

**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE 24
NOVEMBER 2009**

SUBJECT: WIND ENERGY POLICY ADVICE

BY: DIRECTOR OF ENVIRONMENTAL SERVICES

1. REASON FOR REPORT

- 1.1 This report asks Members to consider the terms of a “Policy Interpretation Note” for Local Plan Policy ER1 on Renewable Energy Proposals.
- 1.2 This report is submitted to Committee in terms of Section D(2) of the Council's Administrative Scheme relating to the preparation of Strategic and Local Plans.

2. RECOMMENDATION

- 2.1 **It is recommended that the Committee agrees to the use of the policy interpretation note in the assessment of planning applications for wind turbines and wind farms.**

3. BACKGROUND

- 3.1 The Moray Local Plan 2008 contains a planning policy covering renewable energy proposals, which is complemented by Supplementary Planning Guidance (SPG) on Wind Energy Proposals.
- 3.2 At the meeting of this Committee on 29 September 2009, a response was given to a written question on this topic, from Councillor Murdoch. This related to the definition of a “wind farm”; and the circumstances in which a proposal would be regarded as a ‘departure’ from the SPG and its Preferred Search Areas.
- 3.3 A response was given to this question at the meeting. In addition the Director indicated that a full re-assessment of Wind Energy Guidance would be undertaken as part of the replacement of the Local Plan 2008 with the new Local Development Plan, to be commenced in 2010/11 (ref report to Planning and Regulatory Services Committee 12 May 2009 – item 5 refers). In view of this commitment, he advised that an ‘interim statement’ would be submitted to Committee as soon as possible. The Planning and Development Manager
- 3.4 advised that there were a number of small scale applications for wind turbines currently with the Department, and that the supplementary guidance needed to determine these in the immediate future would be covered the “interim statement” referred to.

- 3.5 This 'interim statement' has now been drafted in the form of a "Policy Interpretation Note" (contained at Appendix 1) which clarifies and sets out the Council's position on this topic. It includes an explanation of the distinction between "surplus energy" from own-use turbines, and those which are outright commercial proposals.
- 3.6 This note should provide for consistent interpretation of the Council's approach to wind turbine developments.

4. **SUMMARY OF IMPLICATIONS**

(a) *Single Outcome Agreement/Service Improvement Plan*

None.

(b) Policy and Legal

None.

(c) Resources (Financial, Risks, Staffing and Property)

None.

(d) Consultations

None.

5. **CONCLUSION**

- 5.1 A response to a written question on wind farms was provided at the meeting of this Committee on 29 September 2009.
- 5.2 This has now been formalised into a Policy Interpretation Notice, which should provide for consistent implementation of policy and supplementary guidance.

5.3 The Committee is asked to agree the terms of this Note.

5.4 A full scale re-assessment will take place during the next Review of the Council's Local Plan.

Author of Report: Mark Cross, Principal Planning Officer

Background Papers:

Ref: MC/JC