

## **MINUTES OF MEETING NO 1 OF THE PLANNING REFERRALS COMMITTEE**

held in the Alban Arena, St Albans, Herts on Monday, 20 July 2009 at 7.00 pm

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### **Present:**

Councillors Brazier (Chairman), Frearson (Vice-Chairman), Chamberlain, Clegg, Day, Gardner, Gaygusuz, Myland and Shardlow

### **In Attendance:**

Councillors Gordon, Lee, Mills, Prowse, Wartenberg, Willcocks and Parish Councillor Bill Price

### **Officers in Attendance:**

Mike Lovelady, Head of Legal and Democratic Services  
John Young, Interim Head of Planning and Building Control  
Alan Moorhouse, Development Control Manager  
Robin Booth, Planning Officer  
Glen Mathers, Corporate Administrator

### **Also In Attendance:**

John Hargreaves – Woods Hardwick  
David Humby – Hertfordshire County Council Transportation  
Peter Twelftree and Ben Wilson – Steer, Davies, Gleave  
Phill Wray – Landscape Partnership

## **1. REPLACEMENT MEMBERS**

It was noted that the following replacement Members had been appointed for this meeting only in accordance with the approved procedure:

Councillor Chamberlain in place of Councillor Chambers  
Councillor Day in place of Councillor Harrison  
Councillor Shardlow in place of Councillor Lee

## **2. 5/2008/0708- OUTLINE - 09.04.09 PROPOSED RAIL FREIGHT, PUBLIC OPEN SPACE AND COMMUNITY FOREST SITES, NORTH ORBITAL ROAD, ST ALBANS FOR HELIOSLOUGH LTD**

Outline planning application (approval of means of access, siting and landscaping only) for the development of a Strategic Rail Freight Interchange comprising intermodal area, distribution buildings (Class B8 use) and other related floorspace (Class B1/B2 use) up to 331,665 sqm with a maximum height of 20 metres together with associated road, rail and other infrastructure works including parking for up to 1602 cars and 617 lorries with earth mounding, tree planting and a new Park Street / Frogmore relief road. Includes additional landscape and other works on further sites to provide public access to open land and community forest. The overall proposals involve some 419 hectares.

## **RESOLVED**

That the above application be REFUSED for the following reasons:

1. The site is within the Metropolitan Green Belt as defined in the St Albans District Local Plan Review 1994 wherein permission will only be given for the erection of new buildings or the use of existing buildings or land for agriculture, other essential purposes appropriate to a rural area or small scale facilities for participatory sport or recreation. The proposed development is unacceptable in terms of Policy 1 of the St Albans District Local Plan Review 1994 and is inappropriate development in terms of PPG2 Green Belts. The harm to the Green Belt by reason of inappropriateness and any other harm is not clearly outweighed by other considerations and accordingly no very special circumstances exist to justify the proposal.
2. The overall size, height, bulk, massing and scale of the proposed development would be highly damaging to, and seriously diminish, the open character and visual amenity of this significant part of the Green Belt which provides amongst other things an important gap between Park Street and London Colney, contrary to Policy 1 of the St Albans District Local Plan Review 1994.
3. The proposal conflicts with the provision of PPS1 in that it fails to demonstrate that the development can be carried out consistently with the principles of sustainable development.
4. Policy T10 of the East of England Plan states that provision should be made for at least one Strategic Rail Freight Interchange unless more suitable locations are identified within London or the South East for all 3 to 4 interchanges required to serve the Greater South East. The 'Consideration of Alternative Sites' study is inadequate and, as a result, the need for the proposed SRFI as set out in Policy T10 of the East of England Plan has not been shown.
5. The proposed development is premature in advance of the National Policy Statement covering SRFI's due to be published in 2010, the completion of a trans-regional assessment of the location of SRFI's in the Greater South East and until demand has been shown to exist through the implementation and occupation of the available SRFI capacity at Howbury Park. The proposal is therefore contrary to the advice in PPS1.
6. The applicant has failed to demonstrate that there are adequate paths in the wider national rail network to support the number of freight trains that the facility is intended to serve, and that the Midland Mainline timetable can accommodate the level of services anticipated. The viability of the rail connection has not been demonstrated and there is no evidence that gauge improvements to W9 and W10 standard can be delivered between Radlett and points on the rail network with gauge to these standards. No demand has been shown for rail freight or an SRFI in the north west sector of London. The proposal is therefore contrary to the requirement that priority should be given to the objectives of the Regional Transport Strategy regarding the sustainable movement of freight set out in Policies T1 and T10 of the East of England Plan and the advice in PPS1 regarding sustainable development.

7. The proposal for the central development site (Area 1) fails to adequately secure and enhance the quality and appearance of the landscape in this area. The proposal is therefore contrary to Policy 143 of the St Albans District Local Plan Review 1994 and PPG Green Belts.
8. The proposals would lead to high noise levels that will be experienced by residents on the eastern side of Park Street / Frogmore and more particularly Radlett and Elstree. The resultant adverse impact and harm caused would be contrary to PPG24 (Planning and Noise).
9. The proposals would lead to harmful air quality conditions experienced by residents in Park Street / Frogmore and more particularly within Radlett and Elstree. These would be contrary to PPG23 (Planning and Pollution Control).
10. The proposal for the Country Park, landscape and ecological improvements intended to mitigate the losses associated with the development are unacceptable in scale, outcome and detail while the process and funding of a long term management regime is not determined. The proposal conflicts with Policy 106 of the St Albans District Local Plan Review 1994.
11. The applicant has failed as part of the proposed development to take mitigating measures to offset the harm of the development to ecology and the local footpath network. The proposal would conflict with Policies 97, 106 & 110 of the St Albans District Local Plan Review 1994.
12. Insufficient information has been submitted by the applicant to enable the Highways Agency to determine if there have been any material changes in circumstances in relation to the impact of the proposed development on the strategic highway network.
13. No adequate Section 106 obligation has been offered by the Applicant.
14. Insufficient information has been submitted by the applicant to enable the Local Highway Authority to determine if there have been any material changes in circumstances in relation to the impact of the proposed development on the local highway network including the A414, A405 and A5183 and the linkages to the national motorway network.

Note: Adrian Wallis (representing STRIFE) and Peter Trevelyan (representing the Civic Society), who had given notice, spoke against the above application. Anne Main MP also spoke against the application. Simon Hoare, agent for the applicants, who had given notice, spoke in favour of the application.

The Meeting ended at 8.30 pm

**(SIGNED)**

**CHAIRMAN**