

Subject:	Scout Moor and Rooley Moor Wind Farms update	Status:	For Publication
Report to:	Council	Date:	16 th July 2014
Report of:	Planning Manager	Portfolio Holder:	Operational Services and Development Control
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: No	Attached:	No
Biodiversity Impact Assessment	Required: No	Attached:	No
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1.	RECOMMENDATION(S)
1.1	That Council note the current situation on Scout Moor and Rooley Moor Wind Farms and the decision making process
1.2	All future minor amendments to the Planning Performance Agreements to be delegated to the Director of Business in consultation with the Portfolio Holder.

2. PURPOSE OF REPORT

- 2.1 To update members of the current position regarding progress on major wind farms in the area.

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:
- Staff time spent on assessing these applications will have to be taken from other pressing work and risk delays on other planning applications/the Local Plan unless funding can be secured
 - Failure to properly assess and report on these applications risks poor decisions been made to the detriment of the Borough as a whole

5. BACKGROUND AND OPTIONS

- 5.1 Scout Moor Wind Farm extension is a joint project of Peel Energy/United Utilities. It involves up to 26 new turbines. Because of its scale it will be decided by the Secretary of State following consideration by the National Infrastructure Directorate of the Planning Inspectorate.

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However as Local Planning Authority Rossendale has an important role in advising on consultation, commenting on the quality of the evidence base, in particular the Environmental Impact Assessment (EIA) and producing a Local Impact Report. A copy of the Preliminary Environmental Impact Assessment has been received with officers responding by the end of the month.

- 5.2 Public Exhibitions were held on the preferred scheme at the end of June. Advice was given to Peel on suitable locations to publicise this and members kept updated. A further exhibition will be held later in the year. The Scout Moor Member Steering Group has written separately to Peel about their plans for recreation provision on the Moor with a meeting held between Councillor MacNae; a representative from Lancashire County Council and Jon England from Peel to discuss this issue. Members of the Steering Group are being kept informed of progress and a discussion on the proposals is scheduled.
- 5.3 Peel Energy has actively sought to engage Rossendale, Rochdale and Lancashire Councils in preparation of a Planning Performance Agreement (PPA). In return for meeting tight prescribed deadlines for undertaking defined pieces of work, the developer will fund local authority staff time and the appointment of consultants to undertake specific tasks. The latter will be procured via Rochdale MBC. There has been extensive consultation about the precise contractual arrangements with Peel but a legal agreement is now very close to being reached and should be finalised by the time this Report is considered.
- 5.4 It is anticipated that the main input into this work will be by the Director of Business with respect to Steering Group meetings and by the Principal Planner-Forward Planning with respect to technical work. This will include attending progress meetings between the three authorities and Peel as well as analysing different elements of the Environmental Impact Assessment (EIA) prepared by the developers' consultants. This work has been divided between the authorities with Rossendale responsible for analysing EIA documents on Socio-Economic Benefits and Planning Policy as well as contributing to the overall response. In order to ensure that Local Plan preparation and other targets are met it is anticipated that the funding received will be used as necessary to fund additional consultancy work on the Local Plan.
- 5.5 Rooley Moor Wind Farm is a 12 turbine scheme to the east of Scout Moor. This is a reduction from the original 17 turbine scheme proposed in the pre-application discussion but a number of planning issues remain, particularly relating to Landscape and Rooley Moor Road. It is being proposed by Coronation Power with an application expected to be received by the time this Report is considered. Two of the turbines will be in Rossendale with the remainder being in Rochdale. This scheme will be decided by the two planning authorities. Peel Energy asked the Secretary of State for Energy and Climate Change to consider this and the Scout Moor proposal as one scheme which officers of this Council supported. However the Secretary of State elected not to intervene and left it to the Planning Authorities to make the decision.
- 5.6 As Planning Authority with the largest number of turbines Rochdale MBC will receive the entire Planning fee payable. Rochdale will commission any external consultants but the analysis to be undertaken will also encompass the Rossendale administrative area. The application is expected to be submitted by early July and will take a number of months to determine.
- 5.7 Officers have sought to enter into negotiations with Coronation Power about creating a PPA for the payment of staff time for consideration of this application. In return the Council would be able to commit to meeting agreed deadlines. Planning Officers are currently operating

close to capacity. It will be very challenging within existing resources to commit the amount of officer time necessary to consider the proposal without a knock-on effect on other applications. The level of detail of the proposal, particularly within the EIA, will not be dissimilar in scale to Scout Moor. Available budgets to procure temporary staff are very limited. Coronation Power indicated an initial willingness to enter into a PPA but subsequent discussions have been challenging but negotiations are still continuing. It is still hoped that a positive outcome can be reached but this is by no means certain.

- 5.8 The impacts of both schemes will be significant and will require careful consideration. Views from Whitworth towards Rooley Moor and from Cowpe and Newchurch towards Scout Moor will, for example, be affected by the proposals. This may raise some local concern. There are also positive benefits, such as proposals to enhance the land management and recreational opportunities on Scout Moor. All the different assessments will need careful assessment.

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 contained in the body of the report.

8. POLICY IMPLICATIONS AND CONSULTATION CARRIED OUT

- 8.1 Extensive engagement has been undertaken with officers from Lancashire and Rochdale Councils as well as with Peel Energy. Limited discussions have been held with Coronation Power.
- 8.2 Consideration of the Scout Moor scheme to be decided by the Secretary of State will be subject to extensive consultation to be carried out by the developer as required by the Town and Country Planning Act 2006 and associated Regulations. The Council as statutory consultee has advised on locations where consultation should be advertised. The Rooley Moor scheme will be decided by this Council and consultation undertaken in line with approved development control procedures for major applications. With a scheme with such a broad impact careful consideration has been given to how this can be undertaken most effectively but also cost efficiently.

9. CONCLUSION

- 9.1 The conclusion of a PPA for Scout Moor Wind Farm will enable the Council to reclaim for staff costs incurred by senior officers engaged in the Project. It will also fund the employment of consultants to analyse key technical elements of the application such as landscape impacts to ensure that the best available evidence is available. This money can be used in turn to "backfill" any day to day work that cannot be undertaken by officers working on this project.
- 9.2 Officers will continue to seek to negotiate a PPA for the Rooley Moor scheme as the Council will otherwise have to assess this application without the benefit of a planning fee at a time of increasing staff resource pressure.

Background Papers

Document	Place of Inspection
Planning Performance Agreement for Scout Moor Wind Farm	Business Centre, Futures Park