

Executive, Resources and Contracts PDS Committee

14th May 2019

Update to Item 9a – Biggin Hill Airport Limited – Landlord's Consent to New Erection of a Hanger – from Michael Watkins

In relation to any development on the Airport, the Lease requires BHAL to demonstrate that it has followed the required Planning process to obtain from the Local Planning Authority any necessary consents or undertaken any required consultation. Following this then the Airport needs to obtain Landlords consent – such consent is not to be unreasonably withheld or delayed.

In this instance the Airport consulted with LBB for the Erection of a new Hangar via The General Permitted Development Order and Consultation Agreement between the Council and BHAL which confirms the National Permitted Development Rights Airports can utilise together with a methodology for consulting with the Council on developments pertaining to those rights. The request for comments was made on 14 March and the Planning Department responded with their observations on 10 April. It should be noted that whilst Officers made observations and objections these were in response to a non-binding consultation as the Airport has the benefit of Permitted Development rights. As such the Airport responded on the 11 April advising it was proceeding – which it is entitled to do so regardless of Officers comments or objections. Therefore the Airport had demonstrated it had followed due Planning process in order to make its request for Landlord's consent.

The Landlord's consent is not to be unreasonably withheld or delayed and as this a development which falls within the Permitted Development Rights of the General Permitted Development Order there are no grounds to refuse the consent.