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Ms Beatrice Haigh
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Our ref: E04795
Our contact: Michael Phillips
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Direct tel: 01654 705015
Your ref: PP-01841719
Date: 2nd May 2012

Dear Ms Haigh

Reaps Moss Wind Farm

Following recent communications with Mr Neil Birtles please find accompanying this letter a revised application for the proposed minor modifications to the consented Reaps Moss Wind Farm infrastructure. An identical application is submitted to Rossendale Council in accordance with the statutory requirements as set out in Circular 04/2008. Also following advice from Rossendale the planning fee (details of the calculation below) has been submitted to Rossendale Council as the lead authority as they have the greater landtake for the development. We have also accorded with your legal instruction that you will not accept an application under s73 of the Town and Country Planning Act 1990 to enable the amendments to take place. On that basis, we are submitting an application to amend the existing infrastructure of the Reaps Moss scheme under s57 of the Town and Country Planning Act.

Planning Application Form

With respect to the application form and accompanying documents, and with due regard to the comments of Mr Birtles in an email dated 27/04/2012 (attached at end of this letter for your reference), I can confirm the following:

- Q.3: the description of the development has been altered;
- Q.11: the construction compound will utilise portaloo style toilets and foul waste will be removed from site. The detailed designs of the substation have yet to be finalised and approved through your council and therefore we cannot be prescriptive at this time and as such we currently propose a chemical treatment toilet again with the need to remove foul waste off site. The level of use at the substation will be so low as for this to be realistic option;
- Q.13: as you will be aware from the Planning Appeal the proposed design and mitigation measures were deemed to be appropriate and sufficient to negate the potential for significant adverse impacts to badgers and peat habitat, hence the reason for my answers. We believe that 'reasonable likelihood' of negative effects has been avoided. Whilst we maintain this position I have altered our responses but request that the comments of the Inspector be taken into consideration in this respect;

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- Q.16: I will alter this to 'yes' but please be advised that all trade effluent will be removed from site;
- Q.18: my understanding from Mr Birtles response in this respect is that he is referring to the floor space in the substation building, and as such this is revised although I believe this now confuses matters as it is not 'floorspace' as commonly understood;
- Q.21: the fee has been recalculated in accordance with Mr Birtles requirements and the area now calculated, including the met mast and the stone wall reinstatement is 4.1ha;
- Q25: I believe the Certificate B parties to be correct;
- Q25: Agricultural Declaration - this has been amended.

Red Edged Site and Fee Area

The planning application map demonstrates clearly the red line area required for the development. An additional fee calculation area map is included, which now incorporates the met mast and the area required for the reconstruction of the stone wall.

Other Drawings and Supporting Information

All the information referred to in Mr Birtles email was submitted in hard copy and on CD to your office at the time of the submission in January 2012. However I am resending it to you on CD. This information includes the original drawings to which you refer, and details of the Non Material Amendment approved by your authority.

The previous application was subject to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (as amended). As an amendment to a development that is subject to those regulations, this application is also subject to the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 (**the EIA Regs**). Therefore Environmental Information, in the form of the original ES and Supplementary Environmental Information (**SEI**), which meet the criteria of the EIA Regs, is submitted in support of this application. Due to the size of the documentation this is included on the CD referred to above.

The Inspector's report and SoS Decision Letter is included on the CD as material relevant to this application.

Section 106

I believe Mr Ed Romaine has prepared the draft section 106 agreement and will be consulting with Rossendale and Calderdale on it imminently.

Further sectional drawings

As discussed with Mr Birtles on the telephone yesterday we will make these further submissions to Rossendale and yourself as soon as the sectional drawings are prepared. We expect this to be within 3 weeks of this submission. We will await your advice on further cross-sectional drawings along the access track that you or Mr Birtles may require.

Fees

Following your advice the fee proposed has been recalculated based on the physical infrastructure of all the wind farm components, including mitigation areas. The fee area has now been calculated as 4.1ha and as such a fee for £13,735.

Consequent to the above accompanying this letter please find the following attached:

- Section 57 application for the Reaps Moss infrastructure refinement
- Supplementary Environmental Information (SEI) dated February 2012
- EO4795-DAT-Planning Application Map
- EO4795-DWP-Planning Fee Map
- EO4795-DWP-Figure 1-1 Site Layout Plan
- EO4795-DWP-Figure 2-4 Site Tracks Layout Sheet 1 of 2
- EO4795-DWP-Figure 2-5 Site Tracks Layout Sheet 2 of 2.
- EO4795-DWP-Figure 6-1 Site Layout Topography and Water Features
- EO4795-DWP-Figure 7-1 Heritage Assets

The following information of considerable file size has been forwarded to you on CD:

- Environmental Statement dated November 2006; Supplementary Environmental Information report (SEI) dated July 2007; and Reaps Moss Private Water Supply Assessment Report 2008
- Inspector's report and SoS decision
- Non Material Amendment
- Copy of Supplementary Environmental Information (SEI) dated February 2012

A cheque for the planning fee has been sent to Rossendale. I respectfully ask that you return the previously submitted fee cheque for £335.00.

I would welcome your confirmation of the registration and validation of the application at your earliest convenience. If there is any further information you require in connection with the application please do not hesitate to contact me.

Yours sincerely

Michael Phillips
Principal Planning Consultant