

**Public Inquiry into Appeal by Helioslough Ltd into a
proposed Strategic Rail Freight Interchange on land in
and around Former Aerodrome, North Orbital Road,
Upper Colne Valley, Hertfordshire**

Proof of Evidence by Douglas Hirst on behalf of STRiFE

**Compatibility of the Proposed Development the
Strategic Rail Freight Interchange Policy
(Strategic Rail Authority 2004)**

1. INTRODUCTION

- 1.1 My name is Douglas Hirst. I am a retired Local Government Officer and have no experience or qualifications in the rail industry. I am a member of STRiFE and have undertaken reading and research on their behalf leading to the production of this proof of evidence.
- 1.2 STRiFE is a local community group set up to represent local residents on the appellant's proposals to develop a Strategic Rail Freight Interchange on the site of the former Radlett Aerodrome. We are here to articulate the views of the local community and support St Albans and City District Council in defending their reasons for again refusing planning permission for this development.
- 1.3 STRiFE has members from a wide variety of locations near to the subject site and in areas likely to be affected directly by the appellant's development proposals. Membership is drawn from settlements such as Park Street, Frogmore, Colney Street, Radlett, St Albans, Napsbury, London Colney, Bricket Wood and Chiswell Green. STRiFE's members are from a variety of professions, religions and backgrounds.
- 1.4 We are not trespassing on the professionals' territory, simply offering a local perspective. STRiFE cannot cover all the objections or reasons for refusal ourselves. However, where we are silent, this does not mean that we do not care. We fully endorse the LPA. We are speaking from personal experiences on the impacts that this proposal would have on local residents.
- 1.5 This proof of evidence is similar to that which STRiFE presented to the first Inquiry but amended to reflect where we believe there have been significant changes in circumstance since the first Inquiry, as well as drawing upon the comments and conclusions contained in the Inspector's report in order to respond as appropriate.

2. STRATEGIC RAIL FREIGHT INTERCHANGE POLICY (SRFIP)

- 2.1 The above document (9/CD/5.1) was published by the Strategic Rail Authority (SRA) in March 2004 and sets out to inform stakeholders of the need for, the form, function, operating characteristics and role of Strategic Rail Freight Interchanges (SRFI). The SRFIP supplemented existing government policies including rail freight, transport and planning and was aimed at developing a national policy framework for SRFIs.
- 2.2 The SRA ceased to exist in 2005 and rail freight became the responsibility of the Department of Transport (DfT). It was then confirmed that the SRFIP had been based on existing government policies so the document would be retained as a source of advice and guidance. In a House of Commons reply on 26th March 2009, the SRFIP was confirmed as being the basis for the Department for Transport's policy on rail freight interchanges.
- 2.3 The SRA drew a clear distinction in the role and characteristics of a SRFI compared to other types of RFI. The word 'strategic' describes "a major interchange ...at a nationally strategic site" as opposed to a non-strategic RFI which describes "a large interchange located at important sites within regions". (9/CD/5.1 Table - Appendix B).
- 2.4 The appellant's Needs Case (9/CD/2.8 - Executive Summary – Paragraph 1.31) draws support for their application from the SRFIP and the statement "that suitable sites are likely to be located where key road and rail radials intersect with the M25". (9/CD/5.1 Paragraph 6.9) Whereas this may initially indicate Radlett's suitability, elsewhere in the SRFIP are other criteria relating to planning, location and transport infrastructure requirements which show that the appellant's proposal does not constitute an SRFI as envisaged by the SRA and as defined in the policy document.
- 2.5 This evidence considers specific SRA criteria from within the SRFIP together with comments on how these relate to the appellant's development proposals for the Radlett site.

3. ROAD NETWORK

- 3.1 SRFIP Criteria:
- "Location requires high quality links to motorway and trunk road network". (9/CD/5.1 Table - Appendix B).
- 3.2 The site is bounded to the south by the M25, but direct access was denied by the Highways Agency (HA) on safety grounds. As a consequence, the appellant proposes that the predicted 3,000 daily HGV movements will be routed via the A414 in order to access the M1, M25, M10 and A1M motorways.
- 3.3 The Inspector agreed that traffic conditions in the area of the proposed development are poor, especially at peak periods, and chaotic whenever incidents occur on the M25.(IR16.81). STRiFE wish to add that this applies equally to the M1 Motorway as to the M25; both are sources of regular traffic

chaos in this part of St Albans. Furthermore, such chaos is not restricted to peak periods alone, it can occur at any time of the day or night.

- 3.4 However, congestion concerns were ultimately dismissed by the Inspector based on evidence that with the proposed improvements to the Park Street and London Colney roundabouts, congestion would be no worse with the development than without (IR16.81).
- 3.5 STRiFE are not expert on traffic management matters but are aware of concerns that the MOVA system, as proposed for the London Colney roundabout, is more aligned to traffic flows and will not, therefore, take account of any traffic queues forming at entry points to the roundabout.
- 3.6 STRiFE presented statistical and photographic evidence to the first Inquiry in relation to the chaotic circumstances referred to in the Inspector's Report. This concentrated on the severe gridlock congestion of the A414 and A405 caused by incidents on nearby motorways. STRiFE also questioned how such events would be managed in respect of HGV traffic entering and leaving the terminal, especially given that it is common practice for such traffic to come and go on a time slot basis. Despite the appellant's road witness not providing an explanation of how this would be dealt with, this particular evidence seemed to carry little weight. Consequently STRiFE have taken time to consider the comments and conclusions contained in the Inspector's report and now respond as follows:
- 3.7 Firstly, it is stated that the situation of traffic chaos was common to many areas near to motorways in the South East. (16.82). Although this may be true on a general level, it is to be noted when considering this particular case that, unlike other areas in the South East, here we are considering traffic chaos caused by motorway incidents together with an enormous freight terminal development which will add 3,000 HGV movements and over 7,000 light vehicle movements to the equation. The movement of this additional volume of traffic will be severely restricted by gridlock of local primary roads caused by incidents on nearby motorways.
- 3.8 Secondly, it is stated that there is no evidence to suggest that that traffic travelling to and from the proposed SRFI would materially increase the number of incidents (IR16.82). Whether this statement is correct or not, our evidence was clearly not suggesting that SRFI traffic would increase the number of motorway incidents. STRiFE therefore concludes that our evidence was misunderstood or misinterpreted and consequently maintain it is only right that we should reaffirm the burden of this particular piece of evidence:
- 3.8.1 That incidents on the adjacent motorways bring gridlock to the local primary road network and that this will regularly impede traffic to and from the terminal.
- 3.8.2 That there is no contingency to deal with this.
- 3.8.3 That the additional SRFI traffic will simply add to what is already agreed to be a chaotic situation
- 3.9 Thirdly, the conclusion was drawn that complete closure of all routes to the SRFI was unlikely, given that traffic can leave or enter the terminal in either

direction from the new roundabout on the A414. (IR16.83). STRiFE consider this conclusion to be flawed as it is not uncommon for this section of the A414 to become gridlocked in both directions.

- 3.10 STRiFE would therefore reaffirm that reliance on a single point of entry and exit to a heavily congested non-trunk road does not constitute “high quality links to the motorway and trunk road network” as required by the SFRIP. This compares unfavourably with the ‘beacon’ SRFI at Daventry (DIRFT) which has several points of entry to the site road system that connects to a short link road to J18 of the M1 Motorway.
- 3.11 In addition to the 3 points listed in 3.7 above, since the first Inquiry the M1 has been widened between junctions 6a and 10 and now work has commenced on widening the M25 between junctions 16 and 23. Whereas this will undoubtedly deliver initial improvements in traffic flows, the inevitable outcome will follow that of other UK motorway widening schemes in that traffic volumes will inevitably increase. The subsequent impact for the A405 and A414 around the south part of St Albans will be that even more traffic will be discharged onto these local primary roads whenever incidents occur on the nearby motorway sections, thus compounding the problems even further.
- 3.12 Since the first Inquiry the Butterfly World attraction has opened with the main entrance and exit being via Noke Lane and its’ junction with the A405 some 400m to the east of Junction 21A of the M25. The London School of Economics produced an Economic Impact Assessment of this project and this predicts visitor numbers between 700,000 and 1 million each year.
- 3.13 Plans have been produced to build a new hotel and conference centre further east on the opposite side of the A405, approximately 400m from the Butterfly World entrance in Noke Lane.
- 3.14 The Highways Agency has concerns on how traffic generated by the appellant’s proposal will impact on junctions 21A and 22 of the M25 motorway. We understand discussions are ongoing with the appellant’s roads consultants although agreement has not been reached.
- 3.15 When taken together, the traffic issues described in the preceding paragraphs clearly endorse the opinion that traffic conditions in the area of the proposed development are such that a SRFI at this location would not be served by good quality road links and as such, demonstrates that the appellant’s proposal is not compatible with the criteria defined by the SRFIP.

4. RAIL CONNECTIONS

4.1 SRFIP Criteria:

“SRFI have quite particular locational requirements in terms of rail connections”

“which will enable main line access for full length trains in either direction”. (9/CD/5.1 – Paragraph 4.32).

- 4.2 Whereas the site plans do allow for full length (775m) trains, STRiFE understands the actual permissible length of trains would be less due to

constraints in place on the cross London lines and the Midland Main Line (MML) itself.

- 4.3 This is also acknowledged by the appellant's rail consultants in their Technical Report 4: Railway Operations & Infrastructure paragraph 3.3.1 when stating "Freight trains operating to and from the site will typically carry intermodal units (e.g. containers or swap bodies) and/or non-bulk goods (e.g. fast-moving consumer goods), with trailing weights of up to 1,200 tonnes and trailing lengths of up to 775m (up to 640m at present). Paragraphs 3.3.2 and 3.3.3 of the same report further confirm the train length constraint.
- 4.4 In a rebuttal to STRiFE's evidence to the first Inquiry and in a subsequent statement of agreed facts authored with Network Rail, the appellant's rail consultant sought to review the train length constraints of the MML by stating that freight trains of up to 730m in length currently pass the proposed site. Where this may indeed be the case, STRiFE's position is as follows:
- 4.4.1 730m is not the 775m specified by the policy document
- 4.4.2 STRiFE understands the constraints on train length referred to in the appellant's technical report applied to the lines that serve the MML in the north London area. However, the Statement of Agreed Facts clearly stated that the 730m figure relates to the MML where it passes the site.
- 4.4.3 STRiFE understands that train length on the London lines connecting to the MML is still constrained to that of 650m.
- 4.5 There is no provision for trains to enter or leave directly via the north. Trains from the north would have to travel past the terminal and into north London, where the motive power will be turned to take the train back to the terminal. A similar manoeuvre will be required for trains leaving to the north. Whereas this may be an acceptable operational solution it does not sit well when the line in question is already subject to capacity constraints.
- 4.6 STRiFE continues to be of the opinion that the reason for there being no direct northern route is because of loading gauge restrictions between Bedford and Wigston Junction and that gauge clearance on this section of line would be prohibitively expensive. This fact in itself supports our contention that this site is therefore not a suitable location for a SRFI
- 4.7 There is the reference to a passive northerly connection. However, the application does not show a design or scale plan with details of how this would be achieved. STRiFE would wish to see such a design in order to confirm that no further 'land take' would be required. Furthermore, in the event of an appeal being allowed, STRiFE would seek a condition to provide a northern connection at the same time as the proposed southern access is constructed.
- 4.8 The failure to provide access for full length trains in both directions further demonstrates that the appellant's proposal is not compatible with the criteria defined by the SRFIP.

5. RAIL CAPACITY AND LOADING GAUGE

5.1 SRFIP Criteria:

“Rail links need high capacity and good loading gauge”. (9/CD/5.1 Table - Appendix B)

5.2 Rail capacity and rail loading gauge were major topics at the first Inquiry.

5.3 In their Technical Report 4: Railway Operations & Infrastructure paragraph 3.2.3, the appellant uses a working assumption of 12 trains entering and leaving the site each day, representing a total of 24 freight train movements being added to the Midland Main Line (MML).

5.4 It is common ground that the MML is not a core intermodal freight route (IR16.67) and existing freight traffic is prohibited from using the line south of Bedford during rush hour periods. Freight movements would, therefore, be restricted to the period between rush hours and evenings / overnight

5.5 In contrast, the MML is one of the busiest commuter routes in the country and in the words of the Inspector ‘there can be no doubt that passenger traffic on the Midland Mail Line is heavy and particularly intense on the section between Bedford and St Pancras (IR16.64).

5.6 First Capital Connect (FCC), who hold the franchise for provision of passenger services on the Thameslink route running across London from Bedford to Brighton, expressed strong objections to the proposed development. Their concerns are on the grounds that the additional freight traffic would impact on FCC’s ability to deliver train performance, in particular, the service improvements planned within the Thameslink Programme.

5.7 Rail capacity was also raised as an issue for the cross London lines used to route trains through the capital to the MML and onward to Radlett. This was recognised by Network Rail in paragraph 5.3.3 of their Cross London Route Utilisation Strategy (RUS) 2006, which stated that on the North London line “there is a clear deficiency in currently planned paths due mainly to the growth in intermodal traffic from the ports”. The impact of other planned passenger initiatives such as Crossrail still needed to be evaluated in respect of the demand for train paths across London.

5.8 Overall, in view of the number of freight train movements predicted, serious concerns were raised as to whether sufficient train paths would be available to meet the essential needs of this SRFI proposal.

5.9 The Inspector’s conclusions on rail matters are dealt with in paragraphs 16.64 through 16.71 of the report and rely almost exclusively on the written statements provided by Network Rail. STRiFE agrees with the Inspector that Network Rail are the ‘guardians of the UK rail network’ and furthermore would normally agree with the statement that ‘their opinions should be given weight’ (IR 16.71).

5.10 Clearly the Inspector did give weight to these opinions. When leading to his conclusions, he described Network Rail to be ‘more than alive to the

situation' (IRs 16.65 and 16.66) and that 'plainly the view expressed was a considered one' (IR16.66) concluding with:

"there is no doubt that Network Rail are fully supportive of the proposal. Whilst they did not attend the Inquiry and give evidence, their response to the questions put was, to my mind, comprehensive and it seemed carefully considered. As the guardians of the UK rail network I take the view that their opinions should be given weight "(IR 16.71)

- 5.11 Consequently, in considering the Inspector's conclusions, STRiFE believe that with so much reliance being placed upon Network Rail's contributions, their actions and role leading up to and during the first Inquiry should be examined more closely.
- 5.12 Firstly, and unlike the Highways Agency who are rightly considered to be the 'guardians of the UK major road network', Network Rail did not participate in the first Inquiry. Instead, their involvement was restricted to a number of written statements.
- 5.13 The first statement was their representation to St Albans and City District Council in 2006 in respect of the first outline planning application submitted by the appellant. We shall consider that representation later in this evidence.
- 5.14 Thereafter, Network Rail participated in producing a Statement of Agreed Facts. This document was signed by the appellant's rail consultant and a freight manager on behalf of Network Rail and was presented on about the time of the Inquiry. This was followed by a letter to the Inquiry from the same freight manager which amounted to a rebuttal to the evidence of the LPA's rail witness.
- 5.15 Following a number of concerns raised by parties during the Inquiry, the Inspector collated a series of questions raised by these parties and wrote to Network Rail seeking answers by a set date. The initial response from Network Rail was there was insufficient time to answer all questions within the set timescale. Therefore, in order to help expedite matters, the Inspector gave guidance on prioritising the questions he submitted and subsequently the Inquiry was provided with answers to some but not all of the questions asked of Network Rail.
- 5.16 STRiFE contend that Network Rail's involvement was not a case of being 'alive to the situation' or indeed presenting "a considered view'. It was, instead, a case of reacting to events as they unfolded.
- 5.17 This proof of evidence will now consider Network Rail's representation to the LPA in 2006, the opening paragraph of which includes the statement:
- "However, we should point out that there does remain a significant level of work to be carried out in terms of rail capacity on the Midland Main Line, although initial indications are that the capacity may exist to build up to the programmed 12 trains per day. This can be confirmed in due course, if required"
- 5.18 In light of so many outstanding issues being highlighted during the Inquiry, together with Network Rail's difficulty in answering all the questions posed by the Inspector, STRiFE would now ask whether this "significant level of work"

was ever undertaken.

5.19 Any development such as the one proposed by the appellant will by its nature be complex and present challenges to those involved. These issues will require both expertise and time in order to establish whether they can be overcome. Following the second planning application in 2009, Transport for London (TfL), in a written reply to Anne Main MP (Appendix 1.1), stated that they wished to be assured there was sufficient capacity across London to serve a terminal at Radlett. In a subsequent meeting with Mrs Main, to which STRiFE were invited, TfL stated that such assurances could only be provided by Network Rail following what they expected would be a lengthy and detailed study.

5.20 Prior to their Planning Referral meeting on 20th July 2009, the LPA received a written representation from Network Rail, the opening paragraph of which includes the statement:

“However, we should point out that there does remain a significant level of work to be carried out in terms of rail capacity on the Midland Main Line, although initial indications are that the capacity may exist to build up to the programmed 12 trains per day. This can be confirmed in due course after further modelling”

5.21 The similarity in Network Rail’s statements in 2006 and 2009 is clear for all to see and shows that the train capacity issues acknowledged in 2006 could not have been properly addressed as they remained unresolved in 2009. Furthermore, both statements included the phrase ‘capacity may exist’. This cannot be taken as any form of assurance as we would respectfully point out that the phrase could equally mean that capacity may not exist. Yet, Network Rail still made submissions that led to the conclusion:

“Critically, they (Network Rail) could see no reason why Helioslough’s anticipated requirement for 12 intermodal freight paths to the site should not be met” (IR 16.65).

5.22 Consequently, STRiFE contends that :-

5.22.1 That rail capacity issues were not properly evaluated before the first Inquiry

5.22.2 That the first Inquiry was not presented with the full facts concerning rail capacity

5.22.3 That the Inspector’s conclusions on rail capacity were therefore undermined

5.22.4 That the above points supports the LPA’s reason for refusal number 6

5.23 Furthermore, but for a flawed Alternative Site Assessment, the first Radlett appeal would have been allowed leading to the possibility of subsequent events mirroring those at Alconbury where an appeal was allowed yet it subsequently transpired that paths were not available. Whereas the Alconbury development did not proceed, this only serves to highlight the widely held concern that, were the same events to occur at Radlett, but after the development had commenced, then the terminal would become a

predominantly road-based facility and thus represent unwarranted destruction of Green Belt land.

- 5.24 STRiFE are aware that since April of this year passenger franchise operator FCC have been in discussion with Network Rail regarding rail capacity and other issues in respect of the proposed development. At the time this evidence was prepared we understand that FCC have still not received the assurances they were seeking and that they are now likely to give evidence to the Inquiry.
- 5.25 The Association of Train Operating Companies (ATOC) submitted a representation to the LPA. This gave strong support to FCC, citing that the proposal did not sit well with the operation and development of a key passenger radial route into London. They questioned whether the access and capacity issues had been resolved whilst querying the case and practicality of gauge clearance, noting that other terminal developments in the UK have been on routes where gauge and capacity issues are either non controversial, or easily remedied. They also queried whether there was indeed a rail market in the M25 area when existing freight locations at Cricklewood and Wembley were used so lightly, if used at all.
- 5.26 East Midlands Trains (EMT) in their written reply to Anne Main MP (Appendix 1.2) confirmed that their application for additional track rights in December 2008 had been approved for a limited period only, this following objections from freight operators. A process is now underway with the Office of Rail Regulation (ORR) to convert these temporary rights into permanent rights.
- 5.27 EMT also confirmed their aims of enhancing track speeds and that this would generate a major challenge when taken in context with the proposed additional Thameslink services.
- 5.28 It is worthy of note that freight operators should have objected to EMT's application for additional track rights as clearly this serves to underline the capacity issues that already exist on the MML.
- 5.29 London Overground Rail Limited (LORL) in their written reply to Anne Main MP, (Appendix 1.3) expressed their concerns over the available capacity of the MML and on the impact the development would have on existing LOROL routes. Whilst providing strong support to the use of rail freight, they agreed with Mrs Main's view that such support should be as part of a national strategy examining capacity across the whole country.
- 5.30 Watchdog Passenger Focus in their written reply to Anne Main MP (Appendix 1.4), were also clear in their opinion that there must be track capacity on the Midland Main Line for the operation of the services intended under the Thameslink programme, adding :
- "it would clearly be absurd if, after all the much-needed investment in central London, the proposed Thameslink timetable cannot be operated in full".
- 5.31 Since the first Inquiry, a planning application has been submitted regarding a proposed redevelopment of the Brent Cross Shopping Centre. Critically, this includes the construction of a new station between Cricklewood and Hendon

on the Thameslink route. This in itself would have further implications for rail capacity on the Midland Main Line.

- 5.32 The issue of the rail loading gauge was a major topic during the first Inquiry and the matter was covered by the conditions set out in the Inspector's Report, Appendix E, paragraphs 11.1 and 11.2. STRiFE believes the proposed conditions are not sufficiently robust to ensure the development delivers on the purpose for which it is intended.
- 5.33 In terms of the extent of the works, it is proposed that gauge clearance will be undertaken between the development site and either Acton Yard in the West or Junction Road in the East. It would appear to STRiFE that when taking account of the likely origins of the traffic predicted, both these routes are key to the proposed development and as such we disagree that the works should be considered as an either or solution.
- 5.34 STRiFE acknowledges that paragraph 11.2 does add further clarity in that the appellant could be responsible for undertaking both sets of works, but that this is dependant upon Network Rail confirming there is demand for train paths to the development. However, STRiFE reaffirms that both routes are essential from the outset because of the predicted origins of traffic to the development and that should either route not be gauge cleared, then this will itself impact on demand and threaten the viability of rail operations.
- 5.35 The conditions also link gauge clearance works to occupation levels of the units on site. STRiFE considers this as wholly inappropriate and would expect gauge clearance works to be undertaken before any unit is occupied and would refer to the precedent set in the Secretary of State letter following the Alconbury Inquiry in which condition number 22 states :
- 'No part of the development hereby permitted shall be occupied until a rail link to the East Coast Mainline is provided in accordance with the Order made under the Transport and Works Act 1992 and associated with these proposals or such other link as may otherwise be approved by the Local Planning Authority'.
- 5.36 However, STRiFE would go further than the Alconbury condition and request that the works are completed before any site ground works commence. The reasoning here is that Alconbury was Brownfield whereas Radlett is Green Belt. In seeking a stronger condition as suggested will, STRiFE believes, afford protection to the Green Belt from a development that fails to reach maturity.
- 5.37 Furthermore, such an approach will ensure that the works are actually undertaken. Linking the works to occupation does allow the possibility of conditions being undermined thus enabling any developer the opportunity to extricate themselves from their responsibilities.
- 5.38 The MML is a key national passenger line serving the Midlands and the South East and, following the re-development of London St Pancras, is now a connection for passenger services into Europe via the high speed Channel Tunnel Rail Link. Passenger franchise operators are faced with numerous issues in respect of punctuality, frequency and over crowding.

- 5.39 This matter was dealt with in IR16.64 with the statement “it is my understanding that a large part of the capacity increase is to be delivered by way of longer trains, as opposed to more frequent services”. However, as we now know, the Thameslink programme will deliver two additional services each hour during both peak and off-peak periods thus providing more frequent services between Bedford, St Pancras, Brighton and beyond.
- 5.40 To summarise, the MML south of Bedford is a very busy line with limited capacity yet passenger demands and expectations will continue to grow. It is not sensible to hamper or even threaten the continued growth of what is a prime passenger route by the introduction of the additional freight services proposed by this development.
- 5.41 Given the importance of the section of line at Radlett to passenger services both now and in the future, allied with the as yet unresolved capacity issues, STRIFE believe the subject site does not have rail links with high capacity and good loading gauge and as such further demonstrates that the appellant’s proposal is not compatible with the criteria defined by the SRFIP.

6. MIDLAND MAIN LINE and the NATIONAL RAIL NETWORK

6.1 SRFIP Criteria:

“They represent ‘major gateways’ to the national rail network”.
(9/CD/5.1 – Paragraph 4.3)

6.2 It is common ground that the Midland Main Line (MML) is not a core intermodal freight route. (IR16.67).

6.3 The appellant’s response (Appendix 6) to the Freight RUS Consultation Draft requested that the final version of the RUS should:

provide in-principle support for an SRFI at Radlett.

confirm that an appropriate number of train paths could be initially provided within the existing timetable.

cross London freight capacity and gauge clearance as a priority.

recognise the freight role of the MML and set gauge clearance priorities.

6.4 Whereas the final version of the RUS referred to all proposed freight terminal developments, including Radlett, no support was given to any development. Furthermore, the RUS did not address the availability of train paths at Radlett, give special recognition to the MML’s freight role, or set priorities on gauge clearance.

- 6.5 Transport for London (TfL) published their Rail Freight Strategy in August 2007 listing London's main radial freight routes in order of importance as:
- WCML (West Coast Main Line)
 - GWML (Great Western Main Line)
 - GEML (Great Eastern Main Line)
 - ECML (East Coast Main Line)
 - MML
- 6.6 Far from being a 'major gateway to the national rail network', an SRFI at Radlett would represent a facility 'at the end of the line'. This is due to the fact that direct access to and from locations north of Radlett has been largely discounted due to loading gauge constraints. That fact, allied with a total reliance on congested cross-London lines does not represent a 'major gateway to the national rail network'
- 6.7 This further demonstrates that the appellant's proposal is not compatible with the criteria defined by the SRFIP.

7. RAIL VIABILITY

7.1 SRFIP Criteria:

"SRFI will operate in the role of consolidating freight to and from other rail facilities such as ports, Channel Tunnel and other SRFI in the UK and Europe" (9/CD/5.1 – Paragraph 4.9)

"rail operators should be able to serve the SRFI without impediment" (9/CD/5.1 – Paragraph 4.10)

"for sustainability reasons, it is therefore critical that SRFI are developed such as to enhance the competitive position of rail relative to road" (9/CD/5.1 – Paragraph 6.3)

- 7.2 The Oxford English Dictionary defines 'consolidate' as 'the strengthening and bringing into one'. For the reasons outlined in previous sections 4, 5 and 6, a facility at Radlett will do neither in respect of the UK and European freight network.
- 7.3 The Inspector's Report makes reference to the argument that a SRFI on the MML would be poorly located in comparison to one to the south of London on the route from the Channel Tunnel. The Inspector concluded that "any benefit would be small as the evidence is that rail traffic to the London SRFIs is expected to come from a range of origins" (IR16.70). However, the appellant's own data suggests the origins may not be as wide as suggested. Indeed this data would indicate that the appellant may do better to seek a site to the south of London. In paragraph 3.2.3 of their Technical Report 4: Railway Operations & Infrastructure, the appellant predicts that of the 12 inbound trains each day, 10 will originate from the Channel Tunnel and Solent and Thameshaven ports, with only 2 trains originating from elsewhere in the UK

- 7.4 Reference to the Channel Tunnel is of particular significance. In paragraph 3.2.3 of their Technical Report 4: Railway Operations & Infrastructure the appellant states that 41% of Radlett's rail freight movement is forecast to be with Mainland Europe. However, there must be some doubt on this assertion Channel Tunnel freight traffic has declined since the peak year of 1998 as shown in the following table:

Channel Tunnel Freight Volumes - (Appendix 2)

Year	Tonnes	No. of Trains	Comments
1988	3.14m		All time peak year
2004	1.89m	4943	
2005	1.58m	3902	
2006	1.57m	3786	
2007	1.21m	2840	
2008	1.24m	2718	New Pricing structure together with measures to ensure cross-channel open access for rail operators

- 7.5 At the time of the first Inquiry, Eurotunnel announced new pricing structures aimed at reviving freight volumes and reversing the trend of recent years. Figures for 2008 suggest that these measures have not proved totally successful with only a 2% increase in tonnage allied with a 4% reduction in the number of trains
- 7.6 That the appellant should place so much reliance on what is such an unpredictable source of freight is questionable. The volume of CTRL traffic has been over estimated, which not only casts doubt on the predicted HGV related savings, but also on the overall volume of rail related freight that the site may handle.
- 7.7 The importance of the Channel Tunnel was even played down by the appellants' own Mr Rodwell who, when speaking at the Examination in Public of the London Plan on 5th July 2007, said (in relation to the Channel Tunnel) "It is always going to be a small bit player compared to ports. Port is how most of our imports come in".
- 7.8 Tables 20, 21 and 22 of the appellant's Transport Assessment (9/CD/2.6) show that of the 3,197 HGV movements projected, 2,071 (64.8%) are 'road based', and 1126 (35.2%) are 'rail based'. Light Vehicle Movements totalling 7,057 show similar proportions of 4,476 (63.4%) 'road based', and 2,581 (36.6%) 'rail based'.
- 7.9 These figures, which are based on the appellant's own data and can therefore be assumed to present the most optimistic scenario, still show a predominantly road based facility. If the likely impact of the CTRL is taken into account, then the gap between road and rail based traffic would widen further and subsequently threaten the viability of rail operations.

- 7.10 Restricted rail access and movement as outlined in previous sections 4, 5 and 6, cannot be viewed as serving rail operators “without impediment” or “enhancing the competitive position of rail relative to road”.
- 7.11 Freightliner Group Ltd, is one of the country’s leading rail freight operators. In their written reply to Anne Main MP (Appendix 1.5), they stated that they “did not consider a freight terminal at Radlett would be ideally suited to the movement of deep sea containers by rail as traditionally a longer haul is needed from the major ports in order to compete with road haulage”.
- 7.12 STRiFE believes this statement, from a major rail freight operator, is a further indication of Radlett’s unsuitability to operate as a rail freight terminal. It does not, therefore, enhance the competitive position of rail relative to road.
- 7.13 The site’s poor position in relation to the national freight network, the uncertainty regarding the levels of CTRL traffic, the appellant’s own road traffic figures and the comments of Freightliner Group Ltd, all combine to cast real doubt on the viability of rail operations at the proposed facility. As such, this further demonstrates that the appellant’s proposal is not compatible with the criteria defined by the SRFIP.

8. WORKFORCE

8.1 SRFIP Criteria:

“The presence of an available and economic workforce”
(9/CD/5.1 – Paragraph 4.26)

“The economics of access to a reliable and skilled workforce, employable at economical cost, is of high importance”.
(9/CD/5.1 – Paragraph 4.27)

- 8.2 The Inspector’s Report concluded “there is no doubt that the City and District of St Albans enjoys very low levels of unemployment” and “it is common ground that the majority of employees at the site would need to travel to it from outside the district” (IR16.99).
- 8.3 The SFRIP described proximity of workforce to be not just an important factor but a determining factor. Yet, in the Inspector’s report (16.100) sets out to revise this criteria to that of simply ‘important’. Given that the policy describes the criteria as determining, STRiFE would question whether Inspector correctly interpreted and applied the policy.
- 8.4 The report goes on to state that “at the Inquiry no one challenged the availability of workers per se; rather the concern that they would need to travel to the site from London, Luton and elsewhere and only a small proportion would live locally” (IR16.101). If this was intended as a criticism of the evidence presented, then it is unfounded as the purpose of the evidence was to highlight the SRA’s aim that a local workforce would support regeneration and sustainability.
- 8.5 The Inspector agreed that the majority (85%) of workers would need to travel by motorised transport (IR16.101). The Inspector also agreed that in respect of public transport, “current bus services would not meaningfully contribute”

and, even with the proposed S106 undertakings, “the number or workers attracted to the St Albans Abbey branch line train service would, in practice, be few “(IR16.103). These views that public transport would not support the workforce of a SRFI at Radlett were endorsed with the words “I share the Council’s concerns, echoed by STRiFE and others, that public transport use would remain an unattractive option to many workers at the site in comparison to the private car “ (IR16.104)

- 8.6 From the above, it can be seen that the site for the appellant’s proposal does not benefit from the presence of an available and economic workforce. As such, this further demonstrates that the appellant’s proposal is not compatible with the criteria defined by the SRFIP.

9. LOCATION – RESIDENTIAL ISSUES

9.1 SRFIP Criteria:

“Locationally, SRFI may not be considered suitable adjacent to uses such as residential, which may be sensitive to the impact of noise and movements” (9/CD/5.1 – Paragraph 4.24)

- 9.2 The majority of residential properties on either side of the A5183 in Frogmore and Park Street are within 500m of the proposed development with more 500 residential dwellings located in Napsbury village to the east of the proposed development. Since the first Inquiry a further 183 residential properties have been built in Park Street village between the A5183 and the proposed development site. This is in stark contrast to DIRFT where the nearest residential properties are in the village of Crick, some 2kms to east of the terminal and separated by the M1 motorway.

- 9.3 The proximity of residential properties to the development is also linked to the issue of rail capacity and in particular that of train paths. On the assumption that sufficient train paths are shown to be available to serve the site, it is inevitable that a significant number of train movements will take place during the evening and overnight. This in turn raises serious issues in respect of noise pollution and in particular sleep deprivation for those living close to the site and adjacent to the rail route into London. We believe this underpins the Council’s 8th reason for refusal. STRiFE will consider this matter further in our evidence on noise

- 9.4 The subject site is indeed adjacent to residential properties in both the east and west. As such, this further demonstrates that the appellant’s proposal is not compatible with the criteria defined by the SRFIP.

10. LOCATION – SITE CHARACTERISTICS

10.1 SRFIP Criteria:

“Adequate level site and potential for expansion”
(9/CD/5.1 – Paragraph 7.8)

“A valuable characteristic, however, is the need for expansion potential”
(9/CD/5.1 – Paragraph 4.24)

- 10.2 The SRFIP states that SRFI sites should have the capacity to expand in order to meet natural growth. The Radlett site has boundaries set by the M25 to south, the A5183 to the west, the A414 to the north and Napsbury village to the east. There is no capacity for future expansion, unlike at the 'Beacon' Daventry SRFI where a second major facility is under construction.
- 10.3 This further demonstrates that the appellant's proposal is not compatible with the criteria defined by the SRFIP.

11. ALTERNATIVE SITE ASSESSMENT

12. SRFIP Criteria:

"Compliance with planning policies in site search and selection"
(9/CD/5.1 – Paragraph 7.27)

"The characteristics of SRFI in Section 4 and Appendix B must be recognised in such assessment criteria"
(9/CD/5.1 – Paragraph 7.10)

- 12.1 At a public exhibition earlier this year, the appellant was keen to stress that a completely new Alternative Site Assessment would accompany their second application. Whereas this new assessment will be examined and scrutinised during the Inquiry, STRiFE do have some initial comments to make.
- 12.2 The appellant stated their new assessment was based upon the methodology used for the Howbury Park SRFI application and was therefore an accepted methodology and also one that had stood the test of a public Inquiry.
- 12.3 Whereas the assessment methodology is similar to that deployed for Howbury Park, STRiFE would dispute that it is as proven as the appellant would had us believe. This contention is based upon the fact that at the Howbury Park Inquiry the issue of alternative sites was not the key topic that it was at the first Radlett Inquiry and therefore not subjected to such close examination and scrutiny hence it is not proven to the extent that has been suggested.
- 12.4 STRiFE believes there is a fundamental flaw in ANY assessment of alternative sites when the developers are seemingly free to choose any methodology they see fit. Furthermore, when the purpose is to justify one particular site above any other the results must be treated with caution.
- 12.5 The Inspector's Report included a critique of a number of alternative sites that had been suggested during the course of the Inquiry. STRiFE wish to provide a brief update regarding some of the sites mentioned, reflecting changes in circumstance since the first Inquiry.
- 12.6 **Barking**
- 12.6.1 STRiFE understands this site to be favoured by TfL as a freight terminal to serve London.

- 12.6.2 Earlier this year, the logistics operator Russell Group re-opened Barking railfreight terminal with daily services to Scotland via the SRFI at Daventry. The site is being promoted as having excellent rail links and there is no gauge restriction between the terminal and the Channel Tunnel Rail Link (CTRL) which can accommodate continental gauge rolling stock thus making Barking the only UK freight terminal able to accommodate the larger freight wagons that operate throughout mainland Europe.

12.7 London Gateway (Shellhaven)

- 12.7.1 Planning consent has been granted for a major deep sea container port with extensive warehousing, rail connection and an intermodal terminal. Clearly London Gateway has potential for a regional and national role in distribution and intermodal transfer, in addition to providing inland rail freight distribution for containers to and from the port.

12.8 Sundon

- 12.8.1 Development of Sundon as a SRFI was stated to be constrained by highways considerations which STRiFE understands would be remedied by the proposed Dunstable relief road and a new junction 11A on the M1. However, the design of J11A is now being reviewed in light of the decision not to proceed with widening of this section of the M1 in favour of using the hard shoulder at times of traffic congestion.
- 12.8.2 Although J11A would provide Sundon close access to the motorway, the site is also on the MML and therefore is subject to the same capacity constraints as exist at Radlett as well as the same northbound loading gauge constraints that would also restrict a terminal at Radlett.

12.9 Colnbrook

- 12.9.1 STRiFE understands an application for outline planning permission for a SRFI at this location will be submitted to Slough Borough Council by the end of 2009.
- 12.9.2 This site is without doubt a genuine alternative to Radlett given that it is in the same NW sector promoted by the appellants. Although in the Green Belt, Colnbrook is former landfill and is in close proximity to a sewage treatment plant, a waster incinerator facility, Lakeside Industrial Estate and Heathrow airport. Indeed, the proposed 3rd runway for Heathrow would result in aircraft flying directly over the site.
- 12.9.3 The site is served by the A4 trunk road and is within 1½ miles of J5 of the M4 which in turn links with the M25 at the J4B/J15 motorway interchange 2 miles further to the east. There is an operational rail link adjacent to the site which provides access to the GWML at West Drayton.
- 12.9.4 In terms of rail and road traffic projections, Colnbrook is broadly similar to those put forward by the appellant for Radlett.
- 12.9.5 The site is situated away from residential dwellings, the nearest being the village of Colnbrook to the south beyond the A4 trunk road. It is

understood that Colnbrook has a good employment catchment thus a high number of employees will live locally and be supported by good public transport.

- 12.9.6 The site is already owned by the developer unlike that of the subject site in this Inquiry where the key land component is owned by Hertfordshire County Council who oppose the development.
- 12.9.7 The developer has made a written representation to this Inquiry correcting factual inaccuracies in the appellant's new alternative site assessment in relation to Colnbrook. STRiFE contend that if such inaccuracies do exist in relation to what is a very genuine alternative site, this is in itself an early indication that the appellant's new assessment is as error strewn as the first and should, therefore, be treated with the great caution.

12.10 Alconbury

- 12.10.1 In 2003 the Deputy Prime Minister allowed an appeal by Alconbury Developments Limited (ADL) for planning permission to develop a rail freight terminal on the former Alconbury airfield.
- 12.10.2 STRiFE understands ADL are no longer pursuing this development for reasons that are not fully clear. However, a major factor does appear to be that of a lack of train paths on the ECML. The Alconbury Inquiry Inspector stated in his report (Paragraph 10.12.9) that he had seen nothing to counter ADL's evidence that there were sufficient train paths available on the ECML.
- 12.10.3 STRiFE have been unable to examine that evidence, especially in light of Network Rail's subsequent review of ECML capacity which concluded that it would not be possible to path any additional freight over the East Coast Main Line beyond current 2005 levels. This statement would appear to confirm there were insufficient freight paths available on the ECML to make the Alconbury scheme viable as approved.

13. LOCAL PLANNING POLICY

13.1 SRFIP Criteria:

"The government promotes the re-use of urban and brown field sites... non-compliant locations must be fully justified and supported in submissions to the local planning authority".
(9/CD/5.1 – Paragraph 7.27)

- 13.2 In the quotation above, the Strategic Rail Authority understandably wanted to see suitable "compliant" sites coming forward through the planning system.
- 13.3 Central to STRiFE's objection to the application, and indeed integral to the objections from Hertfordshire County Council, Hertsmere Borough Council and the host of voluntary and community groups who objected to the application, is the issue of the loss of Green Belt. This objection was reinforced by SADC in its decision on the application.

- 13.4 The applicant has clearly failed to demonstrate the very special circumstances required to warrant the dismantling of the Green Belt in this vicinity and the overturning of key local priorities.
- 13.5 The subject site is neither urban nor brown field and hence can be seen as 'non-compliant'. On the basis of SADC's refusal of planning permission, the support that STRiFE has received and the level of objections to the appellant's proposal, it is apparent that the appellant has self evidently not fully justified and supported this non-compliant site in their submission to the local planning authority. As such, this further demonstrates that the appellant's proposal is not compatible with the criteria defined by the SRFIP.

14. **PREMATURITY**

14.1 SRFIP Criteria:

"Regional planning policy and regional transport policy must, therefore, set the policy context for the guidance of local level policies for SRFI. The regional level is the key tier in planning for SRFI which require a strategic view if they are to be properly incorporated into a national network. The regional level is also the most capable of planning for major and, possibly, inter-regional infrastructure, such as elements of rail and road access" (9/CD/5.1 – Paragraph 7.5)

- 14.2 The Inspector's report concluded that there was no case for refusing the appeal on grounds of prematurity based on local or regional planning issues. However, STRiFE believe there are other reasons as to why this latest application is premature.
- 14.3 Firstly, the application was submitted before the Highways Agency had been fully able to verify traffic statistics.
- 14.4 Secondly, the application was submitted without a full and proper rail capacity study by Network Rail.
- 14.5 Thirdly, the application was submitted in advance of a forthcoming and highly relevant National Network Policy Statement. In a written reply to Anne Main MP, (Appendix 1.6), the parliamentary under-secretary responsible for rail advised that a consultation draft will be published later this year that will set out the case for the establishment of a network of SRFIs in the regions and that this will supersede the SFRIP.
- 14.6 The SFRIP was a core document at the first Inquiry and will be so again at this Inquiry. Indeed this evidence proof is based entirely upon its' existence . With the certain knowledge that a successor document is to be produced, together with the case for a network of SRFIs in the regions, it seems entirely inappropriate for this application to be considered further, thus avoiding the possible situation where an appeal is approved that will in turn open the way for what would be a totally inappropriate development that proves to be at odds with national policy and strategy. That the appellant should submit a planning application and subsequently lodge an appeal for this site prior to the publication of a consultation draft is a clear and unarguable case of prematurity.

- 14.7 This further demonstrates that the appellant's proposal is not compatible with the criteria defined by the SRFIP.

This proof of evidence will be posted on our website www.strife.biz and any comments/endorsements will be submitted to the Inquiry with the supplements.