since 2023, the aggregate problem has emerged why Walshaw Moor is not an appropriate site for a massive infrastructure project

Our response to Chapter 5 recounts how this is due to a failure to carry out a 5 minute desktop study, which would have yielded the January 2025 West Yorkshire Local Aggregates Assessment information that aggregate from the kind of underlying rock on Walshaw Moor isn't suitable for the proposed energy park's infrastructure.

Chapter 5 says:

5.8.1 Suitable volumes of quarried stone will be sourced from onsite borrow pits, where it is possible. The utilisation of onsite borrow pits will assist with minimising the potential environmental and transport network effects associated with transporting imported aggregate to the Turbine Area.

5.8.2 Further information on the borrow pits and identification of aggregate requirements for the Proposed Development will be presented in the ES.

But onsite borrow pits would be most unlikely to yield the kind of aggregate needed for the wind farm's infrastructure. We are surprised that the news doesn't seem to have reached the Project Team. They still seem to think that they can quarry sufficiently hard aggregate out of sandstone borrow pits on Walshaw Moor.

Even though the Scoping Report explains that Walshaw Moor is underlain by Namurian Sandstones (Millstone Grit), which a quick desktop study would have told them is a relatively weak sandstone, suitable as a building stone but when crushed breaks down to small pieces of gravel and sand. It doesn't weather well, is susceptible to frost and liable to crushing under wheel loads and it does not have the inherent compressive strength for use in concrete as is available with Limestone, Basalt and Granite.

Chapter 4 needs to comment on this and explain why the Scoping Report persists in ignoring the unsuitable aggregate for the purposes of the Energy Park that onsite borrow pits would produce.

Existing tracks which were built in 2012 with sandstone (so that driven grouse shooters didn't have to get their feet wet) have since been re-dressed with hard blue-grey chippings that we have been told are probably crushed Basalt. This would have to come from further afield, Cumbria most probably.

Apparently there are also some old limestone quarries on Walshaw Moor. As far as we know, the limestone can't be used for tracks because it's alkaline and blanket bog is acidic so it would damage the priority protected blanket bog habitat. (**Para 4.3.5** says Blanket bog peat soils are widespread across the Turbine Area. **Para 4.3.16** specifies that the aggregate on tracks has to be inert materials).

Significant adverse environmental impacts are likely from transporting the required hard aggregate from elsewhere, and the Chapter 4 should take this into account when considering the suitability of Walshaw Moor as the location for the energy park. Particularly since there is an Energy National Policy Statement requirement for the Secretary of State to be able to satisfy themselves that for DCO renewable energy applications on protected peatland, the Applicant has considered alternative non-peatland sites and had good reason for not selecting them.

The potential environmental and transport network effects associated with transporting imported aggregate to the Turbine Area referred to in 5.8.1 look pretty extreme. An engineer who worked on the South Strathy wind farm near Thurso has used that experience to estimate the required quantities of aggregates to construct a 41 turbine wind farm at Walshaw Moor with an estimated 40 kilometres of access roads and the associated crane platforms all of which are permanent during the life of the wind farm.

The total quantity is over 700,000 tonnes and with a payload of just 20 tonnes per 40 tonne 8 wheel tipper, that is 35,000 deliveries full and 35,000 empty returning tippers.

Put another way, if one takes the number of minutes available in a two-year construction period, based on 96 five day weeks at 8 hours per day, that is 230,400 minutes. Dividing this number of minutes by 70,000 journeys means a truck must pass the entrance gate about every 3 minutes.

The split would be around 600,000 tonnes of basaltic or granitic crushed rocks (for road and crane platform construction) and 100,000 tonnes of limestone (for concrete).

Chapter 5 should explain this.

We comment further on this in our response to Chapter 8, Hydrology, Hydrogeology, Geology and Peat.

Ban the Burn continue to reject the South Pennine Moors SAC, SPA and SSSI as a site for the proposed wind farm/energy park

As part of a wider Peatland Alliance of groups, Ban the Burn are campaigning for a government ban on wind farms on protected peatland in England, through:

- A Parliamentary Petition that ran from January-July 2025
- Two proposed amendments to the Planning and Infrastructure Bill.

Over 15,500 people nationally signed the petition. In Calder Valley constituency over 2,500 people signed the petition – a very high number for parliamentary petitions.

Our proposed amendments to the Planning and Infrastructure Bill aim to:

8. Exclude protected peatland in England as a permissible site for the development of wind farms or energy parks,
9. Reserve any and all protected peatland in England for restoration without any windfarm or other development

The Peatland Alliance's proposed amendments to the Planning and Infrastructure Bill were discussed by MPs in an information event we held in Parliament at the end of April. Since July we have been corresponding about the amendments with Peers for the Planet.

In the House of Lords' Second Reading of the Planning and Infrastructure Bill the Peers for the Planet Chair, Baroness Willis of Somerton, said the idea of destroying and then compensating or restoring elsewhere the SSI blanket peat bog on Walshaw Moor in Yorkshire...

"is clearly ridiculous, and allowing harm to those irreplaceable habitats in exchange for future compensation would be a grave misstep."

The expansion of the Proposed Development's "spatial extent" threatens more damage to the South Pennine Moors Special Area of Conservation and Special Protection Area.

The 2025 Scoping Report says that,

"The spatial extent of the Proposed Development could be subject to change and may impact habitats and locations not yet considered." (7.6.7)

In fact there is no “could be” or “may.” The spatial extent of the Proposed Development has grown into “surrounding areas” because of “ongoing design and development of access routes and cable connection options.” (7.6.7)

This means they are going to have to assess the environmental impacts of both the search, and the construction and operation of infrastructure, on the Cable Corridor Search Areas and Site Access Search Areas.

Some of these areas are on the same South Pennine Moors SAC, SPA and SSSI as the Turbine Area and so will also need Habitats Regulations Assessment. (7.6.7)

We are extremely worried that the North West access track will have to carry “general construction traffic as well as Abnormal Indivisible Load (AIL) traffic associated with the delivery of wind turbine components.”(12.3.2) The likely aggregate traffic alone, outlined above, would be a huge burden for the protected peatland in the Site Access Search Area between the Turbine Area boundary and the road.

The Abnormal Indivisible Load traffic is a whole other story. We think it would amount to about 300 slow, weather dependent abnormal loads required to transport the towers (probably in 3 components), the blades (3 components) and the nacelles (1 component). And that’s without bringing in the substation and the battery energy storage system.

In addition the very large 200 tonne mobile cranes used to construct the wind turbines have 8 or more axles and arrive under their own power with a train of 3 or 4 heavy articulated loads carrying the counterweights and additional booms, the final erected weights are around 400 tonnes. The maximum gradient they can negotiate is 1 in 10.

How are they going to negotiate both the North West access track to the site, and then the Turbine Area itself? And at what cost to the peat’s hydrology? At best the tracks would cause drawdown of the water table and at worst the site will be very susceptible to peat slides, either outcome will destroy the habitat and considerably reduce the sequestration of carbon contained within the blanket bog. (More info in our response to Chapter 8.)

The extension of the area impacted by the windfarm to include the search/construction of offsite access tracks (including for abnormal indivisible loads), and for cabling to transmit electricity from the onsite substation to the eventual grid connection, just compounds the problem that the Walshaw Moor Estate site and its surrounding areas are completely inappropriate for the windfarm.

Our response to Chapter 8 includes some comments on the likely environmental impacts on the Cable Corridor Search Areas and Site Access Search Area.

The North West site access search area looks like a terrible idea, environmentally

Fig 7.3 shows that it includes Dove Stones Moor. This is part of the same South Pennine Moors SAC and SPA as Walshaw Moor, and the site of the massive 1824 Crow Hill bog burst. The Scoping Report refers to it in 8.3.26 as one of two recorded peat landslides in the area.

Thanks to records by Reverend Patrick Bronte and others, we know that the peat flow from the Crow Hill bog burst was 30 to 60 metres wide and five to six metres deep and continued for 10 to 15 miles. Substantial fish kills (1,270 kilograms of perch and trout taken from the River Aire at Horsforth) and disruption to the woollen industry were reported.

Table 19-1 (page 543) says:

“During construction, there is a potential for existing peat deposits to be disturbed and generate a landslide. As detailed in Chapter 8: Hydrology, Hydrogeology, Geology and Peat a peat landslide hazard and risk assessment will be undertaken providing details on how the Proposed Development will be constructed and operated, as well as any details relating to mitigation embedded in the design of the development. This will set out the measures which will be implemented to ensure major accidents are avoided.”

Our response to Chapter 8 has more information about this.

Chapter 5 – The Proposed Development

What is Chapter 5 The Proposed Development for? It doesn't tell us what we need to know.

Key points

- All elements of the Proposed Development are still only indicative, 3 months on from the non-statutory consultation.
- It is unclear what the process is for coming up with preferred options for all elements of the Proposed Development between now and January 2026. Both the Preliminary Environmental Information Report and the statutory consultation are due then.
- The Scoping Report seems to be exploiting the Rochdale Envelope approach to environmental impact assessment, which is intended to permit an application to be made when it includes **uncertain details** about the Proposed Development. But **the whole Proposed Development is uncertain** at the moment. It looks as if the Scoping Report is taking advantage of the Rochdale Envelope approach as “a blanket opportunity to allow for insufficient detail in the environmental assessment” - despite the Planning Inspectorate's warning in its online Advice Note 9 not to do this.
- Blanket bog restoration is a key element of the Proposed Development. It is already a key part of Walshaw Moor's status as an SSSI/ SAC (give ref), and in addition the Walshaw Moor Estate 2017-2042 Catchment Restoration Plan prescribes restoration and infrastructure measures intended to restore 1,000ha of the moor by 2042. The Proposed Development includes indicative mitigation, restoration and, where possible compensation measures (including offsite within an areas defined in Fig XXX. But Chapter 5 barely mentions this and when it does, proposed measures in the Scoping Commitment Appendix A turn out to be vague and misconceived.
- Other Scoping Report Chapters show that key Walshaw Moor baseline surveys were not done properly or even at all (peat depth, habitats and hydrology). There is an inadequate plan for subsequent environmental surveys to offsite areas, and there is a grievous lack of local knowledge about the moor and offsite areas. For these reasons, the Proposed Development is a potentially environmentally destructive and dangerous mess.

These points are responded to more fully below,

We expected that by now the Scoping Report would have clear information about the range of options under consideration

Such as:

- The likely range of generating capacity (all we know at the moment is it has to be >100MW and Christopher Wilson told the Parish Council forum in late 2023 that it had to be at least 200MW to be economically viable. There is no certainty about the range of options around the indicative 300 MW capacity,

- Possible BESS capacity, functions and location.
- Off site cabling - they don't know what kind of cable they'll use, as it depends on which grid connection point they use - National Grid or DNO - and the Planning Inspectorate told them in their first meeting that they'd do better in the DCO application process with one connection point than 2 options.
- Access roads - there are two proposed construction access roads (**para 5.10.2**) but they don't seem to have been surveyed and we've not managed to find out what surveys are proposed. The NW access road is proposed to take the Abnormal Indivisible Loads but there might also be other Abnormal Indivisible Loads access roads somewhere but they don't know (**5.10.4**).
- Mitigation and enhancement measures, including any offsite compensation measures.

But **Para 13.6.18** says: An indicative layout and candidate turbine have been used to inform this Scoping Report, including predicted noise levels and the identification of noise sensitive receptors, and it is anticipated that these could differ from the candidate turbine and layout submitted with the DCO application. Additionally, the design of the substation, BESS and cable route(s) considered in this Scoping Report are also indicative and will be subject to change.

In the absence of hard information about the Proposed Development, Ban the Burn expected this Chapter to say how the Applicant intends get to the point where they have this information.

We haven't found any such account.

This is problematic because the planning process for big onshore wind farms requires a lot of key decisions to be made during the pre-application stage. But Chapter 5 doesn't include enough information to base decisions on.

The Biodiversity Chapter does say that provisional information about the Proposed Development will be presented in the Preliminary Environmental Information Report (in January 2026). But the time frame and sequence of events seem implausible.

There is still site-specific environmental survey work that needs to be done first. But the Biodiversity Chapter seems to propose putting the Proposed Development 'preferred options' cart before the environmental survey horse. And environmental survey timings are seasonally specific and might not fit in with being done this autumn.

We explain below why we do not have confidence in the proposed environmental survey regime. In some cases, at least, we think surveys are little more than a token gesture.

The Scoping Report needs to outline the process and schedule for how the Proposed Development is to get from current near-total uncertainty about all its elements (**para 13.6.18**) to the promised point that technical assessments presented in the ES will define a 'design envelope' for the Proposed Development.

The Scoping Report needs to say what work the developers are doing NOW – not just to get to the point of the Proposed Development design envelope for inclusion in the ES next June, but more urgently, how they are going to produce the Preliminary Environmental Information by January

2026, in time for decisions during the pre-application process and for a statutory public consultation that satisfies the Gunning Principle of presenting clear information about the range of options under consideration for the Proposed Development.

At the moment Chapter 5 only announces good intentions about the Proposed Development at the ES Stage. It postpones the time of reckoning by saying Information provided on layout and design within the DCO application will be based on the principles of the 'Rochdale Envelope' (**Para 5.1.2**)

But the DCO application is next June. Not next January. How is the required provisional information going to be available then?

The Scoping Report seems to be using the 'Rochdale Envelope' approach to environmental impact assessment, in order to take advantage of "a blanket opportunity to allow for insufficient detail in the environmental assessment". Something the Planning Inspectorate's Advice Note 9 warns against.

Like para 5.1.2, **Para 5.1.4** similarly says the ES will define which elements of the Proposed Development have yet to be finalised and provide reasons for this. Where flexibility is sought for any elements, the ES will set out the parameters that would apply, clearly setting out any proposed limits of deviation, ensuring a design envelope that has considered the reasonable worst-case environmental effects.

Para 5.1.4 just seems like a way for the Scoping Report to avoid saying that it hasn't a clue about the design options for the Proposed Development NOW, and will still be unclear about some of them next June.

But **Para 3.4.6** admits the Preliminary Environmental Information Report must include information that '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)' (Regulation 12(2)(b) of the EIA Regulations).

Chapter 5 needs to outline the process to get from Indicative Everything, to Identification of Preferred Options in the Preliminary Environmental Information Report, to Proposed Development Design Envelope (ES).

It would be helpful if Chapter 5 provided a simple algorithm to show the process for generating that information between now and January 2026.

Would it look something like this? (On the next page)

Environmental surveys

Identify preferred options

Rinse & repeat process as
necessary in time for
Preliminary Environmental
Impact Report

Finalise environmental/technical assessments
and Proposed Development design envelope
in ES/shadow HRA. Plus “flexible elements”
where design is still uncertain and
accompanied by worst-case Environmental
Impact Assessment.

Chapter 5 should justify the Scoping Report's use of the Rochdale Envelope process, because the justification isn't self-evident

Does the Rochdale Envelope approach apply to the specifics of designing the Proposed Development at this point in time?

Or is it just invoked in order to justify the current near-total uncertainty about the Proposed Development?

Under these circumstances, how can use of the Rochdale Envelope approach be justified?

It seems problematic that the Applicant is exploiting the "Rochdale Envelope" approach, in a way that seems to counter para 1.2 in the Planning Inspectorate's Advice Note 9. This says the 'Rochdale Envelope' approach is employed where "some details" of the whole project, eg precise dimensions of structures, have not been confirmed when the application is submitted.

But the Scoping Report **paragraph 13. 6.18**, already referred to, is clear that the uncertainty isn't about "some details" - the whole Proposed Development is still only indicative.

The Scoping Report needs to explain where that leaves the Planning Inspectorate's Advice Note Nine, which says:

"5.2 Implementation of the Rochdale Envelope assessment approach should only be used where it is necessary and should not be treated as a blanket opportunity to allow for insufficient detail in the assessment.

"5.6 Relevant parameters enabling flexibility within a DCO will be project and sector-specific. Examples include maximum/ minimum number of turbines, or maximum turbine blade tip height, associated with an offshore wind farm;...

"5.7 In determining what is an acceptable level of flexibility applicants should have regard to information contained within relevant NPSs, notably: NPS EN-3 which states (paragraph 2.6.43) that the 'wind farm operators are unlikely to know precisely which turbines will be procured for the site until sometime after the consent has been granted...' "

We think the Scoping Report seems to be making a mockery of the Rochdale Envelope approach, so that the Applicant can continue to kick the environmental assessment process needed to define the Proposed Development's design parameters, down the road.

Surely this is unacceptable.

We can't see the justification for this high degree of uncertainty about the proposed development at this stage in the planning process. The Planning Inspectorate Advice Note 9 shows that Calderdale Energy Park's level of uncertainty, as defined in Scoping Report para **13.6.18**, is that of an offshore windfarm.

Our response to Chapter 4 points out that Walshaw Moor Estate is undoubtedly a difficult and unsuitable site for the Proposed Development. If this gives rise to a stalled process - which

currently seems the case, and the same level of uncertainty as building an offshore windfarm, what's the point?

We have found the whole issue of the 'Rochdale Envelope' approach whole issue very confusing.

As already indicated, we think the Scoping Report should urgently narrow the areas of uncertainty about the Proposed Development that currently justify the use of the Rochdale Envelope.

“Technical” chapters 6-8 indicate the Proposed Development design process is flawed

Various Scoping Report chapters indicate the Applicant doesn't seem to be following the required constraints analysis and design process for the Proposed Development, that Chapter 3 outlines.

Para 3.3.1 states: As part of the EIA and design process, the relevant environmental baseline conditions of the site and its surrounds will be used to identify any environmental constraints and opportunities relevant to the technical assessments. This enables design principles to be created to support the evolution of the Proposed Development, to help ensure that important environmental considerations are taken into account during the design development process...”

So the Proposed Development design process should be based on information about baseline conditions, that is derived from site-specific environmental surveys and data. The purpose is to identify, avoid, prevent, mitigate or compensate for likely significant adverse impacts on the South Pennine Moors SAC/SPA and SSSI. These measures in the Proposed Development are crucial for the Habitats Regulations Assessment and the Applicant has to include them in the Shadow HRA (add para no's)

This requirement applies to both Walshaw Moor Estate, and offsite in the search areas for site access tracks and cabling to potential grid connection options. Some of these offsite areas have the same conservation designations as the Walshaw Moor Estate so the HRA requirements apply there too.

5. The Scoping Report needs to explain why some proposed environmental surveys sidestep the national policy requirement to ensure that the significant effects of a Proposed Development have been properly assessed

Chapter 7 Biodiversity, for example, indicates that the cart of identifying preferred options is being put before the habitats surveys horse.

This undermines several Energy National Policy Statements: for Energy (EN-1), the NPS for Renewable Energy Infrastructure (EN-3) and the NPS for National Networks. All stress the need to ensure that the significant effects of a Proposed Development have been properly assessed. (Source: Nationally Significant Infrastructure Projects - Advice Note Nine: Rochdale Envelope, para 1.3)

If the Scoping Report doesn't address this problem, the Applicant will undermine environmental protections for Walshaw Moor and the offsite areas where Calderdale Energy Park infrastructure would be sited.

How this seems to be happening is shown in Chapter 7, para 7.4.12. It says Habitat surveys of the Cable Corridor Search Areas and Site Access Search Areas will be completed following identification of the preferred options. This is repeated in para 7.4.25.

We are highly critical of this approach as we consider it imperative that some form of habitat survey informs the selection of the preferred routes for cable corridors and access routes. Should we assume that the selection of a preferred route will not be influenced in any way by the habitats that are potentially crossed?

This reinforces our opinion that these surveys are little more than a token gesture. Furthermore, National Policy Statement EN-5 states that "the applicant should consider and address routing and avoidance/ minimisation on environmental impacts of both on shore and offshore at an early stage in the development process"

We object strongly that the determination of the preferred site access route will be based solely on commercial, logistical and economic factors etc, with no consideration of the ecology and how potential new land uses, for cabling and access in the wider area might affect connectivity for wildlife, potential fragmentation of habitats and disturbance to the wider environment. We consider this is a major omission that should be time tabled in, and fully described in any decision making.

If this doesn't happen, the surveys proposed can only be used to inform small changes, within the preferred route and not be used to avoid areas of greatest value for wildlife, nor will appropriate information be available to consultees to make an informed decision about the scheme.

We are also concerned that the Programme Document sets out a timetable for publication of provisional survey results in the Preliminary Environmental Information Report in January 2026, and for the production of the Environmental Statement in September 2026.

We think the schedule for the Preliminary Environmental Information Report in January 2026 gives insufficient time to carry out important survey work, as survey timings are very specific for habitats and species including bats.

In a consultation meeting on 10th July 2025, Natural England stated a preference for National Vegetation Classification surveys where there are botanically diverse habitats, (Para 7.5.33). They are best carried out in Spring and Summer, but those seasons have come and gone already.

The Scoping Report consistently under represents the extent of Walshaw Moor's blanket bog and doesn't seem to have a grasp of restoration measures

A major concern in Ban the Burn and Upper Calderdale Wildlife Network responses to a number of Scoping Report Chapters (Ornithology, Biodiversity, Peat/Hydrology and Landscape and Visual) is the inaccuracy of the description of the moorland habitats, which under-represents blanket bog and over-emphasises areas of dry heath.

This misleading feature of the Scoping Report not only undermines its independence and objectivity. It also leaves blanket bog mitigation, restoration and enhancement measures in the dark, even though they are a key element of the Proposed Development.

This is the case with Chapter 5. Like other Scoping Report Chapters, there is no coherence about measures to avoid, mitigate, restore or, if possible, compensate for damage to the blanket bog and interrelated moorland habitats. There isn't even any sign of understanding the ecological and hydrological processes that mean such damage is highly likely to extend well beyond the infrastructure footprint.

There doesn't seem to be any mention of preferred options for blanket bog restoration measures in Chapter 5, although these would be a crucial part of the Proposed Development. (Compensation for damage to blanket bog is not possible, as it is an irreplaceable habitat.)

Para **5.13.1** says the Proposed Development is anticipated to include offsite compensation measures. These measures will be included in A stand-alone shadow HRA will be submitted within the DCO Application. (5.13.2)

Figure 4-3 shows the current area of search for off-site biodiversity compensation measures.

Neither **5.13.1** nor **Fig 4.3** say what the compensation measures would be or what they would compensate for.

Apart from that there's just a reference in **para 5.1.5** to a **Scoping Commitments Register in Appendix A**. This is a live document with details of the management plans which are currently anticipated to be submitted as part of the DCO Application and any specific commitments made by the Applicant at this (scoping) stage of the Proposed Development.

At least some of the measures in the management plans seem to be at a meaningless level of generality and aspiration, and they are also misconceived. For example, CO3 says an Outline Landscape and Ecology Plan will lay out the design parameters for proposed site restoration measures following construction, taking account of the surrounding local landscape character.

Cross referencing CO3 with Chapter 10 Visual and Landscape, **Para 10.4.6** refers to the routing and siting of elements of the proposed development to avoid notable landscape features. Penny Bennett's response to Chapter 10 Visual and Landscape asks: How are these notable landscape features defined, do these correspond with important ecological features such as blanket bog for instance?

Her Chapter 10 response continues:

"The 'key potential mitigation measures' miss the point completely with regard to the restoration of the blanket bog. The objectives state that native grass/ moorland species are to be planted to assist in blending the track into the surrounding moorland context. Given that grasslands make up a small percentage of the areas on Walshaw Moor the emphasis here is misguided. The mitigation process needs to consider what the objectives are in the restoration of the vegetation. It seems that the aim is to recreate the vegetation patterns that were here prior to development which in places is degraded habitat brought about by years of mismanagement, not to take the opportunity to restore an internationally important area of blanket bog, for biodiversity, carbon sequestration, flood control and protection of water quality.

These are the clear objectives set out in the NCA which provides clear and concise guidance that should be followed. The OLEMP would also need to fully understand the objectives of the Catchment Management Plan, and the requirements of any BNG.

The statement that careful consideration of any planting proposals to complement the landscape character is worrying and demonstrates a lack of understanding of the ecological value of the landscape of the proposed turbine area. Restoration must take full account of the restoration of the peatland vegetation and hydrology and understand the challenges of restoring irreplaceable and irreparable peatland habitats.

It is hugely concerning that the restoration of this precious landscape is being entrusted to those that appear to have no grasp of its importance.”

In addition to such questions about the inappropriateness and misguidedness of proposed mitigation/restoration measures, the same questions arise as for other elements of the Proposed Development - how is the Applicant going to move from indicative blah to a provisional range of specific options for blanket bog restoration in time for the Preliminary Environmental Information Report and the statutory consultation, while following the constraints analysis and design process?

It doesn't look possible.

Particularly since the Biodiversity Chapter is so confusing about restoration and compensation measures, and Natural England has not been monitoring the ongoing 2017 -2042 WME Catchment Restoration Plan. (More info in Ban the Burn's and Upper Calderdale Wildlife Network's response to the Biodiversity Chapter.)

Other key omissions from Chapter 5

Chapter 5 doesn't only omit information about the process of identifying preferred options for most aspects of the Proposed Development, tested against robust site-specific environmental survey data. (The constraints analysis and design process.)

It hasn't outlined the engineering constraints imposed by the moor in respect of all elements of the Proposed Development as defined in **para 5.1.7**. They are crucial constraints on the design process of identifying preferred options for the Proposed Development, including safe and feasible locations.

This omission is particularly critical when it comes to emergency access and the need for detailed survey work of the engineering constraints on the proposed North West site access route for abnormal indivisible loads, over historically unstable peat.

The proposed offsite NW access road seems highly likely to be seriously environmentally damaging to the ecological integrity of the SAC - and dangerous too. (More info in our response to Chapter 8, including our disagreement with the proposed scoping out of the danger of peat slides.)

Para 12.3.2 says that currently, access to the west will provide access for general construction traffic as well as Abnormal Indivisible Load traffic associated with the delivery of wind turbine components. It doesn't mention the huge 8 axle crane lorries that are limited to a maximum 1 in

10 gradient. Or that the substation and BESS would also have to be trucked in over this highly unstable, highly protected peatland which at points well exceeds the crane lorries' maximum possible 1 in 10 gradient.

We think the absence of information about the engineering constraints imposed by the moor is because of inadequate baseline surveys of peat depths, hydrology and habitats, in the first place. Added to that are deficiencies in later surveys, and the Project Team's ignorance of and disregard for local knowledge. (More info in our response to Chapters 7 and 8.)

This is part of the reason why Chapter 5 has nothing about the range of possible specifications for infrastructure, or of the possible range of locations for infrastructure.

Some examples follow.

Options for accessing aggregate are ignored

We don't know why the Scoping Report persists in claiming (**para 5.8.1**) that "suitable volumes of quarried stone will be sourced from onsite borrow pits, where it is possible." They must know that it is not possible, given the unsuitability for hard aggregate of Walshaw Moor's prevalent sandstone, millstone grit, mudstone and siltstone. The prevalence of these underlying rocks on Walshaw Moor is stated (**8.3.12**)

Chapter 5 needs to explain how both paras 5.8.1 and 8.3.12 can be true, because they can't.

Para 5.8.1 says the Proposed Development would require quarried stone to construct new tracks, hardstandings and compound areas, and where suitable to improve the existing tracks within the Turbine Area. The crushed stone will be required to form the track and hard-standing surface areas for the cranes and the site tracks. Suitable volumes of quarried stone will be sourced from onsite borrow pits, where it is possible. The utilisation of onsite borrow pits will assist with minimising the potential environmental and transport network effects associated with transporting imported aggregate to the Turbine Area.

5.8.2 "Further information on the borrow pits and identification of aggregate requirements for the Proposed Development will be presented in the ES."

How can the Scoping Report say that Walshaw Moor borrow pits would "assist with minimising the potential environmental and transport network effects" of trucking in aggregate to the Turbine Area?

A little desktop baseline investigation would surely have turned up plentiful evidence that none of these rocks produce hard aggregate suitable for the purposes of the Proposed Development.

Our response to Chapter 4 includes a wind farm engineer's calculation that the required amount of aggregate imported to the Walshaw Moor site over a two-year construction period would mean a loaded or empty truck passing the entrance gate every three minutes, over 96 five day weeks at 8 hours per day.

The Scoping Report needs to consider the many likely adverse effects on the environment and on human health and safety of trucking in the required quantities of aggregate, for example on air quality on public roads that pass through towns close by people's houses that stand right on the street

Para 5.9.2 says the details of the watercourses crossings will be presented in the ES - in other words, they haven't a clue about where these would be needed. How are they going to sort that in time to identify a provisional preferred option for wind turbine access roads on Walshaw Moor Estate?

Para 5.11.1 says cable undergrounding from the energy park substation to the eventual National Grid/DNO connection point is proposed unless there are technical reasons not to or statutory bodies want overgrounding – in other words, it seems they haven't a clue, but the Scoping Report has proposed underground cables for probable PR reasons.

Other contentious elements of the Proposed Development

The current wind turbine site layout seems overcrowded in terms of general industry spacing guidelines. As already mentioned, **Para 13.6.18** says “An indicative layout and candidate turbine have been used to inform this Scoping Report, including predicted noise levels and the identification of noise sensitive receptors.” But Chapter 5 doesn't refer to the layout's overcrowding, or consider the environmental, economic, and safety ramifications, including implications for noise and vibration.

The economic ramifications might seem to be the applicant's problem not ours. But they are a public problem to the extent that onshore wind power is publicly subsidised through the Contracts for Difference scheme and constraints payments. So we have a legitimate concern for the energy park's engineering efficiency.

The wind turbine overcrowding is a result of the Applicant having done what lots of people predicted at the time of the original September 2023 Scoping Report. That is, reduce the number of turbines in the hope of pacifying public opinion by limiting the turbine layout to degraded or shallow peat.

Except we didn't predict that they'd do this by upsizing the turbines to try and keep the windfarm capacity more or less the same.

This is what's made the proposed layout overcrowded. Big turbines need more land space to function efficiently and safely.

The Scoping Report doesn't indicate the minimum/maximum design parameters for wind turbine layout, that would safely avoid overcrowding according to industry guidelines for environmental and safety as well as economic viability.

Our response to Chapter 8 comments on the likely increased flood risk to Hebden Bridge, as an unintended consequence of the current overcrowding with 41 proposed wind turbines, in combination with the indicative layout that has attempted to avoid siting them on deep peat.

We don't know where the windturbine access tracks would go, but reasonable inferences from the indicative turbine layout can be made. They lead us to believe that the Scoping Report has disregarded the implications for increased runoff from the access tracks during rainstorms or snowmelt, because of their indicative layout for the wind turbines.

We think this increases the flood risk to the Hebden Bridge flood area, which the Scoping Report disregards.

The indicative turbine layout seems to have been designed in the total absence of local knowledge and on the basis of a completely inadequate baseline hydrology map. We complained about this to Calderdale Energy Park in our response to the non-statutory consultation. After they ignored our complaining we sent the Peatland Alliance Statement of Concerns to Calderdale Council Planning Department - downloadable here: <https://saverestorewalshawmoor.wordpress.com/wp-content/uploads/2025/08/concerns-cep-non-stat-consultation-calderdale-council-planning-department-final-with-appendices.pdf>

So Chapter 5 should reconsider the indicative layout on the basis of improved baseline peat, hydrology and habitats surveys, as well as local knowledge, and taking account of general industry spacing guidelines.

Chapter 5 includes other contentious points about the design of the Proposed Development. **Para 5.11.3 says** the cabling could need 2 single circuit trenches with haul road in between. Why? What will happen to the haul road once the cables are installed and the trenches filled in?

Construction

By the time Chapter 5 gets to construction activities the proposals float free of any realities of trying to build on Walshaw Moor.

Even more so when we get to **operation and maintenance**, 2031-2066. The operation and maintenance environmental management plans are just vague statements of intent with no intermeshing with reality.

Same goes for construction. An example of the disengagement with reality is **Para 5.14.2 construction activities**, which is still going on about borrow pits, despite the fact that a little basic desktop baseline investigation would have shown that Walshaw Moor's rocks are unsuitable for the hard aggregate the Proposed Development would need.

So what hope is there of producing a realistic Outline Decommissioning Environmental Management Plan that would apply nearly 40 years into the future? Provisional information is needed in time for the Preliminary Environmental Impact Report, which is due to be presented to statutory consultants in January 2026.

But the Scoping Report **Appendix A - Scoping Commitments Register C05** promises to show how the Applicant will "avoid significant effects in the decommissioning environment" on biodiversity, hydrology, hydrogeology and peat .."

Para 5.2.2 "The wind turbine foundations are anticipated to be based on a reinforced concrete gravity base design...At this stage, it is not known whether concrete batching will be required. Should this be necessary, potential impacts resulting from the concrete batching process, including from the abstraction of water and discharge of wastewater, will be considered in the ES."

The stuff about not knowing about concrete batching at this stage about is nonsense. The foundations to the turbine towers are reinforced concrete, about 25 to 27 metres diameter and 3.5 metres thick at the centre. You cannot batch off-site concrete and deliver it in trucks for the

volumes involved which are about 1000 cubic metres per base. A concrete truck supplies only 6 cubic metres, so 167 trucks. Multiply that by 41. It is a continuous process from start to finish which will involve night shifts to pour a base like this, so it has to be site batched as there is no other way of doing it.

Para 5.14.6 says Works are not anticipated to be required at night. But they will be, at least with the concrete batching and pouring the turbine foundations. What are the likely effects on birds and wildlife? Is it possible to mitigate them? If not, what are the likely consequences?

Chapter 6 – Ornithology

We make an initial comment regarding the independence of this scoping report as we believe all sections should give unbiased and objective information. We consider that this is undermined by such comments as:

Table 6.4: In respect of scoping out of non-target species "given the low potential for significant habitat loss, the limited scale of land take..."

and

6.65 in respect of Golden Plover "which may use the study area during key periods..."

The first statement fails to accept that this would be the largest wind farm in England covering 2352ha and incorporating 41 x 200 m high turbines and their associated foundations and infrastructure on one of the most nature protected areas of land in England. To state then that there is a low potential for habitat loss and limited scale of land take shows a lack of understanding of the scale of operations and magnitude of construction to achieve this proposal.

The second statement at a more detailed level understates the presence of Golden Plover. Since the Golden Plover are explicitly cited in the Special Protection Area (SPA), to suggest that they MAY use the study area during KEY periods is disingenuous.

We believe statements such as these are pre-judging the conclusion of any future report and are unacceptable in this context.

We note the term 'ornithological features' is used frequently instead of 'Birds'. We request that this term is no longer used: it is unnecessarily obtuse and we feel commodifies nature. We prefer plain English please.

The Ornithology Chapter fails to cross reference CEP's potential impacts on birds with the potential impacts on habitats/hydrology, although the two subjects are intimately linked. The birds are unable to exist unless their habitats including the peat hydrology are healthy.

Continuing the theme of the inaccurate habitat map presented at the non-statutory public consultation, this chapter continues to peddle the false premise about the lack of blanket bog on Walshaw Moor, stating in **6.3.6.** that vegetation consists "mainly of rotationally burned upland heath managed for Grouse with areas of blanket bog and rough grazing..."

Literature cited

We note that nesting dates of moorland birds in English, Welsh and Scottish uplands published by the British Trust for Ornithology (BTO) is not cited as reference material, and we request that this is referred to, and breeding dates noted. Other important documents which are not referred to include:

UK Biodiversity Framework

The Kunming-Montreal Global Biodiversity Framework

DEFRA's Irreplaceable Habitats Policy

Natural England: New Definitions of Favourable Status for Blanket Bog and Heathland

Surveys

1] **6.3.4** states that "a small area of land would be excluded in the NE of the turbines area and subsequently to include new areas that include access roads". It is not clear on the accompanying **figures 6.2 and 6.3** where the excluded area is.

2] None of the areas affected by proposed access roads and cable corridors are shown as areas where surveys are to be carried out. In particular this applies to peatland habitats affected by alternative routes A, B and C and potential cable corridors. These areas must be included within the survey, since the survey information would surely inform the selection of a preferred route. Parts of the wider Phase 2 SPA are within these search areas and birds would be affected by any proposed construction works within these areas.

We request that **Figure 6.3** is updated to show this information, and the full extent of surveys to be undertaken in 2025 and 2026 is fully noted.

National Policy Statement EN-5 states that "the applicant should consider and address routing and avoidance/ minimisation on environmental impacts of both on shore and offshore at an early stage in the development process"

We are concerned that, given the timetable of the works, set out in the programme document indicating that the Environmental Statement will be published in September 2026, there will be insufficient time to carry out this important survey work.

3] Baseline surveys

6.3.13 Field Surveys Overview

In their response to the 2023 Scoping Report (SR) Upper Calderdale Wildlife Network requested that a winter roost raptor survey was carried out. This does not appear to have been scheduled in and we again request that this is carried out, to demonstrate the importance of this area of moorland for winter roosting for these birds specifically. **6.3.65** notes the importance of the area for winter roost for Hen Harrier, but we can see no other formal survey of these or other raptors.

UCWN also requested that a control site be set up to aid future monitoring, and this was also requested by the Royal Society for the Protection of Birds (RSPB). We cannot find any details of such monitoring in the SR.

We do not accept that land access restrictions are a major hurdle to achieving additional winter roost information, or control monitoring sites, since the Walshaw Estate owns most of the land surrounding the turbine area where such surveys would be done. This is all comparable peatland that forms part of the wider Phase 2 SPA. We consider this to be an important omission from the scoping report that must be addressed.

Given that this proposal is targeted at a site of national and international importance for birds, we consider it imperative that surveys are carried out to the highest standard to ensure a thorough baseline of the bird population living, breeding, feeding and roosting on and crossing Walshaw Moor is completely understood.

While we endorse the need for post construction monitoring as set out in **Table 6.2**, this does not provide equivalent data that comparable control and reference sites would.

There are no surveys cited that consider the effects of lighting on birds and particularly passage birds. It is known that artificial lighting can have a detrimental and disruptive effect on bird migration as well as local breeding populations of birds and this should be fully considered.

Passage Birds

The SR considers some passage birds which we note would be picked up in the vantage point (VP) surveys in spring and autumn. However, we are not satisfied that this would pick up high-level migrants of species such as Swift, particularly as surveys of these birds are planned in March and October, with Swift passage taking place around May and July -August. We realise that such high-altitude surveys would be challenging, however placing 200 m turbines on the highest land in the south Pennines is unprecedented, and could have a detrimental impact on Swift and other migratory species that follow the high ground of the Pennine Chain. These vulnerable, declining, red-listed birds are understood to be susceptible to the low frequency infrasound emitted by wind turbines which can lead to disorientation.

We believe this is an under researched area which could have unintended consequences for bird populations, far beyond the proposed wind turbine site.

Receptors identified

6.3.6 states 'Habitats within the Turbine Area consist mainly of rotationally burned upland heath managed for grouse with areas of blanket bog and rough grazing (predominantly for sheep).' This is wrong and doesn't even match with the UK Habitat Classification Distribution map shown in chapter 7, which indicates that the largest part of the turbine area is blanket bog and degraded blanket bog, with upland heathland shown as a smaller proportion. We still consider that this map is inaccurate since we consider much of the area classified as upland heath is in fact degraded blanket bog. This is supported not only by the Magic Map application, the governments own Priority Habitats map but also by the initial 2023 Habitats map produced by Natural Power which shows a large area to the East of the reservoirs as blanket bog – on the latest map this is shown as upland dry heath.

We will expand further on this factor because it is a crucial part of understanding the importance of the peatlands on Walshaw Moor, which throughout this SR are under-emphasised and wrongly defined. Both the active and damaged areas of blanket bog are recognised by the Joint Nature Conservation Committee citation for the SAC, which includes Walshaw Moor, and these are classed as Annex 1 habitats. This is confirmed by Natural England who state that:

'All blanket bog is a Habitats Directive Annex 1 habitat, and active blanket bog is a priority habitat under the Directive... the UK Biodiversity Action Plan Priority Habitat "encompasses all areas of blanket bog supporting semi-natural blanket bog vegetation, whether or not it may be defined as 'active'.'

Blanket bog habitat, both active and degraded, is the reason why this area is so important for birds.

6.3.60 UCWN have extensive records of raptors using Walshaw Moor and can confirm that there are at least two further species of owl including Short Eared Owl and Long Eared Owl known to breed on the moor and which are not noted in the SR. **6.3.60** also fails to mention Merlin, which is one of the birds cited in the designation of the SPA because of the internationally important breeding populations of this bird. Tawny Owl, Hobby, and Marsh Harrier are other raptors that have been recorded within the turbine area.

Raptor breeding habitat is not confined to cloughs, gritstone escarpments and dilapidated buildings but also heather and bilberry and flat open sites.

Other species not noted in the scoping report which can be present within the turbine area in significant numbers are Greylag Geese and Pink-footed Geese, and also Little Ringed Plover, Green Sandpiper, and Common Sandpiper.

6.3.66 There are no target species listed in **6.3.16**. Can this be addressed?

Construction

6.4.4 states that the design of the turbine area has been adapted to minimise impacts. The design of the proposed development should take account of survey work yet to be completed, and we would expect the survey work to inform the design and turbine layout. If this is not the case, there seems little point in carrying out these surveys.

6.4.5 sets out the purpose of the outline Construction Management Plan and **6.4.7** states that construction work would avoid the peak nesting season. This is different to what we were told at the non-statutory consultation which was that construction would avoid the nesting season.

We have a number of concerns here:

- 1) The nesting season may change from year to year and April -May cessation in construction may not be appropriate every year.
- 2) The breeding season takes place over a much longer period than April to May, with some species arriving on the moor in February, and not leaving until July. There are many fledgling birds on the moor until late June. These birds are extremely vulnerable as they are too young to fly and we are concerned that these species would be seriously affected by proposed construction works.
- 3) We are concerned about the phrase 'wherever practicable' in relation to construction work avoiding the peak breeding season. What are the circumstances where there would be construction work carried out during April and May?
- 4) **6.4.8** refers to the nesting season, is this April -May as noted above, or does it extend to encompass the whole nesting season, we believe it should, as the young of Lapwing etc are still at a fledgling stage in late June.

6.4.9 refers to the use of handheld equipment. This seems like an inserted generic paragraph: surely while desirable for wildlife, the use of handheld equipment will not be practical for this scheme.

6.4.10 states that artificial light will be avoided 'wherever practicable.' On a site of this importance for wildlife there should surely be a ban on any works taking place when artificial light is required. Again, it would be useful to understand the parameters for when this would not be practical.

6.4.11 states that all putrescible and edible wasteful be stored and disposed of in a timely manner. This must be off site.

6.4.15 there is no mention of habitat restoration during the operational phase of the wind farm, yet a major justification for this project being acceptable on this highly protected blanket bog habitat has been the restoration that is proposed.

6.4.1 states that 'consideration will be paid to the opportunity to introduce environmental measures (and mitigation) that will help to avoid or reduce the potential for an adverse

significant effect to occur.' However, no time scale is given, and it is not clear if any environmental measures would take place during the construction phase.

Are we correct in assuming then that habitat restoration would not take place until the decommissioning stage?

We are also unsure of the intent of any proposed restoration, as removing the turbine structures and reinstating a veneer of peat like material over foundations and hard standings might result in the moor being returned to something like its prior appearance, but not its physical character.

Table 6.2 We endorse the RSPB's concern that not all VP surveys locations were located outside the Turbine Area, and are uncertain why there are access restrictions given that the Walshaw Estate owns the surrounding land.

Table 6.4 We do not agree with the premise that there is low potential for habitat loss and a limited scale of land take. Consequently, we do not consider it appropriate that all non-target bird species are screened out. Species that should be "common and widespread" such as Buzzard, Kestrel, Sparrowhawk, Raven, Wheatear, Whinchat and Stonechat are not necessarily as common as they should be and should not be scoped out.

At a detailed level, we note that no mention has been made of the potential effects of the Battery Energy Storage System (BESS) and its impacts on birds due to localised fragmentation of the habitats and loss of feeding and breeding areas, as we assume the BESS compound will be fenced off. It would be useful to know to what extent the selection of the BESS site will involve consideration of impact on the bird population.

Chapter 7 Biodiversity

Generally

1. We make an initial comment regarding the independence of this scoping report as we believe all sections should give unbiased and objective information. A major concern across a number of Chapters is the inaccuracy of the description of the moorland habitats, which under-represents blanket bog and over-emphasises areas of dry heath. This is the case in this chapter.

Using the best scientific evidence is a material planning consideration. The 2025 Draft National Policy Statement – Energy 3, para 2.12.148 says that ‘The Secretary of State should be satisfied that in the development of their proposal, the applicant has made appropriate, and extensive, use of ... up-to-date evidence from previous deployments and research results from scientific peer reviewed papers...’ ”

CEP acknowledged this requirement during the non-statutory consultation. In response to public concerns about significant errors and omissions in the Brochure’s baseline environmental information about Walshaw Moor, CEP emailed that “The Environmental Impact Assessment documentation will include references to external sources where relevant, including details of the relevant publications.”

2. We are also concerned about the failure to cross reference information between this chapter, the previous chapter on ornithology, and the chapter on peat hydrology, which are all fundamentally linked. (For example, the ‘relevant baseline conditions’ section in the Hydrology Chapter ignores the presence of blanket bog in the Turbine Area and offsite areas. More info in our response to Chapter 8.)

In the Ornithology chapter, **Table 6.4** refers to “the low potential for significant habitat loss, the limited scale of land take...”

This fails to accept that Calderdale Energy Park would be the largest wind farm in England covering 9 square miles and incorporating 41 x 200 m high turbines and their associated foundations and infrastructure on one of the most nature-protected areas of land in England. To state then that there is a low potential for habitat loss and limited scale of land take shows a lack of understanding of the scale of operations and magnitude of construction to achieve this proposal.

It also fails to recognise hydrological and ecological connections across the protected blanket bog habitat and interrelated mosaic of peatland habitats, which mean that the highly likely adverse effects on the integrity of the protected SAC and SPA would extend far beyond the infrastructure footprint. Table 6.4 misleadingly implies that such adverse impacts would only result from the actual infrastructure “land take”.

We believe statements such as these are prejudging the conclusion of any future report and are unacceptable in this context.

There appears to have been no collaboration between the authors of this chapter and the landscape and visual SR section although they both refer to mitigation. As restoration of the degraded areas of blanket bog is a key part of the Catchment Restoration Plan we would expect consistent and accurate information to be emerging about how this is planned.

The Biodiversity section doesn't talk about mitigation until decommissioning, **para 7.5.27**: "this plan will aim to return the Proposed Development to a condition that aligns with the ecological and ornithological character and conservation objectives of the.... SPA." While the landscape and visual SR section talks about planting grasses along side tracks and tree planting.

Any thought of a comprehensive plan for restoration of areas of degraded blanket bog NOW seems to be ignored, although it is a key reason for Walshaw Moor's designation as a Strategic Area of Conservation.

3. There are some significant typos. **Para 7.4.20** refers to survey sites on rivers in Scotland apparently, while **paras 7.5.14** and **7.5.15** are almost identical, this undermines the readers confidence in this being an accurate and professional report.
4. Relatedly, the Peatland Alliance of Ban the Burn, Forus Tree and Upper Calderdale Wildlife Network sent Calderdale Council Planning Department a Statement of Concerns about significant errors and omissions in the non-statutory consultation Brochure.

We followed online Planning Inspectorate Guidance that this was the appropriate course of action if the developer didn't acknowledge complaints about their public consultation/s. The Statement is downloadable here. https://saverestorewalshawmoor.wordpress.com/wp-content/uploads/2025/08/concerns-cep-non-stat-consultation_calderdale-council-planning-department_final-with-appendices.pdf

It informs our response in 6.5 and 6.6, below.

5. Literature

Para 7.1.1 policy and legislative context omits:

- The UK Biodiversity Framework 2024, which sets out the shared objectives and processes for co-operation and collaboration between the four countries of the UK, in order to meet the UK's international biodiversity commitments.
- The Kunming-Montreal Global Biodiversity Framework which requires protections for nature in the planning system to be maintained with the goal of providing "effective

conservation and management” of at least 30% of the world’s lands, inland waters, coastal areas and oceans by 2030.

- Defra's Irreplaceable Habitats Policy which requires developers to “Think about irreplaceable habitat at the design and planning stage, and look at how to avoid any adverse impacts.”
- Natural England's New Definitions of Favourable Conservation Status for Blanket Bog and Heathland.

6. Surveys

6.1 Search areas for the cable corridor and access routes

Further baseline data

Para 7.3.3 states that to date surveys have only been carried out within the turbine area.

Para 7.7. 15 states that further surveys are planned for potential cable routes and access routes and that once preferred designs and routes are agreed with the design team, surveys will be agreed with the design team based on the nature of the habitats and locations they are crossing.

Chapter 7 indicates that all the work needed to identify the preferred options for the offsite cable corridor and access routes, and then generate provisional habitat survey results for them will be done into time for inclusion in the Preliminary Environmental Impact Report. This is due to be produced in January 2026.

Desk study, baseline survey and assessment are to be completed in the current design’s broad search areas for the cable corridor and access routes (**para 7.7.19**)

Para **7.7.19** says the preferred options will then determine the extent and scope of any further works.

7.4.12 says Habitat surveys of the Cable Corridor Search Areas and Site Access Search Areas will be completed following identification of the preferred options.

This is repeated in **para 7.4.25**. We are highly critical of this approach as we consider it imperative that some form of habitat survey informs the selection of the preferred routes for cable corridors and access routes. Should we assume that the selection of a preferred route will not be influenced in any way by the habitats that are potentially crossed.

This reinforces our opinion that these surveys are little more than a token gesture. Furthermore, National Policy Statement EN-5 states that "the applicant should consider and address routing and avoidance/ minimisation on environmental impacts of both on shore and offshore at an early stage in the development process"

We are also concerned that given the timetable of the works, set out in the programme document indicating that the Environmental Statement will be published in September 2026, that there will be sufficient time available to carry out important survey work as survey timings are very specific for species including bats.

It is anticipated that that provisional results will be available for inclusion in the Preliminary Environmental Impact Report (PEIR) in January 2026.

UCWN object strongly that the determination of the preferred route will be based solely on commercial, logistical and economic factors etc, with no consideration of the ecology and how potential new land uses, for cabling and access in the wider area might affect connectivity for wildlife, potential fragmentation of habitats and disturbance to the wider environment. We consider this is a major omission that should be time tabled in, and fully described in any decision making.

If this is not the case, the surveys proposed can only be used to inform small changes, within the preferred route and not be used to avoid areas of greatest value for wildlife, nor will appropriate information be available to consultees to make an informed decision about the scheme.

Table 7.15 implies that these surveys will only be carried 'where necessary' within cable corridor and site access search areas, despite extensive parts of these corridors and areas lying within zones of international importance for wildlife.

The long-term impacts of these installations need to be fully understood as we understand these elements will remain permanently in situ.

There will be long term impacts arising from decommissioning that are not mentioned: habitats will be reinstated over areas of foundations for example where the hydrology has been completely altered, and it will not be possible to reinstate these habitats to their original status. This appears not to be understood.

Judging from info in paras 7.3.3, 7.7.19 and 7.4.12, habitat surveys will be carried out in the autumn. In a consultation meeting on 10th July 2025 Natural England stated a preference for NVC survey where there are botanically diverse habitats. (Para 7.5.33 Table 7-11.

These are best carried out in Spring and Summer, not autumn. So the Scoping Report needs to say how confident the Applicant can be in the quality of the habitat survey results for the offsite cable corridor and access routes.

7.4.9 says that the SAC and SPA are both within the Cable Corridor Search Area and Site Access Search Area, as well as the Turbine Area, information for a Habitat Regulations Assessment (HRA) will be prepared as a "Shadow HRA".

The SSSI impact area (MAGIC) is not cited in **Table 7.3** with particular reference to the potential cable corridor and access routes.

6.2. Ban the Burn disagree with the assumption in **para 7.6.9** that “there will be no operational effects associated with the cable connection or selected access routes once constructed. The current proposals assume a buried cable which will remain in situ for the duration of the operational period.”

Chapter 8 Table 8-6 scopes out cabling from hydrology matters environmental assessment. Ban the Burn’s response to Chapter 8 is that we disagree with scoping out Cabling. Our reasons are:

- During operation, cable trenches across peatland can alter the hydrology in the same way as tracks. The unintended drainage effect of cabling can disrupt the connectivity of the blanket bog hydrology in the same way as tracks do, particularly on thin peat.
- 10. The Scoping Report doesn’t say what is the heat output of the cables, or what the impact is of heat on peat. It needs to.
- 11. Some of the potential offsite cabling route to Rochdale is across the same South Pennine Moors Special Area of Conservation as the windfarm site itself, and so surely needs to be subject to the shadow Habitats Regulations Assessment.

This needs to be scoped into the EIA/ Shadow HRA.

6.3 Amphibians and Bats

Table 7.2 does not include an amphibians survey, apart from Great Crested Newt, although amphibians are mentioned in **para 7.5.22** and table **7.13**. Nor are they mentioned in the list of receptors in **para 7.4.22**.

Table 7.2 notes that bats will be surveyed within the turbine area, however the SNC guidance is that bat surveys need to also cover flight paths and habitats in the surrounding landscape, because bats may commute offsite to foraging habitat. Since there is a large and diverse population of bats in and around Hardcastle Crag, additional survey work may need to be completed to cover any bats moving between Walshaw Moor and Hardcastle Crag.

CMBC also requested the use of static detectors at height. While we recognise this is difficult on open areas, we ask that this is explored within woodland areas in the turbine area, where this might be more easily achieved.

6.5 Habitats - Baseline surveys of the Turbine Area from 2023 throughout 2024 and 2025

Para 7.3.6 refers to Turbine Area baseline surveys that were started in 2023 and have been ongoing throughout 2024 and 2025. It says the provisional survey results were used to inform

the Scoping Report, and will form the baseline data set for the Development Consent Order (DCO) application.

Para 7.3.6 Table 7-2: Summary of baseline habitats surveys of Walshaw Moor Estate completed to date:

- High-Level habitat walkover assessment, August and March 2023
- UK Habitat Classification and Condition Assessment. Condition assessments to support BNG calculations were completed alongside this. September– October 2024
- Modular (MoRPH) River Surveys August –September 2024
- National Vegetation Classification (NVC) Surveys, designed to provide detailed botanical information to enable identification of specific habitat types and inform impacts on sensitive habitats. September– October 2024

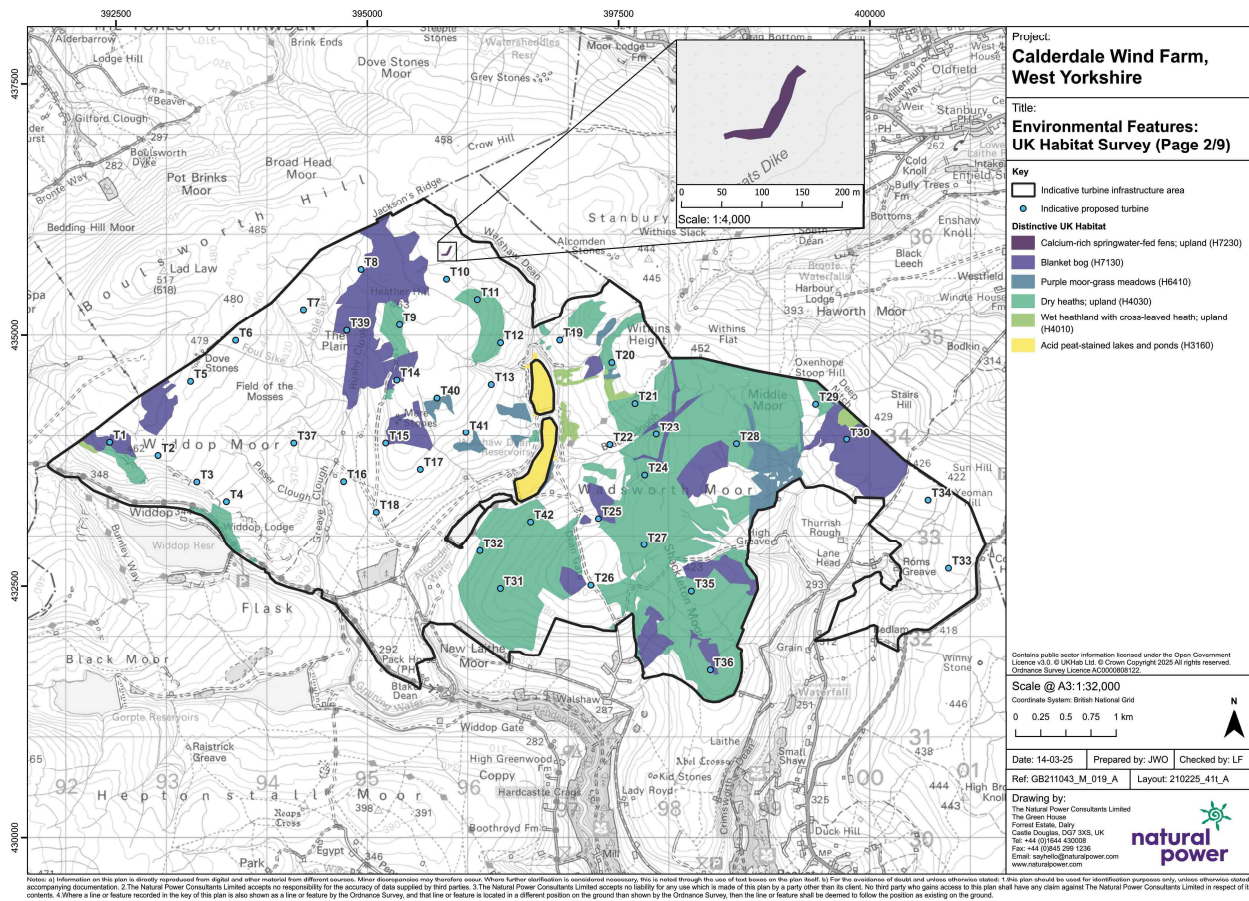
These UK Hab Classification and Condition Assessment Survey results were the basis of the inaccurate Habitats map in the non-statutory consultation Brochure. (6.6, below)

Para 7.3.6 omits that some of the “provisional” survey results were presented in the non-statutory consultation Brochure as the Walshaw Moor UK Habitats map. It was inaccurate and misleading. Corrections were not made and, as mentioned in Para 2 above, the Peatland Alliance sent Calderdale Council a Statement of Concerns – downloadable here.

https://saverestorewalshawmoor.wordpress.com/wp-content/uploads/2025/08/concerns-cep-non-stat-consultation_calderdale-council-planning-department_final-with-appendices.pdf

Para 7.5.33, Table 7.11 says that since the Project Team’s introductory meeting with Natural England on 20.5.2025 and receipt of Natural England’s written recommendations on 1.7.2025, they are now following Natural England’s advice about baseline survey data collection, assessment, and delivery of mitigation/compensation now meets Natural England’s expectations.

6.6 Habitats - section 7.4 Relevant baseline conditions



We have noticed that the Scoping Report Fig 7.5: UK Habitat map has corrected the error in the non-statutory consultation Brochure's UK Habitat map, screenshot below.

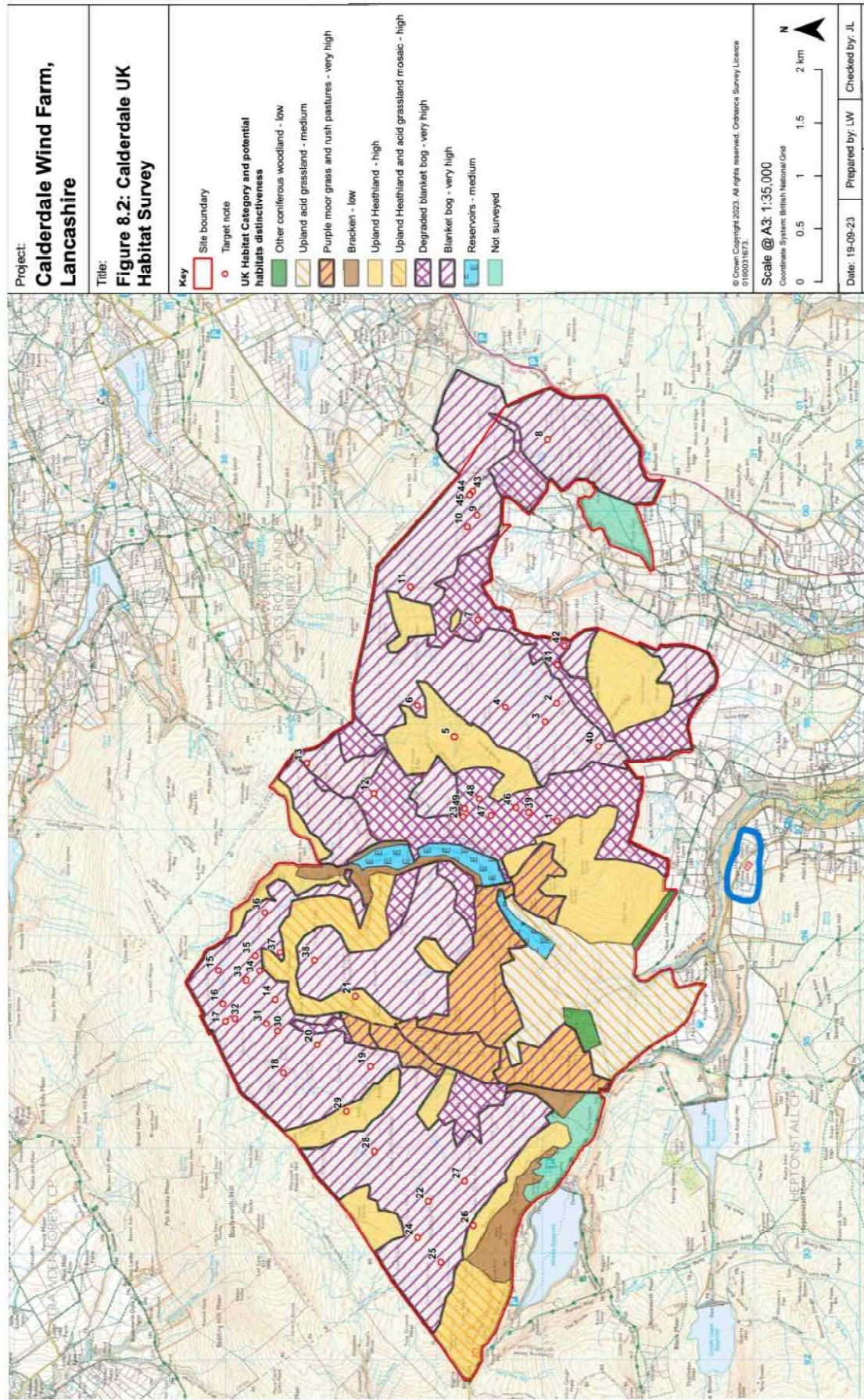
Figure 7-5: UK Habitat Classification Distribution



The omission of just about all of Walshaw Moor's blanket bog from its non-statutory consultation Brochure UK habitats map (except the UKHab classification of H7130 blanket bog), misleadingly made it look as if a large area of the moor could support infrastructure construction, operation and maintenance without the likelihood of significant damage to the integrity of the Habitats Regulations-protected site.

Although the error in the non-statutory consultation Brochure UK Habitats map has been corrected in the Scoping Report Fig 7-5, the misleading impression created by the non-statutory consultation Brochure map seems to have spilled into the Scoping Report's many underrepresentations of the extent of the "Turbine Area's" protected blanket bog. This misleading feature of the Scoping Report undermines its independence and objectivity.

The Joint Nature Conservation Committee citation for South Pennine Moors Special Area of Conservation explicitly states that most of the area's blanket bog is botanically poor, but both active and damaged/degraded blanket bog are protected by the South Pennine Moors Special Area of Conservation that includes Walshaw Moor, and as such are classed as Annex 1 habitats.



The actual Purple Moor Grass and Rush Pasture shown on the Habitat Network map is shown in the blue outline, which we've added, and is outside the proposed Calderdale Wind Farm site. The eastern part of what the Calderdale Wind Farm map shows as Purple Moor Grass and Rush Pasture is shown on the wYES Calderdale SAC Map as mainly European Dry Heath H9 Calluna vulgaris - Eriophorum vaginatum with a small area of Molinia Wet Heath, and the western part a mix of blanket bog M20, M17, M18 and M25 and Molinia Wet Heath¹

The Standard Data Form for the South Pennine Moors Special Area of Conservation clarifies that blanket bog is one of the Annex 1 habitat types that can have a non-priority as well as a priority form (ie active and botanically poor).

Natural England confirmed this in its response to EIR2023/00901, 07 December 2023: no EIR2023/00901,

“All blanket bog is a Habitats Directive Annex 1 habitat, and active blanket bog is a priority habitat under the Directive... the UK Biodiversity Action Plan Priority Habitat “encompasses all areas of blanket bog supporting semi-natural blanket bog vegetation, whether or not it may be defined as ‘active’.”

Natural England’s Freedom of Information response added that this is now a habitat of principal importance in England under the Natural Environment and Rural of 25 34 Communities Act (2006) and that, “Blanket bog has been assessed as Near Threatened in the European Red List of Habitats...”

The non-statutory consultation Brochure’s presentation of such misleading information about the blanket bog was a key aspect of our complaint to the Calderdale Energy Park CEO, and then of our Statement of Concerns to Calderdale Council Planning Department.

Now that the non-statutory consultation Brochure habitats map has finally been corrected in Fig 7-5, **Para 7.4.13** says the UK Habitat Classification survey results in **Table 7-8** show that approximately 50% of the 2,262 ha Turbine Area comprises of blanket bog in varying condition. Of the 1,110.19 ha of blanket bog habitat recorded, 134.65 ha was f1a5 Blanket bog (H7130) in good condition, whilst 878.05 ha comprises fla6 degraded blanket bog in varying condition.

Para 7.4.14 states that “after blanket bog, the most common habitat is dry heath which accounts for 544 ha (24.57%) of the turbine area including 513.54 ha of h1b5 dry heaths; upland heath (H4030)” which was in varying condition (225.54ha in good condition and 243.28 ha in poor condition).”

So even in this Scoping Report over 50% of the site is considered to be blanket bog, and we are confident that their large sections of dry heath are in fact degraded blanket bog.

Para 7.4.10 (habitats) doesn’t mention flushes, rocky outcrops and woodland, although it does mention that at the time of survey, bracken and exposed peat could be seen in some areas.

We think its description of the Turbine Area as comprising “typical upland habitats including areas of blanket bog, dry and wet heath, acidic and neutral grasslands” misrepresents and downplays Walshaw Moor Estate’s international conservation significance.

This is a feature of the Scoping Report. Every Chapter of the Scoping Report should acknowledge the international significance of the plant communities and habitats which are designated in the SSSI and SAC, and the inclusion of blanket bog as a priority Annex 1 habitat. This is a defining feature of Walshaw Moor Estate.

As it stands, the designated SAC and SSSI habitats are only obscurely listed in **Table 7-3**.

We wish the Scoping Report would stop referring to Walshaw Moor Estate as the “Turbine Area.” This has the effect of stripping the moor of its identity and portraying it as a generic industrial function.

A lot of the problem with the Scoping Report is that it has no understanding of Walshaw Moor as a place, so it makes basic errors in its iterations of the Proposed Development.

We think the refusal to name Walshaw Moor and the insistence on referring to it generically as ‘the Turbine Area’ contributes to this ignorance of local knowledge and understanding. In our response to various Chapters, Ban the Burn has commented on Applicant errors in proposing design features of the Proposed Development, that are the result of lack of local knowledge.

This is potentially catastrophic, as design iterations based on survey data have to inform and be informed by minimum/maximum design parameters for the Proposed Development. This is required by the Scoping Report’s use of the Rochdale Envelope approach to Environmental Impact Assessment.

Getting the design wrong because the Applicant treats Walshaw Moor like a generic industrial estate, rather than a living entity, with its own distinct features, would almost certainly be a climate and nature disaster.

Paras 7.5.14 and 7.4 15, which are almost identical state that the oCEMP, oPMP and PWMS will be tailored to the ecology of the proposed development, and that biodiversity protection zones and areas will be identified. Are these a special designations that we have not heard about? We understood that the existing SPA, SAC and SSSI designations are recognised as affording protection internationally and nationally, is a further layer required?

(We think it may be the case that biodiversity protection zones and areas may be areas where construction activities are excluded from unless working under a task specific method statement, but the Scoping Report needs to explain this. It needs a glossary.)

Consideration has been given to the importance of hydrological connectivity across the moorland, not only to the mosaic of Peatland habitats but also the internationally important assemblage of CHEGD fungi, which Calderdale is particularly important for. We know that the hydrological influence of the peatlands and blanket bog has an important impact on the fungi which thrive on grasslands below the moorland but sometimes outside the turbine area. Consequently impact on the hydrology of the moorlands will have an impact on these important areas too. This must be explored fully in the ES.

7. Scope of assessment - potential ecological features

We have commented above (6.6) that the non-statutory consultation Brochure UK Habitats Map showed blanket bog reduced to a few scattered areas of Walshaw Moor Estate.

We now wonder if this underrepresentation of blanket bog is possibly explained somewhat by **para 7.6.1 and para 7.6.2.**

Para 7.6.1 says “The starting point for defining which ecological features will be taken forward to the detailed assessment stage will be to use the baseline data collected through the desk study and field surveys to determine which of the identified ecological features are ‘important’ at the level of the project. Following CIEEM (2018, version 1.3) guidance, the importance of ecological features will be determined using a geographic scale and described in relation to UK legislation and policy, and with regard to the extent of habitat or size of population that may be affected by the Proposed Development.”

Para 7.6.2 says the importance of ecological features can therefore differ from that which will be conferred solely by legislative protection or identification as a conservation notable species.

Upper Calderdale Wildlife Network has commented on this in their response to the Ornithology chapter.

We think it’s the same order of daftness as saying don’t pick up a bit of litter because there’s so much else lying around.

Table 7.12 sets out the definition of importance for Ecological Features. While the SAC, SPA features are noted as being of international importance, and the SSSI status of national importance, however, there is no mention of the importance of this site towards meeting UK obligations as part of the Kunming-Montreal Global Biodiversity Framework.

This requires protections for nature in the planning system to be maintained with the goal of providing "effective conservation and management" of at least 30% of the world's lands, inland waters, coastal areas and oceans by 2030. It is not possible for the UK to meet its international obligations if sites such as Walshaw Moor are irreparably damaged.

Para 7.6.11 Table 7-13 gives no detail whatsoever of the construction process or operations. The section Operation of Wind Turbines table 7-13 cites collision with turbine blades as a hazard for bats but fails to mention barotrauma.

Para 7.6.11 Table 7-13 recognises loss of ecological connectivity through severance of habitats resulting in fragmentation (already commented on above)

The scoped in likely significant effects relating to biodiversity in Walshaw Moor Estate include:

- Degradation and/ or loss of habitat (including irreplaceable habitats)
- Loss of ecological connectivity through severance of habitats resulting in fragmentation.
- Changes to local hydrology resulting in changes or loss of surrounding habitats with subsequent effects on fauna that they support.
- The introduction of toxic pollutants or sediments into the environment resulting in changes, loss or damage to terrestrial or freshwater environments and the species/species groups they support.
- Emissions from plant and delivery traffic during the construction phases could lead to habitat change through nutrient deposition, acidification and direct toxicity.
- Permanent changes to the landscape from the presence and operation of wind turbines which may result indirect habitat loss with species being displaced by turbines and associated infrastructure (to include cable corridors and off-site access routes).

A lot of these likely significant effects are impacts on peat hydrology, but Chapter 8 ignores them, as a consequence of completely ignoring blanket bog and biodiversity.

This is jaw-dropping, given that the surface vegetation of blanket bog is crucial in both slowing the flow and in peat formation.

8. Blanket bog restoration

References are scattered throughout Chapter 7 and other Chapters, to blanket bog restoration. Some seem mutually contradictory. The Scoping Report is muddled and confusing about the topic.

Could the lack of coherent blanket bog restoration measures be because the Applicant presumes consent for the Proposed Development on the basis of a Habitats Regulation Derogation, due to its status as Critical National Priority Infrastructure? So they see no reason to bother about jumping through that hoop? Or is that question too cynical?

8.1 Chapter 7 of the Scoping Report mentions the aim of identifying peatland restoration opportunities to improve the quality of the peatland undisturbed by the Proposed Development, in order to compensate for potential impacts on peat hydrology and habitat.

But Table 7 - 11 reports Natural England's statement that that actions to restore areas of blanket bog in 'unfavourable declining' condition won't be considered compensation, as the objectives of the SAC/SPA include a commitment to restore the extent and condition of habitats to a favourable condition.

Aren't these two preceding statements incompatible?

8.2 Catchment Restoration Plan, **Para 7.4.7** states that in accordance with the 2017-2042 Walshaw Moor Estate Catchment Restoration Plan (CRP) 1,000 ha of blanket bog were to be restored over the term of this agreement, and up to 100 HA per annum will be restored.”.

Para 7.4.8 states that Ongoing monitoring has not yet been provided but is subject to ongoing discussion with Natural England and the Walshaw Moor Estate." And it is of great concern to us that this scoping report is based on a complete lack of monitoring from Natural England since the commencement of the Catchment Restoration Plan.

Para 4.3.16 states that the Turbine Area is currently managed, and will continue to be managed until 2042, under the terms of the Natural England Walshaw Catchment Restoration Plan (2017-2042).

1) Will there be an assessment as part of the scoping process to determine how much of this has been carried out and how successful this has been given that monitoring has not been carried out by NE since 2017 (**Para 7.4.8**) - and as they have told us in response to a set of FOI requests.

2) How does the intent to continue the process of the habitat restoration and management on Walshaw Moor as outlined in the CRP until 2042 sit with the implication in para **7.5.25** that the intent is to continue restoration at the decommissioning stage?

7.3 Chapter 6 (Ornithology) **Para 6.4.15** is about a comprehensive post-decommissioning habitat reinstatement plan, stating "Upon cessation of operations, the majority of infrastructure associated with the wind farm will be removed." But the Scoping Report says the turbine foundations and access roads won't be removed, nor will areas of hard standing as removal will increase the risk of damage to habitats (**7.5.27**), so this isn't exactly true.

- 1) How is that going to affect the stated aim that "Where feasible, restoration efforts will seek not only to restore but to enhance the quality of habitats to support and potentially improve condition for the key breeding species of the SPA/SSSI"?
- 2) To what extent would it not be feasible?
- 3) And how would that affect the integrity of the SAC/SPA?

Para 7.5 27 states what elements of the scheme might be left in situ on completion of the project. The ES must give a clear assessment of the impact of leaving structures in place permanently and state precisely what would be left in place and particularly how this may affect the hydrology of the remaining peatland.

7.4 **Para 7.5.28 Gibberish in Table 7_10** states Initial consultation with Natural England has indicated that an additionality in respect of compensation or BNG will need to be additional actions which are not described in the Catchment Restoration Plan and will need to be in addition to actions which will be considered "normal practice" under the objectives of the designated sites.

So, translated, it seems that Restoration will be:

- a) "normal practice" for SAC
- b) Catchment Restoration Plan measures

c) Compensation or BNG on top of both those things

The Scoping Report needs to clarify if that is the case, and also clarify what normal restoration measures are for the SAC.

7.5 Please explain how the Proposed Development will combine offsite compensation measures, and onsite opportunities for mitigating, restoring and where possible, enhancing biodiversity on the moor that will retain water and restore designated bog habitat. **(Para 1.1.3)**

What advice has Natural England given so far in Consultation meetings about off-site compensation measures to compensate for the loss of bog habitat; and the approach to mitigation, compensation, restoration and enhancement? **(Para 5.13.1)**

7.6 What does this mean? “**7.5.20** To mitigate and likely compensate for the loss of habitats. Areas of habitat enhancement or restoration will be identified. Due to the sensitive nature of the habitats within the Site, a bespoke strategy for the delivery of habitat enhancement or restoration will be required”

What kind of bespoke strategy?

With reference to the mitigation and compensation for the loss of habitats, UCWN want to stress that irreplaceable habitats such as blanket bog are not possible to replace in any meaningful time scale. Consequently all loss of habitats would need to be minimised otherwise the integrity of the entire peatland across the turbine area would be at risk.

Ban the Burn thinks the site is so inappropriate it should not be used for Calderdale Energy Park (Our reasons are in our response to Chapter 4)

And how does **para 7.5.20** sit with Natural England’s statement in **Table 7 - 11**, that actions to restore areas of blanket bog in ‘unfavourable declining’ condition won’t be considered compensation, as the objectives of the SAC/SPA include a commitment to restore the extent and condition of habitats to a favourable condition?

Chapter 8 Para 8.3.24 says “In the west of the Turbine Area, extensive natural gully networks have eroded peat and focus drainage into the valley floors. In the centre, north and east of the Turbine Area, extensive artificial drainage networks (moor drains or ‘grips’) have the same effect. Both sets of features have been subject to a degree of restoration to slow water flows under the Walshaw Moor Estate Catchment Restoration Plan (‘WMECRP’, 2017-2042).”

Ban the Burn has commented in our response to Chapter 8 that Natural England has admitted in response to a set of Freedom of Information requests, that as of February 2024 they had not monitored the Catchment Restoration Plan.

Since the Catchment Restoration Plan was set up, Ban the Burn and Upper Calderdale Wildlife Network have observed new tracks and grouse butts, apparently unconsented, each with a 50m buffer for drainage. As Natural England hasn't been monitoring the Catchment Restoration Plan, presumably these drainage features are not on its records, although Ban the Burn and Upper Calderdale Wildlife Network sent detailed documentary evidence of them.

9. Impact of lighting during construction and operation

The surveys need to take account of the impact of permanently lighting the turbine towers during the operational phase.

There is also a need to consider the effects of night work to pour the turbine foundations. Chapter 5 **para 5.14.6** says Works are not anticipated to be required at night.

Ban the Burn comments on **Chapter 5, Para 5.2.2** that concrete batching will be necessary on site for the reinforced concrete wind turbine foundations. We think it is nonsense for para 5.2.2 to say it isn't known at this stage whether concrete batching will be required onsite.

You cannot batch off-site concrete and deliver it in trucks for the volumes involved which are about 1000 cubic metres per base. A concrete truck supplies only 6 cubic metres, so 167 trucks/turbine base, x 41. It is a continuous process from start to finish which will involve night shifts to pour a base like this, so it has to be site batched as there is no other way of doing it.

The potential impacts on biodiversity resulting from the concrete batching process, including from the abstraction of water and discharge of wastewater, will need to be considered in the ES.

Para 7.15.8 states that during construction a sensitive lighting strategy will be employed to avoid unnecessary light pollution minimising the impact of lighting on sensitive species. However **section 5.14** suggests that some operations including turbine movements would be carried out over a 24 hour period to accommodate transport to site avoiding major disruption to local transport networks, so it is vital that this area is fully explored as the implication is that there would be frequent times when lighting would be necessary.

10. The impact of the BESS and the installation of an area of fenced of hard paved industrial zone within the moorland has not been addressed in this chapter of the scoping report. Installation of security fencing and water storage bunds and changes to the landform to accommodate the specific requirements of the BESS have not been considered. This could include:

- Fragmentation of habitats caused by fencing which is not wildlife permeable
- Creation of hard-standings and new buildings which will destroy habitat which will destroy habitat
- Noise, lighting and disturbance associated with operation and maintenance of BESS

- Fire risk to vulnerable peatlands

11.**Para 7.5.21** notes the need for regular attendance on site during the operational period, the oOEMP must take account of the sensitivities of many of the bird and animal species to disturbance, particularly during the breeding season, and timing of maintenance works needs to consider this.

Table 7.10

CMBC notes that assessments should be continued beyond the site boundary, but it is not explicitly stated that this will happen. Since blanket bog is a mosaic of interconnected habitats, there will be effects felt beyond the extent of the turbine area, so it is vital that any assessment extends into these areas.

PB 22.9.25

JS 25.9.2025

Chapter 8 – Hydrology, Hydrogeology, Geology and Peat

Introduction

For someone living in Hebden Bridge, the main concern about the Hydrology and Peat Chapter is how the Applicant is going to assess and mitigate the flood risk impacts of the Proposed Development to Hebden Bridge.

We hunted for this information, but only found a few snippets.

Table 8.5 'Consultation Undertaken to Date' reports that on 27th May 2025, Calderdale Energy Park held an initial meeting with the Environment Agency. Consultation will continue as the design evolves and in particular to agree the scope of assessment in relation to flood risk and the Water Framework Directive.

This is late in the day - a couple of weeks before the end of the non-statutory consultation, when the Project Team admitted to us that no hydrology survey had been carried out. (Please see information in the Peatland Alliance Statement of Concerns, downloadable here: https://saverestorewalshawmoor.wordpress.com/wp-content/uploads/2025/08/concerns-cep-non-stat-consultation_calderdale-council-planning-department_final-with-appendices.pdf)

Table 8.5 sounds as if the fact that they don't know what they're doing with the Proposed Development has got in the way of figuring out what damage it might do, and whether it's possible to prevent or reduce it.

But apparently they couldn't bring themselves to say so - or didn't think it mattered.

We think this is a massive failure to provide the clear, assessable information that is required as a matter of national policy. The relevant policy requirements are for:

- Local Planning Authorities and statutory advisors to have the best and most assessable information from applicants 2025 (Draft NPS EN-1 paras 4.2.13- 4.2.14)
- Applications to be clear and accessible to both the public and decision makers (2025 Draft NPS EN-1 para 4.2.13). ((Info in our response to Chapter 2.)

It is clearly a problem that to date the minimum and maximum design parameters for the Proposed Development don't exist. These are necessary in order to work out its worst-case hydrological impact assessment on Hebden Water. It has to be worst case when using the 'Rochdale Envelope' approach. Our response to that is mostly in Chapter 5).

The design of the Proposed Development is still uncertain (Scoping Report paragraph 13. 6.18), and they don't have the design parameters to base the worst-case environmental impact

assessment of flood risk and water quality risk on, that is required by their use of the “Rochdale Envelope” approach. (More info in our response to Chapters 3 and 5.)

The lack of information about proposals for assessing and mitigating the flood risk impacts of the Proposed Development to Hebden Bridge, seems to be because when the Scoping Report was written, that information didn’t exist. Chapter 8 should have just said so.

But apparently they couldn’t bring themselves to say so - or didn’t think it mattered.

1. Table 8.1 Study Areas could be relevant to proposals for assessing and mitigating the flood risk impacts of the Proposed Development to Hebden Bridge

It is hard to see if the Study Areas extend to the Hebden Bridge Flood Area. **Table 8-1** says a Flood Risk Study Area will only extend to a 1km buffer from the Turbine, Cable Corridor and Site Access Areas (when the latter have been decided).

That 1 km buffer does seem to include Hebden Water, which is located approximately 0.5km south from the nearest point of the Turbine Area. (4.3.9) But the actual Hebden Bridge Flood Area is well past the 1 km buffer. So the Flood Risk Study Area doesn’t seem to be about flood risk in Hebden Bridge. Just about flood risk on the Turbine Area.

Table 8.1 also says hydrological effects to waterways will be covered in Calderdale Energy Park's **Hydrology, Hydrogeology, Geology and Peat study area** which includes a 2km buffer around the Turbine, Cable Corridor and Site Access Areas (when the latter have been decided).

They assume that hydrological effects are likely to have attenuated at distances from the site infrastructure of 2km. But consideration of hydrological effects will extend to up to 5km downstream for a direct pathway through a watercourse - which is what Hebden Water is.

Chapter 8 needs to make it clear if they are going to study the hydrological effects of the Proposed Development to Hebden Water, as it flows through Hebden Bridge.

It seems that it should, because Table 8.1 says this is 3.5km from the Turbine Area, and so within the Hydrology, Hydrogeology, Geology and Peat study area.

And Chapter 4, para **4.3.9** describes direct watercourses from Walshaw Moor Estate into Hebden Bridge, **8.3.36** is about Hebden Water catchment and **8.3.39** is about the drainage of the Turbine Area by hundreds of kilometres of gullies formed by erosion and artificial drains cut to dry the land for grouse shooting, some of which have been blocked.

But it’s not clear what all this adds up to, and it needs clarifying.

It is clearly a problem that to date the minimum and maximum design parameters for the Proposed Development don't exist. These are necessary in order to work out its worst-case hydrological impact assessment on Hebden Water. It has to be worst case when using the 'Rochdale Envelope' approach. Our response to that is mostly in Chapter 5.

2. There is some information about flood risk in the Turbine Area, but Chapter 8 doesn't really join the dots to flood risk in the Hebden Bridge flood area.

This seems to be because of lack of local knowledge. Para 8.3.68 says baseline reviews have identified risks from surface water discharge rates, volume and quantity of runoff to Graining Water, Alcomden Water and Crimson (sic) Dean Beck, which all flow into Hebden Water.

But Chapter 8 doesn't cross reference Chapter 4, para 4.3.11 which identifies the large area of Waterfall Syke and Cross Dyke, west of Greave Clough, as at risk of surface water flooding.

And none of the Chapter 8 maps of the Walshaw Moor Estate watercourses and reservoirs, flood zones or areas at risk of surface water flooding seem to show the sluice and tunnel to Widdop Reservoir where most of the runoff in Greave Clough is sent, or the spillway that takes the overflow during rainstorms or snowmelt into Graining Water and so into Hebden Water and downstream to the Hebden Bridge flood area, which Chapter 8 doesn't mention.

3. A Flood Alleviation Scheme for Hebden Bridge has just been submitted to Calderdale Council for Planning Permission.

This is a collateral scheme to the Proposed Development but doesn't seem to be mentioned in Chapter 8.

During the Flood Alleviation Scheme public consultation earlier this year, the Environment Agency told us they have not taken into account the flood risk impacts of the windfarm when designing the Flood Alleviation Scheme, because it's entirely the developer's responsibility to ensure that the runoff from the site would be no greater than existing conditions. So there was no need for the Environment Agency to accommodate additional runoff in their scheme.

This principle is confirmed in one of the National Policy Statements for Energy:

"Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development." (Renewable energy national policy EN-1 para 5.8.12)

The Environment Agency also told us that under current planning rules, the developer has to carry out an Environmental Impact Assessment to show that the runoff from the site

would be no greater than before the wind farm was built. If it can't show this, it could be grounds for the Development Consent Order Application to fail.

If it fails to do this, unacceptable onshore flood risk creates an exception to the presumption of consent for Critical National Priority infrastructure projects like Calderdale Energy Park (EN-1 para 4.2.15).

Therefore, assessment and mitigation of the flood risk impacts of the Proposed Development to Hebden Bridge is a very high stakes aspect of the pre-application and application planning process.

National policy EN-1 para 4.2.15 was omitted from Chapter 2's overview of current and draft National Policy Statements on Energy. But we think the Scoping Report should make it widely known, in the interests of objectivity and independence, which we expect the Scoping Report to show.

Just how the developer would make sure the runoff from the site would be no greater than before the wind farm was built, is a moot point. For example, if they started attempting to construct attenuation ponds, this would involve large areas of peat disturbance and the peat would not be suitable for embankment construction in any case, all this could make the carbon impacts of the wind farm far worse.

So we have thought carefully about **Para 8.4.1, Table 8.2 and Table 8.3**. This is where Chapter 8 lays out its stall for environmental measures that seem relevant to preventing or mitigating increased flood risk in Hebden Bridge, and to preventing water pollution.

4. It is a big problem that the 'relevant baseline conditions' section ignores the presence of blanket bog in the Turbine Area (and offsite areas)

This significant omission from Chapter 8 means the environmental measures are basically misconceived.

The only mention of habitats in the Baseline Conditions section is **8.3.27**. This says peatland habitats are considered separately in Chapter 7: Biodiversity.

There is no mention of the extensive, priority blanket bog that is one of the main reasons for Walshaw Moor's designation as part of the South Pennine Moors SSSI and Special Area of Conservation. Nor of any other peatland habitats on Walshaw Moor.

How can Chapter 8 talk about Walshaw Moor, peat and hydrology and the likely significant adverse impacts of building, operating and decommissioning a windfarm on it, without talking about blanket bog?

Chapter 8 needs to say that blanket bog is not just the waterlogged accumulation of dead, partially decomposed vegetation, but the living layer of peat-forming plants that grows on and dies into it. If the moor is drained by intentional and unintentional drainage

resulting from infrastructure construction and operation, this can destroy the living surface layer of blanket bog and so stop the process of peat formation and carbon sequestration. In the process, the rough plants and microtopes are destroyed and with it their property of slowing the flow of run off in rainstorms, and so reducing peak flooding in Hebden Bridge.

It is devastating that judging from this chapter on peat and hydrology, the people responsible for assessing the hydrological impact of the Proposed Development seem to lack a basic grasp of the importance of blanket bog and the fact that it is the living surface layer of waterlogged peat, and responsible for building the lower layer of dead peat at a rate of around 1mm/year. So that peat, blanket bog and hydrology - not to mention its natural carbon capture and storage - all act together as one interdependent whole, not separately.

Another massive omission is that Walshaw Moor's designation as Special Area of Conservation and Special Protection Area means that the application will also have to include a shadow Habitats Regulations Assessment, as well as defining the scope of an environmental impact assessment of the likely damage to Walshaw Moor's hydrology, and therefore its protected peatland habitats and protected birds and other wildlife,

That is the basis of the ecosystem approach to environmental impact assessment, which defines functional units of analysis that reflect the spatial and temporal linkages of peatland elements through hydrological connections. Which the Scoping Report should be using.

5. The Scoping Report's problematic depth-based definition of peat as >0.3m is another reason why the Scoping Report's proposed environmental measures are ill-founded.

The **para 8.2.23** depth-based definition of peat excludes shallow peat of 0.3m, defining it as peaty soils. This seems to be based on the Soil Survey of England and Wales definition of peat as >0.3m. (8.2.22)

The depth-based definition of peat disregards Natural England's new Definitions of Favourable Conservation Status for Blanket Bog and Heathland, which clarify that blanket bog may occur on peats shallower than 0.3m, especially upon the periphery of blanket bog masses. Areas of shallower peat will often support blanket bog vegetation and should also be regarded as blanket bog and an integral part of the hydrological unit of the peat mass or body.

It also disregards the IUCN UK Peat Programme's June 2023 briefing, "Use of Peat Depth Criteria", which points out that using a simple depth threshold to define peat doesn't serve modern conservation and restoration requirements:

“[M]oss-generated surface roughness which slows flood peaks may require a moss carpet only a few centimetres thick; peat soils of only 30 cm are still sufficiently carbon-rich to exceed the emissions of many other habitats if destroyed, and peatland margins are often biodiversity hotspots because they represent transition zones between differing habitats.

“As a consequence, there is an increasingly widespread move away from minimum depth thresholds when defining peat and a move towards the use of % organic matter as a key indicator (Joosten et al., 2017). ...% organic matter is a standard measure for all soils, It also... helps to highlight, in a way that a depth threshold does not, the extraordinary quantity of carbon stored in peat soils when compared with other soil types.”

We believe that the Scoping Report’s failure to use Natural England’s definition of peat and to recognise the facts in IUCN UK Peat Programme’s “Use of Peat Depth Criteria” briefing, mean that its environmental measures, proposed during construction, operation and maintenance to minimise likely significant adverse hydrological effects, are based on misconceptions and would be largely ineffective. (Scoping Report Tables 8.2 and 8.3)

The implication of the Scoping Report’s depth-based definition is that the adverse environmental/hydrological impacts of the Proposed Development on shallow peaty soils would be less significant and more acceptable than on deep peat (>0.3m, according to Natural England’s new definition.). So it is ok to put the infrastructure on what are only “peaty soils”. This is an unjustified assumption.

We think every section of the Scoping Report should present unbiased and objective information. We do not believe that the Scoping Report’s depth-based definition of peat meets this standard.

Peat hydrology is central to the flood risk impacts of the Proposed Development, and to the water quality impacts in both Hebden Water and the Yorkshire Water reservoirs.

So the definition of peat used in the Scoping Report is crucial - but it does not align with Natural England’s definition of peat, or the IUCN UK Peat Programme’s.

6. Environmental Measures to reduce significant adverse hydrological impacts during construction

The Scoping Report’s omission of any reference to blanket bog in connection with peat hydrology and its related mis definition of peat as only consisting of what Natural England has defined as deep peat (>30cm) mean that it lacks the knowledge and understanding needed to analyse the likely effectiveness of its proposed environmental measures.

In addition, if they can't identify the likely hydrological adverse impacts, because the Proposed Development is still only indicative (**para 13.6.18**), how do they know what environmental measures can effectively prevent or reduce them?

Regardless, **Para 8.4.1** says that these environmental measures will form part of the Proposed Development. (We have responded to the Proposed Development chapter) The environmental measures will be based on the assessment of its likely significant adverse effects.

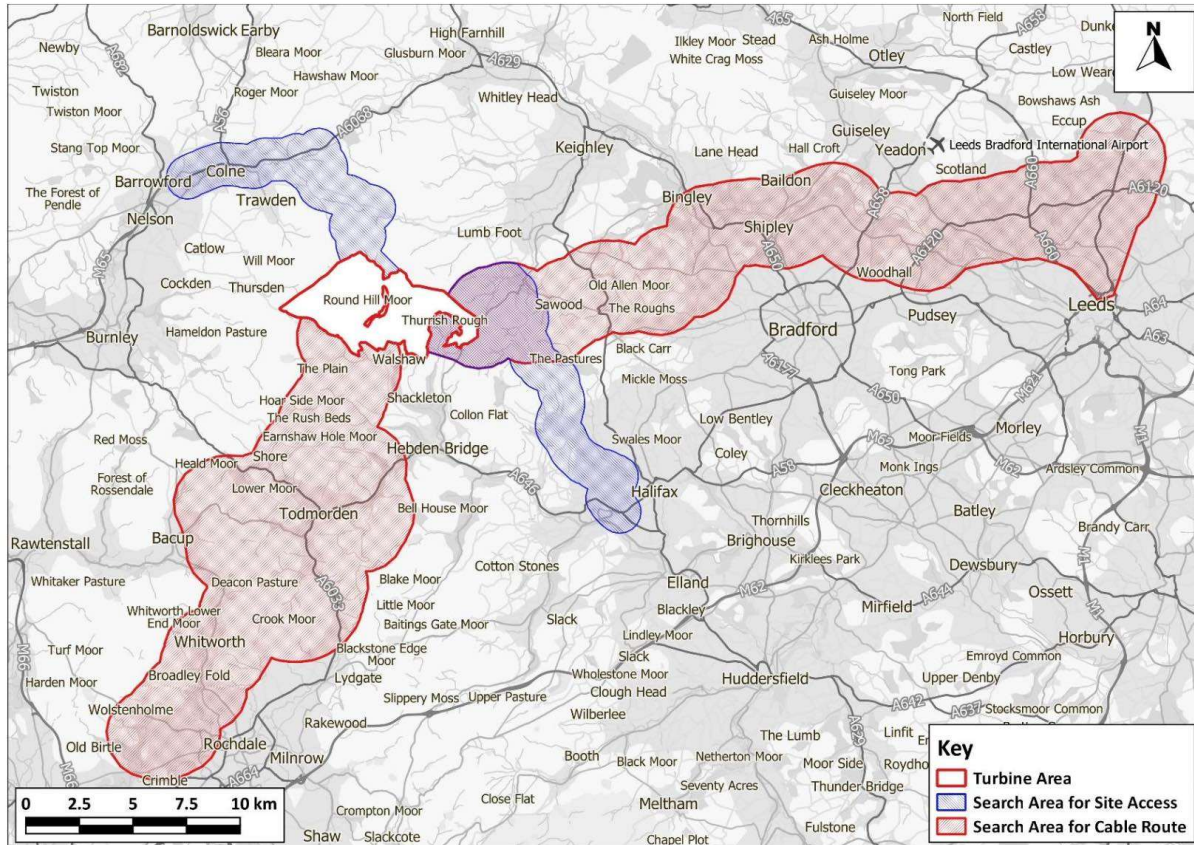
Para 8.4.1 needs to add that the Proposed Development currently lacks the design parameters needed to produce the worst-case environmental impact assessment required by Calderdale Energy Park's use of the 'Rochdale Envelope' Approach.

Our response to Chapter 8's information about likely significant adverse hydrological impacts during construction is in section 9 below. Our headline summary is that the baseline surveys and data that are needed to identify likely adverse impacts are confusingly presented and key information is missing.

6.1 It is unclear whether the proposed environmental measures are intended to apply to offsite areas which are included in the proposed flood risk and hydrology study areas

Para 8.3.3 says the proposed study areas will be finalised once the cable corridor and site access routes are finalised and will include the buffers outlined in Fig 4.2. (Screenshot follows)

Figure 4-2: Calderdale Cable Search Areas and Access Routes



6.2 Duration of proposed environmental measures during construction

A general point is that the duration of these environmental measures doesn't take account of the requirement for the Secretary of State to consider the extent to which predicted adverse effects on site integrity/conservation objectives are temporary or reversible, and the timescales for recovery. (Draft National Policy Statement EN-3 para 2.12.150)

The Scoping Report needs to acknowledge that the planning system mistakenly assesses impacts in the short term – but peatland is a long-term habitat and only decades-long monitoring will tell us the real impact. Restoration is glacially slow, with new peat forming at a rate of 1mm/year. This means damage could not be restored at the end of Calderdale Energy Park's 35-year life. Even shallow (30cm) peat has taken 300 hundred years to form.

And impacts of infrastructure on peatland hydrology might not be apparent in the short term but, for instance, through time floating access tracks will potentially sink and compress the peat, affecting the hydrology and causing the release of more carbon and other greenhouse gases.

The worst-case duration of the effects of peat drainage, which is an inevitable consequence of building infrastructure of peatland, is estimated at 150 years. Examples in The Fens (see the

Holme Fen Post) continue to show shrinkage (up to 4 m) more than 150 years after initial drainage.

The actual duration and data will only be known retrospectively, pointing to the need for decades-long monitoring even after operation and decommissioning of the Energy Park [Chico, G., Clewer, T., Midgley, N.G. et al. The extent of windfarm infrastructures on recognised European blanket bogs. Sci Rep 13, 3919 (2023). <https://doi.org/10.1038/s41598-023-30752-3>]

7. Specific proposed environmental measures during construction

These are listed in **Para 8.4.4, Table 8.2**

7.1 Iterating individual turbine locations

Table 8.2 says individual turbine locations will be iterated in response to additional peat depth data from Phase 2 surveys, in order to avoid any identified areas of deeper peat or to prioritise deeper peat for temporary infrastructure.

It is not self-evident that this is a good idea. Even shallow 30cm peat stores as much carbon as a tropical rainforest. And its hydrological and ecological connectivity means damage to it risks knocking on to the whole mosaic of peatland habitats, in a way that can only be estimated on the basis of site-specific surveys, that don't seem to have been done.

Given that the Scoping Report uses a depth-based definition of peat that excludes shallow areas of 30cm or less, and instead counts them as "peaty soils", Chapter 8 should clarify whether "peaty soils" areas would or would not require peat reinstatement measures that are identified in Table 8.2.

If these reinstatement measures are not applied to shallow peat 30m or less, what happens to it if it's cut out to build infrastructure?

7.2 Reinstating excavated peat

The Scoping Report should give minimum and maximum estimates for the volume of peat that will be excavated in constructing the Proposed Development, and for the volume of peat that would be used in peat reinstatement measures to patch repair bare ground, restore gullies and reinstate peat in in cutover areas, etc.

Is it anticipated that the whole volume of excavated peat would be reinstated in these measures? There won't be borrow pits to reinstate, because the aggregate they'd produce isn't suitable.

The assumption may be that most of the peat excavated for the cabling trenches could simply be reinstated once the cabling is installed. But large Joint Bays in the ground (concrete coffin-like

boxes the size of a small low barn) are needed to join the cables and this peat will not be filled back in.

The Scoping Report should not leave all these things open to question and uncertainty. It should at least explain the likely parameters

7.3 Aligning access routes to minimise peat impacts

On this inappropriate site for a wind farm (please see our response to Chapter 4), aligning access routes to minimise overlap with deeper peat deposits or route over gradients sufficiently shallow to allow floated construction is going to be problematic.

Table 8.2 should consider that because of the specific terrain of Walshaw Moor, it seems likely that there would be a trade-off between reducing the peat carbon impact by keeping infrastructure off deep peat as much as possible, and increasing the flood risk by aligning the access tracks with turbines sited on shallow peat (which the Scoping Report denies is peat, reassigning it as “peaty soils.”

For example, flood risk would increase if the plan is to truck in all the abnormal indivisible loads and cranes from the north west access point, down a watershed spine to what is T18 on the non-statutory consultation turbine layout map, before somehow crossing Alcomden Water in order to cut across to T32 and up a wind turbine array to T21.

But where else could it go? Unless the indicative turbine layout is changed radically as a result of iterating the turbine locations?

The Heather Hill spur uphill from the watershed spine would gather and speed what is currently slow runoff over a flattish plateau into the steep cloughs. In a rainstorm the runoff would reach the Walshaw Dean reservoirs much faster. If the reservoirs were full, the storm water would go straight down the spillways to Hebden Bridge.

Spur tracks going west off the north-south spine, uphill on the other side of Greave Clough, would turn into storm drains that would pour runoff into Greave Clough, overwhelm the Yorkshire Water sluice in Greave Clough and end up in Hebden Water. Chapter 8's failure to consider such a risk is probably because, as already mentioned, the Scoping Report seems oblivious to this Greave Clough sluice and its spillway.

7.4 Permeable access tracks and other surfaces

Hopefully people aren't duped into equating the words 'permeable' and beneficial SuDS features. Reference to the use of 'permeable materials for access roads where appropriate sounds grand. But it just means either a floating track on deep peat areas over 1m, made of a geotextile grid which is then infilled with aggregate - basically slapping different grades of chippings in a groove

until it's good enough to run heavy loads on- or a fully engineered excavated road on the shallower peats where the peat is scraped out as a trench then infilled with aggregate.

Since as far as we know there are no possible borrow pits on Walshaw Moor or quarries in West Yorkshire with hard enough rock for this purpose, trucking in the aggregate is going to be a massive and environmentally unfriendly task. (More info in our response to Chapter 4) And there will be no borrow pits to put the excavated peat in.

7.5 Pollution prevention measures

The Scoping Report needs to clarify that the pollution prevention measures include preventing pollution in the form of wash off from areas of stored peat that has been excavated to make foundations for infrastructure. It should say what these measures involve.

7.6 Identification of compensatory peatland restoration activities to improve the quality of the peatland undisturbed by the Proposed Development

The Scoping Report needs to join the dots between its aim of identifying peatland restoration opportunities to improve the quality of the peatland undisturbed by the Proposed Development, in order to compensate for potential impacts on peat hydrology and habitat, and Natural England's statement in Table 7 - 11 that actions to restore areas of blanket bog in 'unfavourable declining' condition won't be considered compensation, as the objectives of the SAC/SPA include a commitment to restore the extent and condition of habitats to a favourable condition.

8. Environmental measures to reduce impact on peat hydrology during operation and maintenance

They are in **Table 8.3**, and mostly concern:

- Pluvial modelling of unavoidable surface water flow routes to determine baseline and proposed flow routes.
- Managing surface water runoff from new impermeable surfaced areas (eg concrete turbine foundations)
- Appropriate control prior to discharge, of the potential for pollutants.
- Peat landslide risk assessment to inform measures and general good practice that should be applied across the site.

8.1 Pluvial modelling of unavoidable surface water flow routes to determine baseline and proposed flow routes.

We don't know what this means. The Scoping Report should explain this.

Is it the same thing as Pluvial modelling of the Turbine Area, mentioned in **paras 8.3.46-8.3.49** and in **C31 and C32 in Appendix A: Scoping Commitments Register (p 573)**?

C31 says:

"Pluvial modelling will be undertaken to quantifiably prove that there would be no offsite flood risk impact. (Scope and methodology to be discussed and agreed with Lead Local Flood Authority/Environment Agency.)"

C32 says:

"Surface water runoff from new impermeable surfaced areas will be managed to ensure that there is no increase in flood risk elsewhere."

It looks as if the pluvial modelling for offsite flood risk could include Hebden Bridge, because the Hydrology, Hydrogeology, Geology and Peat study area in Table 8.1 extends to 5km downstream from the wind turbines area for consideration of hydrological effects for a direct pathway through a watercourse - which is what Hebden Water is.

But pluvial modelling in the Turbine Area is not enough to quantifiably prove that there would be no offsite flood risk impact.

Surface water runoff from the turbine bases, crane pads etc is not the major problem with the Proposed Development creating additional flood risk in the valley. The extent of intended and unintended drainage impacts on the peat is, and the peat and habitats degradation they cause.

We think Calderdale Energy Park should take notice of the renewable energy policy requirement for big onshore wind farm applicants to make "appropriate and extensive use" of the best scientific evidence (Draft EN-3, Paragraph 2.12.148) - in this case, about peat hydrology and the extent of drainage - intended and unintended - from infrastructure.

8.2 Managing surface water runoff from new impermeable surfaced areas (eg concrete turbine foundations)

This is to ensure that there is no increase in flood risk elsewhere. It is anticipated that surface water runoff will be encouraged to infiltrate wherever possible, to maintain the saturated condition of the adjacent peat.

How? The Scoping Report should explain this.

In addition, we have already noted that surface water runoff from the turbine bases, crane pads etc is not the major problem with the Proposed Development creating additional flood risk in the

valley. The extent of intended and unintended drainage impacts on the peat is, and the peat and habitats degradation they cause.

8.3 Appropriate control prior to discharge, of the potential for pollutants.

What pollutants and how? Are they talking about dissolved peat washed out from stores of excavated peat waiting to be reinstated, or what? The Scoping Report should provide this information.

8. 4 Peat landslide risk assessment to inform measures and general good practice that should be applied across the site.

Para 8.2.2 - Calderdale Energy Park will adopt the Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Scottish Government, 2017) because “They are considered to be the most established and tested guidance to date.”

But **Table 19.1** scopes out risk of major accidents/disasters, including peat slides.

The Scoping Report is required to base all their environmental impact assessments on worst-case scenarios, as a result of it using the “Rochdale Envelope” approach. This is because pretty much all aspects of the Proposed Development are still only indicative and it is likely to be subject to change even after the DCO application is submitted (**Para13. 6.18**).

How can it make any sense to scope out the worst of worst-case scenarios: major accidents and/or disasters?

The question is particularly urgent because of the peat slide and bog burst history in the North West site access search area.

This offsite area includes Dove Stones Moor and is part of the same South Pennine Moors Special Area of Conservation and Special Protection Area as Walshaw Moor. It is also the site of the massive 1824 Crow Hill bog burst.

Para 8.3.26 refers to this as one of two recorded peat landslides in the area.

Contemporary accounts by Reverend Patrick Bronte and others record the peat flow from the Crow Hill bog burst was 30 to 60 metres wide and five to six metres deep and continued for 10 to 15 miles. Substantial fish kills (1,270 kilograms of perch and trout taken from the River Aire at Horsforth) and disruption to the woollen industry were reported.

Despite this, **Table 19-1** scopes out peat slides. **Para 8.2.2** says that Calderdale Energy Park will just adopt the Peat Landslide Hazard and Risk Assessments: Best Practice Guide for Proposed Electricity Generation Developments (Scottish Government,

2017), because:

“They are considered to be the most established and tested guidance to date.”

9. Ban the Burn does not agree that peat slides should be scoped out from Environmental Impact Assessment

Relying on the Scottish Government Peat Landslide Hazard and Risk Assessments is problematic for two reasons:

- Despite the guidance, there have been recent peat slides in Shetland associated with the construction of windfarm and cabling/overhead powerline tracks
- The guidance provided by the Scottish Government is the best there is – but when it comes to windfarm Environmental Impact Assessment work, developers have tended to cherry-pick only those parts that they can easily address, while ignoring or glossing over the more difficult parts

For instance, developers often fail to use peat-appropriate tests of the shear strength of the on-site peat that the Guidance recommends, and instead stick with more easily available, less complicated conventional tests that only work for mineral soils.

They sometimes also give blithe assurances that they have fully surveyed subsurface peat pipes (channels within peat that form areas of weakness), when they haven't.

In heavy storms, water entering peat pipes can make peat buoyant. This can help cause peat slides as it reduces the cohesion of the peat and creates artesian pressure (this is where there is enough pressure underground to force water, or in this case peat – which 90% water- to the surface.)

Despite the Scottish Government Peat Landslide Hazard and Risk Assessments best practice guidance, in May 2024 there was a big peat slide in Shetland, in an area where a road/track was being constructed for the installation of new overhead lines and underground cabling to connect Shetland windfarms to the national grid by subsea cable.

And in July 2022 there was a peat slide next to a newly constructed track on the Viking Energy Windfarm in Shetland.

In both cases the peat slides took place during fine weather, so they didn't even need heavy rainstorms to destabilise the peat.

It's crucial for Environmental Impact Assessments to use peat-appropriate tests to find how vulnerable to shearing and peat slides a peatland wind farm site is. From May 2024, Ban the Burn and Upper Calderdale Wildlife Network started asking Cavendish Consulting how the Calderdale

Wind Farm developers had been carrying out hydrology and peat surveys for the Environmental Impact Assessment, (in relation to the September 2023 Scoping Report).

Their answers were unsatisfactory, and then stopped altogether, even though the Keighley and Ilkley MP Robbie Moore asked them for answers.

10. Likely significant adverse impacts on hydrology that are scoped into the detailed environmental impact assessment

Figuring out where they are up to with baseline surveys and data for these scoped in impacts is difficult.

Partly this is because some relevant info is in Chapter 7, Biodiversity, but Chapter 8 doesn't cross reference this. It should

Partly this is because **Para 8.6.1**, under 'Assessment Methodology, Further baseline data' doesn't seem clear where they are up to with baseline surveys of run off to Hebden Water, including flow rates, water quality, and its physical qualities eg erosion/sedimentation. This should be clarified.

For the Hydrology, Hydrogeology, Geology and Peat study identified in **Table 8.1**, it looks as if they will have to do baseline surveys and an environmental impact assessment of "hydrological effects" of the Proposed Development to Hebden Water, such as changes in:

- Water quantity (eg flow rates)
- Water quality (such as pollution levels and quantity of dissolved organic carbon, ie peat)
- The physical characteristics of watercourses (like erosion or sedimentation)

Partly it is because Chapter 8 is so far from meeting the national policy standard of clear and assessable information for Nationally Significant Infrastructure Projects planning documents.

10.1 Hydrology info in the Biodiversity Chapter

Chapter 7 Table 7-13

'Likely Significant Effects Scoped in to Detailed Assessment', lists the introduction of toxic pollutants or sediments into the environment, resulting in changes, loss or damage to terrestrial or freshwater environments and the species/species groups they support. This is due to use of chemicals (e.g. fuels, solvents etc.) and liberation of pollutants and fine material through excavation, demolition, maintenance work or surface water flows during rainfall events.

This is clearly relevant to the Water Framework Directive and needs to be cross referenced in Chapter 8.

Chapter 7 Biodiversity, Para 7.7.4 says that throughout the assessment process, the initial results regarding potentially significant effects will be used to inform whether additional baseline data collection is required.

What is the timeframe for this? Is it compatible with the timeframe for the Preliminary Environmental Information Report, which the design parameters of the Proposed Development have to be properly assessed and taken into account in the pre-application stage. How can they get this sorted in time?

This information in the Biodiversity Chapter is clearly relevant to the hydrology chapter and the hydrology chapter should cross reference it.

10.2 Hydrology, Hydrogeology, Geology and Peat matters that are likely to cause significant adverse effects.

These matters are listed in **Para 8.5.4, Table 8.7**. They will be scoped into a detailed assessment of the impact on watercourses and groundwater, both within the Turbine Area and within the final defined access route area in the respective Search Area. The areas will include a 2km buffer beyond the respective boundaries. It may be up to 5km for watercourses.

We assume this includes significant adverse effects on flood risk in Hebden Water and water quality in watercourses and Yorkshire Water's Reservoirs.

Chapter 8 should make this clear.

It should also say that the Proposed Development's likely significant adverse effects need to be calculated using minimum and maximum design parameters that will allow the Proposed Development to be designed based on the worst-case scenario, as required by the use of the Rochdale Envelope approach.

Table 8.7 shows that likely significant adverse impacts scoped in for environmental impact assessment include:

- Erosion and sedimentation of watercourses during construction and decommissioning.
- Alteration of Flow, Natural Drainage Patterns/Runoff Volumes and Rates during construction, operation and decommissioning,
- Effects on peat instability
- Effects on peat: loss of peat/carbon loss because of potential for construction activities to result in loss of peat during construction, operation and decommissioning.

10.3 Our response to these scoped-in adverse impacts

10.3.1 Erosion and sedimentation of watercourses during construction and decommissioning.

Increased peat erosion is caused by runoff from impermeable surfaces like turbine foundations and crane pads, infrastructure drainage, peat pipe formation and the loss of peat-forming vegetation due to the lowered water table. So runoff carries a load of peat. It can cause blockages in streams and rivers - as well as harming aquatic life and affecting the physical structure of watercourses.

Chapter 8 should say if they've done baseline surveys for existing flow patterns, water quality and erosion and sedimentation in Hebden Water.

We wonder if there is any obvious source of accurate, current desk- based data for a baseline survey of the moor's hydrological state.

Para 8.3.9 refers to restoration of a "subset" of gullies and grips through the 2017-2042 Walshaw Moor Estate Catchment Restoration Plan. But Natural England has admitted in response to a set of Freedom of Information requests, that as of February 2024 they had not monitored the Catchment Restoration Plan.

Since the Catchment Restoration Plan was set up, Ban the Burn and Upper Calderdale Wildlife Network have observed new tracks and grouse butts, apparently unconsented, each with a 50m buffer for drainage. As Natural England hasn't been monitoring the Catchment Restoration Plan, presumably these drainage features are not on its records, although Ban the Burn and Upper Calderdale Wildlife Network sent detailed documentary evidence of them.

Nonetheless **para 3.8.3** makes a generalised claim that:

"At this scoping stage, the level of baseline collection is appropriate to allow the gaining of an understanding of whether the Proposed Development has the potential to cause significant effects. In many cases this means that there has been a reliance on desk study data. Therefore, in the future, and to inform the detailed assessment as will be documented within the ES, further baseline data will be collected. Identification of sensitive receptors that could be affected by the Proposed Development will come from an analysis of this baseline data."

Chapter 7 Biodiversity, para 7.5.31 says that a suitable level of hydrology surveys have been completed or will be completed in support of the design and assessment of the Proposed Development.

This is all a bit vague and should be clarified.

10.3.2 Alteration of Flow, Natural Drainage Patterns/Runoff Volumes and Rates during construction, operation and decommissioning.

Chapter 8 doesn't really explain that this is scoped in because peak flow and flood risk are likely to increase as a result of various impacts of wind farm construction on peat.

These include watercourse sedimentation and blockages from increased peat erosion, peat compaction by heavy machinery increasing runoff, and unintentional drainage through peat pipes which can extend for up to 400m from infrastructure (including cable trenches from turbines to onsite substation).

Access tracks and cable trenches alter natural drainage by altering preferential flow pathways. The Scoping Report needs to explain that this would continue as long as the tracks were in existence. Since they are not intended to be decommissioned this would be an indefinite process that could involve peat subsidence, potentially continuing for up to 150 years.

10.3.3 Effects on peat instability

Peat instability has associated effects on terrestrial habitats, aquatic habitats and water supply in the Turbine Area and final cable and access routes with 2km buffer, during construction, operation and decommissioning.

But Table 19.1 says they are scoping out peat slides.

Chapter 8 should explain the difference between effects on peat instability and peat slides.

Chapter 8 doesn't say - but should - that the following aspects of the Proposed Development risk being a starting point of peat instability causing a bog burst/slide:

- pumping to dewater infrastructure
- culverts to drain runoff below access roads
- cabling trenches to connect individual turbines to onsite substation

10.3.4. Effects on peat: loss of peat/carbon loss because of potential for construction activities to result in loss of peat during construction, operation and decommissioning.

The Scoping Report needs to say the duration of peat carbon loss as a result of the Proposed Development is potentially longer than the lifetime of the Proposed Development.

Alteration of drainage patterns, through intended and unintended drainage would persist beyond the duration and decommissioning of the energy park. This long-lasting disruption to hydrological units and drainage has the potential to degrade large areas of the Turbine Area's blanket bog and interrelated mosaic of peat habitats, causing the loss of peat-forming vegetation due to the lowered water table. This would both reduce or stop new carbon sequestration and increase loss of stored carbon.

This Risk of flooding from all sources to offsite areas (during construction, operation and decommissioning) is scoped in for TA + 1km buffer. Again the duration of flood risk needs to be longer. And the geographical area needs to be larger and include Hebden Bridge.

Chapter 8 should also provide information about Water Quality Degradation. Runoff from industrial areas like windfarms can introduce pollutants into watercourses, affecting aquatic life and human health.

11. Scoped-out hydrology matters in Table 8-6

11.1. We disagree with scoping out Cabling

We disagree with the anticipation that during operation, groundwater flows, if any, surrounding cable route locations will flow as existing or around and therefore remain unaffected.

We also disagree with the related statement in **Chapter 7 7.6.9** It is assumed that there will be no operational effects associated with the cable connection or selected access routes once constructed. The current proposals assume a buried cable which will remain in situ for the duration of the operational period.”

Some of the potential offsite cabling route to Rochdale is across the same South Pennine Moors Special Area of Conservation as the windfarm site itself, and so surely needs to be subject to the shadow Habitats Regulations Assessment. Chapters 7 should say so.

We think Table 8.6 is wrong to anticipate that groundwater flows will not be affected by cabling during operation.

Table 8.6 should say that cable trenches across peatland can alter the hydrology in the same way as tracks. They can disrupt the flow of water across and within the peat, causing pooling in the peat on the uphill side of the cable and unintended drainage of the peat on the downhill side. If the cables run up/down a hill, they will (shouldn't but will) carry a flow of water in the drainage ducting. The Good Practice Guide to Windfarm Construction confirms,

“Cable trenches can act as water drainage routes; the amount of water transport dependant on the design of the cable trench.

“The hydrology of an area can be affected by a cable trench containing disturbed backfill material, sand bedding and surround. The steeper the cable route the higher the volume of water is likely to be transported through the cable trench. It is important to consider the gradient of cable routes and the use of clay plugs and impermeable barriers within the cable trench to limit water flow.

“...Separate cable routes on steep gradients, especially with soft ground... may be...subject to erosion by surface water flow”

Para **8.3.5** says that the Rochdale Cable Corridor Search Area crosses peat over Heptonstall Moor, Blackshaw Head and peat is present over much of the route corridor between Bacup and

Rochdale (Option 1) and Warland and Rochdale (Option 2). There is also peat in the western area of the Bradford West Corridor (Option 2) and Option 2 crosses deep peat to the south.

8.3.5 needs to say that the unintended drainage effect of cabling can disrupt the connectivity of the blanket bog hydrology in the same way as tracks do, particularly on thin peat. Less so on thick peat given the ratio of disturbance in the depth profile is less. But “cables should not be installed in deep soft peat as they will slowly sink adding tension into the cable, which may require premature replacement.” (2022 guide to Good Practice in Windfarm Construction)<https://1library.net/document/zp0nrkk0-publication-scottish-renewables-scottish-heritage-environment-protection-commission.html>.

Chapter 8 also needs to say that if deep peat is present, alternative engineering solutions may be required, such as deeper trenching, protective ducting, or rerouting.
<https://greenvoltoffshorewind.com/peat-probing-along-the-green-volt-cable-corridor-why-it-matters/>

11.2 The Scoping Report doesn't say what is the heat output of the cables, or what the impact is of heat on peat. It needs to.

Scoping Report 2.3.23 refers to “transmission systems (the long-distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can...be carried ...undergrounded”.

So the Scoping Report needs to say if the cable to Rochdale through the off-site Special Area of Conservation would be a lower voltage line not an HVDC cable, as the connection point there is to the District Network. If so it needs to say if there is a heating issue with the cabling for that route.

It needs to say if any of the cables would be HVDC cables, running at temperatures of up to 70°C. If so, it needs to say that the heat may exacerbate the peat desiccation process, increasing the thermal resistivity and changing the flora in the vicinity of the cable route.

This could increase the flashiness of runoff during rainstorms or snowmelt. It is also recognised that the installation style, depth and backfill materials could also impact on the hydrology of the peat, again increasing the tendency to dry out.

11.3 We disagree with scoping out Erosion and sedimentation during operation

We disagree that erosion and Sedimentation (during operation) should be scoped out on the assumption that Operation of the development will have negligible impact on sediment loads and therefore any effects are considered unlikely to be significant.

As our response has already pointed out, Chapter 8 needs to point out that increased peat erosion is caused by runoff from impermeable surfaces like turbine foundations and crane pads, infrastructure drainage, peat pipe formation and the loss of peat-forming vegetation due to the

lowered water table. So runoff carries a load of peat. It can cause blockages in streams and rivers - as well as harming aquatic life and affecting the physical structure of watercourses.

Runoff from impermeable surfaces is not the only cause of increased peat erosion and the knock on increase in dissolved organic carbon in waterways and reservoirs.

Increased peat erosion and water pollution are also the result of increased runoff caused by long-lasting disruption to hydrological units and drainage, which has the potential to degrade large areas of the Turbine Area's blanket bog and interrelated mosaic of peat habitats.

The loss of peat-forming vegetation is due to the lowered water table. Blanket bog's typically rough vegetation is replaced by successor plants which don't slow the flow of runoff during rainstorms or big snow melt. This concatenation of events damages the integrity of the Special Area of Conservation and both reduces or stop new carbon sequestration and increases loss of stored carbon.

This process doesn't stop once construction is completed.

The Scoping Report needs to needs to explain the likely significant effects of increased peat erosion in increasing local watercourse erosion and sedimentation? And also increased dissolved peat in watercourses and reservoirs

11.4 Table 19-1 Technical Aspects Scoped Out (page 543) scopes out risk of major accidents/disasters

In other words they are seeking agreement that they won't carry out an environmental impact assessment for Risk of major accidents and/or disasters, including the risk of:

- Fire and emissions to air of the battery energy storage system (not to mention any fire water runoff and the potential of chemical pollution entering the reservoirs, which they ignore.)
- Peat slides

Although Table 19-1 says, "During construction, there is a potential for existing peat deposits to be disturbed and generate a landslide" it says that Chapter 8 takes care of this by including a peat landslide hazard and risk assessment (in para 8.4.5, Table 8.3).

Ban the Burn does not agree that Risk of major accidents and/or disasters should be scoped out from Environmental Impact Assessment.

The Scoping Report says there will be a BESS cooling system that will reduce or eliminate the fire risk. BESS Cooling systems are pretty standard, but in an emergency situation the fire brigade will leave a container to burn out and use fire hoses on the others to keep cool. The runoff will be

hydrofluoric acid and it would most likely go straight into the reservoirs. That seems like something that should be scoped into an environmental impact assessment.

We also wonder why they don't include possible increased flood risk in Hebden Bridge as a potential disaster.

Chapter 9 – Carbon and Climate Change

The methods for measuring the carbon footprint of manufactured items, construction and transport are well known and we trust that these will be followed. Again though, the lack of detail in the actual plans themselves means that a worst-case scenario must be taken for all of these.

Measuring the carbon emissions from the destroyed and drained peat is however far more difficult. Numerous mentions are made in Table 9.1: CMBC Scoping Opinion of using the Scottish Carbon Calculator for these, but this was withdrawn from use last year as recent research into the construction of windfarms on peatlands had shown that it was no longer fit for purpose. As of late September 2025 there has been no alternative tool provided.

Again though, the lack of detail in the actual plans themselves means that a worst-case scenario must be taken for all emissions deriving from the destroyed and drained peat. But how do the developers intend to calculate these carbon emissions? There is no mention of this at all in this section or any other. This is a critical factor given that the UK and its devolved assemblies all recognise the importance of peatland as a carbon store. The Scottish Environmental Protection Agency (SEPA, whose guidance the developers quote widely in the Scoping Report), advises that any project on peatland must demonstrate that the carbon savings from renewable energy significantly outweigh the carbon costs of peatland disturbance. The term ‘carbon savings from renewable energy’ is discussed later, as possibly a redundant idea for judging how ‘green’ renewable energy is.

Guidance

We believe the following document would be a useful inclusion:

Carbon Calculator for wind farms on Scottish peatlands: an evidence assessment
(<https://www.climateexchange.org.uk/publications/carbon-calculator-for-wind-farms-on-scottish-peatlands-an-evidence-assessment/>)

Existing Baseline Conditions

9.3.1 states that:

‘further information gathering and assessment is proposed to inform the technical assessment for the Environmental Statement (ES) (see details and scope of the further baseline data below). This will be finalised once the study area has been fully defined (see next section).’

9.3.3 states that:

‘The emissions associated with construction activities, including soil disturbance, will be considered for all options relevant to Site Access Search Areas and Cable Corridor Search Areas.’

Given that these search areas also cover areas of peatland what is their methodology for assessing the emissions from the disturbance of peat?

Relevant Baseline Conditions

9.3.5 states that:

‘carbon emissions and removals will occur as a result of the natural habitats (e.g. peatland), moorland management and lowland agricultural activities.’

9.3.6 states that:

‘Notwithstanding this, the baseline GHG emissions are likely to be small in the context of the lifecycle emissions for the Proposed Development.’

We agree with the first statement, but the second is an entirely unjustified assumption. A thorough analysis of the current baseline emissions needs to be made, along with an assessment of emissions if the blanket bog was fully restored, as per the Walshaw Moor Catchment Restoration Plan, as recommended by the review into the Scottish Carbon Calculator.

Environmental Measures

9.4.1 states:

‘Consideration will be paid to the opportunity to introduce environmental measures (and mitigation) that will help to avoid or reduce the potential for an adverse significant effect to occur. In accordance with Schedule 4(7) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the ES will be based on an EIA mitigation hierarchy which seeks to avoid, prevent, reduce and offset (where appropriate) likely significant effects. Specific environmental measures relevant to Carbon and Climate Change will be identified and will be considered as part of the assessments (i.e. the assessments of likely significant effects have been undertaken with the inclusion of the environmental measures, as these measures will form part of the Proposed Development). At this stage of the Proposed Development, the following environmental measures will be implemented and included within the Proposed Development.’

How will the magnitude of these ‘likely significant effects’ be measured? Again this needs to be specified or the EIA will be meaningless. It also says ‘the following environmental measures will be implemented’, but in 9.4.2, 9.4.3 and 9.4.4 no measures are specified, just that ‘It is anticipated that measures to minimise GHG emissions...’ will be included in the various plans.

Scope of the Assessment – Consultation Undertaken to Date

Table 9-1 lists various response from the Scoping Report sent to CMBC in September 2023, where the now redundant Scottish Carbon Calculator is mentioned several times.

The overall tone of the responses seem to prejudge the outcome of the assessments – for example the reply to Blackshaw Head Parish Council:

‘The assessment will also quantify the carbon benefits of the Proposed Development and demonstrate all the measures implemented throughout the lifetime to avoid and reduce GHG emissions and contribute to mitigating climate change. The benefits will weigh the carbon emissions from the Proposed Development (including embedded carbon, transport and peat disturbance) against the GHG emissions saved during its lifetime (Paragraph 9.5.13).’

The use of the words ‘carbon benefit(s)’ is misleading because until all the carbon emissions are being measured correctly, and compared to relevant baselines and future scenarios, there is no guarantee that on peatland sites there will be any benefit, and there may well be a loss.

Other Consultation Undertaken to Date

9.5.2 No other consultation has been undertaken to date.

What about the non-statutory consultation events? Meetings with Natural England? No other consultation since September 2023?

Effects Scoped Out from Detailed Assessment

9.5.3 states:

‘There are no effects for Carbon and Climate Change that are proposed to be scoped out of the ES. Any emissions sources not considered in this Scoping Report that are identified during Preliminary Environmental Information Report (PEIR), consultation or production of the final ES will either be scoped into or scoped out of the final ES. Where sources are scoped out, the rationale will be clearly justified and evidenced. These will either be not relevant or causally linked to the Proposed Development, or will not contribute more than 1% of the lifecycle carbon emissions in isolation and 5% in total, in line with IEMA guidance.’

We do not believe any emission sources should be scoped out. If the work has been done to identify and quantify these emissions then they should be included, and if the work hasn’t been done to quantify them then how do they know if they meet the 1% and 5% criteria?

9.5.5 We agree with this, but with the proviso that the emissions arising from the disturbance of peatland include the drainage effects of all construction on site, especially the tracks and cable trenches which have the potential for interfering with the hydrology of the blanket bog.

9.5.6 We don't understand this 'The significance of effects for individual emissions sources will not be considered.', could it please be clarified?

9.5.7 Again we object to the term 'carbon benefits' as prejudging the outcome of the assessment.

9.5.11 As for 9.3.5 and 9.3.6 we believe an additional assessment should be made based on a fully restored blanket bog habitat.

9.5.12 The last sentence mentions that 25% of electricity was generated by fossil fuels in 2024, however by 2030, if the government meets its targets for onshore and offshore wind, that will have dropped to <10%, and in all likelihood that generation will be mainly when there is very little wind. The 2024 position is irrelevant as this development will not be operational until after 2030.

9.5.13 details two alternative baseline scenarios:

Alternative Baseline 1 - energy from the Proposed Development will allow the phase out of existing fossil fuel power generation in the UK and the energy generated by the Proposed Development will therefore displace energy generated by use of fossil fuels. It will be assumed that any such fossil fuel power generation retained in operation in the absence of renewable alternatives will be retrofitted with Carbon Capture and Storage (CCS) technology as part of the UK's industrial decarbonisation strategy and unabated operation will cease in the future; and

Alternative Baseline 2 - alternative technology to the Proposed Development will be built and operated. The focus will be on a new natural gas fired power station operating with CCS technology, as well as comparison to the carbon intensity of other renewable energy schemes including solar and offshore wind to provide context.

We believe both these scenarios are fundamentally flawed. The government has a target to double onshore and quadruple offshore wind energy to 28GW and 50GW respectively by 2030. Even if the ambitious targets for 2030 are not met there is still nearly 31GW of onshore and offshore wind currently either under construction or consented.

If additional wind developments are added you cannot say they are displacing gas generation as it will already have been displaced, you cannot count that generation twice or more.

The only time that gas generation, with or without CCS, is needed is when there is little or no wind.

Alternative Baseline 2 is not a realistic alternative, no-one is suggesting building new gas fired power stations with CCS instead of renewables on any scale, again these would only be used as a backup for when there was little or no wind.

The only sensible indication to use is the emissions intensity of the electricity produced by a development, and comparing this to other practical large scale energy sources, nuclear, solar, onshore and offshore wind. This would then enable sensible choices to be made between different sites as to how green the electricity produced is.

Rather than leaving the choice of sites to developers whose main incentive is profit it would make more sense for the government, through Great British Energy for example, to build on the work done by the University of Exeter and the RSPB to identify viable sites in England for onshore wind, prioritising those areas that will have the least impact on communities and the natural world. This would streamline the planning applications as unsuitable sites would already have been screened out. GBE could either develop these sites themselves or alternatively put them out to tender.

9.5.18 states:

‘Emissions from soil and peatland disturbance from construction activities will be included in the GHG assessment and will be consistent with the methodology outlined in the Hydrology, Hydrogeology, Geology and Peat assessment.’

Which methodology is this? We cannot see any reference to measuring emissions in Chapter 8.

9.5.21 states:

‘Carbon emissions savings from the electricity generated by the Proposed Development will be calculated through comparison to the current carbon intensity of fossil fuel power generation with CCS. This comparison is relevant as the electricity generated by the Proposed Development will replace energy from fossil fuel combustion as part of the transition to net zero. Carbon emissions factors for fossil fuel generation with CCS will be obtained from the latest UK Government energy fuel mix disclosure tables¹⁷⁷ and adjusted to account for CCS using the latest published data on carbon capture rates for such systems. The predicted annual and lifetime energy generation of the Proposed Development will be used to calculate the potential avoided carbon emissions.’

For the reasons given above re 9.5.12 and 9.5.13 we believe this is totally inaccurate and should be removed from the final statement.

9.5.23 again, where is this methodology in Chapter 8?

9.5.26 needs to be compared with baseline and alternative baseline of full blanket bog restoration.

Assumptions, Limitations and Uncertainties

9.5.38 states:

‘The GHG assessment will consider and help develop mitigation and carbon management measures delivered as part of the Proposed Development. These will

be set out in relevant management plans and documents (see Section 9.4). This will include measures to minimise embodied carbon emissions and promote cradle-to-cradle circular economy, as these emissions are likely to represent the largest component of the Proposed Developments lifecycle footprint.'

We reject the last sentence as being speculative, as there is no way they should prejudge which emissions are 'likely to represent the largest component of the Proposed Developments lifecycle footprint.' Especially as there appears to be no methodology to measure emissions from destruction and disturbance of peat.

9.5.40 states:

'UKCP18 projections for the future period 2060-2079 will be utilised, as this takes account of the anticipated lifetime of the Proposed Development (approximately 35 years).'

Which warming scenarios from UKCP18 will the developers use?

We believe that the anticipated lifetime of the Proposed Development is very optimistic at 35 years, and given all other unknowns at the present moment, and bearing in mind the spirit of the 'Rochdale Envelope', we believe a more industry standard 25 years would be appropriate.

Chapter 10 - Landscape and Visual

Generally

This response has been prepared by Penny Bennett who is a Chartered Landscape Architect with 44 years of experience.

Literature cited

The following reports need to be documented / referred to:

- Visual Representation of Development Proposals TGN 06/19 Landscape Institute although under review it is the most comprehensive guidance for technical visualisations used in LVIA
- Planning for on shore wind, Research Briefing for House of Commons Felicia Rankl Oct 2023

Study area

Para 10.3.2 states that the assessment of cable connection would concentrate on a 1km buffer either side of the proposed route. Where the cable corridor would have an impact on mature trees, groups of trees or woodland, the potential loss of trees and woodland could have an impact beyond 1km, and where this is likely the visual impacts may extend beyond 1 km. Where this is the case, professional judgement should be used to extend the visual envelope appropriately.

Relevant Baseline Conditions: landscape character

Para 10.3.4 states that the relevant landscape character areas will be verified on site and refined where appropriate, it is also good practice to review the landscape character information being used.

In para 10.3.6 the author refers to weathered 'tors', these are features of granite landscapes such as Dartmoor, gritstone features are termed outcrops.

The inaccurate description continues further down this paragraph when it states that "Landcover is predominantly open moorland, largely rough grassland..." This is wrong, the moorland is not largely rough grassland and the National Character Area (NCA) 36 goes to some lengths to reinforce the importance and extent of the blanket bog areas which is usefully summarised in the table below: To say that the mosaic of upland landscapes is of ecological value is an underestimate, given much of the upland plateau in the South Pennines has international and national wildlife designations. This is reinforced in the summary of the first page of NCA 36 which states that "The area contains internationally important mosaics of moorland habitats"

Para 10.3.8 cites wind farms in the vicinity, those on Todmorden Moor should be included

in the list.

Relevant Baseline Conditions: Landscape Designations

Table 10.1 does not include the Nidderdale National Landscape, and this should be added.

Viewpoint Assessment

Para 10 3.25 notes that no viewpoints have been selected in relation to the site access search areas or cable corridor search areas. While it is understood that the identification of specific visual receptors is not appropriate at this stage, the SR should confirm that the zone of theoretical visibility (ZTV) has been used to help to inform route selection, particularly where there is a chance that areas of mature trees and woodland may be affected by cable and access routes, and loss of such trees and woodland due to cable works would have a visual impact.

Table 10.2 Proposed viewpoint locations

It is unclear at what stage viewpoints will be finalised. Table 10.2 includes a number of new viewpoints which were omitted from the original scoping report, and in paragraphs 10.3.23 and 10.3.24 the parameters for viewpoint selection are set out.

It is stated that stakeholder feedback will be taken account of, but it is uncertain how this will happen. Table 10.4 summarises comments from stakeholders from the original scoping report and a number of important viewpoints are highlighted as missing in 2023, which are still omitted two years later for example:

- Sheepstones Edge
- The Yorkshire Three Peaks
- Haworth, the Parsonage
- Blackstone Edge
- Leeds Liverpool Canal between Blackburn and Barrowford

The comments in table 10.4 say that the viewpoint selection has been refined and altered in response to the previous scoping report, although we note the landscape and visual scoping report was written considering turbine heights of between 149 m and 200 m high. Now the turbine heights are confirmed at 200 m high the selection of viewpoints will cover a comparatively larger area. It is stated that viewpoints will be reviewed as the design process evolves, but at what point can stakeholders discuss this with the applicant?

Given the vast area over which this development will be visible, we would like to see viewpoints also from:

- Lund Tower, above Cowling
- Simon's Seat on the Bolton Estate in the Dales

- Pinhaw Beacon above Lothersdale
- Within the Peak District.

Environmental Measures

Para 10.4.1 states “Consideration will be paid to the opportunity to introduce environmental measures (and mitigation) that will help to avoid or reduce the potential for an adverse significant effect to occur.

” The NCA gives very clear guidance in the statements of environmental opportunity on the opportunities to restore and improve ecological links between moorland habitats, restoring degraded areas of blanket bog to active sphagnum dominated bog to promote peat formation, and heath communities where matt grass has become dominant.

This needs to be so much more than a ‘consideration’ but rather a complete ethos which thoroughly understands the critical importance of the landscape which is to be altered and embraces every opportunity to restore and enhance the moorland environment.

Paras 10.4.2 - 10.4.4 describe the scope for landscape design to mitigate the potential landscape and visual effects.

Given the importance of the ecological features on the potential turbine area, will there be a hierarchy of mitigation between issues of landscape and visual importance and ecological importance, and will this be clearly set out and made transparent in the ES?

Construction

Para 10.4.6 refers to the routing and siting of elements of the proposed development to avoid notable landscape features... How are these notable landscape features defined, do these correspond with important ecological features such as blanket bog for instance?

The ‘key potential mitigation measures’ miss the point completely with regard to the restoration of the blanket bog. The objectives state that native grass/ moorland species to be planted to assist in blending the track into the surrounding moorland context. Given that grasslands make up a small percentage of the areas on Walshaw Moor the emphasis here is misguided. Meanwhile mention of woodland creation (when blanket bog is not even mentioned) is bordering on the irrelevant. The mitigation process needs to consider what the objectives are in the restoration of the vegetation. It seems that the aim is to recreate the vegetation patterns that were here prior to development which in places is degraded habitat brought about by years of mismanagement, not to take the opportunity to restore an internationally important area of blanket bog, for biodiversity, carbon sequestration, flood control and protection of water quality.

These are the clear objectives set out in the NCA which provides clear and concise guidance that should be followed. The oLEMP would also need to fully understand the objectives of the Catchment Management Plan, and the requirements of any BNG.

The statement that careful consideration of any planting proposals to complement the landscape character is worrying and demonstrates a lack of understanding of the ecological value of the landscape of the proposed turbine area. Restoration must take full account of the restoration of the peatland vegetation and hydrology and understand the challenges of restoring irreplaceable and irreparable peatland habitats.

It is hugely concerning that the restoration of this precious landscape is being entrusted to those that appear to have no grasp of its importance.

Scope of the assessment

Table 10.4 reviews comments made by consultees. A recurring comment refers to need for cumulative assessment but there is no detail given as to what cumulative effects should be considered. These should include cumulative sequential effects along key public rights of way, including the Pennine Way in both directions, considering the effects from the furthest point north and south from where the proposal would be seen.

This will reinforce the massive scale of the visual impact on this path. Other important routes where cumulative sequential effects should be considered include:

- The Pennine Bridleway
- Brontë Way
- Leeds Liverpool Canal
- Calderdale Way
- Burnley Way
- Pendle Way
- Calder Aire Link
- E2 European Long-Distance Path
- Scenic road routes: Widdop Road, A6033 from Hebden Bridge to Oxenhope

A further point made by UCWN commenting on the earlier scoping report was that the sense of openness should be considered. This is not quite the same as the sense of openness considered in a planning context which related to the green belt, but the sense of being able to experience wide open spaces unimpaired by built development.

Effects scoped out from the Detailed Assessment

Table 10.5 states that no townscape assessments will be carried out in the urban parts of the study area. We consider that there will be sufficient impact on the urban areas to merit townscape studies which should be considered for Wadsworth, Haworth, Heptonstall, Trawden and Oxenhope as skylines and backdrops to these developments will be affected by this proposal.

The effects arising from the decommissioning phase should be considered as there are likely to be long term changes resulting from the reinstatement of vegetation over hard standings as outlined in chapter 7. This is because the impervious concrete hard standings and foundations remaining in the ground will result in a permanent change to the hydrology and patterns of vegetation that will be impossible to change.

Likely significant effects scoped into the Detailed Assessment

In para 10.5.4 there is no consideration of the BESS. In contrast to the largely clean lines of the wind turbines, the BESS will be a smaller scale but piecemeal development with security fencing and associated small buildings and the landscape and visual effects of this need to be fully assessed.

Table 10.6 states that the design of the Proposed Development should be considered in relation to the landform of local context, but there is a regional context here: Walshaw Moor is the highest ground in the South Pennines and the impact of this development on this landform will be felt across the region. Similarly, the study area of 15km underestimates the extent of the potential impact of this development across the wider region.

Consultation

Para 10.6.5 doesn't include perceptual qualities as one of the categories that will be assessed in the LVIA. Para 5.3.7 of GLVIA states that the importance of perceptions of landscape is emphasised in the European Landscape Convention: for instance the perceptions of wildness, and tranquility and how this would be affected should be considered.

Physical effects on Landscape Elements

Para 10.6.6 states that physical effects of the development are restricted to within the footprint of the development. We consider that these effects would extend beyond the footprint of the Turbine Area, because the blanket bog is hydrologically linked it is likely that the effects will extend to other parts of the peatland mosaic even if they are outside the proposed site.

Effects on views

In para 10.6.8 we consider that there will also be perceptual effects caused by the introduction of lighting to turbines, such as the loss of dark skies.

Cumulative effects

Sequential cumulative effects which are described in Table 7.1 of GLVIA are not mentioned as part of the scoping. This has already been mentioned in respect of views from footpaths etc (10-4).

Significance of Effects – nature of effects

Para 10.6.28 suggests that the landscape and visual effects of windfarms are difficult to categorise as beneficial or adverse. We disagree: this is not necessarily the case and it is important that this is understood in the LVIA. For instance, if wildness is a feature of the landscape character of the South Pennines NCA and by introducing new development into that landscape the character of wildness will be LOST, this is clearly a negative effect, because it is a clear attribute and characteristic of the landscape character which no longer exists. We consider that it is hard to claim that there is an element of subjectivity here. We note that the LVIA will adopt a precautionary approach here which we believe to be essential.

Decommissioning

As noted earlier since it will not be possible to reverse the effects of much of the proposed installation there will be permanent changes to the hydrology of the moor which in turn will have an impact on the vegetation.

Assumptions Limitations and Uncertainties

LVIA should be iterative documents which respond to changes as they happen so it is expected that there will be changes to the LVIA as the design evolves.

Report END