

Application 5/2009/0708 by Helioslough Ltd
for a Strategic Rail Freight Interchange, Public Open Space and Community
Forest at and around former Radlett Aerodrome site

Statement by CPRE – The Hertfordshire Society

1. The applicants' Planning Policy Report submitted with the application refers to the previous (2006) application and the subsequent appeal which was dismissed by the Secretary of State in October 2008 in accordance with the Inspector's recommendation. The applicants draw particular attention to the Secretary of State's conclusion that, had it been demonstrated that there were no other alternative sites for the proposal, she would have allowed the appeal. The applicants have therefore carried out an Alternative Sites Assessment, which they claim shows that the application site is the best and most appropriate to fulfil a requirement for a Strategic Rail Freight Interchange (SRFI) in the north west sector of the M25 and that there are no other, more suitable sites available. We entirely refute this claim.

2. In support of their application, Helioslough have also produced a number of Technical Reports, as follows:

Technical Report 2: Policy Context

Technical Report 3: North West Sector of M25

Technical Report 4: Railway Operations and Infrastructure

Technical Report 5: Locational Advantages

3. We comment on each of these reports in the appropriate section below.

Technical Report 2 - Policy Context

4. Technical Report 2 sets out the European, National and Regional transport and planning policies which support the development of rail based facilities. The applicants claim (paragraph 3.8) that the Radlett proposals are entirely consistent with these policies. While we do not dispute this, there is nothing in these policies that specifically points to the Radlett area or this particular sector of the M25 as being a preferred location for an SRFI. Indeed, the policies are for the most part so general that they could be used in support of more or less any site around the M25.

5. PPG13, in the section on Freight, states that local authorities should identify and where appropriate, protect sites and routes, both existing and potential, which could be critical in developing infrastructure for the movement of freight (including major freight interchanges). So far as we are aware, neither EERA nor Hertfordshire County Council or any of the District authorities in Hertfordshire have identified Radlett or any other site as a potential location for an SRFI.

6. Policy T13 of the draft South East Plan states that: "*The Regional Assembly should work jointly with DfT, Network Rail, Highways Agency, Freight Transport Association and Local Authorities to identify broad locations within the region for up to three intermodal interchange facilities.*" Transport for London also make the point that the location of sites for SRFIs should be determined jointly and, in their response

to the Strategic Rail Authority's consultation on Freight stated that *"there is a danger that the current laissez faire policy regarding location of these facilities will prevent an adequate supply being developed."*

7. The Strategic Rail Authority's Freight Strategy (March 2001) gave general support to expanding operations on and increasing the capacity of the rail network, especially between London, the main other centres of economic activity and the ports. This document also encouraged the development of freight interchanges to allow smoother transfer between road and rail, and went so far as to say: *"In addition to the proposed interchange at Colnbrook ...the London region will require two or three major new facilities"*. Again, this does not suggest that the SRA had in mind an SRFI at or in the general vicinity of Radlett, and it indicates that the SRA believed that there were other potential locations for such a facility in the Greater London and South East area.

8. The SRA's subsequent Strategic Rail Freight Interchange Policy (March 2004) stated that the required rail freight capacity for London and the South East would be met by three or four new SRFIs in the region, supplemented by smaller locations within the M25 ring, and that suitable sites were likely to be located where the key rail and road radials intersect with the M25.

9. Radlett is far from being the only, or even one of the best, locations from this point of view. Figure 1 of the applicants' Technical Report 3 illustrates that there are 14 rail intersections with the M25 around London. In the north west sector of the M25, there are five intersections with major rail routes, ranging from the Great Western main line in the west to the East Coast main line to the north.

10. Regional policy guidance is given principally in the East of England Plan (May 2008), Policy T10 of which states: *"Provision should be made for at least one strategic rail freight interchange at locations with good access to strategic rail routes and the strategic highways network, unless more suitable locations are identified within London or the South East for all three to four interchanges required to serve the Greater South East"*. The supporting text notes that all the main rail lines from London to the North and Scotland cross the M25 within the Eastern Region. Of these, the West Coast main line, the East Coast main line and the Great Eastern main line are all of greater strategic significance than the Midland main line on which Radlett is situated.

11. Because the Radlett site is relatively close to the boundary of the Eastern Region with London and the South East Region, Helioslough also quote policies from the South East Plan, the Regional Transport Strategy for the South East and Transport for London in support of their proposal. But these policies merely reiterate the general policy thrust from national policy documents, and do not in any way indicate that an SRFI at Radlett is a preferred option.

Technical Report 3 - North West Sector of M25

12. Technical Report 3 attempts to demonstrate the need for an SRFI in the North West sector of the M25, and that Radlett is best placed to meet that need. It defines the M25 North West Sector as an area extending from the M4 round to the A1(M) and radiating from central London for a distance of some 30 miles, in terms of the market

area to service customers in North West London or the wider West of London area. The report goes on to identify a Hemel Hempstead/ Watford sub-market and a Luton/ Dunstable/ Bedford sub-market. But Radlett is not in the Hemel Hempstead/ Watford sub-market area (which is on the West Coast main line) and there are possible SRFI sites other than Radlett in the Luton/ Dunstable/ Bedfordshire sub-area.

13. In any case, it does not necessarily follow that the best location for distribution warehouses to meet market demand is the same as that for an SRFI. Elsewhere the report states that the best locations for distribution warehousing for London is around the North Circular Road.

14. The documentation accompanying the original application for the Radlett SRFI identified that that main rail traffic flows to the Radlett site would be from ports in East Anglia, the South and East of England and through the Channel Tunnel, with only limited traffic from the North West and Midlands. The current Technical Report 3 states in paragraph 4.5 that: *“Forecasts from the GB Freight Model suggest key origins and destinations for the market area (ie, north west sector of London) as being: 41% mainland Europe, 41% deepsea ports, 16% Midlands, North England and Scotland and 2% South West and Wales.”* In other words, most of the traffic will travel through London to Radlett and then back into London.

15. When considering the initial planning application EERA commented that that *“The northern sector around London does not seem to be the area most suited to meet the demand that the applicants have identified... Freight arising from Southampton would be better catered for in the west, where the rail journey is shorter and does not involve cross London routes and similarly freight from the Haven Ports and Thames Gateway would be better catered for in the East.”* (paragraph 4.11 of EERA Regional Planning Sub-Committee Report, Oct. 2006). Technical Report 3 does not address the fundamental point raised by EERA – namely, why are Helioslough proposing to locate a SRFI in this area in the first place? As the Inspector pointed out in his report to the Secretary of State, *“There is no policy support in the Strategic Rail Authority’s SRFI policy, or elsewhere, for limiting the area of search (to the N-W Sector)”* (paragraph 16.124). It is noteworthy that the area of search for the Howbury Park SRFI (2007) covered the whole of the M25 ring and that the current alternative site assessment for Kent International Gateway SRFI being carried out by Jacobs (April 2009) goes much wider, covering most of the South East of England.

16. This begs the question of why all of the alternative sites considered by Helioslough are located in the North West sector, when none of them, including Radlett, are likely to be effectively contributing to either the regional economy or the stated demand which the applicants are seeking to address.

Technical Report 4 - Railway Operations and Infrastructure

17. Technical Report 4 is described by Helioslough (in Technical Report 5) as describing *“the advantages of the site in terms of its ability to facilitate rail freight transfer”*. This is not correct. Rather it seeks to explain away the disadvantages in terms of: location (the need for freight to travel through London); capacity (the need to operate inconvenient timetables in order not to disrupt already tightly scheduled commuter and main line services); rail infrastructure (the fact that the track gauge is

inadequate to take the largest freight transporters); and layout (there is no direct rail access to the site from the north).

18. Radlett is located on the Midland main line. The Transport for London Rail Freight Strategy (2007) does not consider the Midland Main Line as suitable for substantial general freight, but throughout refers to it as primarily suitable for the transport of aggregates. It is not considered to be a preferred route.

19. The TfL Rail Freight Strategy makes it clear that *“the loading gauge on the UK national rail network severely restricts the range of rail freight and intermodal services which can be operated. It reduces the pool of available wagons and units which can be used.”* (paragraph 5.18). Specifically, to be effective SRFIs need to be located on routes which are W10 gauge. At the present time, W10 is available on the West Coast and Great Eastern main lines, but not on the Midland main line. The gauge at Radlett is W7. Network Rail’s highest priority for W10 upgrade is the line between Felixstowe and Nuneaton. None of its other identified priorities include the Midland main line. Radlett will not be on a W10 line in the foreseeable future.

20. Similarly, there are capacity issues on the Midland main line which will affect the timetabling of freight movements. The TfL Rail Freight Strategy advocates providing enhanced capacity on (i) the Southampton to West Midland route; (ii) the Channel Tunnel routes; and (iii) the Great Western Mainline; but not on the Midland main line.

21. Because it is not possible for trains coming from the north to directly access the Radlett site, freight from that direction would have to travel into London, turn at Cricklewood and come back out again (Technical Report 4, paragraph 2.4.1). Helioslough make light of this in their submission, but in fact it is an inefficient way of operating and shows that the constricted nature of the Radlett site between the M25 and the A414 makes it less than ideal for an SRFI. Helioslough say that provision has been made in the design for a future direct mainline connection from the north if required, but this would still result in an ‘awkward’ configuration and less than efficient method of operation.

Technical Report 6 – Consideration of Alternative Sites

22. The applicants’ Alternative Sites Assessment is presented as Technical Report 6: Consideration of Alternative Sites. This sets out the criteria used, the methodology applied and a staged assessment of what were considered to be the potential sites in the north west sector of the M25 between the M4 and the A1(M). (As we have noted in our comments on Technical Report 3, similar assessments for other SRFI sites have been much more comprehensive in the catchment areas they have considered.)

23. We are concerned that the current assessment cannot be directly compared to that submitted with the original application and commented on by the Secretary of State, as the methodology has substantially changed. In particular, the criteria used to assess both the Long List sites and the Short List sites have been completely changed.

24. One of our key criticisms of the earlier assessment was that it did not fully comply with the Government’s NATA requirements for transport projects. The Inspector found that the way in which it had been applied by Helioslough *“was flawed*

to the point that the results should not be regarded as reliable” (paragraph 16.136). Helioslough have responded to that criticism by dropping the NATA analysis altogether and are now simply “*seeking to consider the principles underpinning such analysis*” (paragraph 8.5, page 38).

25. This strikes us as strange, given that in their submission to the Inquiry they stated that “*NATA is a well respected, Government endorsed appraisal method ... it is the Government’s preferred method ... Having chosen what we submit is the correct, and indeed only independently verified methodology that is available, (our) team of experts applied the methodology as set down in the guidance.*” (Inspector’s Report paragraphs 6.121 and 6.122).

26. The Inspector was not proposing that the methodology was at fault, but the manner in which it had been applied was flawed. The implication was that it should be done again in a more rigorous and thorough manner. In effect, by abandoning “*the only independently verified methodology that is available*” the applicant has changed an objective process into a subjective one.

27. For example, full noise and vibration assessments (as originally requested by St. Albans Council in July 2004) have not been carried out, but replaced by subjective statements such as “*The site’s location between the M1 and the Midland Main Line means that it is exposed to some noise ... Some masking of generated noise would come from M1 traffic noise carry-over.*” (paragraph 8.140 page 69). Moreover, it also means that fundamental parts of the NATA requirements such as the assessment of the public acceptability of the proposals (TAG1.1) have not been taken into consideration at all.

28. There has also been a subjective approach taken to the initial sifting process. We do not have any dispute with the four criteria which were used to carry out the initial assessment, but we do question the interpretation and decisions which flow from that assessment.

29. In particular, on page 18 it states: “*North of Luton. A search of land within this area revealed one potential alternative site which borders the south east of site 74 (Upper Sundon Pit Site). It is considered that site 74 is the optimum location and therefore the land identified will not be further assessed.*” In other words, a subjective decision was made not to fully explore the potential of a site simply because it was next to another one which the applicants thought was better. The potential benefits of considering both sites together were presumably not explored, nor the impact of such a combined site on the assessment of Upper Sundon, which went through to the Short List. The final conclusion may have been different had this option been explored more fully.

30. This flawed, subjective approach is similar to aspects of the previous alternative site assessment criticised by the Inspector, where sites were dropped for no justifiable reason.

31. Between the two assessments, the criteria for the Long List assessments have been changed - from Transport, Planning Policy, Landscape Impact and Rail Freight Feasibility; to Topography, Rail Connection, Road Access and Site Availability. As

the applicants freely acknowledge, this slants the assessment towards the purely commercial viability of the sites and away from their environmental and social impacts. We consider that this may have excluded potential sites.

32. Apart from Radlett, the short listed sites are: SIFE (Colnbrook), Littlewick Green, Upper Sundon and Harlington.

33. On assessing the Short List sites, again the criteria have been changed - to Site Area, Topography, Rail Infrastructure, Road Infrastructure and Land Ownership, with, as noted above, the comprehensive NATA requirements being dropped in favour of more general and subjective sustainability factors.

34. A further factor added by the applicants was: *“in assessing the performance of the site ... we consider that substantial weight has to be given to the proximity of a site to London. This is because the need to be met is to serve London and the South East.”* (paragraph 8.11 page 34).

35. Also among the criteria used in assessing each short listed site is that of proximity to available work force. While SIFE Colnbrook performs best against this criterion, Radlett is considered to have a “relatively large potential workforce” and comes second in the assessment. This contrasts with the statement in the Inspector’s report that *“there can be no doubt that the appeal site (Radlett) performs poorly against this criteria.”* In the applicants’ original assessment they stated that the workforce would have to be drawn from North London and Luton, where there was additional capacity. However, in the current assessment both Upper Sundon and Harlington are said to have reduced workforce capacity. As both are located close to Luton, it has to be assumed that employment circumstances there have changed for the better since the appeal Inquiry, but no evidence is put forward to support that.

36. It is notable that the controlling interest in the ownership of all of the short listed sites, except Littlewick Green, is held by distribution companies who are in competition with Helioslough. In fact, Helioslough state that they *“have taken into account indicative layouts prepared by the developers promoting schemes at SIFE, Sundon and Harlington.”* (paragraph 8.12 page 40).

37. They also acknowledge that *“St Albans Council consider that Colnbrook, Upper Sundon and Harlington have the potential to accommodate an SRFI. In addition two of these sites (Colnbrook and Upper Sundon) have been proposed by developers for rail freight facilities.”* (paragraph 7.28 page 35). The Inspector states that in relation to SIFE Colnbrook *“In terms of its location it appears to be common ground that a SRFI at Colnbrook could be regarded as an alternative to Radlett.”* (Inspector’s Report paragraph 16.142). The current assessment by Jacobs in relation to the Kent International Gateway SRFI (April 2009) scores Colnbrook higher than Radlett.

38. Helioslough themselves acknowledge that Radlett: *“could form one of the three or four SRFIs around the M25, with the other known sites and proposals, including Howbury Park (ProLogis) London Borough of Bexley where consent was granted in 2007 and Slough International Freight Exchange (Goodmans) Colnbrook, where proposals are under development”* (paragraph 2.1.1).

39. All of this suggests that there are viable alternatives to Radlett in the North West sector of the M25, particularly Colnbrook. It is interesting that Helioslough do not categorically dismiss this possibility but consider that each of these potential rival sites could be developed as “*complementary sites*” to Radlett.

40. If the area of search was extended to the whole of the M25 catchment (as it was at Howbury Park and Kent International Gateway), it is possible that a significant number of more viable sites may emerge, as the assessments for both those sites suggest.

41. In conclusion, in our view, in reacting to the Secretary of State’s reasons for rejecting their original application, the applicants have replaced a recognised, objective methodology with a subjective one and produced an assessment which cannot be fully verified. With the exception of Littlewick Green, where we accept that the archaeological remains may seriously inhibit development of the site, we do not believe the applicants have conclusively demonstrated that any of the other sites are less appropriate than Radlett and at least one, SIFE Colnbrook, may be better.

Green Belt Policy

42. In paragraphs 6.18 – 6.101 of the Planning Policy Report, the applicants seek to demonstrate that the proposed SRFI is not inconsistent with Green Belt policy as a whole. They accept that the proposed SRFI constitutes inappropriate development in the Green Belt, as did the appeal Inspector (his Report, paragraph 16.175) and the Secretary of State (decision letter, paragraph 53) with regard to the previous application which was more or less identical to this one. However, by reference to the purposes of including land in Green Belts and the objectives for the use of land in Green Belts given in PPG2, the applicants argue that the Radlett site scores more favourably than other potential sites. We dispute these conclusions, for the following reasons.

43. PPG2 paragraph 1.4 states that “*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness*”. The appeal Inspector concluded (Report paragraph 16.6) that the proposal would result in substantial harm to the Green Belt on account of loss of openness. He took the view that the openness which is now a characteristic of the site on which the SRFI would be built would be lost to the development. Furthermore, while he accepted that the impact on the landscape would be mitigated to some extent by the mounding and planting proposed, the fundamental harm to the Green Belt on account of the loss of openness would remain.

44. The appeal Inspector accepted that the proposed development would not result in the neighbouring towns of St Albans and Radlett merging with one another (Report paragraph 16.10). Nevertheless, he considered that the proposal would result in significant encroachment into the countryside, and that urban sprawl would occur insofar as the area of urban-type development would be increased and the area of open countryside in the Green Belt would correspondingly decrease.

45. We consider that the SRFI itself, by virtue of its extent over 146 hectares (Area 1) and its height and bulk, would have a very significant effect on the openness and the

integrity of the Green Belt between St Albans and Radlett. While it would not actually cause the two towns to coalesce, it would reduce the gap between them by a considerable amount and would result in fragmentation of the Green Belt in this area. Contrary to the claim by the applicants, we consider that the proposed SRFI would in fact harm the setting of the historic town of St Albans, since it would obstruct the existing very attractive long-distance view of the town's skyline, and the Abbey in particular, when approached by train from the south. This was the finding of the appeal Inspector with regard to the previous application.

46. While we accept that most, if not all, the possible alternative sites for an SRFI near the M25 around London will be located in the Green Belt, and are therefore in an equally unfavourable position to Radlett in this respect, we do not accept the applicants' argument that a 'positive spin' can be put on this issue with regard to the site at Radlett. Moreover, it would require a much more detailed assessment of the alternative sites than has been carried out so far to be able to say that Radlett scores more highly than other sites in this respect. For example, with regard to the sites at Sundon and Harlington, it is necessary to take into account the recent publication of the Luton and South Bedfordshire Core Strategy Preferred Options (April 2009) which show a new Northern Bypass of Luton from a proposed Junction 11a on the M1 to the south of Sundon and that the northwards extension of Luton is expected to be confined within the line of this bypass.

The proposed Country Park

47. Helioslough claim, in their Planning Policy Report, that the creation of what they call a Country Park in association with the SRFI scheme will secure landscape enhancements and improvements to visual amenity that will contribute significantly to the very special circumstances necessary to outweigh the harm to the Green Belt caused by the development. This 'Country Park' comprising Areas 3 to 8 totalling 247 hectares will mainly continue in agricultural use supporting biodiversity and with improved public access to the countryside, new woodland and some recreational use. Great play is made of the fact that only 20% of the application site would be covered by buildings, roads or other hard surfaces, while 80% would be enhanced as either landscaped areas within the development site or as Country Park.

48. This is misleading, in our view. Areas 3 – 8 are not linked to the SRFI site for operational reasons, and are only included in the application because it suits Helioslough's purposes to do so. The areas as they exist consist of open green space and farmland within the Watling Chase Community Forest area, with considerable public access through a well developed network of public footpaths and bridleways. While the proposed planting and landscaping would enhance the areas to some extent, the more formal management of them and the introduction of formal recreation and sports facilities would detract from their 'un-managed' nature. There is no need for these areas to be 'manicured' in the manner proposed, and to do so would not offset the damage to the landscape and the Green Belt caused by the SRFI development.

49. This was accepted by the appeal Inspector when he said (Report, paragraph 16.177) "*The works proposed for these areas [3 to 8] would do practically nothing to ameliorate the impact of the built development on Areas 1 and 2, and the degree of improvement to the landscape in the country park areas would not, in my opinion, be*

such as to offset the harm to the landscape caused by the proposed development on Area 1". In our view, this holds as much now as it did at the time of the previous application.

Conclusion

50. For the reasons given above, we conclude that Helioslough, in their Alternative Sites Assessment, have failed to demonstrate that the Radlett site is the most suitable location for an SRFI to serve the north west sector of the M25. We believe that the methodology they have used is flawed and not objective enough, and that they should have considered a much wider search area around the M25 ring. In our view, they have taken insufficient account of other proposals/applications for SRFIs around Greater London in carrying out their own assessment of alternative sites.

51. On the basis that it has not been proven that there are no other viable alternatives to the Radlett site, the very special circumstances necessary to justify this inappropriate development in the Green Belt have not been demonstrated, and the application should therefore be refused.