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| Subject: | Scout Moor and Rooley Moor Wind Farms update | Status: | For Publication |
| Report to: | Council | Date: | 24 th September 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: | Yes/No | Attached: Yes/No |
| Biodiversity Impact Assessment | Required: | Yes/No | Attached: Yes/No |
| Contact Officer: | Adrian Smith-Forward Planning | Telephone: | 01706 252419 |
| Email: | adriansmith@rossendalebc.gov.uk | | |

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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 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

Scout Moor

- 5.1 Scout Moor Wind Farm extension is a joint project of Peel Energy/United Utilities. It involves

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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.

5.2 A copy of the Preliminary Environmental Impact Assessment was received in June. Officers worked jointly with colleagues from Lancashire County Council and Rochdale MBC to assemble a response. As well as assessment by Council officers Independent Consultants were employed to assess various technical matters funded by the developer as part of the Planning Performance Agreement with a consolidated response sent in early August. This highlighted a number of items that require addressing including:

- *Cumulative Impact* – the proposal should be considered collectively with proposals for Rooley Moor Wind Farm as the two schemes will read collectively as one scheme.
- *Landscape Impact*-the response indicates that the current proposals will have a number of unacceptable visual impacts when viewed from locations such as Cowpe and Edenfield. The removal of a number of the proposed turbines is suggested, such as those to the east of Cowpe/north of Stacksteads, as a way of addressing this
- *Moorland Restoration Management Plan*-the definition and successful implementation of this document will be central to the success of the project. Issues such as peat restoration are covered in some detail but obtaining the agreement of all the relevant commoners to effective land management will be challenging. An aspiration to appoint a “ranger” is identified but access issues are not fully addressed.
- *Archaeology and built heritage*- there are a number of errors in the baseline data that will require addressing with the impact on Grade 2 Listed Buildings particularly poorly addressed. It is suggested that the most north eastern turbines may need removing to reduce the impact on buildings in Rossendale.
- *Socio-economic*-no detail is provided as to how the potential benefits to employment and the local economy will be maximised.

5.3 There have been some subsequent discussions with the developer’s consultants about aspects of the application such as how the socio-economic benefits could be better addressed. It is understood that the layout of the scheme is being finalised by the developer and that further consultation on the scheme to be submitted to the Planning Inspectorate will be undertaken towards the end of the year. Members should be aware that any reduction in the number of turbines should mitigate the most adverse impacts of the scheme but will also lower the income received by the Council through Business Rates. A Community Benefit Fund will form part of the final proposals with a number of possible options both in terms of what could be included in the Fund and how it will be managed. This is not strictly a planning matter.

5.4 Members of the Steering Group are being kept informed of progress and a discussion on the proposals has taken place with concern about maximising recreational access expressed.

5.5 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 still being finalised. However it is understood that an initial payment has been made via Rochdale for work undertaken at Scoping stage (£8 500 for Rossendale) with a further claim for additional work undertaken in appraising the application recently submitted.

Rooley Moor

- 5.6 Rooley Moor Wind Farm is a 12 turbine scheme immediately to the east of Scout Moor. A submission was made in late July but immediately placed on hold by the applicant because of issues they had identified with the Environmental Statement that required resolution. The application was resubmitted in late August. Two of the turbines are in Rossendale with the remaining ten being in Rochdale. This scheme will be decided by the two planning authorities. As the majority of the turbines are in Rochdale the entire planning fee will unfortunately for this borough go to Rochdale. The statutory period for deciding the application is sixteen weeks. The Rossendale Application reference is 2014/0388 with all the documentation available on the Council's website http://www.rossendale.gov.uk/site/scripts/planx_details.php?appID=3796
- 5.7 This is an extremely large application with around 200 supporting documents. 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. To date these negotiations have been unsuccessful. 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. Officers are also in discussions with Rochdale to see if agreement can be reached which allows this Council to freely use reports obtained by Rochdale on the whole scheme.
- 5.8 There has already been some dialogue with interested parties about the scheme with a number of groups working together. The legal adequacy of the work undertaken by Coronation Power on pre-application discussions has been called into question but officers are of the opinion that the legal requirements have been met.
- 5.9 The impacts of the scheme will be significant particularly on users of Rooley Moor Road, particularly its use as the Pennine Bridleway, and will require careful consideration. Other significant impacts are expected to be visual and on peat.

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 Scout Moor scheme in particular has the potential to raise significant 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.
- 6.2 There are potential staffing implications arising from this report. Dependent on the outcome, these would be dealt with within the Council's existing HR policies and processes.

7. MONITORING OFFICER

- 7.1 Comments contained within 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 Both schemes will have benefits for the area in terms of generation of renewable energy and income produced from Business Rates. However there are significant impacts that will need to be weighed against this.

| Background Papers | |
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| Document | Place of Inspection |
| Response to Scout Moor Preliminary Environmental Assessment | Business Centre, Futures Park |