

Issue 5	DP9 Renewable Energy	
Development plan reference:	Policy DP9 (Volume 1, Page 61 – 70)	Reporter:
Body or person(s) submitting a representation raising the issue (including reference number):		
<p>Royal Society for the Protection of Birds (RSPB) Scotland (285)</p> <p>Janet Trythall (404)</p> <p>Scottish Government (490)</p> <p>Force 9 Energy (886)</p> <p>Scottish Natural Heritage (SNH) (1027)</p> <p>Fred Olsen Renewables Ltd (1047)</p> <p>Christopher Moran Energy Limited (2178)</p> <p>Airvolution Clean Energy (2186)</p> <p>innogy Renewables UK Ltd (2213)</p>		
Provision of the development plan to which the issue relates:	Policy DP9 Renewable Energy	
Planning authority's summary of the representation(s):		
<p>Compliance with Scottish Planning Policy (SPP)</p> <p><u>Scottish Government (490/4/06)</u></p> <p>Propose that a new sub-section be inserted to accord with Paragraphs 158 to 160 of SPP in respect of heat supply.</p> <p><u>Force 9 Energy (886/2/3)</u></p> <p>As a standalone element of the policy, Part a) contains no criteria which recognises the potential benefits of renewable energy proposals and therefore lacks balance, if taken in isolation, i.e. it would be the only element of Policy DP9 which might apply to solar or hydro development.</p> <p>Do not consider it necessary to include any criteria in respect of agricultural land, which is too loosely defined and which does not feature as necessary criteria in SPP 2014.</p> <p><u>Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)</u></p>		

The requirement under Part a) ii) that there is no “*permanent loss or damage*” upon agricultural land of any quality is also considered to be inappropriate and overly restrictive. The Proposed Plan provides no definition of agricultural land and the approach within Paragraph 80 of SPP applies either to prime agricultural land or land of lesser quality that is locally important; not to all agricultural land as the Proposed Plan currently states.

The reference to the need for developments to “*respect the main features of the site and wider environment*” at Part b) iii) bullet point 2 is vague and unnecessary as landscape and visual impacts are addressed elsewhere in the policy.

Airvolution Clean Energy (2186/1/2)

Should be made clear that when assessing individual applications for renewable energy proposals, the Council will also address the presumption in favour on a case by case basis having regard to the guiding principles set out in paragraph 29 of SPP, as well as applying the detailed assessment criteria set out in paragraph 169 of SPP, where relevant.

States that since publication of The Moray Onshore Wind Energy Supplementary Guidance (MOWESG), there have been a number of very significant Scottish Government energy publications including The Scottish Government’s Onshore Wind: Policy Guidance (OWPS), Scotland’s Economic Strategy (SES) and Climate Change Plan which sets new 2030 and 2050 energy targets that have not been taken into consideration in the current MOWESG.

Spatial Framework

Force 9 Energy (886/2/3)

‘Part b) i) The Spatial Framework’ should simply provide guidance on how the Council will treat the Spatial Framework under the terms of SPP 2014. Reference to MOWESG and the Moray Wind Energy Landscape Capacity Study (Landscape Capacity Study) gives these documents undue prominence and weight against the Spatial Framework, a position which is contrary to SPP 2014 which states that the Spatial Framework is “designed to bring consistency and additional constraints should not be applied at this stage” (SPP para 163).

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Part b) applies only to onshore wind energy development and it is noted that there are a number of aspects of this part of the policy that are inconsistent and contrary to the national policy position, as well as inconsistent with the preceding Part a). The Landscape Capacity Study does not form part of the Spatial Framework and inclusion would be contrary to the policy position in SPP. The document is referenced later in the policy, namely Part b) iii).

SPP 2014 requires Planning Authorities set out a Spatial Framework identifying those areas that are likely to be most appropriate for onshore wind farms, following the approach set out in Table 1, and indicating the minimum scale of development that the framework is intended to apply to. Table 1 divides the Spatial Framework into three groupings and this approach requires to be followed in order to deliver consistency nationally. Additional constraints should not be applied at this stage. Notes that no provision is made in the Spatial Framework approach for dealing with landscape capacity (including turbine height

banding) and cumulative impact and that SPP is clear that additional constraints like these should not be applied at this stage in the interests of consistency nationally.

Airvolution Clean Energy (2186/1/2)

Believes that the text in Part b) i) is overly restrictive in respect of Group 2 areas. The policy states that proposals in these locations will 'only' be appropriate in certain circumstances and this does not reflect what SPP says in Table 1 which makes it clear that wind farms '*may be appropriate in some circumstances*' in these areas and that further consideration will be required to ascertain the extent to which any significant effects can be substantially overcome.

Believes it is important to emphasise that Map 3 does not supersede Map 1, with the Council reverting to Map 1 during the determination of applications as it provides the main basis for decision making for onshore wind turbine proposals in line with SPP.

innogy Renewables UK Ltd (2213/1/1)

The blanket application of the Group 2 Spatial Framework criteria in relation to peat is inappropriate. It is noted that the SNH Peat Map, which is to be used for the preparation of Spatial Frameworks, states that the map can only indicate that carbon-rich soils, deep peat and priority peatland habitat are likely to be present, and will be helpful in the initial site selection process undertaken by developers. The caveat that more detailed site-specific information may refine such areas isn't recognised in the Proposed Plan.

Policy Guidance Maps

RSPB Scotland (285/10/5)

Policy states that the maps have been identified by "removing additional constraints from the spatial framework map of the areas likely to be most appropriate for wind farm development"; however no explanation is provided as to what the "additional constraints" are and whether factors other than landscape capacity were taken into account in identifying these Areas of Greatest Potential.

Concerns that the Areas of Greatest Potential in Maps 1, 3 and 4 do not reflect ecological sensitivities and identify mainly upland areas of open ground. These areas can be of particular importance for upland raptors such as hen harrier, merlin and golden eagle. Hen harrier and golden eagle are both in Annex 1 of EU Directive 79/409/EEC on the Conservation of Wild Birds (the Birds Directive). For species on Annex 1 and the regularly occurring migratory species, Article 4 of the Birds Directive requires special conservation measures to be taken to ensure their survival and reproduction in their area of distribution. Hen harrier and merlin are on the Red List of Birds of Conservation Concern.

Janet Trythall (404/4/5)

Referring to Map 1, notes that an area is identified for potential development in an L-shaped corridor from the coastal Special Landscape Area (SLA) at Covesea, down Covesea Road and south of Duffus and states that this is inappropriate in landscape terms. Queries why this area is then excluded as an area of significant protection in Map 2.

Force 9 Energy (886/2/3)

Notes that Map 3: Policy Guidance Map for Large Typologies (80m and over to blade tip) within the Proposed Plan is intended to be a reproduction of Map 1 from the Council's MOWESG. States that the map within the Proposed Plan does not fully reflect the terms of the same map in the MOWESG in that it omits details including 'Planning Wind Turbine Locations' and 'Potential Development Areas for extension and repowering'.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Object to the inclusion of Maps 3 to 5, lifted from the Landscape Capacity Study, in Policy DP9. Believes that the current inclusion of selected maps from the Landscape Capacity Study, alongside the Spatial Framework Mapping, is misleading and inappropriate. Notes that this approach has in the past been proposed by other Planning Authorities in the preparation of Local Development Plans (LDPs), specifically referencing Scottish Borders Council's Proposed Plan in 2012, but has been rejected by Reporters at Examination stage.

Airvolution Clean Energy (2186/1/2)

Notes that Volume 1 of the Proposed Plan makes no reference to the repowering and extensions of wind energy developments. While it is referenced in the MOWESG, it is proposed that some commentary is included to recognise the important opportunity this presents. The Scottish Government's OWPS notes that whilst not all landscapes will have the capacity to accommodate larger turbines, *'fewer larger turbines may also present an opportunity for landscape improvement, as well as increasing the amount of electricity generated'*.

Believes that the Proposed Plan should make it clear that the Council will support, in principle, the repowering of wind farms at existing sites, noting the commentary in paragraph 170 of SPP that 'areas identified for wind farms should be suitable for use in perpetuity'. This would provide much needed clarity on this issue for the development industry through the lifetime of the LDP 2020 and would reflect the contents of paragraph 35 of the OWPS which states the Scottish Government's *'clear support in principle for repowering at existing sites'*.

innogy Renewables UK Ltd (2213/1/1)

Notes that a 2km buffer for settlements and Rural Groupings is applied at Map 2. SPP Table 1 does indicate a 2km separation distance from settlements and states that this should be *"an area not exceeding 2km around cities, towns and villages identified on the local development plan with an identified settlement envelope or edge. The extent of the area will be determined by the planning authority based on landform and other features which restrict views out from the settlement"*. With reference to the Volume 3 Rural Groupings, these areas are identified as clusters of houses with additional amenity land and potential areas of development. As the boundaries defined include potential developable areas for housing, they do not constitute existing settlement boundaries. Evidence should be provided to demonstrate how the planning authority has considered landform and other features in reaching a conclusion on the 2km buffer rather than just applying a blanket 2km buffer zone.

The Areas of Greatest Potential in Map 3 contain a number of operational and consented

wind farms and therefore cannot be considered as areas of search for new development and therefore gives an inaccurate view on potential. Requirements of SPP in identifying strategic capacity are not being met as potential development areas identified already contain existing wind farms. These areas should be differentiated and supported with an explanation in the policy.

Landscape Capacity Study

SNH (1027/9/1)

Since the Council's MOWESG was published, a number of wind farm proposals for turbines over 150 meters in height have been submitted in Scotland, which appears to be a growing trend, and this should be reflected in the Plan.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Landscape Capacity Study is not the subject of consultation and would not be before the Examination process in due course. Therefore it can only be dealt with to the extent that it is referred to in the Proposed Plan. As the Landscape Capacity Study has not had any form of independent scrutiny, it would be entirely inappropriate to include such a study's finding within the body of the LDP when it has not been subject to fuller public engagement in the preparation of such studies in accordance with SPP. It should be explicitly stated that the Landscape Capacity Study is only an initial reference point. This would be consistent with the Reporter's Report of Examination for Scottish Borders Council's Proposed Plan in 2012 where they stated their belief that it is reasonable to mention that the Landscape Capacity Study is only an initial reference point.

Airvolution Clean Energy (2186/1/2)

Does not consider it appropriate that Policy DP9 sets a requirement for applications to 'address' or be '*subject to a detailed consideration*' of the Landscape Capacity Study.

The summary from the Landscape Capacity Study that supports Map 3 only makes reference to Landscape Character Type (LCT) 10 but areas within other LCTs can also be acceptable for typologies over 80 metres to blade tip.

Considers references to '*Large Typologies to 130m*' and '*Very Large Typologies to 150m*' to be outdated due to advancing turbine technology and specifications which is resulting in an increase of demand for larger turbines and is likely to be more common place through the life of the Local Development Plan.

Notes that reference is made to both the MOWESG and the Landscape Capacity Study on three occasions within Policy DP9 and concerned about the robustness of carrying forward a relatively recent piece of supplementary guidance, namely the relationship between LDP and supplementary guidance. Notes that comments from the Chief Planner regarding the use of supplementary guidance, namely that supplementary guidance is limited to the provision of further information or detail and that the LDP expressly identifies the matters to be dealt with in supplementary guidance.

innogy Renewables UK Ltd (2213/1/1)

Considers that the turbine typologies identified in the Proposed Plan, in particular Map 3 –

Policy Guidance Map for Large Typologies, are out of date and do not accurately reflect the rapidly changing nature of onshore wind development and notes that the onshore wind industry now regularly consider turbines up to and above 200m to tip. The Landscape Capacity Study does recognise that the industry is developing wind turbines at heights up to 150m and 200m to tip and this is welcomed. However, turbines at this tip height are only considered in a repowering scenario and it appears to be assumed that turbines at this scale only need to be considered for repowering existing sites. This assumption is now reflected in the Proposed Plan and needs to be addressed in order for the policy to provide a working spatial framework for wind, and for it to be of assistance in determining all new wind farm applications (repowering and greenfield developments).

The policy suggests there is scope for Very Large Typologies to 150m and this should be reflected in Map 3.

Detrimental Impact

Force 9 Energy (886/2/3)

Believes that some of the criteria are written in absolute terms, for example in respect of cumulative impacts, as the policy hurdle is to avoid 'any detrimental impact' which is a policy hurdle few windfarm developments will achieve given acknowledgement that most wind farm developments will bring about some significant landscape and visual effects.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The focus of dealing with "*relevant unacceptable significant adverse effects*" becomes lost and inconsistent later in the policy with varying phrases and 'sub-tests' introduced. This approach needs to be rationalised. For example, within Part b) iii), reference is made to "*without significant detrimental impact*" and in iv) reference is made to "*any detrimental impact*". The phrase "*any detrimental impact*" also appears with regard to impact on local communities and under vi) Other. Therefore, the policy test needs to be consistently expressed throughout the whole policy to avoid the contradictory expressions that it contains at the present time.

The requirement at Part b) iii) for onshore wind farms to be accommodated without "*significant detrimental impact*" on landscape character or visual amenity is set at high bar and differs from the requirement at Part a) iii).

Under Part b) iv) to vi), the requirement for onshore wind energy development to address "*any impact*" is onerous. The policy tests throughout the policy can be rationalised by relying on the introductory wording and by taking a more proportionate approach to the appraisal of impacts. Part b) vi) also references the need for proposals to "*avoid or adequately resolve other impacts*" which is inconsistent with policy test wording.

Airvolution Clean Energy (2186/1/2)

Considers that it is not appropriate to expect development proposals to fully address the Landscape Capacity Study as it is well established that landscape capacity studies have limitations when it comes to assessing individual planning applications.

Replacing "*any detrimental impact*" would present a more realistic context for assessing onshore wind proposals as well as introducing the concept of acceptability into the

planning balance where there is currently none in the policy.

Under Part b) vi) Other, wording should recognise that while not all identified impacts may be resolved, they can be mitigated to acceptable levels.

innogy Renewables UK Ltd (2213/1/1)

Does not believe it is reasonable to require that proposals avoid or resolve impacts. Some adverse impacts may nevertheless be acceptable when considered in the planning balance.

LDP Policy and Interpretation

Force 9 Energy (886/2/3)

Criteria that recognises the potential benefits of onshore wind developments is welcome in Part b) ii), however the manner in which the section of policy is worded from that point is confusing.

Reference to the MOWESG should note that the document (which includes the Landscape Capacity Study as a technical appendix) is set in positive terms, which would reflect wording following Map 3, as suggested in SPP 2014 para 162, as these documents essentially “identify where there is strategic capacity for wind farms and areas with greatest potential for wind development”.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

In a similar approach to the emerging Dumfries and Galloway LDP, clarification should be included on the word “unacceptable”.

Part a) i) requires developments to be “*compliant with policies to safeguard and enhance the built and natural environment*”. This element is considered unnecessary, entirely unrealistic and set unattainably high as it is inevitable that there will be a range of significant and potentially adverse impacts which will be mitigated to a greater or lesser degree. Tensions amongst various policies within an LDP when considering overall accordance of a particular development with individual policies is taken into account through relevant legislation when determining an application. This approach is also contrary to the case of City of Edinburgh Council v The Secretary of State for Scotland SLT 120, which advises careful identification and assessment of relevant development plan policies rather than requiring compliance with all.

Airvolution Clean Energy (2186/1/2)

Policy states that renewable energy proposals will be considered favourably where they ‘*are compliant with policies to safeguard and enhance the built and natural environment*’. Wording should ensure that Policy DP9 remains the main policy against which renewable energy applications will be considered.

Welcomes the acknowledgement in the introductory sections of Proposed Plan that generating electricity from renewable sources and promoting low carbon, are important considerations for the Council. Considers modifications proposed make the overall tone of the document more positive towards renewables and to better reflect the Scottish

Government's aspirations set out in SPP, the OWPS and SES.

General

Janet Trythall (404/4/5)

Moray is already saturated with wind farms to its detriment in terms of landscape which should be protected and promoted and protected for its value to tourism, residents and wildlife. Moray already produces far more electricity than it can use and notes that wind energy is not an efficient technology in terms of carbon saving. States that any landscape assessment of a potential site can only find against whatever the height of the turbines.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The wording of the policy test set out in Part a) that developments "*avoid or address any unacceptable significant adverse impacts*" is supported as an acceptable and appropriate policy test to set out at the outset of the policy, with reference to various land use considerations. Wording generally reflects the terminology used in assessing proposals where environmental impact assessments will be required.

Airvolution Clean Energy (2186/1/2)

Particularly welcomes the statement that renewable energy proposals 'will be considered favourably' in principle. Referring to Part b) ii), welcomes that onshore wind proposals will be determined through assessment of the details of the proposal '*including its contribution to renewable energy generation targets and effect on greenhouse gas emissions, net economic impact, including socio-economic benefits such as employment, associated business and supply chain opportunities and the extent to which it avoids or mitigates any unacceptable significant adverse impact.*' Agrees that wider economic benefits are acknowledged, with benefits likely to extend beyond the immediate site boundary and should not therefore be discounted in the wider planning balance.

Modifications sought by those submitting representations:

Compliance with SPP

Scottish Government (490/4/06)

Include sub-paragraph as follows:-

d) *Heat*

Where a heat network exists or is planned, proposals should include infrastructure to allow connection to that network.

Where no heat network is present or planned:

- *Proposals should consider the feasibility for the creation of or connection to a heat network.*
- *Proposals should safeguard pipeworks within the development, to its curtilage, for future connection to a heat network.*
- *Proposals should consider the provision of energy centres, or the reservation of land for an energy centre to facilitate future connection to a heat network.*

Proposals for new development will be compared with the Scotland Heat Map to identify if it could make use of an existing heat supply or provide excess heat to heat users. This will be the case until the Council has concluded work on identifying where heat networks, heat storage and energy centres exist or would be appropriate in the plan area, at which point reference to that work should be made. Developments which have a high heat demand are encouraged to co-locate with sources of heat supply.

Where heat networks are not viable, proposals should include the use of microgeneration technologies and heat recovery associated with individual properties, unless demonstrating this is unnecessary or unviable.

Force 9 Energy (886/2/3)

Replace Part a) with:-

All renewable energy proposals will be considered favourably where they address the following criteria:

- *Net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;*
- *The scale of contribution to renewable energy generation targets;*
- *They avoid or address any unacceptable significant adverse impacts including:*
 - *Landscape and visual impacts.*
 - *Noise impacts.*
 - *Air quality impacts.*
 - *Electromagnetic disturbance.*
 - *Impact on water environment.*
 - *Impact on carbon rich soils and peat land hydrology.*
 - *Impact on woodland and forestry interests.*
 - *Traffic impact - mitigation during both construction and operation.*
 - *Ecological Impact.*
 - *Impact on tourism and recreational interests.*

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Replace requirement under Part a) ii) that there is no “*permanent loss or damage*” upon agricultural land of any quality with the requirement to consider the planning balance of socio-economic and environmental effects on the agricultural unit, under the suggested definition of acceptability.

Remove “*respect the main features of the site and wider environment*” from Part b) iii) Bullet Point 2.

Airvolution Clean Energy (2186/1/2)

Amend Part a) to make it clear that when assessing individual applications for renewable energy proposals, the Council will also address the presumption in favour on a case by case basis having regard to the guiding principles set out in paragraph 29 of SPP, as well as applying the detailed assessment criteria set out in paragraph 169 of SPP, where relevant.

Review Proposed Plan and extant MOWESG to ascertain whether this meets the test of

the relevant Act and Regulations and ensure it reflects the latest Scottish Government targets and aspirations relating to the continued growth of the onshore wind sector in Scotland through taller turbines, extensions or repowering proposals.

Spatial Framework

Force 9 Energy (886/2/3)

Replace Part b) i) with:-

“Areas with Potential (Map 1): where wind farms are likely to be acceptable subject to detailed consideration against policy criteria, set out in Part a).”

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Remove reference to the ‘*Moray Onshore Wind Energy Landscape Capacity Study*’ from Part b) i).

Party not specific regarding change sought in respect of additional constraints to the Spatial Framework.

Airvolution Clean Energy (2186/1/2)

Replace “*will only be appropriate in circumstances*” in Part b) i) with “*may be appropriate in some circumstances*” and reflect that further consideration will be required to ascertain the extent to which any significant effects can be substantially overcome. (Modification is implied based on the objection wording rather than specified).

In Part b) i), emphasise that Map 1 provides the main basis for decision making in respect of onshore wind turbine proposals.

innogy Renewables UK Ltd (2213/1/1)

Party not specific regarding change sought.

Policy Guidance Maps

RSPB Scotland (285/10/5)

Remove Maps 3, 4 and 5 or insert an explanation of the factors that have been taken into account when producing these maps.

Amend Maps 1, 3 and 4 to reflect ecological sensitivities and avoid upland areas of open ground due to presence of protected species. (Modification is implied based on the objection wording rather than specified).

Janet Trythall (404/4/5)

Party not specific regarding change sought.

Force 9 Energy (886/2/3)

Amend Map 3 to reflect MOWESG Map 1 consistently in respect of Potential Development Areas for extension and repowering.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Remove Maps 3 to 5

Remove “(See Maps 3-5)” from Part b) iii) Bullet Point 1.

Airvolution Clean Energy (2186/1/2)

Include reference to extensions and repowering of onshore wind turbines.

innogy Renewables UK Ltd (2213/1/1)

Review assessment of each Rural Grouping against the criteria of Group 2 Area of Significant Protection and amend Map 2 accordingly.

Amend Map 3 to differentiate areas containing operational and consented wind farms and support with an explanation in the policy.

Landscape Capacity Study

SNH (1027/9/1)

Replace “*Very Large 130m - 150m*” typology with “*Very Large, Over 130m*” and amend MOWESG and Policy Guidance Maps accordingly.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Remove the findings of the Landscape Capacity Study and state that the Landscape Capacity Study is an initial reference point only.

Airvolution Clean Energy (2186/1/2)

In Part b) i) and iii), remove requirement for applications to ‘*address*’ or be ‘*subject to a detailed consideration*’ of the Landscape Capacity Study.

Amend ‘Summary from Landscape Capacity Study’ for Map 3 to reflect that areas within other LCTs can also be acceptable for typologies over 80 metres to blade tip.

Amend references to ‘*Large Typologies to 130m*’ and ‘*Very Large Typologies to 150m*’ to reflect turbines in excess of 150m to blade tip.

Party not specific regarding change sought in respect of supplementary guidance.

innogy Renewables UK Ltd (2213/1/1)

Amend references to ‘*Large Typologies to 130m*’ and ‘*Very Large Typologies to 150m*’ to reflect turbines in excess of 150m to blade tip.

Amend Map 3 to reflect scope for ‘*Very Large Typologies to 150m*’.

Detrimental Impact

Force 9 Energy (886/2/3)

Replace Part b) ii) to iv) with:

ii) Detailed Considerations

The proposal will be determined through assessment of the details of the proposal including:

- Its contribution to renewable energy generation targets and effect on greenhouse gas emissions;*
- Net economic impact, including socio-economic benefits such as employment, associated business and supply chain opportunities;*
- Landscape and Visual Impact including;*
- The extent to which the proposal addresses the guidance set out in the Moray Onshore Wind Energy Supplementary Guidance which identifies where there is strategic capacity for wind farms and areas with greatest potential for wind development (Maps 3-5);*
- The extent to which the proposal can be accommodated within its landscape setting without unacceptable significant impacts on landscape character or visual amenity;*
- The proposal is appropriate to the scale and character of its setting, respects the main features of the site and the wider environment and addresses the potential for mitigation, guidance for which is set out in the Moray Onshore Wind Energy Supplementary Guidance.*
- Cumulative Impact: The extent to which the proposal addresses unacceptable detrimental impact from two or more wind energy developments, including the scope for mitigation;*
- Impact on Local Communities: The extent to which the proposal addresses unacceptable detrimental impact on communities and local amenity in respect of noise, shadow flicker and visual dominance, including the scope for mitigation.*
- The extent to which the proposal addresses any unacceptable impacts on aviation and defence interests, including flight paths and radar.*
- The extent to which the proposal avoids or adequately mitigates unacceptable impacts on the natural and historic environment, cultural heritage, biodiversity, forest and woodlands and tourism and recreational interests including core paths, visitor centres, tourist trails and scenic routes.*
- Proposals for decommissioning and restoration.*

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Amend references to “*without significant detrimental impact*” and “*any detrimental impact*” to a consistent phrase to avoid contradictory expressions.

Remove “*significant detrimental impact*” from Part b) iii) Bullet Point 2 and replace with a reference that proposals will only be approved provided that there are no relevant unacceptable significant adverse effects or impacts that cannot be satisfactorily mitigated.

Under Part b) iv) to vi), remove “*any impact*” and “*avoid or adequately resolve other impacts*” and rationalise by relying on the introductory wording and take a more

proportionate approach to the appraisal of impacts.

Airvolution Clean Energy (2186/1/2)

Replace Part b) iii) Bullet Point 2 with:

“The site is capable of accommodating the development subject to the acceptability of the impact on landscape character or visual amenity.”

Replace *“Any detrimental impact”* with *“Subject to the acceptability of the impact”* at Part b) iv).

Replace *“The proposal addresses any detrimental impact”* with *“Subject to the acceptability of the impact of the proposal”* at Part b) v).

Replace *“The proposal addresses any impacts”* with *“The proposal satisfactorily mitigates the impact”* at Part b) vi) Bullet Point 1.

Replace *“The proposal avoids or adequately resolves”* with *“The proposal avoids or adequately mitigates”* at Part b) vi) Bullet Point 2.

innogy Renewables UK Ltd (2213/1/1)

Replace *“The proposal avoids or adequately resolves other impacts”* with *“The proposal avoid or address any impacts”* at Part b) vi) Bullet Point 2

LDP Policy and Interpretation

Force 9 Energy (886/2/3)

Replace Part b) ii) to iv) as above (See ‘Detrimental Impact’).

Clarify that the MOWESG and Landscape Capacity Study is set in positive terms, as suggested in SPP 2014 para 162, and these documents essentially *“identify where there is strategic capacity for wind farms and areas with greatest potential for wind development”*.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

Include the following footnote for the term “unacceptable”:-

“Acceptability will be determined through an assessment of the details of a proposal including its benefits and the extent to which its environmental and cumulative impacts can be satisfactorily addressed”.

Remove Part a) i).

Airvolution Clean Energy (2186/1/2)

Amend overall tone of the document to be more positive towards renewables and better reflect the Scottish Government’s aspirations as set out in SPP, the OWPS and SES.

Replace Part a) i) with:

“They are considered against the requirements of other relevant policies and proposals.”

General

Janet Trythall (404/4/5)

No more wind farms permitted in Moray.

Fred Olsen Renewables Ltd (1047/3/2), Christopher Moran Energy Limited (2178/1/2) and Airvolution Clean Energy (2186/1/2)

No modifications are proposed – supportive comments noted.

Summary of responses (including reasons) by planning authority:

Background Information

Since 2002, The Moray Council has produced policy guidance on wind energy, promoting a positive approach to wind farms reflecting the Policy Principle of SPP (CD53, pg. 13) that “Planning should direct the right development to the right place.” This is evidenced by the number of consented and operational wind farms in Moray. CD46 provides a table with all consented and operational wind farms over 80m in height.

The MOWESG (CD22) was subject to public consultation with the Landscape Capacity Study and was approved by the Scottish Government - with minor amendments - as statutory supplementary guidance, forming part of the Moray LDP (MLDP) 2015, in 2017 and will be reviewed in 2020. The inclusion of Maps 3 – 5 reflects the Council's intention to better integrate the MOWESG (CD22) into policy and acknowledges the Planning Bill's proposal which will remove statutory supplementary guidance from future Plans.

Policy Guidance Maps were included in the MLDP 2015 Proposed Plan. As part of the Examination of the MLDP 2015, a hearing session was held on Issue 8a ‘Renewable Energy Proposals’. Whilst the Reporter removed the Policy Guidance Maps from the policy, the Reporter did recognise the importance of providing detailed mapping and concluded that the mapping should be referenced in supplementary guidance (CD14, pg. 127-133). As set out above, the mapping is now within the MOWESG, forming part of the statutory MLDP 2015 (CD22, pg. 12-23).

Compliance with SPP

Scottish Government (490/4/06)

The Council recognises the requirement to include a sub-section on heat in order to comply with paragraphs 158 to 160 of SPP (CD53, pg. 37-38).

If the Reporter is so minded, the Council would not object to the additional text suggested by the Scottish Government being added to Part b) ii). The revised wording and layout of the policy set out at the end of the schedule, incorporating all proposed modifications, is considered suitable.

Force 9 Energy (886/2/3)

The Council does not agree with this representation. Policy DP9 recognises the potential benefits of renewable energy proposals. The 'Introduction' of the Proposed Plan Volume 1 – Policies (CD01, pg. 4) sets out that that the Plan is to be read as a whole and therefore other policies may be relevant in the determination of an application.

No modification is proposed.

Force 9 Energy (886/2/3), Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Council accepts that agricultural land is too loosely defined and is inconsistent with approaches elsewhere in the Plan which aims to protect prime quality agricultural land.

If the Reporter is so minded, the Council would not object to the amendment of “*agricultural land*” to “*prime agricultural land*” at Part a) ii). The revised wording and layout of the policy set out at the end of the schedule, incorporating all proposed modifications, is considered suitable.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Council does not agree with this representation. The reference to the need for developments to “*respect the main features of the site and wider environment*” was previously supported by the Reporter following Examination of the MLDP 2015 (CD14, pg. 134). This approach also complies with the Policy Principle of SPP (CD53, pg. 13) which states that “Planning should direct the right development to the right place”. This enables developments to retain existing topography, woodland etc.

No modification is proposed.

Airvolution Clean Energy (2186/1/2)

The guiding principles set out in Paragraphs 29 and 169 of SPP (CD53, pg. 9-10 and 40-41) cover a wide range of principles and considerations and these have been reflected in Policy DP9 and other policies. The 'Introduction' of the Proposed Plan Volume 1 – Policies (CD01, pg. 4) sets out that that the Plan is to be read as a whole and therefore other policies may be relevant in the determination of an application.

No modification is proposed.

The Council recognises that new Scottish Government publications and targets will be released during the lifetime of a Plan and supplementary guidance. The MOWESG (CD22) will be reviewed in 2020 and will reflect updated targets and new publications such as the Scottish Government's OWPS, SES and Climate Change Plan. The revised MOWESG will require to be approved by the Scottish Government prior to adoption.

Targets in these Scottish Government publications are set at a national level and there are no specific targets set for Moray. To date, Moray has contributed towards national targets and this is evidenced by the number of approved / under construction and operational wind farms in the region. CD46 provides a table with all consented and operational wind farms over 80m in height.

The Council considers that Policy DP9 and the supporting mapping are consistent with SPP and note that no objection has been received from the Scottish Government.

No modification is proposed.

Spatial Framework

Force 9 Energy (886/2/3), Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Council accepts that the MOWESG (CD22) and Landscape Capacity Study (CD23) are guidance documents providing further detail to Policy DP9. However, these do have significant weight forming part of the statutory MLDP 2015.

If the Reporter is so minded, the Council would not object to references to the MOWESG (CD22) and Landscape Capacity Study (CD23) being removed from Part b) i) 'The Spatial Framework' and moved to Part b) ii 'Detailed Consideration'. The revised wording and layout of the policy set out at the end of the schedule, incorporating all proposed modifications, is considered suitable.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The consideration of additional constraints such as landscape capacity and cumulative impact is not included in the Spatial Framework (Map 1), in compliance with SPP (CD53, pg. 39, Table 1). However, further detail is contained within the MOWESG (CD22, pg. 31 and 50-56) and reflected in Maps 3, 4 and 5 of the Proposed Plan. This was previously supported by the Reporter following Examination of the MLDP 2015 (CD14, pg. 127-133).

No modification is proposed.

Airvolution Clean Energy (2186/1/2)

The policy wording at Part b) i) in respect of Group 2 (Areas of Significant Protection) was introduced by the Reporter following Examination of the MLDP 2015 (CD14, pg. 134) and is carried over from Policy ER1 into Policy DP9. The Council do not support the proposed change in wording which dilutes the protection of areas under Group 2.

No modification is proposed.

Map 1 provides the Spatial Framework in accordance with SPP (CD53, pg. 39, Table 1). The inclusion of policy guidance maps provide detailed guidance, along with the MOWESG (CD22) and Landscape Capacity Study (CD23). The 'Introduction' of the Proposed Plan Volume 1 – Policies (CD01, pg. 4) sets out that that the Plan is to be read as a whole and therefore other policies may be relevant in the determination of an application. No objection has been received from the Scottish Government.

No modification is proposed.

innogy Renewables UK Ltd (2213/1/1)

The Spatial Framework has been developed in compliance with SPP and the

requirements of Table 1 (CD53, pg. 39, Table 1), including criteria relating to peat based on SNH Peat Mapping and national dataset. Detailed guidance is provided in the MOWESG (CD22, pg. 27-73). No objection has been received from the Scottish Government.

No modification is proposed.

Policy Guidance Maps

RSPB Scotland (285/10/5)

The format of the Spatial Framework is set out in SPP (CD53, pg. 39, Table 1) and further detailed policy guidance mapping is provided within the MOWESG (CD22, pg. 12-23). Detailed guidance is provided in the MOWESG (CD22, pg. 27-32) on protected species and sensitive habitats and these areas will be addressed as part of the development management process.

No modification is proposed.

A number of constraints - including LCTs, Special Landscape Areas (SLAs), settlements/rural groupings and national designations - were taken into account when identifying Areas of Greatest Potential.

If the Reporter is so minded, the Council would not object to a table (see end of schedule) being included as Appendix 3 which details the methodology used in identifying the Areas of Greatest Potential and the inclusion of wording in 'Justification / Notes' and on Maps 3 – 5 to cross-reference the methodology. The following wording is considered suitable:

“The methodology used in identifying the Areas of Greatest Potential is set out in Appendix 3, as shown on page XX.”

RSPB Scotland (285/10/5), Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Spatial Framework (Map 1) and Policy Guidance Maps (Maps 3 – 5) comply with the requirements set out in Paragraphs 161 and 162 of SPP. Paragraph 161 of SPP (CD53, pg. 38) requires a spatial framework which identifies those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities, following the approach set out in Table 1 (CD53, pg. 39). This results in a very broad-brush framework which doesn't differentiate between different scales of turbines proposals over 35m. Paragraph 162 of SPP (CD53, pg. 38) goes on to further require authorities to identify where there is strategic capacity for wind farms and areas with the greatest potential for wind development, considering cross-boundary constraints and opportunities. The Council has successfully argued at the Examination of the MLDP 2015 that to comply with the requirements of Paragraph 162, a further level of mapping is required (CD14, pg. 131).

The inclusion of Maps 3 – 5 meets the requirements of SPP Paragraph 162 and the Council's intention to better integrate the MOWESG (CD22) into policy. This also acknowledges the Planning Bill's proposal which will remove statutory supplementary guidance from future LDPs. The maps are clearly defined within policy as to whether they relate to the Wind Farm Spatial Framework or Policy Guidance Maps. No objection has

been received from the Scottish Government.

No modification is proposed.

Janet Trythall (404/4/5)

SPP sets out the format of the Spatial Framework and Table 1 identifies the datasets which will be used to identify the areas of significant protection (CD53, pg. 38-39). The area identified near Covesea does not fall within the framework set out in SPP and is therefore excluded from Maps 1 and 2.

No modification is proposed.

Force 9 Energy (886/2/3), Airvolution Clean Energy (2186/1/2) and innogy Renewables UK Ltd (2213/1/1)

The Council accepts that the Potential Development Areas for extensions and repowering, as well as the locations of approved / under construction and operational wind turbines, have been excluded in error on Map 3.

If the Reporter is so minded, the Council would not object to Map 3 being amended to include Potential Development Areas for extensions and repowering and the locations of approved / under construction and operational wind turbines. Site Map 5-1A is considered a suitable replacement to Map 3.

CD46 provides a table with all consented and operational wind farms over 80m in height. An example of Map 3 has been provided with the group boundaries of operational and consented wind farms over 80m high removed from Areas of Greatest Potential Large (see Site Map 5-2C). The Council considers that this would provide developers and communities with a clearer picture of the areas of potential.

If the Reporter is so minded, the Council would not object to Map 3 being amended with the group boundaries of operational and consented wind farms over 80m high removed and the inclusion of Potential Development Areas for extensions and repowering and the locations of approved / under construction and operational wind turbines. Site Map 5-2C is considered a suitable replacement to Map 3. The previously omitted Potential Development Areas for extensions and repowering and the locations of approved / under construction and operational wind turbines will also be added to Map 5-2C.

innogy Renewables UK Ltd (2213/1/1)

The Council considers that the 2km buffer for settlements and Rural Grouping applied to Map 2 complies with SPP (CD53, pg. 39, Table 1). The MOWESG (CD22) was approved by the Scottish Government as statutory supplementary guidance in 2017, forming part of the MLDP 2015, with no modifications proposed to this buffer.

No modification is proposed.

Landscape Capacity Study

SNH (1027/9/1), Airvolution Clean Energy (2186/1/2) and innogy Renewables UK Ltd (2213/1/1)

The Landscape Capacity Study (CD23, pg. 20-26) identifies that there are some limited scope for very large turbines (up to 150m high) to be accommodated in the more extensive upland landscape. It was concluded that turbines towards (and over) 200m high to blade tip would be too large to accommodate without significant widespread and unacceptable affects. The Council considers that the typologies and associated policy guidance maps are consistent with Paragraph 162 of SPP (CD53, pg. 38) in identifying where there is strategic capacity for wind farms and areas with the greatest potential for wind development. The approach adopted also provides direction and certainty to developers and communities and complies with the Policy Principle of SPP which states that "Planning should direct the right development to the right place" (CD53, pg. 13). The Council believes that it would therefore be misleading to promote a typology (over 150m) which does not have an area in Moray with sufficient capacity to accommodate it.

Text is included in the MOWESG (CD22, pg. 21, final paragraph) which explains that "*If turbines are proposed which exceed the turbine heights identified in the landscape capacity study the onus would be on the applicant to demonstrate how the impacts of the proposal on the key constraints and any significant adverse effects can be mitigated in an effort to show a proposal can be supported.*"

No modification is proposed.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Council does not agree with this representation. The MOWESG (CD22), along with the Landscape Capacity Study, was most recently approved for public consultation by the Council's Planning and Regulatory Services Committee at its meeting on 6 September 2016 (see CD47). Public consultation was held between 12 September and 14 November 2016, with a drop-in exhibition held in New Elgin Hall on 17 October 2016. The final version of the guidance was approved by the same Committee on 28 February 2017 (see CD49). The MOWESG (CD22) was approved by the Scottish Government - with minor amendments - as statutory supplementary guidance, forming part of the MLDP 2015, in 2017 and will be reviewed in 2020.

No modification is proposed.

Fred Olsen Renewables Ltd (1047/3/2), Christopher Moran Energy Limited (2178/1/2) and Airvolution Clean Energy (2186/1/2)

The Landscape Capacity Study (CD23) is strategic level guidance and is a technical appendix to the MOWESG (CD22). The Landscape Capacity Study is intended to be interpreted at the development management stage and this detailed assessment will be carried out by the Council's appointed Landscape Capacity Adviser.

If the Reporter is so minded, the Council would not object to additional text being provided under 'Justification/ Notes' to provide further clarification of the status of the Landscape Capacity Study (CD23). The following wording is considered suitable:

"The Landscape Capacity Study is strategic level guidance and is a technical appendix to the statutory MOWESG. Interpretation of the Landscape Capacity Study as part of the development management process will be applied on case-by-case basis by the Council's appointed Landscape Capacity Adviser."

Detrimental Impact

Force 9 Energy (886/2/3), Fred Olsen Renewables Ltd (1047/3/2), Christopher Moran Energy Limited (2178/1/2), Airvolution Clean Energy (2186/1/2) and innogy Renewables UK Ltd (2213/1/1)

The Council accepts that there is an inconsistent approach to the wording in respect of “*detrimental impact*”.

If the Reporter is so minded, the Council would not object to “*any detrimental impact*” being replaced with “*significant adverse impact*” in order to provide a more proportionate and consistent approach to the assessment of impacts. The revised wording and layout of the policy set out at the end of the schedule, incorporating all proposed modifications, is considered suitable.

LDP Policy and Interpretation

Force 9 Energy (886/2/3)

In terms of the layout, the Council can see merit in reformatting Part b ii) to vi) to provide clarity to the reader.

If the Reporter is so minded to reformat Part b) ii) to vi) in order to provide clarification, the Council would not object to the proposed reformatting as set out at the end of the schedule.

The MOWESG (CD22) will be carried forward as statutory supplementary guidance in support of Policy DP9 when the MLDP 2020 is approved. The Landscape Capacity Study (CD23) will continue to form a technical appendix to the MOWESG (CD22).

No modification is proposed.

Fred Olsen Renewables Ltd (1047/3/2) and Christopher Moran Energy Limited (2178/1/2)

The Council does not agree that a footnote is required for the word “unacceptable”. Acceptability will be determined through the development management process by the Planning Authority.

No modification is proposed.

The Council does not support the removal of Part a) i). The wording was inserted by the Reporter following Examination of the MLDP 2015 (CD14, pg. 133-134). The ‘Introduction’ of the Proposed Plan Volume 1 – Policies (CD01, pg. 4) sets out that the Plan is to be read as a whole and therefore other policies may be relevant in the determination of an application.

No modification is proposed.

Airvolution Clean Energy (2186/1/2)

Policy DP9 will remain the main policy against which renewable energy applications will be

considered and provides a positive framework for considering a wide range of renewable energy technologies, not just onshore wind. There is a need to specifically cross reference to other policies which may be relevant in the determination of an application and this is reflected in the 'Introduction' of the Proposed Plan Volume 1 – Policies (CD01, pg. 4) which sets out that the Plan is to be read as a whole.

No modification is proposed.

General

Janet Trythall (404/4/5)

The Council is required to comply with the terms of SPP (CD53) and therefore cannot apply a ban on the approval of any further wind farms. Any future planning application(s) will be judged on its own merits.

No modification is proposed.

Fred Olsen Renewables Ltd (1047/3/2), Christopher Moran Energy Limited (2178/1/2) and Airvolution Clean Energy (2186/1/2)

The supportive comments are noted.

No modification is proposed.

For the Reporter's clarity, the revised policy, taking account of the modifications proposed and supported as detailed above, is set out as follows:

DP9 Renewable Energy

a) All Renewable Energy Proposals

All renewable energy proposals will be considered favourably where they meet the following criteria:

- i) They are compliant with policies to safeguard and enhance the built and natural environment;*
- ii) They do not result in the permanent loss or damage of prime agricultural land;*
- iii) They avoid or address any significant adverse impacts including:*
 - Landscape and visual impacts.*
 - Noise impacts.*
 - Air quality impacts.*
 - Electromagnetic disturbance.*
 - Impact on water environment.*
 - Impact on carbon rich soils and peat land hydrology.*
 - Impact on woodland and forestry interests.*
 - Traffic impact - mitigation during both construction and operation.*
 - Ecological impact.*
 - Impact on tourism and recreational interests.*

b) Onshore Wind Turbines

In addition to the assessment of the impacts outlined above, the following

considerations will apply:

i) The Spatial Framework

Areas of Significant Protection (Map 2): where the Council will apply significant protection and proposals will only be appropriate in circumstances where any significant adverse impacts on the qualities these areas can be substantially overcome by siting, design and other mitigation.

Areas with Potential (Map 1): where wind farms are likely to be acceptable subject to detailed consideration.

ii) Detailed Consideration

The proposal will be determined through assessment of the details of the proposal against Part a), policy criteria, the Moray Onshore Wind Energy Supplementary Guidance (MOWESG) and the Moray Wind Energy Landscape Capacity Study (Landscape Capacity Study). Detailed assessment of impact will include consideration of the extent to which:

Landscape and Visual Impact:

- *The proposal complies with the Guidance set out in the MOWESG and Landscape Capacity Study (See Maps 3-5).*
- *The proposal is capable of accommodating the development without significant adverse impact on landscape character or visual amenity.*
- *The proposal is appropriate to the scale and character of its setting, respects the main features of the site and the wider environment and addresses the potential for mitigation.*

Cumulative Impact

- *Significant adverse impact from two or more wind energy developments and the potential for mitigation is addressed.*

Impact on Local Communities

- *The proposal addresses significant adverse impact on communities and local amenity including the impacts of noise, shadow flicker, visual dominance and the potential for associated mitigation.*

Socio-Economic Benefit

- *The proposal contributes to renewable energy generation targets and its effect on greenhouse gas emissions.*
- *The proposal's net economic impact, including socio-economic benefits such as employment.*
- *The proposal's associated business and supply chain opportunities.*

Other

- *The proposal addresses significant adverse impacts arising from the location within an area subject to potential aviation and defence constraints including flight paths and aircraft radar.*
- *The proposal avoids or adequately resolves other impacts including on the natural and historic environment, cultural heritage, biodiversity, forest and woodlands and tourism and recreational interests- core paths, visitor centres, tourist trails and key scenic routes.*
- *The proposal addresses any physical site constraints and appropriate*

provision for decommissioning and restoration.

c) Biomass

Proposals for the development of commercial biomass will be supported if the following criteria are met.

- *Applicants must confirm which form of biomass will fuel the plant and if a mixture of biomass is proposed then what percentage split will be attributed to each fuel source.*
- *Proposals must demonstrate that they have taken account of the amount of supply fuel over the life of the project.*
- *When considering wood biomass proposals, the scale and location of new development is appropriate to the volume of local woodfuel available. Sources of fuel must be identified and must be sustainable.*
- *The location must have suitable safe access arrangements and be capable of accommodating the potential transport impacts within the surrounding roads network.*
- *A design statement must be submitted, which should include photomontages from viewpoints agreed by the Council.*
- *There must be a locational justification for proposals outwith general employment land designations. The proposed energy use, local heat users and connectivity of both heat users and electricity networks must be detailed. Proposals which involve potential or future heat users will not be supported unless these users can be brought online in conjunction with the operation of the plant.*
- *Details of the predicted energy input and output from the plant demonstrating the plant efficiency and utilisation of heat must be provided.*
- *Where necessary appropriate structural landscaping must be provided to assist the development to integrate sensitively.*

The criteria set out in relation to other renewables must also be met.

The Council will consult with the Forestry Commission Scotland (FCS) to help predict potential woodfuel supply projections in the area.

d) Heat

Where a heat network exists or is planned, proposals should include infrastructure to allow connection to that network.

Where no heat network is present or planned:

- *Proposals should consider the feasibility for the creation of or connection to a heat network.*
- *Proposals should safeguard piperuns within the development, to its curtilage, for future connection to a heat network.*
- *Proposals should consider the provision of energy centres, or the reservation of land for an energy centre to facilitate future connection to a heat network.*

Proposals for new development will be compared with the Scotland Heat Map to identify if it could make use of an existing heat supply or provide excess heat to heat users. This will be the case until the Council has concluded work on identifying where heat networks, heat storage and energy centres exist or would be appropriate in the plan area, at which point reference to that work should be made. Developments which have a high heat demand are encouraged to co-locate with sources of heat supply.

Where heat networks are not viable, proposals should include the use of microgeneration

technologies and heat recovery associated with individual properties, unless demonstrating this is unnecessary or unviable.

The criteria set out in relation to other renewables must also be met.

Justification/Notes

Renewable energy proposals can be in a variety of forms, including wind, hydro, solar, geothermal and biomass and bring a new technology approach to provision. Moray offers the potential for renewable energy proposals and this policy provides a range of criteria to consider applications against. Proposals for heat and power generation need to be carefully considered to avoid significant adverse impacts upon the environment.

The Council's MOWESG and Landscape Capacity Study provide further information. The Landscape Capacity Study is strategic level guidance and is a technical appendix to the statutory MOWESG. Interpretation of the Landscape Capacity Study as part of the development management process will be applied on case-by-case basis by the Council's appointed Landscape Capacity Adviser.

The methodology used in identifying the Areas of Greatest Potential is set out in Appendix 3, as shown on page XX.

Appendix 3

Authority	Constraint
The Moray Council	Landscape Capacity Types with high or high-medium sensitivities to wind turbine development:
	Large
	Medium
	Small-Medium
	Countryside Around Towns (CATs)
	Special Landscape Areas (SLAs)
Scottish Natural Heritage (SNH)	Ramsar Sites
	Special Areas of Conservation (SACs)
	Special Protection Areas (SPAs)
	Sites of Special Scientific Interest (SSSIs)
	Peat Class 1 and 2
Historic Environment Scotland (HES)	Battlefields
	Gardens and Designed Landscapes
	Scheduled Ancient Monuments
Other	Settlements / Rural Groupings:
	Large = 2km buffer
	Medium = 1km buffer
	Small-Medium = 200m buffer

	Residential Properties (CTAX Banded): Large = 1km buffer Medium = 1km buffer Small-Medium = 200m buffer
	Core Paths, Rights of Way, Sustrans, Rail Network and Roads / Streets: Large = 120m buffer routes Medium = 75m buffer routes Small-Medium = 50m buffer routes
Reporter's conclusions:	
Reporter's recommendations:	