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By first class post and email to chris.howsham@communities.gsi.gov.uk

Our Ref: A/Strife/731/01
Your Ref: APP/B1930/A/09/2109433

10 November 2011

Dear Mr Howsham,

RULE 19 TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURE) (ENGLAND) RULES 2000
SECTION 78 TOWN AND COUNTRY PLANNING ACT 1990
LAND IN AND AROUND FORMER AERODROME, NORTH ORBITAL ROAD, UPPER COLNE VALLEY,
HERTFORDSHIRE
APPLICATION REF 5/09/07/08

We write on behalf of STRiFE Ltd ("STRiFE") in response to your letter of 19 October 2011. As invited, we wish to comment on the representations of Helioslough Ltd ("Helioslough") dated 12 October 2011.

STRiFE considers that Helioslough's representations go substantially beyond the scope of Ms Symes' request in her letter of 15 September 2011. The representations are, in substantial part, merely an attempt to reargue the merits of the section 288 challenge. STRiFE does not address these submissions here since the basis of its disagreement with Helioslough's position is clear from the last inquiry and from its written representations in the section 288 proceedings. However, STRiFE does wish to state its view that the threat of further challenge at §4 of Helioslough's representations is misplaced. The Secretary of State should have confidence from the terms of the judgment in the section 288 proceedings that his approach in his 2010 Decision Letter was unimpeachable apart from his reasoning on the strategic gap issue (an issue to which I return below).

Helioslough's representations on material changes in circumstances are notably limited. Although §§21-52 come within a heading "*issue (c) – new matters and material changes in circumstances*" they are no such thing. The representations which in fact concern material changes in circumstances are at §§53-70.

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The first set of representations (at §§53-59) is on "planning for growth". The second (at §60-64) is on the draft National Planning Policy Framework ("the draft NPPF").

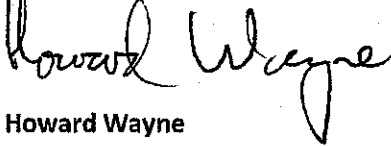
Although Helioslough asserts that an SRFI at Radlett would contribute to economic growth and to the aims of the draft NPPF, it does not suggest that Colnbrook would not also do so. On Helioslough's case, these factors are therefore neutral.

However, for the reasons set out in my letter of 14 October 2011, the Secretary of State can have no confidence that sufficient train paths would be available to access an SRFI at Radlett. Therefore, far from being neutral, these factors militate against the Radlett proposal and in favour of the Colnbrook proposal.

The third set of representations (at §65-70) concern the proposed SRFI at Colnbrook. This is principally a matter for the Council and for Goodman. However, STRIFE maintains its position, from its representations in the section 288 proceedings, that the Colnbrook proposal is preferable to that of Helioslough. Although STRIFE accepts that the strategic gap policy framework gives rise to an additional policy requirement, the weight to be attached to that requirement is fundamentally a matter for the Secretary of State. Given the close relation between the strategic gap and green belt requirements, the weight to be attached to the former should not be overstated. Moreover, for the reasons given at §13 of my letter of 14 October 2011, any failure of the Colnbrook proposal to comply with Slough Borough Council's strategic gap policy is more than compensated for by the substantial advantages of that proposal over the Helioslough proposal.

Finally, STRIFE notes that Helioslough has requested a right of final reply to the representations of the other parties (§5 of its representations). Helioslough suggests that this is the "normal approach in planning decision making". We do not agree that this would be either normal or appropriate. It has no support from the *Town and Country Planning (Inquiries Procedure) (England) Rules 2000* and would be unfair to the other parties. If there is to be further opportunity for representations, it should be afforded equally to all parties.

Yours faithfully,



Howard Wayne
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