

HELIOSLOUGH LIMITED/RADLETT

**Response to CLG's letter dated 14 March 2014 addressing Material Changes in Circumstances since the Secretary of State's minded to grant letter dated 20 December 2012 (Note 3 of 3)**

1. This note responds to CLG's letter dated 14 March inviting comments on any material changes in circumstances since the Secretary of State's minded to grant letter dated 20 December 2012. We do not consider that there are any Material Changes in Circumstances (MCC's) since the Secretary of State's letter of 20 December 2012.

2. **ANALYSIS OF THE LETTERS RECEIVED**

(a) *Howard Wayne, Wayne Leighton for STRIFE* - This letter raises three MCC's and these are addressed below.

(b) *James Clappison, MP* - raises one MCC which is a repeat of one of the Wayne Leighton (WL) MCC's. We therefore address this under the WL response below.

(c) *Anne Main, MP* – raises five MCC's. These are all referred to in her letter to Mr Boles MP of 27 January 2014. The first three MCC's are also raised in the WL letter which we address below. She raises two other points in the letter to Mr Boles, namely:

(i) *an access directly off the M25* – access to the proposed development was considered in detail at the previous Inquiries, and in both instances, the Inspector and Secretary of State considered the Highway arrangements to be acceptable.

At para 13.58 the Inspector concluded '*I do not consider that there would be any significant harm in relation to highways issues or that there would be any conflict with the development plan*', and

(ii) *Public opposition to the SRFI* – this is not a new consideration.

(d) *Steve Baker, CPRE* – raises no new MCC's.

(e) *St Albans District Council* – raises no new MCC's.

(f) *Barton Wilmore for Goodman* – raises no new MCC's.

(g) *Ian M La Riviere* – raises no new MCC's.

3. **ANALYSIS OF THE MCC'S RAISED BY WL**

These are all contained in the WL letter, and there are 3 MCC's raised, namely:-

(a) the NR Capability Analysis;

(b) development of an alternative site at Sundon Quarry; and

(c) the emergence of London Gateway

(a) *The NR Capability Analysis*

(i) the WL letter states that this NR report produced in December 2013 concludes that the junction speed of trains entering and leaving the site will need to increase to accommodate the development. The increase in

the design speed of the turnouts on the main line connection is not a Material Change in Circumstances – but merely the result of further development of the detailed design proposals with Network Rail.

- (ii) Network Rail sent the attached letter dated 10 March 2014 to SEGRO plc with the Capability Analysis Report. In the second paragraph NR states that: *“the capability report concludes that the rail network can accommodate the Radlett SRFI and that it is deliverable in terms of it’s relationship with the wider rail network. This conclusion is consistent with the findings of earlier studies undertaken by Network Rail which have been considered at two planning enquiries into the proposal”*.
- (iii) The train speed issue and in particular the NR Capability Analysis is not an MCC.

(b) Sundon Quarry

- (i) The Wayne Leighton letter asserts that there have been two significant developments which make Sundon a more suitable alternative to Radlett for a SRFI: first the completion of the Sundon freight loop and second the fact that work is due to commence on the North Dunstable relief road, with a new M1 motorway junction.
- (ii) The Sundon site was included in 2009 Alternative Sites Assessment as part of the Radlett Application (ASA) - Site 74 Upper Sundon - Pit Site. In summary the issues raised by WL as new MCC’s relating to road and rail improvements were assessed as part of the ASA and considered at the inquiry. The ASA assumed that the road works would take place. The fact that these works are now progressing is therefore not a new consideration.
- (iii) The commencement of work on the relief road is not a Material Change in Circumstance because it was taken into account and expected to go ahead, in the 2009 ASA.

Para 8.95 of the ASA noted *‘The proposed Dunstable Northern Bypass linking the A5 to the M1 is being progressed by the Highways Agency and will provide a new M1 Junction 11A to the immediate south west of the Upper Sundon site. The current programme is for a start on site towards the end of 2011. The Dunstable bypass scheme is listed within Appendix A of the East of England Plan as a scheme which is to be funded by the “Highways Agency Targeted Programme of Improvements” (Regional). The new junction 11A would facilitate access to the M1 from the site avoiding the requirement for routes through existing built up areas and reducing the overall distance to London. However construction of the proposed Luton bypass could provide an alternative route to Junction 11A. The new junction would reduce the distance to the nearest junction with the M25 (M1 J6/M25 J21/M25 J21A) to 24km’.*

- (iv) In terms of the Sundon freight loop, this is relevant to the operation of the Sundon site as a rail freight interchange. It was acknowledged in the ASA that the site was being promoted as a rail freight interchange, and was likely to go ahead following provision of the relief road (para 8.207 and 8.12) The freight loop may assist with this.

(v) However, it has always been accepted by Prologis that the Sundon site is an RFI rather than an SRFI and that it will serve a different market from Radlett. The loop does not impact on these fundamental points.

(vi) The conclusions in our Alternative Sites Assessment for this site set out clearly why the site was not considered more suitable than Radlett:

*'8.122 We conclude from the above assessment that the Radlett Aerodrome site would perform materially better than the Sundon site, in terms of suitability or availability for development of an SRFI to serve London and the South East. The Sundon site is located far too far from London for performing this role and the potential development area is limited.'*

*8.123 It is considered that the site could function as a complementary smaller-scale rail-served facility to a development at Radlett Aerodrome, as it could accommodate a facility serving the northern part of the Greater South East region, and the South Midlands, in particular the identified sub market area of Luton, Dunstable and Bedfordshire.*

*8.124 As with the other short-listed sites, development of an SRFI here would be considered a significant encroachment on the countryside, as at Radlett Aerodrome. Whilst development here should not lead to any significant coalescence between towns or smaller settlements, there is a risk of contributing to a northern sprawl of Luton.*

*8.125 It appears unlikely that development of an SRFI on this site would generate any significant additional infrastructure planning benefits like the bypass proposed as part of the Radlett Aerodrome scheme, but it appears likely that some nature conservation improvements could be secured on land adjacent to the proposed development area.*

*8.126 Both road-access and rail-gauge are currently inadequate to service an SRFI, but it should be possible to overcome these problems in the long-term.'*

(vii) At the inquiry it was not contended (even by St Albans) that Sundon was better than Radlett. The Inspector and the SoS addressed the merits of Sundon as an alternative site.

(viii) We do not therefore consider that any of the matters raised by WL are MCC's since they were anticipated and therefore assessed in our ASA.

(c) London Gateway

WL contend that the commencement of the development at London Gateway is a MCC for 3 reasons which we consider below.

(i) The ASA undertaken for Radlett assumed that London Gateway would be developed out in the form it is now being developed. London Gateway is being built out to provide additional port and port – rail interchange. It

serves a wholly different purpose from Radlett as an SRFI for the North West Sector.

- (ii) The Inspector agreed with the previous Inspector's assessment that he: *...doubts that an SRFI at London Gateway could efficiently serve development to the west of London. This view is emphasised in the SRFI Policy statement of March 2004 by the SRA that the location of interchange facilities in relation to ultimate journey origin or destination is critical in making the rail option attractive to business customers. Furthermore, London Gateway was proposed on the basis of being a ship to shore facility* (para 13.85).
- (iii) It is impossible to sustain the claim that London Gateway will supplant Felixstowe or Southampton.
- (iv) The WL letter makes reference to the unimplemented permission for an SRFI at Howbury Park. Planning permission at Howbury Park was granted in December 2007. Evidence of the unimplemented permission for an SRFI at Howbury Park was fully taken into account in our 2009 ASA, the Inspector's Report and the Secretary of State's letter dated 20 December 2013.
- (v) One of St Albans City and District Council's Reasons for Refusal was on prematurity grounds, including the need to wait until the demand has been shown to exist through the implementation and occupation of the available SRFI capacity at Howbury Park. The appeal was not considered by either the Secretary of State or Inspector to be premature.

CgMs  
28 March 2014



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Dear Sir / Madam

**Re : Capability Analysis Radlett Freight Terminal Report**

The work commissioned from Network Rail in September 2013 by Helioslough Limited has now been completed and Network Rail would like to formally present the completed report.

Further work will be required to develop the scheme however the capability report concludes that the rail network can accommodate the Radlett SRFI and that it is deliverable and operable in terms of it's relationship with the wider rail network.

This conclusion is consistent with the findings of earlier studies undertaken by Network Rail which have been considered at two planning enquiries into the proposal.

We hope to cooperate with you further on the scheme in due course.

Yours sincerely

A handwritten signature in blue ink that reads "Amanda Stone". The signature is fluid and cursive.

Amanda Stone

Commercial Scheme Sponsor