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| Report Title | Calderdale Energy Park |
| Meeting | Executive |
| Meeting Date | 28 th May 2026 |
| Report Author | Neil Watson |
| Directorate | Place |
| Lead Executive Member(s) | |
| Wards Affected | All Wards |
| Public. Part Exempt, or Fully Exempt | Public |
| Appendices (if any) | Document library - Calderdale Energy Park |

1. Executive Summary

- 1.1 The Calderdale Energy Park is an evolving proposal to erect 38 wind turbines (150m & 200m in height). The estimated energy generation would be 240 megawatts. There will other infrastructure needed such as borrow pits, access roads and a substation on a base measuring 220m x 120m. There will be other associated buildings on the site.
- 1.2 Parts of the highway network are proposed to be physically altered to accommodate the abnormal roads as well as traffic regulation measures to allow the loads to be transported to site.
- 1.3 The development will be determined under a procedure for large scale developments. A Development Consent Order (“DCO”) will be applied for under the provisions of Section 37 of the Planning Act 2008. The application is submitted to the Planning Inspectorate under the Nationally Significant Infrastructure Projects (“NSIP”) process.
- 1.4 Under the NSIP process prior to a DCO application being submitted the applicant is obliged to carry out a non-statutory consultation process and a statutory consultation. This consultation is the statutory one and closes on 10th June. The consultation does not contain a full set of information but is well advanced and will be based around the information that forms part of the consultation. It has with it a Preliminary Environmental Information Report (“PEIR”). The documents also set out how they have responded to the Scoping Opinion issued by the Planning Inspectorate which set out the minimum information required for a decision to be made on the DCO.
- 1.5 The development is a significant one sited across 2,227 ha of land. Most, but not all is classified as a Special Area of Conservation (natural habitats and of wild fauna and flora) and Special Protection Area (ornithological interest). The site lies outside of Pendle except for one access road that will link to the site

from the C682 (School Lane/Lancashire Moor Road). It brings to the fore potentially significant issues for Pendle including, but not exclusively, noise impacts, landscape and visual impacts, highway and traffic impacts and impacts on biodiversity and climate change (including impacts on the peat environment).

- 1.6 The development is still at a stage where there is not a full picture of the overall impacts. For example, the mitigation strategy to compensate for the accepted damaging impacts on biodiversity has not been fully developed. The highway impacts have not been fully assessed with further information being gathered.
- 1.7 This report sets out in broad terms the main issues. It also contains the views of the Council's Area Committees at Appendix 3. The Executive is asked to consider all of the information in the report and the comments from the Area Committees and determine the final comments of the Council to the consultation.
- 1.8 There will be a formal opportunity through the examination of the DCO submission for the Council to input into the final decision, including stating whether it objects or supports the scheme. The Executive is advised to raise any matter of concern to be considered by the applicant stemming from the consultation documents. Guidance on some of the considerations for the Council to have at this stage of the development of the scheme are set out at Appendix 1. The development is also subject of an Errata report which makes corrections to the initial PEIR. This includes acknowledgement that the location of some of the turbines was taken from an earlier iteration of the layout.
- 1.9 It is not possible to come to an overall view of the development with much of the information that is needed to do that still being developed. The Executive is asked to consider whether there are any areas of information or issues with the scheme that should form the basis of the comments to the consultation. It would be appropriate to point out the concerns the Council has that arise from the development and to reserve the right to object to any or all of the development once the Environmental Statement has been completed and the DCO submitted.

2. Recommendations

For the reasons set out in this report the Executive is recommended to:

- 2.1 Express concerns about the development at this stage due to lack of full detail and potential major impacts on, in particular but not exclusively, highway impacts – including vibration impacts on houses, impacts on the landscape and the visual quality of the area including insufficient viewpoints being considered for important views towards the site from within Pendle, tourism, biodiversity and ecology including impacts on the peat environment.

2.2 Not to pursue a judicial review on the basis of the process thus far.

3. Information: the Rationale & Evidence for the Recommendations

3.1 The consultation is supported by a range of information summarised in the PEIR. These include a statement of expertise, scoping opinion, ecological baseline, bat survey, ornithology report, peat depths report, groundwater ecosystems, Landscape and Visual assessment, transport, wind turbine operation noise report, shadow flicker and an assessment of inter-project effects.

3.2 In discussions with other bodies evidence has been provided which demonstrates that there are many errors in the documents, particularly relating to turbine locations, maps not corresponding, and misidentification of assets such as listed buildings.

Landscape and Visual

3.3 The visual impacts may be exacerbated by future lighting of masts up to 200m in height at night. This should form part of the application and designed in detail to accompany the DCO.

3.4 Part 12 of the PEIR accepts that there will be likely significant impacts on landscape and visual receptors. Appendix 2 reproduces the Zone of Visual Impact which shows that the development will be visible from large areas across Pendle. The impacts are accepted to be significant but will need to be balanced against the stated benefits of the scheme. Clearly the impacts will be detrimental to Pendle. The balancing exercise to assess the benefits the scheme is stated to have will need to be considered once the full scheme and all information have been gathered in the final DCO submission.

Highways

3.5 The PEIR boundary only covers the area from the C682 to the A6068 (Keighley Road). Whilst it is acknowledged that the highway routes beyond this are referred to there will no doubt be highway impacts in Colne beyond the PEIRS area and as such that area should cover the highway network through Colne.

3.6 The emissions resulting from the development will form part of the final ES. It includes the North Valley route where there have been air quality issues arising from its heavy use.

3.7 The PEIR states that no discussions have taken place with highways authorities as there are no agreements in place to do so. This means that there is still a significant amount of detail to be agreed before any meaningful outputs in relation to highway impacts can be reached.

3.8 The methodology in the PEIR on transport is that the impacts on A roads will be low as they are constructed to accommodate significant HGV composition. Some of the A roads in Pendle, particularly through North Valley, operate at

capacity with significant delays. It cannot simply be stated that impacts are automatically low on A roads.

- 3.9 In Appendix 14-2 of the PEIR there is a construction management plan. This is combined with the Transport Assessment which looks at the route to the site through Colne and the changes that will be needed to accommodate that. Comments from LCC on the accuracy and feasibility of this have not been received. At this stage the route proposed is acknowledged but detailed comments should be made once the highways authority has, in turn commented.

Impact on Peat and Ecology

- 3.10 The site has significant and important concentrations of peat which are extremely important for carbon capture and retention critical to climate change. The impacts on the peat environment, including impacts of cutting and retention of peat are considered in the PEIR. Reinstalment and storage solutions are not dealt with in detail in the PEIR but will be the subject of solutions presented in the final ES.
- 3.11 Drainage and the impacts will also be important in terms of how that impacts on the peat environment and how the overall impacts are minimised.
- 3.12 Although the PEIR assesses preliminary impacts as with all other aspects of the scheme further information is needed to conclude a full assessment.

Biodiversity & Ornithology

- 3.13 Full details of the proposals are still being worked on with Natural England. Until such time as full details are known Pendle cannot comment in full and should reserve the right to make detailed comments when the DCO is submitted. The statement indicates that as comprehensive mitigation package will be required to address the predicted impacts. These are still in the process of being developed.

Construction and Environmental Management Plan

- 3.14 As with other matters this is being worked on. The intention is to have site specific procedures and mitigation measures to control environmental impacts. For Pendle it will also set out how construction traffic will be managed. Due to the significant amounts of traffic that will be generated throughout the construction period and the size and quantity of abnormal loads this will be a significant issue for Pendle. Until the details are known a holding objection needs to be made on traffic matters as if they are not effectively managed the impacts on Pendle could be long term and severe. This would include having significant economic impacts were the traffic disruption to be long and prolonged.
- 3.15 This plan will also consider the management of peat which is a globally important resource for carbon storage.

Consultation Process

- 3.16 Area Committees have been consulted as set out in the responses at Appendix 3. All Area Committees supported the comments that there was insufficient information to make overall comments and shared the areas of concern as set out earlier in the report.
- 3.17 In addition to those Colne Area Committee resolved to ask the Executive to consider pursuing a Judicial Review based on concerns that the consultation process had infringed Gunning Principle 2, which requires that there should be adequate information to allow people to be able to give a scheme intelligent consideration.
- 3.18 The development of the scheme has been iterative in that there have been informal consultations when the scheme was initially being developed followed by the current formal consultation. The evolution of a scheme of this nature is that information will emerge through the stages of consultation, both informal and formal, which will eventually lead to a full detailed scheme being submitted at the DCO stage.
- 3.19 The main premise for the proposed Judicial Review revolves around there not having been sufficient information at the outset about the highway routes and the impacts those would have on the communities in Pendle. It has always been the case that two access routes were going to be considered with the developer indicating that they needed to do further work to establish the volumes and exact routes at a later stage. The information in the current consultation indicates the likely level of vehicular movements that the scheme would generate, the routes it is likely to take and some of the works that will be needed to facilitate the traffic.
- 3.20 The PEIR acknowledge that the information on the development is not yet complete. For example, 1.2.5 of the Non-Technical Summary acknowledges that the evidence is not yet complete and that it will only be completed when the full environmental assessment is itself complete. The supporting documents also support that view by indicating that further work is still required on almost every aspect of the scheme.
- 3.21 Clearly the community and community organisations are at liberty to pursue a Judicial Review if they are of the view there is a case to do so. PBC has been consulted on the scheme informally and formally. The scheme is evolving and the emerging potential impacts are broadly known with further details still being developed.
- 3.22 Section 55 of the Planning Act 2008 (“the Act”) governs what happens when the body that will determine the application, in this case the Planning Inspectorate, receives the DCO. In order to accept the DCO the Inspectorate has to consider whether the applicant has complied with Chapter 2 of Part 5 of the Act. This includes consideration of complying with section 47 which is the Duty to Consult the Local Community. That would be the appropriate channel to raise the matter of whether the community had been consulted in a legally compliant way.

- 3.23 The legal advice for the Council is that this is not the stage to pursue a judicial challenge.

Concluding Comments

- 3.24 There has been a significant amount of preparatory work carried out on the project but there is still a significant amount of work to be carried out in order to conclude the ES and to reach overall conclusions. PBC should comment on any areas of concern in the methodology and initial findings and reach a final position on all matters once a full set of information is available.

4. Implications

4.1 Financial Implications

There are none directly arising from this report.

4.2 Legal and Governance Implications

None arising from this report.

4.3 Climate and Biodiversity Implications

The whole project raises significant issues both positively and negatively relating to climate change. Impacts on the peat overornament for example will happen which will be detrimental to climate change. The production of renewable energy will on the counter position have a positive impact.

4.4 Human Resources Implications

None arising from this report.

4.5 Equality and Diversity Implications

None arising directly out of this report.

5. Consultation

- 5.1 This is a consultation. Pendle has not consulted on the consultation.

6 Alternative Options Considered

There are no alternatives for this report. The scheme itself has to consider alternatives as part of the Environmental Statement.

7. **Statutory Officer Sign off** (please put an x in the relevant box below)

| | |
|---------------------|----------|
| Section 151 Officer | X |
| Monitoring Officer | X |

8. Background Documents

[Document library - Calderdale Energy Park](#)

Contact Officers

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Appendix 1

Preliminary Environmental Information Report (PEIR) – For Guidance ONLY

Does the PEIR provide enough information to understand likely significant effects.

The PEIR must contain information “reasonably required for the consultation bodies to develop an informed view of the likely significant environmental effects of the development”. Consultees should check whether the information is:

- Sufficiently detailed for this *stage* (not a full ES, but more than high-level)
- Aligned with the Scoping Opinion issued by PINS.
- Clear on assumptions, methodologies, and limitations

What is needed?

Please focus your response on the following:

1. **Is the PEIR adequate for this stage?** Does it provide enough information for you to form an informed view of the *likely significant environmental effects*?
2. **Compliance with the Scoping Opinion** Has the applicant followed the methodologies, survey requirements, and assessment parameters set out in the Scoping Opinion?
3. **Baseline data and methodology** Are the baseline conditions, assumptions, and assessment methods appropriate and robust?
4. **Likely significant effects** Are the predicted effects (construction, operation, decommissioning) reasonable and clearly explained?
5. **Mitigation** Are the proposed mitigation measures appropriate, deliverable, and sufficiently developed at this stage?
6. **Gaps or missing information** Identify any omissions that must be addressed in the Environmental Statement (ES).
7. **Cumulative effects** Are the other developments considered appropriate? Are any missing?

Ecology / Biodiversity

- Survey effort to date and planned further surveys.
- Identification of designated sites and protected species
- Preliminary assessment of habitat loss, fragmentation, disturbance
- Approach to Biodiversity Net Gain

- Cumulative effects

Landscape and Visual

- Adequacy of baseline landscape character assessment
- Identification of landscape designations and sensitive areas
- Viewpoints selected and justification for their inclusion.
- Preliminary assessment of landscape and visual effects (construction and operation)
- Consideration of night-time/lighting effects
- Cumulative landscape and visual impacts
- Proposed mitigation (planting, screening, design evolution) and whether it appears realistic.
- Clarity on methodology, assumptions, and limitations
- Alignment with relevant landscape guidance

Heritage

- Identification of heritage assets and their significance
- Assessment of setting impacts
- Whether the PEIR aligns with expectations in PINS Advice Note 11 and heritage guidance
- Need for further fieldwork or assessment

Drainage

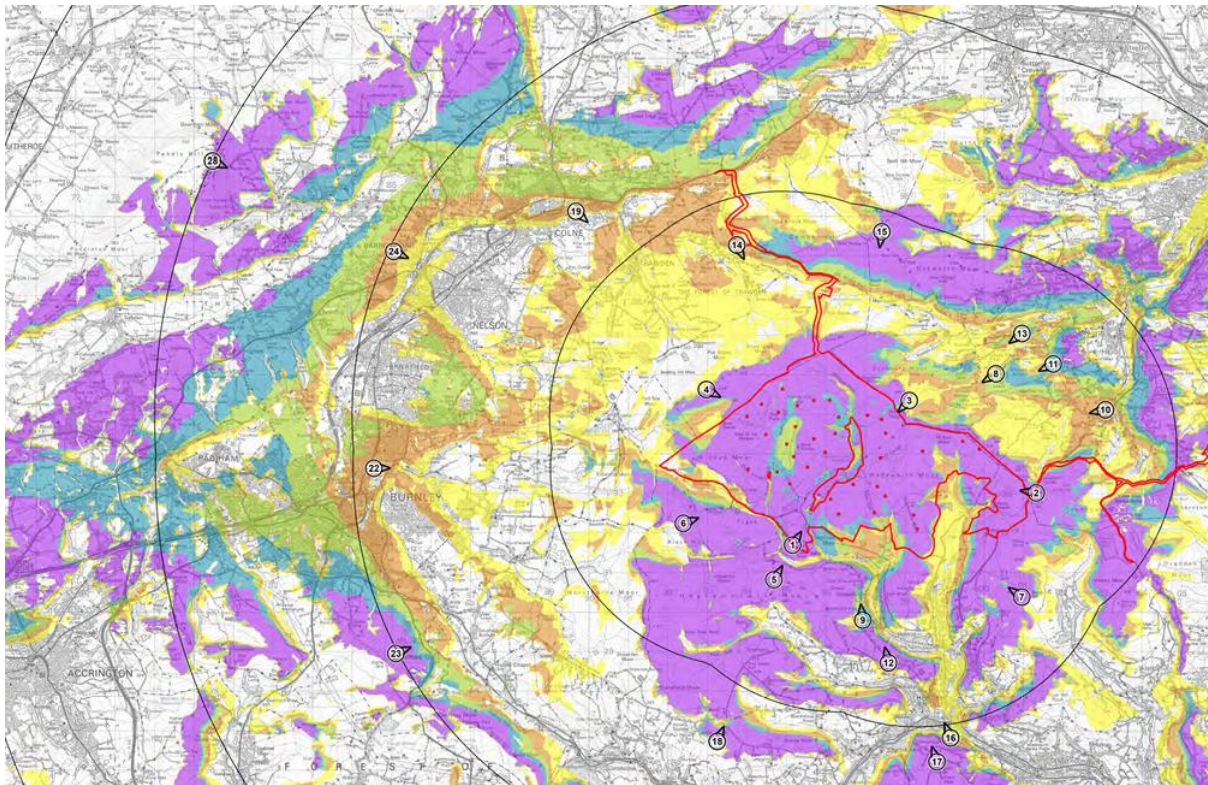
- Baseline hydrology information
- Preliminary drainage strategy
- Climate change allowances
- Potential impacts on watercourses and groundwater
- Potential Impacts on peat

Public Rights of Way / Recreation/Tourism

- Identification of affected routes
- Preliminary assessment of severance or diversion
- Identification of tourism assets (visitor attractions, accommodation, trails, landscapes)
- Assessment of potential impacts on visitor experience (noise, visual, access, construction disruption)
- Effects on tourism-dependent businesses and local visitor economy
- Opportunities for enhancement (improved access, new facilities, landscape improvements)
- Seasonal considerations (peak visitor periods)
- Cumulative effects with other developments affecting tourism routes or destinations.
- Proposed mitigation or enhancements

Appendix 2





Appendix 3

West Craven, Barrowford and Western Parishes and Nelson, Brierfield and Reedley: Support the comments in the report that went to all Area Committees that there were concerns regarding potential major impacts on highways; the landscape and the visual quality of the area; tourism, biodiversity and ecology including impacts on the peat environment.

Colne and District Committee: Concern about the accuracy of information for example on the depth of peat information. Concern that the development has not considered impacts on properties located along the highway network from vibration resulting from the movement of the vehicles delivering material and turbines.

There were concerns that the viewpoints in the LVIA did not cover an appropriate range for important views in Colne.

Were of the view that a Judicial Review should be explored due to the consultation process not being extensive enough or inclusive of the local community. The Committee were of the view that the development offended Gunning Principle 2 that "There must be sufficient information to give intelligent consideration" to the development.