

<b>Subject:</b>	Scout Moor Wind Farm Update	<b>Status:</b>	For Publication
<b>Report to:</b>	Council	<b>Date:</b>	25 <sup>th</sup> September 2013
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Environmental Services
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	<b>General Exception</b>	<input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Equality Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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<b>1.</b>	<b>RECOMMENDATION(S)</b>
1.1	That the contents of the Report are noted; that negotiations on a Planning Performance Agreement and related staffing implications 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
- Consideration of two proposals affecting part of the same area by different planning bodies could lead to duplicate workload and strain on staff resources

**5. BACKGROUND AND OPTIONS**

5.1 Members were informed of progress on the proposed Wind Farms at Rooley Moor and Scout Moor at the Council meeting in June 2013. There have not been any further submissions for either scheme. Informal discussion with Peel Energy indicates that they will be in a position to start community consultation on their proposals by the end of this year or early next year together with submission of additional environmental information. Negotiation over the contents of a Planning Performance Agreement (PPA) is due to commence in the next few weeks. This would require the Council to respond to documentation on the proposals and background evidence by specified deadlines in return for agreed funding. The practicalities of how this will be achieved with respect to use of internal staff resources or buying in external

expertise require finalisation.

- 5.2 Plans to progress Rooley Moor Wind Farm by Coronation Power continue to be delayed due to the work being undertaken to take forward Crook Hill Wind Farm but in particular due to problems with erecting a meteorological mast on site. The earliest that anything further on the scheme is likely to be available is likely to be early 2014.
- 5.3 Rochdale MBC has been liaising with English Heritage with respect to the archaeological value of Rooley Moor Road. Natural England has concluded that the road is of primarily local merit and would not justify declaration as a national Ancient Monument.
- 5.4 Bury Council have signed the South Pennine Authorities Memorandum of Understanding on Renewable Energy. This means that all relevant authorities in the proximity of the proposed Wind Farms have now committed to work together on these issues.
- 5.5 In late July the Government published new Planning Practice Guidance on Renewable Energy. This replaces the former Planning Policy Guidance 22 Annex. Overall the Guidance amplifies and nuances the very limited guidance in the National Planning Policy Framework on Renewables (Paragraphs 97/98) but does not significantly alter the current approach.
- 5.6 Wind Energy issues are specifically addressed in paragraphs 29-45. Technically, the Guidance endorses the type of approach that the Council has taken to Wind Energy in particular, such as the importance of undertaking landscape capacity assessments across Borough boundaries and thoroughly addressing cumulative impact. It also supports the Council's Wind Energy Validation policy with respect to the type of information that should be required from developers. The importance of addressing factors such as local landscape, topography and heritage assets are given slightly greater emphasis than previously.
- 5.7 Local Authorities are encouraged to identify "Areas of Search" for Renewable Energy within Development Plans where a positive approach to renewables would be taken. Outside these areas a more robust approach may be taken to consideration of the negative impacts of proposals. Defining such "Areas of Search" within Rossendale is likely to prove challenging as virtually the whole of the upland area already accommodates a number of developments and the scope for additional schemes beyond those with permission or proposed is relatively limited. Commissioning of an update of the existing Julie Martin Associates Landscape Capacity Guidance is likely to be required to inform the Local Plan and consideration of planning applications, reflecting the cumulative impacts of new permissions granted since 2010. This will require the necessary budget be identified and is likely to cost £5-10 000 maximum depending on how many neighbouring authorities participate.
- 5.8 A number of authorities nationally have sought to introduce minimum distances between new wind turbines and residential properties. The new guidance discourages this practice, stating in Paragraph 16:

*Local planning authorities should not rule out otherwise acceptable renewable energy developments through inflexible rules on buffer zones or separation distances. Other than when dealing with set-back distances for safety, distance of itself does not necessarily determine whether the impact of a proposal is unacceptable. Distance plays a part, but so does the local context including factors such as topography, the local environment and near-by land uses. This is why it is important to think about in what circumstances proposals are likely to be acceptable and plan on this basis.*

5.9 The question of the issue of “need” for new renewable generation impacts and the balance on local impacts has been the subject of much debate over recent years. The guidance makes clear that both are important and need to be weighed in decision making, stating in Paragraph 6:

*The National Planning Policy Framework explains that all communities have a responsibility to help increase the use and supply of green energy, but this does not mean that the need for renewable energy automatically overrides environmental protections and the planning concerns of local communities. As with other types of development, it is important that the planning concerns of local communities are properly heard in matters that directly affect them.*

5.10 Paragraph 7 indicates that while Local Authorities need to assess local capacity to accommodate new technologies and meet international obligations for renewable production there is no “quota” that different areas are expected to meet.

#### **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

##### **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.

##### **9. CONCLUSION**

9.1 There has been very little outward 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. The Scout Moor Member Steering Group will be reconvened at the time of the Community Consultation.

9.2 The new Planning Practice Guidance supports the approach taken by the Council to wind turbine applications of seeking adequate information from applicants and giving thorough consideration of relevant impacts. An update of the Evidence base on cumulative visual impact of wind turbines is recommended.

#### Background Papers

Document	Place of Inspection
<a href="https://www.gov.uk/government/publications/planning-practice-guidance-for-renewable-energy">https://www.gov.uk/government/publications/planning-practice-guidance-for-renewable-energy</a>	CLG/DECC website