**Annex 1: Moray Local Development Plan – Policy DP8 Renewable Energy**

*The below is a draft policy based on the Reporter’s modified policy for Moray Council. This policy is one that has been through the LDP Examination process and subject to consideration by Scottish Ministers. The Council can have a high degree of confidence a policy in these terms would be considered acceptable at Examination and by Scottish Ministers. Scottish Renewables would be supportive of a policy in these terms.*

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 permanent damage of prime agricultural land;

iii) 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.

In addition to the above criteria, detailed assessment of impact will include consideration of the extent to which the proposal contributes to renewable energy generation targets, its effect on greenhouse gas emissions and net economic impact, including socio-economic benefits such as employment.

**b) Onshore Wind Turbines**

In addition to the assessment of the impacts outlined in part a) above, the following considerations will apply:

i) The Spatial Framework

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

Areas with Potential (Group 3): where proposals are likely to be acceptable subject to Detailed Consideration.

[NOTE: These are the areas as identified on Map 12 of the existing LDP]

ii) Detailed Consideration

The proposal will be determined through site specific consideration of the following on which further guidance will be set out in supplementary guidance and as informed by the landscape capacity study:

Landscape and Visual Impact

* the landscape is capable of accommodating the development without unacceptable 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

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

Impact on Local Communities

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

Other

* the proposal addresses unacceptable 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.

iii) Extensions and Repowering of Existing Wind Farms

The proposal will be determined through assessment of the details of the proposal against Part a) and Parts b) (i) and (ii) above. Detailed assessment of impact will include consideration of the extent to which:

* the proposal, for extensions, impacts on the existing wind farm(s) setting and the ability to sit in the landscape on its own should the existing wind farm be decommissioned before the extension.
* the proposal, for repowering, makes use of existing infrastructure and resources, where possible, and limits the need for additional footprint.