



St Albans City & District Council

Legal, Democratic and Regulatory Services

Head of Service: Mike Lovelady

Our Ref: L/11682/ML/bam

Your Ref: APP/B1930/A/09/2109433

Please ask for: Mr M Lovelady

Direct Dial: (01727) 819502

Fax: (01727) 819255

DX: 6178 ST ALBANS 1

Date: 2 October 2012

BY EMAIL : christine.symes@communities.gsi.gov.uk

Ms Christine Symes

Decision Officer

Department for Communities and Local Government

Zone 1/H1

Eland House

Bressenden Place

London SW1E 5DU

Dear Ms Symes

Thank you very much for your letter of 19 September 2012 inviting the Council's views on the suggested approach towards the determination of the Radlett and Colnbrook appeals.

The Council is of the view that a conjoined inquiry is both appropriate and necessary in this case. The Council's case at the Radlett inquiry, as you are aware, was that the Colnbrook proposal was a better scheme than the Radlett development and would cause less harm to the Green Belt. It maintains that stance. A conjoined inquiry which seeks to establish the relative merits of the two schemes is an important means of determining fully and adequately the variety of issues which will be of relevance in deciding whether either scheme should be developed. I should add that the Council considered itself constrained in becoming involved in the Colnbrook appeal since it was not the local planning authority for the Colnbrook application and did not wish to appear unduly interested in the decisions of other authorities.

Nevertheless, it has subsequently become sufficiently concerned by some of the arguments that had been raised by the parties in the Colnbrook appeal to have decided that it would make representations to that inquiry. Such an approach was not, in the Council's view, an adequate means of being able to fully develop the points which it considers now need to be made. A conjoined inquiry would provide that opportunity.

As one example of the sort of issue which has arisen in the Colnbrook appeal, it appears that the cases of both Helioslough and Goodmans are (subject to arguments that each has a better proposal) now that both projects can nevertheless come forward. A conjoined inquiry will enable the Council to deal with that suggestion which, I should add, did not form any primary part of Helioslough's case at the Radlett inquiry.



2/

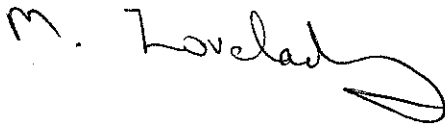
2 October 2012

The conjoined inquiry will also enable a detailed and full assessment of the various representations which have been made through the re-determination process in the Radlett appeal. The Secretary of State's decision letter in the Radlett appeal was quashed on the basis of a lack of adequate reasoning relating to the policy position of relevance to Colnbrook. The conjoined inquiry presents a proper opportunity to address the merits of the two schemes and for an appropriate decision to be made on both sites taking into account the relative policy positions of both.

Further, while allied to the point made above, a conjoined inquiry would be consistent with the general approach of deciding whether very special circumstances exists for either scheme.

Given the above, both as a matter of the efficient running of the appeal processes and as a matter of fairness to all parties, the Secretary of State's suggested approach should, in the Council's view, be adopted.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Lovelady', with a stylized flourish at the end.

M Lovelady LL.B. (Solicitor)
Head of Legal, Democratic and Regulatory Services