

Subject:	Scout Moor and Rooley Moor Wind Farm Update	Status:	For Publication
Report to:	Council	Date:	26 th March 2014
Report of:	Planning Manager	Portfolio Holder:	Environmental Services
Key Decision:	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes/No	Attached: Yes/No
Biodiversity Impact Assessment	Required:	Yes/No	Attached: Yes/No
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1.	RECOMMENDATION(S)
1.1	That the contents of the Report are noted; that responses on the different consultations and liaison with developers are delegated to the Director of Business in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

2.1 To update Members on progress on the Scout Moor and Rooley Moor Wind Farm proposals.

3. CORPORATE PRIORITIES

3.1 The matters discussed in this report impact directly on the following corporate priorities:

- **Regenerating Rossendale:** This priority focuses on regeneration in its broadest sense, so it means supporting communities that get on well together, attracting sustainable investment, promoting Rossendale, as well as working as an enabler to promote the physical regeneration of Rossendale.
- **Responsive Value for Money Services:** This priority is about the Council working collaboratively, being a provider, procurer and a commissioner of services that are efficient and that meet the needs of local people.
- **Clean Green Rossendale:** This priority focuses on clean streets and town centres and well managed open spaces, whilst recognising that the Council has to work with communities and as a partner to deliver this ambition.

4. RISK ASSESSMENT IMPLICATIONS

4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- Negotiation of a Planning Performance Agreement with Peel Energy
- Rochdale MBC becoming sole determining authority for the Rooley Moor application or this proposal being called in by the Secretary of State

5. BACKGROUND AND OPTIONS

5.1 After a long period of behind the scenes activity but with little visible happening the first months of this year has seen a significant amount of progress with further progress expected shortly.

5.2 Negotiations on the Planning Performance Agreement (PPA) for Peel's Scout Moor scheme rec-commenced in December with round table discussions between all the interested parties. This has established a basis for moving forward with an agreement that will secure the developer funding future work on the project by officers of the three authorities and agreed consultants up until the preparation of the Local Impact Report. All outstanding costs for work

already undertaken will be refunded as a first action when the agreement is legally signed. This will mean that £8 500 will be repaid to Rossendale.

- 5.3 Rossendale has previously played the Lead Officer role in co-ordinating responses from the three authorities. This mantle has been passed onto Lancashire County Council because of the volume of work within Rossendale Planning Department. Officers will still however still take the lead on two specialist topic areas.
- 5.4 In February Peel Energy announced that they had entered into a joint venture with United Utilities to develop the Scout Moor Extension. This is significant because United Utilities reservoirs were severely affected by water discoloration following the development of the original Scout Moor scheme so their involvement this time should alleviate this problem occurring again. Peel and United Utilities undertook a member briefing on their proposals on 10th March describing a scheme of up to 26 turbines comprising infill machines plus northern and western extensions. Nearly all these turbines will be in Rossendale. Public Exhibitions of the proposals are expected to be held in April at locations around the Valley.
- 5.5 One reason for the delay in overall progress has concerned land ownership issues at Rooley Moor which is on the eastern side of Scout Moor, above Whitworth. It was originally part of Peel's "Eastern Extension" proposals with access off the existing tracks to Scout Moor. Acquisition of the land rights by Coronation Power has resulted in a different proposal for 17 turbines accessed via Rooley Moor Road after informal discussions between the different parties broke down. Only two of these turbines are within Rossendale.
- 5.6 Coronation Power has recently completed a four week consultation on their proposals. This has generated a substantial amount of concern with over 160 individuals attending the exhibition in Whitworth alone. Officers from Rochdale, working with Rossendale, have commissioned independent landscape advice funded by Coronation Power to assess the impact of the scheme. It is probable that this will affect the final layout of the scheme, with one option being no turbines within the Rossendale administrative area. There would still however be a need for officers of the Council to comment on the impacts of the proposal to Rochdale who would be the determining authority. A submission is now likely in April.
- 5.7 Under Section 35 of the Town and Country Planning Act 2008 the Secretary of State is able to call in schemes for his own consideration as a Nationally Significant Infrastructure Projects even if they are below the published threshold. There is an argument that as Rooley Moor Wind Farm is so close to that at Scout Moor that it effectively reads as one large project and should be considered by the National Infrastructure Directorate alongside the Scout Moor scheme. It is understood that an approach has been made to the Secretary of State to exercise this power. Should the Secretary of State choose to do this it would remove the decision making process from the local authorities and effectively result in consideration by NID of one large scheme albeit by two promoters, probably with different access arrangements than currently. If this scenario does occur it is likely that the three authorities will want to negotiate a PPA with Coronation Power in the same way as they have with Peel in order to recoup staff costs.
- 5.8 The Scout Moor/Rooley Moor Member Steering Group has been reconvened and has looked at the Coronation Power proposals. A response has been sent from the group concentrating on recreational issues. A similar response will be sent to Peel.

- 5.9 It is expected that the coming months will see considerable activity as both companies seek to bring forward their schemes. This will be demanding on staff resources, even if costs are refunded.
- 5.10 Finally, members are advised that Rossendale together with Burnley, Calderdale, Kirklees and Barnsley have commissioned a detailed study to look at landscape sensitivity and capacity. This updates the previous work undertaken in 2009 and is expected to inform comments on the Scout Moor/Rooley Moor schemes.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

- 6.1 Members are reminded of item H1 and paragraph 16 of the minutes re Council 20th July 2011. Under the new arrangement for local government financing, 100% of business rates raised from renewable energy schemes are retained by the local billing authority. As such the proposal has the potential to raise approximately £650k per annum revenues for Council. This income stream will be fundamental to achieving the Council's Medium Term Financial Strategy and the goal of eliminating its future forecast annual budget deficit.

7. MONITORING OFFICER

- 7.1 Comments included in the body of the Report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 Planning Officers have consulted colleagues in Lancashire County Council and Rochdale MBC on this topic.
- 8.2 As part of either a planning application or a Development Consent Order the applicant is required to ensure that all statutory requirements are met. This included preparation of a comprehensive Environmental Impact Assessment; consideration of social and economic impacts and ensuring that the application meets Core Strategy Policy requirements.

9. CONCLUSION

- 9.1 There has been significant recent progress on developing these two proposals towards submission stage. Officers will continue liaising with all parties to make progress on this matter. Finalisation of a PPA would bring additional financial resources to ensure that all relevant technical issues on the Scout Moor scheme are fully assessed. Should the Coronation Power scheme be called in by the Secretary of State the authority will also seek a PPA on this project. A decision should be made by the Secretary of State on whether to undertake a "call-in" within 29 days.