Fred. Olsen Renewables

# Paul's Hill II Wind Farm

Planning, Design and Access Statement

April 2018

# Document history

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# Contents

# 1. Introduction

1.1.1. Natural Power Consultants Limited (Natural Power) has, on behalf of the applicant Paul's Hill II Limited, submitted an application under Section 36 of the Electricity Act 1989 to seek consent from the Scottish Government for the development of Paul's Hill II Wind Farm. The application also seeks a direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997 that planning permission for the development be deemed to be granted.

1.1.2. This Planning, Design & Access Statement has been prepared by Natural Power to accompany the Section 36 application. The Planning, Design & Access Statement (PDAS) identifies:

- The procedures used by the applicant to find a suitable location and design for the proposed development.
- Details of the proposed development.
- The methods proposed by the applicant to ensure that any residual environmental impacts are avoided/minimised/mitigated.
- Consideration of the proposed development against the relevant policies of the Scottish Government
- Consideration of the proposed development against the Local Development Plan (LDP) and other material planning considerations.

1.1.3. It is proposed that, as far as is practical, the planning conditions that applied to the Paul's Hill Wind Farm consent in 2004 (see Appendix 1.3 in Volume 4 of the ES) should also be applied to the proposed development. This will ensure that there is, in general, duplicate sets of similar conditions applying to the wind farm as a whole with the new set recognising the use of shared infrastructure for the lifetime of the new phase of development. The existing Paul's Hill Wind Farm is considered to be a very successful operational Wind Farm and has been delivered and operated within the various requirements of the existing consent. It is therefore appropriate that this success continues with the proposed Paul's Hill II Wind Farm.

1.1.4. Throughout the Planning, Design & Access Statement reference is made to other documents including an Environmental Statement (ES) which has been produced following an Environmental Impact Assessment (EIA), and a Pre-Application Consultation (PAC) Report. These and other matters are detailed in the following sections of this Planning, Design & Access Statement.

# 2. Environmental Statement

2.1.1. The ES has been prepared in line with the Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 as amended by the subsequent 2008 Regulations. These were superseded by the 2017 Regulations but owing to the proposed development having undergone the scoping process in advance of the changes coming in to force on 16 May 2017, the proposed development is assessed against the prior regulations and the ES referred to as such, rather than an EIA Report.

2.1.2. The ES reports the findings made in the EIA of the proposed development. The scope of the EIA was the subject of a formal scoping opinion from the Scottish Government which included input from the Local Planning Authority (LPA) which is Moray Council (MC), and the other consultees including Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH), and Historic Environment Scotland (HES).

2.1.3. During the EIA process, site visits and desk top assessments, in line with all relevant guidance, were carried out to ascertain the potential impacts and mitigation measures to be made. A review of planning and other relevant policy was also made to inform the assessment process and ensure the proposed development was in line with local, regional and national policy.

# 3. Overview of the Proposed Development

3.1.1. The proposed development is located on the eastern flank of the existing Paul's Hill Wind Farm within the Moray Council region. The surrounding area is comprised of open moorland and commercial conifer forest plantations.

3.1.2. The proposed development will comprise of:

- Up to 7 wind turbines, 6 of a maximum height base to tip not exceeding 149.9 m and 1 of a maximum height not exceeding 134 m;
- External transformer housing;
- Site tracks;
- Crane pads;
- Foundations;
- Underground electricity cables
- Control building;
- Temporary construction and storage compounds
- 2 borrow pits
- Associated works/infrastructure; and
- Health and safety sign posting.

3.1.3. A new substation control building will be constructed adjacent to the existing control building at Paul's Hill Wind Farm and will be used for the management of the proposed development. This will connect to the wider network at the substation at Glenfarclas (approximately 10 km southeast of the site). The proposed development will also utilise some of the existing access tracks at Paul's Hill Wind Farm. The site layout is illustrated in Figure 1.2 in Volume 3 of the ES.

3.1.4. The proposed development will act as an extension to the operational Paul's Hill Wind Farm. The wind farm became operational in 2006 and comprises of 28 turbines at 100 m to tip height. Key features of the Proposed Development have been informed by the applicant's experience of consenting, building and operating the existing Paul's Hill Wind Farm. It is proposed as part of this application that the same or similar consenting, construction and operating requirements that have been successfully implemented on the existing Pauls Hill Wind Farm can be used as benchmark and where appropriate replicated for the delivery of the Proposed Development.

3.1.5. The proposed development is expected to have an operational life of 35 years. To enable the use of shared infrastructure over this period, the application also seeks to extend the use of shared access tracks and other essential infrastructure over the proposed 35 year period.

# 4. The Applicant

4.1.1. Paul's Hill II Limited is a subsidiary company of Fred. Olsen Renewables Ltd. (FORL). FORL has been developing and operating wind farms since the mid 1990's and is fully committed to the Scottish and UK renewable energy generation market, with an operational portfolio generating capacity of over 508 MW. In the UK, FORL has a total of six operational wind farms, including the existing Paul's Hill Wind Farm and nearby Rothes Wind Farm (also in Moray).

# 5. Consultants

5.1.1. Natural Power is the lead consultancy and has been providing expertise to the renewable energy industry since the company was formed in 1995 and is one of the UK's leading renewable energy and infrastructure consultants. As well as development and EIA services, Natural Power also provide expert advice and due diligence consultancy, site construction management, site operation and maintenance.

5.1.2. Natural Power currently employs over 350 people working full time on providing wind energy services internationally. In Scotland, Natural Power has offices in Inverness and Stirling and its headquarters, 'The Green House' is an award winning, environment-friendly office building located in Dumfries & Galloway, Scotland.

5.1.3. Alongside the applicant, Natural Power has been providing a range of planning, construction and operational services on the operational Paul's Hill and Rothes wind farms for the past 18 years. The proposed development has also been informed through work provided by Hayes McKenzie Partnership Ltd and Scottish registered companies Leeming Paterson Photography and CFA Archaeology Ltd (contact details provided in Non-Technical Summary and in Chapter 1 in Volume 2 of the ES).

# 6. Legal and Policy Framework

## 6.1. The Electricity Act 1989

6.1.1. As a result of the proposed development being an extension to the existing Paul's Hill Wind Farm which itself generates in excess of 50 MW of electricity, determination of the application will be made under the Electricity Act 1989. The application has been submitted under Section 36 of the Act.

6.1.2. Pursuant to schedule 9 of the Act, regard is given to the desirability of preserving natural beauty, conserving flora and fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historical or archaeological interest. The Scottish Government will consider the extent to which the applicant has done, within reason, what it reasonably can to mitigate any effect the proposal might have on these features. There is also a requirement when exercising relevant functions related to the generation or supply of electricity to seek to avoid, so far as reasonably practicable, causing injury to fisheries or fish stocks.

6.1.3. These matters have been addressed as appropriate in the ES and assessments of these features have been undertaken and are described along with a summary of the proposed mitigation measures in the relevant sections of the ES to mitigate potential environmental effects upon these assets. It is therefore considered that the proposed development is in accordance with the relevant requirements of this Act.

## 6.2. The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

6.2.1. Regulation 3 states that a Section 36 application for consent which requires an EIA shall not be granted unless the requirements of the regulations have been satisfied. The applicant must submit an ES and adhere to the proper publicity procedures. In determining the application, the Secretary of State must take the findings of the ES and other environmental information into account.

6.2.2. Relevant maps and plans of the proposed development have also been included within the ES. The relevant potential significant effects created by the proposed development have been assessed and presented in the ES. The main alternatives have also been considered in chapter 3 of the ES. A Non-Technical Summary accompanies the ES. It is therefore considered that the requirements of the Regulations have been duly followed.

6.2.3. As discussed in section 2 of this statement, the latest EIA Regulations 2017 are not applicable however the ES does include a chapter assessing the impact on human health and population.

## 6.3. The Town and Country Planning (Scotland) Act 1997 as amended

6.3.1. With the application submitted under Section 36 of the Electricity Act 1989, the applicant also seeks a direction under Section 57(2) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006, that planning permission for the development be deemed to be granted.

Moray Council is a statutory consultee for the application. Although carrying less weight than a determination under the planning acts, the relevant Development Plan for the proposed development is Moray Council Local Development Plan (LDP) 2015. This along with other guidance and emerging policies of the planning authority are considered in section 7 of this statement.

## 6.4. Scottish Climate Change Legislation and Energy Policy

The Scottish Government is a devolved administration and is responsible for climate change and energy issues in Scotland. In line with the UK's agreement with the Kyoto Protocol and the targets set out in the European Directive 2009/28/EC, the Scottish Government has brought in to force:

- The Climate Change (Scotland) Act 2009
- The Scottish Energy Strategy 2017
- Scottish Onshore Wind Energy Policy Statement 2017

These documents are the main drivers for pushing Scotland towards a low carbon economy and meeting international targets on climate change and renewable energy generation.

6.4.1. The Scottish Energy Strategy, published in December 2017, sets targets for the energy system for 2030, building on those presented by the 2020 Route Map for Renewable Energy in Scotland and the Renewables Action plan including the aim to meet 30 % of Scotland's whole energy demand from renewables by 2020.

6.4.2. The document outlines a vision to drive Scottish energy production for 2050 and stressed the importance of renewable energy to achieving a low carbon economy in Scotland. The importance of renewable energy to Scotland's economy is also recognised.

6.4.3. Amid the growing concern globally of climate change and the risks it poses to habitats and civilisations, the Paris Agreement1 symbolises the latest international effort to limit its effects. The Paris Agreement was agreed upon in Paris, December 2015, between 195 countries. Nations including the UK signed the Agreement in April 2016 to make the global plan to limit global warming below 2°C legally binding.

6.4.4. The Paris Agreement will take effect from 2020. In addition to the target of keeping global warming below 2°C of pre-industrial levels, it recognises the role of non-party stakeholders including local authorities to address climate change by scaling up efforts and support actions to reduce emissions and build resilience and decrease vulnerability to the adverse effects of climate change. It is envisaged for Scotland to be a leading force in renewables and that such policies will create investment and job opportunities in the 'green' business sector and as a nation become self-sufficient in energy use.

6.4.5. At time of writing, the UK is still subject to the requirement of the European Union's (EU) Directive 2009/28/EC. 2003. This Directive establishes a framework for the promotion of energy from renewable sources setting mandatory national targets for member states. These national targets are such that the European Community

1 Paris Agreement: http://ec.europa.eu/clima/policies/international/negotiations/paris/index_en.htm (last accessed 06/12/2016)

as a whole will meet its overall target of at least 20 % of energy consumption from renewable sources by 2020. Against this EU target, the Directive establishes a requirement for the UK to achieve an equivalent target of 15 % by 2020.

## The Climate Change (Scotland) Act 2009

6.4.6. The Climate Change (Scotland) Act 2009 is seen as a key commitment of the Scottish Government which aims to establish a framework and creates mandatory climate change targets to drive greater efforts at reducing greenhouse gas emissions in Scotland.

6.4.7. Section 44 of the Climate Change (Scotland) Act 2009 placed a duty on every public body to act:

- In the best way calculated to contribute to the delivery of the emissions targets in the Act.
- In the best way calculated to help deliver the Scottish Government's climate change adaptation programme.
- In a way that it considers is most sustainable.

6.4.8. Owing to its energy production, emission savings, economic and social effect, as noted in the relevant chapters of the ES; the proposed development will make a significant contribution to achieving the targets set by the Act and should be given due cognisance by the relevant public authorities when exercising their duties under this legislation.

## Scottish Energy Strategy 2017

6.4.9. The Scottish Energy Strategy was published in December 2017 and outlines a vision for the future of energy production in Scotland for 2050. The vision is centred on achieving a strong, low carbon economy in which renewable energy is recognised to play an important part.

6.4.10. The Scottish Energy Strategy states targets to produce 50 % of Scotland's energy demand for heat, transport and electricity as well as to increase the productivity of energy use across the Scottish economy by 30 %.

6.4.11. An important driver of this strategy is the recognition of the requirements of the renewable energy industry to improve efficiency by utilising taller turbines with larger rotor diameters to operate in the market following the removal of government subsidy through Renewable Obligation Certificates and subsequently Contracts for Difference. Enabling these requirements is essential in order to meet the ambitious, but achievable, targets set out in the Scottish Energy Strategy.

6.4.12. The strategy recognises that Scotland's energy system is changing and there has been a sharp rise in harnessing the countries renewable resources as a means of energy production. It is also recognised that renewables are a key driver in Scotland's economy.

6.4.13. The proposed development has been designed to operate in the current and emerging market conditions and as such will contribute positively towards reaching the targets set out in the Scottish Energy Strategy and towards the estimated 17 GW of installed renewable capacity required by 2030 in order to reach these targets.

## Scottish Onshore Wind Energy Policy Statement 2017

6.4.14. The Scottish Onshore Wind Energy Policy Statement recognises the wind energy sector is a big contributor to the Scottish economy. Scotland has 46 % of all UK employment in the sector and 57 % of all UK turnover in the sector. The Policy Statement furthermore recognises that the future of the market for onshore wind is uncertain following the removable of subsidies in 2015. However, it is believed this can be facilitated with the right regulatory framework and Government support.

6.4.15. The Scottish Government states it will support new and repowered wind farms and recognises that if wind farms are to continue to contribute to Government targets without subsidy this inevitably means the use of

larger turbines, where appropriately located. Such wind turbines can capture more of the available wind resource and improve the efficiency of wind turbine developments. With the necessary support for such large turbine projects by Scottish Ministers, statutory and non-statutory consultees the ambitious 2030 energy targets can be met.

## 6.5. Scottish Planning Policy and Advice

6.5.1. National planning policy and advice in Scotland is practised through the following hierarchy:

- National Planning Framework 3 (NPF3) provides a spatial vision for the future growth of Scotland. It provides the strategic policy context for decisions and actions by the Scottish Government and its agencies.
- Scottish Planning Policy (SPP) provides a succinct statement of national planning policy.
- Circulars contain guidance on policy implementation through legislative or procedural change.
- Planning Advice Notes (PAN) provide information and advice relevant to particular policies.

### National Planning Framework 3 (NPF3)

6.5.2. Scotland's third National Planning Framework was laid in the Scottish Parliament on 23 June 2014.

6.5.3. NPF3 is the spatial expression of the Scottish Government's Economic Strategy - with a focus on supporting sustainable economic growth and the transition to a low carbon economy. NPF3 sets out the ambition for Scotland as a whole, and highlights the distinctive opportunities for sustainable growth in our cities and towns, our rural areas and our coast and islands.

6.5.4. NPF3 builds on the key themes of NPF2 particularly in terms of promoting greater use of renewable energy, supporting further deployment of onshore wind farms and moving Scotland further towards becoming a "Low Carbon Place".

6.5.5. Although not a national development itself, the proposed development adheres to the vision set by NPF3. The proposed development will contribute to the reduction of greenhouse gases by producing electricity from a renewable source and reducing the need for fuel from finite resources. It will increase the percentage of electricity supplied by renewable sources and move Scotland closer towards having a low carbon economy and reaching energy supply targets. The proposed development is therefore supported by NPF3.

### Scottish Planning Policy (SPP)

6.5.6. Published in June 2014 the current SPP provides a statement of Scottish Government Policy on nationally important land use. As well as providing a context for different types of development in Scotland it also sets out policy on how the planning system should operate and how planning authorities should prepare development plans and supplementary guidance and determine planning applications.

6.5.7. In terms of its Core Principles for the planning system, the SPP makes it clear that the system should be plan led, to the point where decision making is transparent and predictable, that constraints on development are necessary and proportionate, that all interests are engaged as early as possible all seeking to ensure that there is a clear focus on quality outcomes.

6.5.8. The proposed development has considered the relevant constraints and opportunities presented by the site, had due regard to the development plan for the area, included consultation with all stakeholders including the planning authority, consultees and local communities from an early stage throughout the design and assessment process and has therefore been developed in accordance with the Core Principles of the SPP.

## A Low Carbon Plan

6.5.9. SPP states in Section 152 that:

6.5.10. "NPF3 is clear that planning must facilitate the transition to a low carbon economy, and help to deliver the aims of the Scottish Government's Report on Proposals and Policies2. Our spatial strategy facilitates the development of generation technologies that will help to reduce greenhouse gas emissions from the energy sector. Scotland has significant renewable energy resources, both onshore and offshore. Spatial priorities range from extending heat networks in our cities and towns to realising the potential for renewable energy generation in our coastal and island areas".

6.5.11. SPP states in Section 154 that:

6.5.12. *"The planning system should:*

- *support the transformational change to a low carbon economy, consistent with national objectives and targets, including deriving:*

– *30% of overall energy demand from renewable sources by 2020;*

– *11% of heat demand from renewable sources by 2020; and*

– *the equivalent of 100% of electricity demand from renewable sources by 2020;*

- *support the development of a diverse range of electricity generation from renewable energy technologies - including the expansion of renewable energy generation capacity - and the development of heat networks;*
- *guide development to appropriate locations and advise on the issues that will be taken into account when specific proposals are being assessed;*
- *help to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:*

– *Energy efficiency;*

– *Heat recovery;*

– *Efficient energy supply and storage;*

– *Electricity and heat from renewable sources; and*

– *Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced".*

6.5.13. The proposed development will increase the amount of renewable energy generation in Scotland, thus helping to support the transformational change to a low carbon economy consistent with national objectives and targets. Appendix 10.5 of the ES provides more details of the carbon balance associated with the proposed development. The CO2 emissions savings and renewable electricity generating capacity are consistent with the aims of SPP for transitioning to a low carbon economy and increased renewable energy supply.

## Onshore Wind

6.5.14. SPP has a section dedicated to onshore wind. Paragraph 161 states that:

6.5.15. "Planning authorities should set out in the development plan a spatial framework identifying those areas that are likely to be most appropriate for onshore wind farms as a guide for developers and communities… Development plans should indicate the minimum scale of onshore wind development that their spatial framework is intended to apply to. Development plans should also set out the criteria that will be considered

[2]Available online from: http://www.scotland.gov.uk/Topics/Environment/climatechange/scotlands-action/lowcarbon/meetingthetargets - (last accessed 03/10/2016)

in deciding all applications for wind farms of different scales - including extensions and re-powering - taking account of the considerations set out at paragraph 169"

6.5.16. Section 169 states "Proposals for energy infrastructure developments should always take account of spatial frameworks for wind farms and heat maps where these are relevant. Considerations will vary relative to the scale of the proposal and area characteristics but are likely to include:

- *Impacts on communities and individual dwellings, including visual impact, residential amenity, noise and shadow flicker*
- *landscape and visual impacts, including effects on wild land;*
- *effects on the natural heritage, including birds;*
- *impacts on carbon rich soils, using the carbon calculator;*
- *public access, including impact on long distance walking and cycling routes and scenic routes identified in the NPF;*
- *impacts on the historic environment, including scheduled monuments, listed buildings and their settings;*
- *impacts on tourism and recreation;*
- *impacts on aviation and defence interests and seismological recording;*
- *impacts on telecommunications and broadcasting installations, particularly ensuring that transmission links are not compromised;*
- *impacts on road traffic;*
- *impacts on adjacent trunk roads;*
- *effects on hydrology, the water environment and flood risk;*
- *the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration".*

6.5.17. All such constraints have been taken in to account with regards to the proposed development and have been assessed during the EIA process. The results of the EIA are presented in further detail in the relevant chapters of the ES and the factors above are assessed in section 7 of this PDAS. The proposed Paul's Hill II Wind Farm, as an extension to Paul's Hill is considered an appropriate development in the proposed location in the context of Moray's spatial strategy.

6.5.18. In addition, with regards to the last bullet this proposed development has a high level strategy for decommissioning which is presented in Chapter 4 of the ES and is considered in each of the different assessments carried out. A detailed decommissioning strategy would be developed in agreement with SLC towards the end of the operational period of the proposed development.

6.5.19. The proposed development is therefore considered to be in accordance with the most directly relevant part(s) of the SPP.

## Promoting Rural Development

6.5.20. The proposed development will be situated in a relatively remote upland rural area adjacent to an existing wind farm in Moray.

6.5.21. The overall approach advocated in the new SPP is that of a proactive stance to development in rural areas. Paragraph 75 of the SPP states that "the planning system should:

- *In all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces"; and*

- *"Encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality".*

6.5.22. Chapter 13 of the ES reports that during the construction phase of the development it has been estimated that 72 job years will be created in Scotland and 24 of these will be in Moray based on the rate of £1,318,875 of construction costs per MW. Based on the rate of £59,867 of operations costs per MW, the ES estimates that 4 jobs will be created in Scotland and 2 of these will be in Moray during the operational phase of the development.

6.5.23. Job creation is expected to trickle down to provide additional spending within this relatively remote rural area thus helping to sustain the local economy over the construction period and operational lifetime of the proposed development. The proposal will also add to the supply of renewable electricity locally which can be utilised to support local businesses and underpin the wider decarbonisation of the Moray economy. The proposed development is therefore considered to be in line with the SPP's vision for rural development.

## Valuing the Historic Environment

6.5.24. The SPP supports the recognition of the contribution made by cultural heritage to our economy, cultural identity and quality of life and describes the historic environment in paragraph 136 as a "key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places". As per paragraph 137, the planning system should:

- *promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning; and*
- *enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.*

6.5.25. Chapter 9 of the ES confirms that there are no direct or indirect significant effects associated with the construction, operation and decommissioning of the proposed development predicted in relation to any nationally important assets.

## A Successful, Sustainable Place

6.5.26. The SPP recognises the importance of supporting sustainable economic growth and regeneration, setting out the role that the Scottish Government expects the planning system to play in the sustainable economic growth of Scotland.

6.5.27. In addition to job creation Chapter 13 of the ES also notes that since the existing Paul's Hill Wind Farm became operational in 2006, the developer, FORL, has undertaken ongoing site surveys to monitor the ecological conditions, to manage and mitigate when required and to improve the wider understanding of the potential environmental effects on wind farms such as Paul's Hill. The developer's commitment to environmental monitoring will continue should the proposed development receive consent and commences operation in October 2021.

## Planning Advice Notes (PAN)

### Specific Advice Sheet: Onshore Wind Turbines

6.5.28. Specific Advice Sheet: Onshore Wind Turbines has replaced Planning Advice Note (PAN) 45 - Renewable Energy and is a source of specific advice for the development of onshore wind farms. The document provides

specific advice to inform both development plans and developers involved in onshore wind projects. It is updated online and identifies key issues to be considered within the design and development process.

### Other PAN

6.5.29. In addition to the Specific Advice Sheet: Onshore Wind Turbines is a range of topic and procedural Planning Advice Notes which have been considered in the design and assessment of the proposed development, including:

- PAN 1/2013 - Environmental Impact Assessment and Annex A.
- PAN 51 – Planning, Environmental Protection and Regulation.
- PAN 60 – Planning for Natural Heritage.
- PAN 68 – Design Statements.
- PAN 73 – Rural Diversification.
- PAN 75 – Planning for Transport.
- PAN 3/2010 – Community Engagement.
- PAN 1/2011 – Planning and Noise.
- PAN 2/2011 – Planning and Archaeology.

6.5.30. The proposed development has progressed with careful consideration of the advice contained within the Specific Advice Sheet: Onshore Wind Turbines and other PAN. The design and assessment of the proposed development has evolved to comply with the advice supplied and has been clearly addressed throughout the ES. The proposed development is therefore considered to be in accordance with the general direction of these Planning Advice Notes.

# 7. Development Plan

## 7.1. Moray Local Development Plan 2015

7.1.1. Despite pre-dating more recent and Scottish Government Energy Policy, The Moray LDP 2015 has three Primary Policies (PP) which reflect the national priorities of Scottish Planning Policy and the main objectives of Moray Council. Moray Council apply these to all development proposals and are considered below. The primary policy of relevance against which the proposed development will be assessed is Policy ER1: Renewable Energy Proposals.

### PP1 Sustainable Economic Growth

7.1.2. PP1 is supportive of development which aligns with Moray's Economic Strategy; that is to deliver sustainable economic growth and transition the region towards a low carbon economy, whilst ensuring that the quality of the natural and built environment is safeguarded and relevant policies and site requirements are met.

7.1.3. Appendix 10.5 of the ES presents a carbon balance assessment which indicates that having 'paid back' the carbon used in the construction of the project, the proposed development is likely to generate a minimum of over 29 years' worth of clean energy based on the maximum worst-case scenario. In addition, over the expected 35 years that the wind farm is likely to be generating carbon-free electricity, this could result in expected savings of over 835,000 tonnes of CO2 emissions when replacing fossil fuel electricity generation. This demonstrates that the proposed development has the potential to contribute significantly towards the reduction of greenhouse gas emissions from energy production and therefore transition the region of Moray towards a low carbon economy.

7.1.4. The proposed development is an extension to the existing Paul's Hill Wind Farm which has already created an estimated 74 job years in Moray during construction and 6 jobs during operation based in Moray (see Section 13.2 in Chapter 13 of the ES). The proposed development itself is predicted to generate during construction employment opportunities worth 72 job years in Scotland, 24 of which in Moray and is estimated during operation to create 4 jobs in Scotland, 2 of which based in Moray. Once operational, the proposed development will also pay business rates to the local economy, all of which will help deliver sustainable economic growth during the 36 year period of construction and operation.

7.1.5. The results of the EIA have been presented in the ES which reports that with the exception of localised significant but acceptable landscape and visual effects and potential interference with aviation radar (which can be mitigated) there are no other significant adverse effects on the environment. Therefore the economic benefits allied with the impact on the environment indicate that the proposed development can be supported under Policy PP1.

### PP2 Climate Change

7.1.6. Given that PP2 is targeted towards developments of 10 or more houses and buildings in excess of 500 m2 it is considered not to be directly relevant to the proposed development. Nonetheless, the proposed development does exhibit the commitment to design and other benefits sought by this policy. The proposed development has been selected because of the high wind resource available which can be converted to renewable electricity and the ability to make use of existing infrastructure at the operational Paul's Hill Wind Farm to develop the proposed development and export the electricity. The iterative design process has led to infrastructure being proposed in areas that minimise the amount of disturbance to carbon rich soils including peat and is located outwith any high risk flooding zones. It is therefore considered that the proposed development more than adequately addresses the most relevant parts of PP2.

## PP3 Placemaking

7.1.7. This policy has a strong urban focus and is not directly relevant to the proposed development. It does however advocate design themes which this report details in the Design & Access Statement section 6.5. In acknowledgement of this, it is considered that the proposed development complies as far as applicable to PP3.

## Policy ER1 – Renewable Energy Proposals

7.1.8. This policy advocates support for renewable energy development generally where it can be demonstrated that a proposal is compatible with other LDP policies and that agricultural land is not permanently lost or damaged and unacceptable significant adverse effects can be avoided or addressed across a wide range of categories as set out in part (iii) of Policy ER1 which also require assessment for:

- Landscape and visual impacts [repeated in part (b) of Policy ER1]
- Noise impacts [repeated in part (b) of Policy ER1]
- Electromagnetic disturbance
- Impact on watercourse engineering [repeated in part (b) of Policy ER1]
- Impact on peat land hydrology [repeated in part (b) of Policy ER1]
- Electromagnetic disturbance [repeated]
- Impact on watercourse engineering [repeated]
- Traffic Impact
- Ecological Impact [repeated in part (b) of Policy ER1]
- Impact on tourism and recreational interests [repeated in part (b) of Policy ER1]

7.1.9. The 2015 LDP's Spatial Framework indicates that the proposed development is within an 'Area with potential' for wind farm development. The LDP states that proposals in this area are likely to be supported by the council subject to an additional list of detailed consideration presented in part (b) of Policy ER1. Under the detailed consideration of wind farms, Policy ER1 also requires consideration of potential effects against other topics including:

- shadow flicker
- aviation and defence
- natural and historic environment
- forest and woodlands
- tourism and recreational interests

7.1.10. Given the depth of assessment under this one policy which covers the assessment requirement for individual topics dealt with elsewhere in the LDP such as Policy BE1 for example, it is considered that if the proposed development can be considered favourably under the specific requirements of Policy ER1 it can be supported elsewhere in the LDP and therefore detailed assessment against other general policies is unnecessary.

### Landscape & Visual impacts

7.1.11. A full assessment of the potential landscape and visual effects of the proposed development has been undertaken and presented in Chapter 6 of the ES. Amongst the assessments completed include potential effects upon:

1. landscape fabric & character of the proposed development area
2. landscape character
3. landscape designations

4. selected viewpoints
5. residential receptors
6. sequential routes

7.1.12. There are two potential significant effects upon landscape character identified in the ES. One of these is Landscape Character Type (LCT) 11 which is assessed to experience a significant effect during the construction phase only. Following post-construction reinstatement this temporary moderate effect is reduced to minor/moderate and therefore not significant. The other potential significant effect identified is that upon LCT 7 which has been identified as potentially experiencing moderate/major and therefore significant landscape and cumulative effects for cumulative baseline 1 (operational wind farm developments). The ES states in paragraph 6.10.5 that the 'value of this landscape receptor is considered to be high due to its enclosed nature and importance of enclosing skylines and its rich heritage and cultural value linked to the Whisky industry. This resulted in a borderline medium overall sensitivity, almost high. The moderate magnitude of change at this viewpoint was largely based on the noticeable landscape change around Roy's Hill, an identified 'Landmark Hill' visible on the containing skyline as a result of the moderate contrast present between the different turbine sizes of the proposed and original Pauls Hill turbines and the medium geographical extent of visibility throughout the LCT. However, operational developments will generally be experienced at the same time as the proposed development and the landmark feature of Roy's Hill is not the only key landmark hill enclosing the LCT. All other distinctive hills enclosing LCT7 remain unaffected by the proposed wind farm extension. These mitigating factors lead to the conclusion that this significant effect is an acceptable and localised significant effect.' Therefore, as a result of these temporary and/or limited extents of significant effects, the ES concludes that these potential significant effects identified above are not unacceptable. It is therefore possible to conclude that having avoided and addressed potentially unacceptable landscape impacts that it is compatible with this element of policy ER1.

7.1.13. The ES assesses potential effects upon landscape designations, including Cairngorms National Park, the Drynachan, Lochindorb and Dava Moors Special Landscape Area (SLA) and the Spey Valley Area of Great Landscape Value (AGLV) as moderate and therefore not significant.

7.1.14. Ten viewpoints were used for assessment purposes in the ES which were agreed with consultees during the EIA process. One of these viewpoints (no.1) has been assessed as experiencing a potentially significant effect. Paragraph 6.10.10 explains that 'Viewpoint 1, taken from the frontage of Tormore Distillery is a close proximity viewpoint at 5.9 km from the proposed development. The susceptibility of the viewers, or receptors present at this viewpoint was considered to be High, as they included residents and tourists focussed on the landscape. This resulted in a Medium (borderline with High) overall sensitivity. The Moderate magnitude of change at this viewpoint was largely based on the moderate contrast present between the different turbine sizes of the proposed and original Pauls Hill turbines and the small geographical extent of visibility, both in the angle of view affected, and the duration of visibility along the sequential route, as this is one of the few occurrences of visibility of the proposed development from the A95 road route. When combined with this higher level of susceptibility, a moderate effect was determined which was considered high enough to be a significant effect. However the effect was not considered sufficient to be a moderate/Major effect as the view is an oblique view when travelling along the A95, and both the original and proposed Pauls Hill schemes overlap, creating some visual integration making visual sense of the proposed development as an extension of the existing. The overall openness of the view is also retained and only a small part of the skyline is changed by the presence of additional features. These mitigating factors lead to the conclusion that this significant effect, experienced by receptors at a distance of 6 km from the proposed development is an acceptable and localised significant effect.' It is therefore considered that there are no unacceptable effects upon viewpoints.

7.1.15. Paragraph 6.10.17 of the ES states that 'overall two significant effects and two borderline significant effects are identified from individual and isolated properties within 3 km of the proposed development. However screening and the localised nature of these effects mitigate these effects which are assessed as not significantly affecting the overall visual component of living conditions for any of these three properties.' As

a result of these mitigating factors the significant effects upon residential receptors are considered to be acceptable.

7.1.16. No significant visual effects have been identified from any of the four assessed settlements; Archiestown. Upper Knockando, Craigellachie and Dallas.

7.1.17. Sequential routes including the A95 main route along the Spey Valley, the B970 from Grantown to Aviemore and beyond the study area, the Speyside Way long distance footpath from Buckie to Aviemore and beyond the study area, and Core Path SP20 were assessed in the ES as not experiencing significant effects.

7.1.18. From analysis of the ES it is concluded that there are no unacceptable significant adverse landscape and visual effects and therefore the proposed development does not conflict with this part of section (iii) of Policy ER1.

7.1.19. The LDP also requires detailed consideration of landscape and visual effects via guidance set out in the Moray Windfarm Landscape Capacity Study (2012). Paragraph 6.6.6 of Chapter 6 of the ES notes that this study has been superseded by the Moray Wind Energy Landscape Capacity Study (2017). This new landscape capacity study identifies that the proposed development is located within LCT 11, which as explained above, has been assessed as experiencing a temporary significant effect during the construction period only. The proposed development is for turbines at up to 149.9 m in tip height and this new landscape capacity study does identify some very limited scope for this scale of turbine to be accommodated in the landscape. The ES recognises the guidance document and following the LVIA, it is considered that the proposed development has addressed the guidance and therefore does not conflict with part (b) of Policy ER1 in this regard. Furthermore, Chapter 6 of the ES has demonstrated how the proposed development has avoided unacceptable significant adverse effects upon landscape character, visual amenity either singularly or cumulatively. The proposed development should therefore be considered favourably under this aspect of Policy ER1.

### Noise Impacts

7.1.20. Chapter 13, Human Health and Population, of the ES assesses the potential noise effects of the proposed development. The noise assessment compares predicted cumulative operational noise levels between projects including the operational Paul's Hill and Berry Burn wind farms, and compared with the ETSU-R-97 simplified noise limit of 35 dB LA90. The results of the predictions show that cumulative predicted operational noise levels meet the ETSU-R-97 simplified noise limit, and therefore no significant operational noise impacts are predicted.

7.1.21. The construction noise assessment has been undertaken with reference to BS5288:2009, Noise and Vibration Control on Construction and Open Sites, which indicates that noise from construction activities will be significantly below the adopted daytime noise limit of 65 dB LAeq, and therefore no significant construction noise impacts are predicted. Noise associated with off-site highways improvements and cabling requirements to the grid connections is not significant due to the relatively short term impacts. Mitigation will be implemented such that, although blasting activities may be detected at residential properties, the impact is not predicted to be significant. The ES notes additional mitigation for construction noise effects including limiting construction activities to standard working hours and excluding Sundays unless otherwise agreed and also creating a noise control plan and notifying residents.

7.1.22. No significant impacts are predicted for road traffic noise generated by construction traffic accessing the site during the construction phase of the development.

7.1.23. It is therefore concluded that given there are no significant adverse noise effects, the proposed development can be considered favourably under the relevant parts of sections (iii) and (b) of Policy ER1.

### Electromagnetic Disturbance

7.1.24. Chapter 11 of the ES assesses the potential effect of the proposed development through electromagnetic disturbance. During the EIA, two microwave links were identified passing through the proposed development area. The proposed site layout has been designed to limit potential adverse effects created by turbines and they have been located to avoid potential microwave links as far as possible. Relevant stakeholders have been consulted including Ofcom, BT, JRC and Atkins Global and only JRC indicated that there may be potential impacts. Following an assessment by JRC, it was identified that T7 could potentially interfere with the link but that mitigation is possible. Potential mitigation measures include micro-siting of the turbine away from the link or upgrade of the antenna. Mitigation could be secured through a planning condition. In light of the findings presented in the ES, with appropriate mitigation there are no-significant adverse residual effects predicted related to electromagnetic disturbance and the proposed development can therefore be considered favourably regarding this element of Policy ER1.

### Impact on Watercourse Engineering and Impact on Peat Land Hydrology

7.1.25. The potential impact upon watercourses is assessed in Chapter 10 of the ES. It identifies the potential for significant adverse effects to arise during construction and operation of the proposed development, however with embedded mitigation applied these potentially significant adverse effects are reduced to minor/negligible – minor/moderate effects and therefore not significant in EIA terms. Such embedded mitigation is listed in Table 10.18 of the ES and includes the production of a Construction Environmental Management Plan (CEMP) which would include detailed site specific strategies incorporated within a drainage management plan, private water supply management plan and a water quality monitoring programme. A peat stability risk assessment (including geotechnical risk register) and peat management plan (see Appendix 10.2 and 10.3 in Volume 4 of the ES) should both mitigate risk of peat slide, desiccation of peat and potential effects upon ground water dependent terrestrial ecosystems. These embedded mitigation strategies relate to construction best practice and many are approaches one would expect to be applied for a project such as the proposed development.

7.1.26. The Private Water Supply Risk Assessment (Technical Appendix 10.7) identified a Medium/Low risk to Corglass Lodge, Corglass Beag as a result of potential impact during planned resurfacing work to the existing access track. It is recommended that monitoring at both source and point of consumption is carried out during this upgrade work. Agreement with the property owner, monitoring frequency and parameters monitored would be agreed post consent. Monitoring regime would conform to the relevant guidance & best practice statements.

7.1.27. With the application of the proposed embedded mitigation there are no residual significant adverse effects upon watercourses or private water supplies predicted and the proposed development should be considered favourably under these parts of section (iii) of Policy ER1.

### Traffic Impact

7.1.28. The potential impact upon traffic and transport is assessed in Chapter 12 of the ES, including potential effects of dust, dirt and air pollution. It does not identify any significant adverse effects and following implementation of embedded mitigation measures listed in Table 12.16 of the ES, potential effects are further reduced. A Traffic Management Plan (TMP) is recommended to be a conditional requirement which would be agreed with the council in advance of construction starting. It is concluded that the proposed development can be considered favourably with regards to this aspect of part (iii) of Policy ER1.

### Ecological Impact

7.1.29. The potential effects upon designated sites, habitats and non-avian species are assessed in Chapter 7 of the ES. It assesses there to be no significant adverse effects upon any such receptors, including cumulatively. Following implementation of suggested embedded mitigation all potential effects which are assessed as either minor or moderate (not significant) are reduced to negligible.

7.1.30. Chapter 7 of the ES also undertakes a screening assessment to provide information to the competent authority to allow it to reach a decision on whether or not the proposed development will have a likely significant effect on the River Spey Special Area of Conservation (SAC) and therefore whether an Appropriate Assessment is required. It concludes that with the successful implementation of mitigation, potential effects will be reduced to negligible and there will be no adverse effect upon the integrity of the River Spey SAC. Furthermore, no cumulative impacts are predicted for any qualifying interests of the SAC and as a result no likely significant effect is predicted for the River Spey SAC.

7.1.31. During construction, the turbine delivery and grid route are likely to cross over the River Spey SSSI and SAC at the Blacksboat Bridge, and may entail some engineering works in this location. It is assumed for the purpose of determining this application that any such works will not have any adverse effects on the River Spey SAC. The l environmental impacts of these works will be provided to the planning authority and other stakeholders for agreement prior to commencement of construction.

7.1.32. Chapter 8 of the ES assesses potential effects upon avian species. The assessment identified no significant effects following embedded mitigation measures, of the proposed development on ornithological interests. Specific embedded mitigation measures for black grouse, hen harrier and merlin are proposed to minimise the potential effects of disturbance and/or displacement, and to ensure compliance with the Wildlife and Countryside Act (1981) as amended by the Nature Conservation (Scotland) Act (2004). A Species Protection Plan (SPP) is proposed and best practice guidance regarding breeding birds will be followed, with an Ecological Clerk of Works (ECoW) employed during construction.

7.1.33. Cumulative assessments also conclude that there would be no significant adverse cumulative effect upon avian species.

7.1.34. These chapters conclude that there is no conflict with the ecological provisions of Policy ER1 and can be considered favourably in this regard.

### Impact on tourism and recreational interests

7.1.35. Chapter 13 of the ES assesses the potential effects upon socioeconomics including an assessment of potential effects of the proposal on the Tourism and Recreational sectors. The impact on tourism and recreation receptors has also been specifically considered in Chapter 6: Landscape and Visual Impact Assessment and in Chapter 9: Cultural Heritage.

7.1.36. In line with the various findings of the ES, it is concluded that the proposed development will not have significant adverse effects upon tourism and recreational interests and can therefore be considered favourably under the relevant part of Policy ER1.

### Historic environment

7.1.37. Chapter 9 of the ES assesses potential effects upon cultural heritage/the historic environment. It indicates in paragraph 9.9.1 that would be no direct impacts on any known cultural heritage assets. The mitigation proposed in section 9.8 of that chapter is considered to be sufficient to avoid any potential direct effects upon unknown cultural heritage assets and as such result in no significant adverse effect in this regard.

7.1.38. The potential indirect effects upon the setting of cultural heritage features are also assessed in the ES. Chapter 9 identifies four scheduled monuments, three category A listed buildings and one category B listed building which potentially may be affected. The ES predicts there to be no significant adverse effects upon the setting of these assets and furthermore for there to be no significant adverse cumulative effects upon their setting.

7.1.39. It is concluded that the proposed development has no conflict with the relevant parts of Policy ER1 in this regard and so should be considered favourably.

### Shadow flicker

7.1.40. Chapter 13 of the ES confirms that the nearest residential property to the proposed development is located 1.5 km from the nearest turbine. Given the distance involved, a shadow flicker assessment has not been undertaken (further than 10 rotor diameters, in accordance with Scottish Government advice3). The proposed development is not therefore considered to conflict with part (b) of Policy ER1 in this regard.

### Aviation and defence

7.1.41. The potential effects upon aviation and defence interests are assessed in Chapter 11 of the ES. Relevant stakeholders including Highlands and Island Airport Limited (HIAL), National Air Traffic Services (NATS), Civil Aviation Authority (CAA), the Highland Gliding Club and the Ministry of Defence were consulted during the EIA process.

7.1.42. Despite being an extension to an existing operational wind farm scoping responses received from HIAL and the MoD suggest that the wind turbines in the Proposed Development have the potential to cause interference to both civil and military ATC radar located at Inverness Airport and RAF Lossiemouth respectively. In both cases, the applicant is in dialogue with HIAL and the MoD to identify suitable mitigation solutions to reduce the impact to an acceptable level. Give there is a realistic prospect that suitable mitigation can be agreed between the relevant parties and secured with appropriate suspensive planning conditions,.these potential effects therefore not considered to be unacceptable nor a departure from the aims of part (b) of Policy ER1.

### Forest and woodlands

7.1.43. Chapter 4 details that felling is not required to accommodate the main infrastructure of the proposed development because the turbines are located on open moorland. Whilst some felling of commercial forestry may be required to allow development of a cable route for the grid connection it is proposed that details will be provided in the Construction Method Statement (CMS) allowing where necessary pre-construction surveys to be undertaken.

7.1.44. In consideration of the above, the proposed development therefore has limited impact on this aspect of Policy ER1 and can be considered favourably.

## Moray Supplementary Guidance – Climate Change

7.1.45. The Moray Council's supplementary guidance on climate change has been produced to support the transition to a low carbon future by reducing greenhouse gas emissions, using resources efficiently and securing development that is resilient to the impacts of climate change. It is targeted at developments of 10 or more houses and buildings in excess of 500 m2 and is therefore not directly relevant to the proposed development. It is however noted that the proposed development is a wind farm extension which will generate renewable electricity. It will be able to make use of some existing infrastructure at Paul's Hill Wind Farm and will be resilient to the potential changes in precipitation, wind and temperature associated with climate change. Therefore, although not directly relevant, the proposed development does accord with the aims of the guidance.

## Moray Supplementary Guidance – Onshore Wind Energy

7.1.46. Moray Supplementary Guidance – Onshore Wind Energy came into effect in 2017. Aligning itself with Policy ER1 from the Moray Local Development Plan, the guidance notes the various procedural requirements and recommendations as well as the numerous topics and assessments that should be undertaken. The applicant has undertaken pre-application consultation with the council, stakeholders and with the public. Assessments

3 Scottish Government Online Advice Sheet: http://www.gov.scot/Resource/0045/00451413.pdf (last accessed 22/01/2018)

of relevant topics including screening for an Appropriate Assessment have also been undertaken and reviewed earlier in this report. It is considered that the work undertaken to progress the proposed development has taken heed of relevant guidance and having done so does not depart from the development plan.

## 7.2. Design and Access Statement

7.2.1. Whilst acknowledging that the proposed development is submitted under Section 36 of the Electricity Act 1989, as a measure of good practice, the applicant has provided a detailed written statement about the design principles and concepts that were applied to the proposed development before submission in Chapter 3 of the ES. Consideration of access is normally required by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and although the details sought by these Regulations are of limited relevance to the proposed development, access issues have also been addressed in the ES, in particular Chapters 4: Description of Development and Chapter 12: Traffic and Transport Assessment. It is therefore considered that this Statement in combination with the ES fulfils the usual requirement for a statement on design and access.

7.2.2. The site has been selected through a pro-active prospecting exercise and chosen for its positive balance between high wind yield and low environmental effects. It is located in an 'Area with Potential' for wind energy development as identified in Moray Council's Spatial Framework 2015. The layout of the site itself has also followed strict criteria to avoid sensitive features and avoid causing direct effects as much as possible. The design strategy has followed the principles within Planning Advice Note 68 – Design Statements.

7.2.3. The various relevant bodies were consulted during the initial EIA process, feedback from which was fed directly in to the iterative design process. Public events were also held and full details of the consultation process are provided in the Pre-Application Consultation (PAC) Report which accompanies the application.

7.2.4. Consideration of other wind farm developments, including the operational Paul's Hill Wind Farm was also taken in to account in the layout design. Chapter 3 of the ES details the design process and the rationale for location and the design and assessment of the proposed development including consideration to access is also provided in throughout the ES.

7.2.5. The proposed development's location and site design has resulted in there being three watercourse crossings required. These are assessed in Appendix 10.5 of the ES.

7.2.6. The proposed Substation Control Building would be designed to complement the existing control building that it will be located next to, thus limiting its potential visual effects. Details for the appropriate design of the building can however be agreed with the council prior to construction through an appropriately worded suspensive planning condition.

7.2.7. From an Access point of view, Chapter 11 of the ES notes that there are no Public Rights of Way (PRoW) within the proposed development area and one Core Path (part of the Speyside Way (SW04)). Public use of the Core Path and new access tracks on site would be managed during the construction phase for health and safety reasons. Once operational, these access tracks would be fully accessible again and the public would be free to roam in and around the wind farm site, paying due attention to health and safety notices displayed on turbines and associated infrastructure. The new access tracks will improve mobility across the proposed development area in general and create new opportunities to link in to existing access tracks both within the proposed development area and beyond. This is considered to be a positive enhancement of the existing access on site and across the proposed development area.

7.2.8. In conclusion, it is considered that the proposed development voluntarily meets the usual Design and Access requirements for a major development under the planning Acts and Regulations.

## 7.3. Development Plan Conclusions

7.3.1. The overall strategic vision of the Local Development Plan is to promote the continued growth and regeneration of Moray by seeking sustainable economic development and social development within a low carbon economy whilst protecting and enhancing the environment.

7.3.2. The plan contains specific policies to assist in achieving this vision. The proposed development is within an area with potential for wind farms as identified in the LDP Spatial Framework 2015. The policies provide a clear strategic level of support for the proposed development. These policies cannot however be viewed in isolation and must be balanced against the potential environmental impacts of such a proposal. These potential impacts have been considered in detail in the ES which accompanies the application and found on balance to be acceptable. The proposed development is therefore considered to be supported by the LDP.

# 8. Emerging Plans and Guidance

## 8.1. Moray Onshore Wind Energy Supplementary Guidance (2017)

8.1.1. This guidance was adopted in November 2017 to assist Moray Council in determining and responding to applications for wind farms in the Council area. This guidance considers on page 25 that the landscape in which the proposed development is located, is one of two landscape types within Moray which 'offer greatest opportunity for repowering to around 150 m high turbines while minimising landscape and visual effects'. Further alterations to the balance to be achieved by this guidance may yet emerge following the publication of the LDP.

8.1.2. The guidance provides a high level guide and suggests that determination should be subject to the level of detailed site specific assessment contained within the ES. Having done so and having balanced this with the other potential effects it is considered that the proposed development accords with the relevant requirements of this guidance.

## 8.2. Moray Local Development Plan 2020

8.2.1. The Main Issues Report (MIR) was published has been published in preparation for the new Moray Local Development Plan which is due to be adopted in 2020. The MIR states that the new LDP will take a visionary approach in which sustainable development, low carbon and efficient land use are encouraged. It is expected that this and any future revisions of the plan and its supplementary guidance will be more closely aligned with the more recent Energy Strategy and other related policies of the Scottish Government, providing longer term support for this proposed development.

# 9. Summary and Conclusions

9.1.1. This Planning, Design & Access Statement has been prepared by Natural Power on behalf of the applicant to allow determination of the proposed development under the terms of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000 and Amendment Regulations 2008.

9.1.2. Although not a statutory requirement under the Act, this statement identifies as a measure of good practice the principal design and access considerations that have been incorporated into the proposed development. The ES provides a detailed written statement about the design principles and concepts including consideration of alternatives that have been applied to the proposed development in Chapter 3, and access in the wider context is assessed in Chapters 4, 11 and 12 of the ES.

9.1.3. This statement also confirms that an EIA of the proposal was undertaken in acknowledgement of The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017 and has included a section (Chapter 13) that focuses on impacts upon human health and population.

9.1.4. The Scottish Energy Strategy and associated Scottish Onshore Wind Energy Policy Statement provide key support for the proposed development. An important driver of the Energy Strategy is the recognition of the requirements of the renewable energy industry to improve efficiency by utilising taller turbines with larger rotor diameters to operate in the post subsidy world, and that such wind turbines can capture more of the available wind resource and improve the efficiency of wind turbine developments. Enabling these requirements is essential in order to meet the ambitious, but achievable, targets set out in the Scottish Energy Strategy.

9.1.5. The proposed development will also make a valuable contribution to the ongoing efforts encapsulated in national policy to reduce the release of greenhouse gases, to stability of supply and to sustainable economic growth. In the case of climate change policy and the ambition to reduce greenhouse gases there is a recognition that this accords with a much wider framework of international protocols, directives and legislation.

9.1.6. The Local Development Plan also provides a supportive framework for the proposed development, within the context of its overarching policies aimed to support sustainable economic growth while also helping to tackle climate change. Whilst this support is balanced against the need for appropriate environmental protection, the proposed development has been found through the EIA process and examination of the plan's policy requirements to be acceptable. The proposed development is therefore considered to have the support of the Development Plan and to be reflective of the direction which the emerging LDP and other guidance will follow.

9.1.7. As stated in the introduction, it is proposed that, as far as is practical, the planning conditions that applied to the Paul's Hill Wind Farm consent in 2004 (see Appendix 1.3 in Volume 4 of the ES) should also be applied to the proposed development. This will ensure that there is, in general, duplicate sets of similar conditions applying to the wind farm as a whole with the new set recognising the use of shared infrastructure for the lifetime of the new phase of development. The existing Paul's Hill Wind Farm is considered to be a very successful operational Wind Farm and has been delivered and operated within the various requirements of the existing consent. It is therefore appropriate that this success continues with the proposed Paul's Hill II Wind Farm.

9.1.8. Taking all these factors in to account, the proposed development is considered to be in accordance with the Scottish Energy Strategy, the Scottish Onshore Wind Energy Policy Statement, the Development Plan and is supported by other material considerations. Accordingly, in line with the terms of the Electricity Act 1989 and the Town and Country Planning (Scotland) Act 1997 as amended, the application should be approved.

natural power

Natural Power acting as lead consultants
on behalf of Fred. Olsen Renewables.

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