

Herefordshire Council
Planning Services
PO Box 230
Blueschool House
Blueschool Street
Hereford HR1 2ZB

Our ref: E4419
Our contact: Michael Phillips
Email: Michael.phillips@dulas.org.uk
Direct tel: 01654 705015
Your ref: DCNW2008/1289/F
Date: 18th December 2014

Dear Sir / Madam

Re: Non material changes to the planning permission for Reeves Hill Wind Farm, permission reference DCNW2008/1289/F

This letter accompanies an application under Section 96A of the Town and Country Planning Act 1990 (as amended) requesting the making of non-material changes to planning permission DCNW2008/1289/F for Reeves Hill Wind Farm.

The purpose of the application is to ensure the efficient operation of the planning system by providing that the approval of matters specific to the turbines only shall be required to be approved prior to commencement of construction of the turbine foundations.

The specific details of the requested non-material changes are as follows:

Condition 6: Line 1 substitute *'any work on turbine foundations'* for *'the development'*

Condition 17: Line 1 substitute *'any work on turbine foundations'* for *'development'*

Condition 19: Line 1 substitute *'work on turbine foundations is'* for *'turbine related construction on site'*

Condition 22: Line1 add *'in respect of development to be accessed from it'* after *'other works hereby approved'*

Condition 27: Line1 substitute *'work on turbine foundations'* for *'development'*

Condition 30: Line1 substitute *'work on turbine foundations'* for *'development'*

It is considered that the application is for non-material changes for the following reasons:

- There will be no change to the description of the development to be undertaken or to any of the approved plans or to the red line boundary.
- There will be no change to the character of the development, to the potential environmental or other impacts or to the application of development plan policies.
- There will be no change to the condition that determines the expiry date for the planning permission and no conflict with the reasons given for the imposition of other conditions.
- There would be no breach of the requirement that the development be undertaken strictly in accordance with the development, plans and specifications listed at condition 1.
- The proposed change can be distinguished from a 'minor but material development'. A minor but material amendment is commonly described as *"...one whose scale and nature results in a development which is not substantially different from the one which has been approved."* The change sought is distinguishable from this since there would be no difference at all to the scale and nature of the development.
- There would be no change to matters to be submitted to and approved by Herefordshire Council as conditions precedent to the commencement of the development that could be undertaken in advance of turbine construction and it is proposed to submit relevant applications in the New Year.
- There will be no change to the way in which construction of the authorised development is undertaken.
- The slight changes could easily have been incorporated within the original planning permission and do not contemplate any activities that have not been fully considered within the Environmental Statement or the permission that has been given.
- There will be no change to the interests of any consultees as no matters that require consultation with them would be able to take place by virtue of the change sought.
- The change will not permit any works to take place that could have any effect on any members of the public or other landowners.
- Since there will be no changes to the approved development or to the requirement that conditions precedent be discharged prior to the commencement of development, there will be no removal of the accountability of decision-making from elected members.
- The change sought will not prejudice the ability of any public authority, including the Council, to discharge any functions and will not fetter the exercise of any planning judgement in respect of any other application, including for approval of reserved matters.

Please contact me if you require any further detail.

Yours sincerely



Michael Phillips