

Chief Executive's Office
Chief Executive & Director - Environment: John Wood

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Contact: Mr John Wood
My ref: JW/MGB
Your ref:
Date: 26 February 2013

Dear Ms Symes

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL BY HELIOSLOUGH LTD
LAND IN AND AROUND FORMER AERODROME, NORTH ORBITAL ROAD, UPPER
COLNE VALLEY, HERTFORDSHIRE
APPLICATION REF 5/09/07/08**

I refer to your letter dated 20 December 2012 in which you advised that the Secretary of State is minded to approve planning permission and also, at paragraph 46, that the Secretary of State proposes to allow a limited time for completion of a suitable planning obligation. Originally a date of 28 February 2013 was set, and subsequently that was extended - at the applicant's request - to 28 March 2013.

As you know, a report was prepared for consideration by the County Council's Cabinet at its meeting on 25 February 2013 and I can advise you that the Cabinet, upon consideration of the published report, resolved as follows:

- (a) that the proposed potentially three stage process set out in paragraph 2.8 of the report, for consideration of all of the matters that may arise from the 'minded to approve' letter from the Department for Communities and Local Government dated 20 December 2012 regarding the former Radlett Aerodrome and other lands, be agreed;
- (b) that the Chief Executive & Director of Environment and/or Assistant Director, Property & Technology be authorised to have discussions with St Albans City & District Council and the Applicant regarding the possibility of and possible content of a s106 agreement; and separately with the Applicant only regarding the possibility of and possible content of a unilateral undertaking by the County Council, taking into account the form of the undertaking dated 17 December 2009; and
- (c) to undertake such other further investigations as are considered appropriate, and to bring a further report to Cabinet in due course.

- (d) that the Chief Executive and Director - Environment in consultation with the Leader of the Council be authorised to write to the Secretary of State requesting an extension to the period allowed for the submission of a suitable planning obligation as referred to in paragraph 46 of the Secretary of State's letter of 20 December 2012 should that become necessary.

Yesterday's meeting was the first occasion upon which the Cabinet, in its landowner role, has considered the issues that have arisen from the two planning applications, the two planning appeals and the most recent 'minded to approve' position reached by the Secretary of State. Whilst it has been possible to provide Cabinet with a report in the form of a chronological narrative of the actions over many years, there are very many matters of fact that need to be established and possible implications to be considered in order that a fully informed report can be made and full consideration be given to the request that the County Council, as landowner, enter into a suitable planning obligation.

Whilst an extension of the time limit to 28 March was requested by the applicant and agreed by you on the basis that this would give sufficient time for a report to Cabinet on 25 February 2013 and to a technical re-working of the existing Unilateral Undertaking, it does not provide sufficient time for the discussions and investigations that are needed prior to a further report being prepared for Cabinet.

Accordingly, I now write to request that the Secretary of State allow a further limited extension of time to 30 June 2013 to allow those enquires to proceed, for a further report to be prepared and considered and, should Cabinet so decide, for a legal agreement or undertaking to be completed.

Yours sincerely



John Wood
Chief Executive & Director - Environment

cc. Angela Buckley, Assistant Director - Property & Technology
Dick Bowler, Estate Manager