

APPENDIX 1

Wind Energy Guidance : Policy Interpretation

Applications for wind turbines are assessed against Local Plan policy ER1. (which is included at the end of this text)

Further Supplementary Planning Guidance has been prepared (Wind Energy Proposals in Moray December 2005). This has “material consideration” status.

This policy and SPG represent the Council’s response to the National encouragement of renewable energy developments. Preferred Search Areas have been identified as those with the greatest scope for further investigating feasibility, although PSA status does not imply a presumption in favour of granting consent. These have been based on research to establish the landscape potential in Moray for small, medium and large wind farms. (small : up to 10; medium : 11-24; large : over 25).

Under these definitions, a single turbine can be a “wind farm”.

The intention of the policy is to direct commercial proposals to PSAs and to avoid a proliferation of turbines across Moray.

Whilst all applications will be considered against ER1, the SPG is aimed at commercial scale wind turbine developments. Individual turbines can however, due to their scale and output, be regarded as commercial.

A commercial development would be where the development is solely for the generation of electricity to feed straight into the national grid. Where proposals (eg. for community or business-based turbines) sell surplus energy to the grid, this will be regarded as clearly a secondary benefit from the project. In these latter cases, the majority of energy produced should be for the needs of the building(s), so that the balance/proportion of surplus energy is clearly ancillary, (ie. it should not exceed 20% of output with over 20% being regarded as ‘commercial’).

The intent of this is not to oppose individual turbines for own use purposes, but is to ensure that these are proportionate to the energy demand of the property. Turbine size/output can be reduced to be more in accord, should this be an issue.

Policy ER1 states that commercial wind energy developments should be located within Preferred Search Areas. Any such proposal outwith these areas will be regarded as a departure from the Plan. They will also be considered as a departure from IMP1. (those within PSA will not be regarded as departing from IMP1, given that proposals are directed to these areas in the first instance.)

Domestic/community/business own needs are generally smaller in nature and do not require to generate the same level of power as a turbine for commercial purposes. These need not be located in PSA, and will be considered against criteria a-e of policy ER1, and other relevant policies.

Cumulative impact is a key factor in assessing proposals and whether there is landscape capacity to absorb. This should include considerations from a number of viewpoints and where close to the Moray boundary, include developments in neighbouring authorities. SPG gives information on Zones of Visual Influence, and perceived visual impact as seen from a variety of distances. These zones should be applied when cumulative assessments are asked for.

A map will be prepared plotting all approved; refused and currently pending applications, in order to give an indication of the distribution/concentration of turbines across Moray. This will allow better consideration of cumulative impact, and can be updated as and when further decisions are taken or new applications submitted.

Policy ER1 : Renewable Energy Proposals

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

- a. they are compatible with policies to safeguard and enhance the built and natural environment
- b. they do not lead to the permanent loss or permanent damage to, prime agricultural land,
- c. they are compatible with tourism/recreational interest and facilities, they do not interfere with aircraft activity,
- d. they do not result in an unacceptable impact in terms of visual appearance, landscape character, noise, electro-magnetic disturbance, watercourse engineering, peat land hydrological impacts, pollution, traffic generation or damage to the local ecology, and
- e. they do not result in an unacceptable cumulative impact.

Proposals are required to provide “decommissioning arrangements” to illustrate how the site will be reinstated if and when the plant ceases to operate. This may be enforced through a section 75 agreement.

Commercial wind energy developments should be located within a Preferred Search area identified in the Wind Energy Policy Guidance and meet the above criteria.