

St Albans City and District Local Plan Issue 5 – Policy B8 Harper Lane, Radlett

Tarmac

October 2025

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Client
Tarmac
Our reference
TARC 3000 SK

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1. Responses to Issue 5 - Redbourn and Hemel Hempstead Site Allocations

Introduction

- 1.1 This Hearing Statement has been produced by Turley on behalf of Tarmac, who are a major local and national employer. Tarmac operates a regionally significant minerals hub and Rail Aggregates Depot at Harper Lane, Radlett, importing hard rock and producing ready-mix concrete products and coated stone (the Rail Depot). The comments made in this Statement respond to the hearing questions raised by the Inspector and should be read in conjunction with our Regulation 19 representations.

Q1 What is the existing use of the site and is it developable within the plan period?

- 1.2 The existing use of the site comprises two distinct sections: The northern brownfield part of the B8 site comprises a large, open trading estate, with a range of established small and medium sized industrial and related retail uses, including construction firms, garage and car repairs, haulage, open yard storage and aggregate suppliers. The southern area of the site, located closest to the urban fringe of Radlett, is primarily in arable use. Importantly, the existing operational characteristics of the industrialised northern area of the B8 site are currently broadly compatible with Tarmac's existing strategic minerals operations at the Rail Depot to the north.
- 1.3 As set out in both our Regulation 18 and Regulation 19 submissions, Broad Location B8 is heavily constrained and so we do not consider that the site is developable in the form envisaged by the Council within the plan period. This is principally due to the inherent incompatibility of new residential development with the Tarmac Depot to the north, as approximately 2 hectares of the B8 allocation falls within the defined 250 metre Rail Aggregates Depot Buffer located around the perimeter of the Rail Depot.
- 1.4 The Rail Depot is identified as a safeguarded site in the adopted Hertfordshire Minerals and Waste Local Plan and the large proportion of the B8 allocation that falls within the 250 metre buffer is therefore unsuitable for both residential development or useable public open space, due to the potential for noise disturbance to new uses in this buffer. This suggests that realistically only 9.5 hectares are developable and assuming a normal gross to net ratio of 60% (which allows 40% for open space and associated infrastructure) only 5.7 hectares of net residential land is available for residential development. In this regard it is noted that the draft Local Plan requires a minimum density of 40 dwellings per hectare for every Broad Location allocation, under Policy LG1.
- 1.5 However, even at this relatively high density, this would only equate to 230 new homes. In addition, given the sensitivity of the Listed Buildings identified in policy and the requirements for enhancements to '*better reveal their significance*' (criterion 5) there is little or no scope to increase these densities to even higher, more urban, levels.

- 1.6 Conversely, the most appropriate solution is to significantly reduce densities in the vicinity of these Listed Buildings. This suggests a potentially significant further reduction in the overall residential capacity of the site, i.e. to less than 230 dwellings, before the particular difficulties associated with the access arrangements, which affects the B8 site, are taken into account in the overall assessment of developability (see response to Q5).
- 1.7 Accordingly, given these site constraints, combined with the significant access issues, which are discussed in more detail under Q5, Tarmac does not consider the site to be developable in the plan period.

Q2 What is the justification for the proposed alteration to the Green Belt boundary? Is the proposed boundary alteration consistent with paragraph 148 e) and f) of the Framework, which state that Plans should be able to demonstrate that boundaries will not need to be altered at the end of the Plan period, and define boundaries clearly, using physical features that are readily recognisable and likely to be permanent?

- 1.8 The Green Belt boundary for the B8 allocation is not consistent with paragraph 148 e) and f) of the Framework for a number of reasons, as set out below:
- 1.9 Firstly, the Green Belt boundary revision incorporates land to the north which falls within the 250 Rail Depot buffer, defined by the Minerals and Waste Local Plan. This important buffer land is not suitable for any form of residential development, or any associated community infrastructure, and so should remain within the Green Belt.
- 1.10 Secondly, the western boundary alteration to the Green Belt is ill-defined in relation to the railway line and appears to exclude the vegetation in the rail corridor to varying degrees. Consequently there is no clear definition on the ground as to where the revised Green Belt boundary would definitively fall, contrary to the expectations of the NPPF.
- 1.11 Similarly, in relation to the proposed dog-legged, north-eastern, Green Belt boundary, there appears to be no particular logic to the demarcation of this new boundary, other than it appears to follow a series of private roads and tracks, which are not permanent.
- 1.12 Finally, the southernmost Green Belt boundary has no definition on the ground of any kind and simply crosses an open field at an angle contiguous with the administrative boundary between the two LPA's at this point. However, there are no physical features on the ground that would make this boundary readily recognisable to others.

Q3 Do exceptional circumstances exist to justify amending the Green Belt boundary in this location?

- 1.13 Tarmac does not consider that exceptional circumstances exist to justify amending the Green Belt boundary in this location, by reason that whilst St Albans is a district which is heavily constrained by Green Belt and has a high level of unmet housing need, this does not mean that every available (partial) brownfield site in the Green Belt is suitable for residential development. In this particular case, the harms clearly outweigh the benefits.

- 1.14 The Harper Lane Rail Depot is one of five safeguarded railheads within the county and such railheads are critical infrastructure needed for the transportation of minerals and mineral products. The Minerals Planning Authority has confirmed that Hertfordshire has no indigenous reserves of crushed rock, and is therefore entirely reliant on imports via the railheads (and by road) to meet the county's demands for this type of mineral.
- 1.15 The Minerals Planning Authority (MPA) has therefore identified significant safeguarding concerns regarding the B8 allocation and has urged the District Council to reconsider the suitability of this land for allocation within the Local Plan. The MPA expressed concern during the consultation stages that the B8 allocation could threaten the depot's longer-term viability as it could represent an incompatible nearby use, resulting in amenity issues for future residents.
- 1.16 Waste management activity is also undertaken at the Harper Lane depot by way of recycling demolition waste, glass and rail ballast to produce secondary aggregates (planning reference: 5/0215-98). The recycling facility is similarly safeguarded under adopted Waste Local Plan Policy 5: Safeguarding of Sites.
- 1.17 The Waste Authority has therefore urged St Albans Council to be mindful of paragraph 200 of the Framework and the 'agent of change' principle. Essentially, in that the existing railhead operation should not be prejudiced by any future development in the vicinity, and any such development, if it were to be permitted, should be required to provide any and all suitable mitigation in order to make that development acceptable (without placing unreasonable restrictions on the Rail Depot).
- 1.18 The Waste Authority suggested that such mitigation would be likely to include restricting development in the northern part of the site, resulting in a notable reduction in the number of dwellings, or an increase in density, or both. As stated in our Regulation 19 representations, the Rail Depot remains of strategic importance, comprising a number of separate heavy industrial operations. These operations primarily comprise; a strategic rail head facility, for the importation of hard rock (granite sourced from Leicestershire); a coated roadstone plant; a crushing and recycling centre, for the production of recycled aggregates; and a mortar and concrete ready mix production plant.
- 1.19 The rail head and coated roadstone plant are of regional significance and so serve a wide catchment area within the county. The rail head and plant, in particular, also serves the nearby London area, as well as a number of other counties beyond Hertfordshire. As a consequence, the Rail Depot continues to operate 24 hours a day and 7 days a week. The coated roadstone plant also needs to operate both throughout the night and at weekends, in order to supply resurfacing projects, including important strategic works on the motorways and the highway network, where this can only be undertaken during such off peak periods.
- 1.20 In terms of HGV movements, there are no highway restrictions for vehicles heading east towards the M25 but there is a limit of 250 movements in place (125 in and 125 out) for vehicles arriving from or leaving to the west, in any single working day.

- 1.21 This is set out under the terms of the 2009 permission for the coated roadstone and ready mix plants (HCC Application No: 5/2596-08). The planning permission also imposes general conditional controls on dust and noise, consistent with the operations of a major industrial facility of this kind.
- 1.22 The coated roadstone plant operates under Local Authority Air Pollution regime and has an Environmental Permit that limits particulates from the stack. Under the terms of this Environmental Permit (Reference SADC 30/14) the range of permitted activities involve the production of bitumen coated stone and the crushing of returned, coated stone for recycling. The specifically permitted activity is for an Asphalt mixing plant, capable of producing 320 tonnes per hour of a range of Dense Macadam's and Hot Rolled asphalt.
- 1.23 The regional importance of the Rail Depot and its status as being critical infrastructure, must also be considered in the context of making appropriate allowance for the future legitimate expansion needs of the facility. These factors, combined with the inherent site and access constraints of B8, identified above, indicates that there are no exceptional circumstances to justify amending the Green Belt boundary in this location.

Q4 How has the location of development been considered as part of the site allocation process, having particular regard to proximity of the railway line and existing commercial uses?

- 1.24 Tarmac does not consider that the proximity of the railway line and existing commercial uses has been properly considered as part of the site allocation process. The Rail Depot is in constant operation 24 hours per day, and is safeguarded under adopted Minerals Local Plan Policy 10: Railheads and Wharves. In this regard, we note that criterion 6 of Broad Location B8 recognises the strategic importance of the Rail Depot, however the policy requirement is only that the residential design 'considers' the depot so that *'the operation of the depot is not jeopardised and that no unreasonable restrictions will be placed upon it'*. This does not however address the 'agent of change' principle, set out at paragraph 200 of the NPPF. It is therefore highly unlikely that such impacts could be satisfactorily mitigated by a future developer and Tarmac would have no obligation to be engaged in this process.
- 1.25 Whilst Tarmac is an active promoter of new development, both for its core operations and for other development activities that supports the existing and future communities of St Albans, it is critical that any new strategic residential development, proposed as part of the new Local Plan, does not compromise the existing and future viability of Tarmac's current operations. Tarmac would similarly expect strong resistance from the Council, and others, if new strategic industrial operations, such as described above, were proposed to be relocated adjacent to an existing residential community.
- 1.26 The Rail Depot currently satisfactorily coexists with its industrial neighbours, at Harper Lane, as these are suitable neighbouring land uses proximate to a facility of this kind. This status should therefore not be materially changed by the emerging Local Plan, in terms of extinguishing the existing primary industrial land use.

- 1.27 It is incumbent upon St Albans Council, as responsible plan-makers, to ensure that the strategic location of any proposed new homes does not threaten any vital commercial activities that currently support the regional economy, as is the case with the Rail Depot, operated by Tarmac. The requirement in policy that the MPA must be involved in the Masterplanning work and directly consulted on any planning applications for the future residential use of the site, however, does not provide sufficient safeguards for Tarmac to remove its standing objection to the currently worded Policy B8 allocation.

Q5 Can a safe and suitable access to the site be achieved? Is it sufficiently clear to users of the Plan what any necessary highway improvements would entail, and where and how they would be delivered?

- 1.28 Tarmac does not consider that a safe and suitable access to the site be achieved, as the requirement for access to Harper Lane to be agreed with Herts County Council (HCC) has been modified simply to achieving '*high levels of permeability*' to accommodate walking and cycling, via active travel routes, between the Site and Radlett. This reflects the fact that HCC Transport raised an objection to the site allocation at the Regulation 18 stage. HCC Transport have also consistently raised concerns about the residential allocation of the B8 Site, from as early as the call for sites, due to the poor connectivity of the Site to Radlett, and other known transport issues on Harper Lane and Watling Street.
- 1.29 HCC Transport have also raised concerns that the settlement hierarchy in the emerging local plan does not consider or appraise Radlett as a sustainable growth location and so consider that the plan must demonstrate the sustainability of what they describe, in transport terms, as a '*particularly difficult location*'. HCC Transport considered that the local plan needed to show how journeys will be made to and from key destinations in Radlett in a sustainable manner, noting that the junction of the B556 and A5183 will require attention, due to capacity and other constraints. However the full resolution to these highways concerns still appears to be tangibly missing in the Draft Local Plan.
- 1.30 What has been translated in policy terms by the Council is a number of general policy requirements which seek support for improved footpath and cycle routes from the B8 Site directly into Radlett, the detail of which still remains unknown, but is to be agreed between stakeholders at some future date. However, we noted in our Regulation 19 representations that there is no guarantee that these active links can be delivered, notably in terms of ensuring the technical suitability of the potential active travel routes proposed into north Radlett. These routes will need to cross areas subject to flooding (Zone 3) at the settlement edge, be fully lit and provide hard surfaced walking and cycling routes directly from the Site into Radlett.
- 1.31 There is also the erroneous presumption that any required rights over the third party land at the selected points of access into Radlett will be acquired, which may not be the case, without the need for potential compulsory acquisition. Without the provision of these direct active travel links from the south of the site into Radlett, then access will need to be taken from the north of the Site, over the railway line, which policy B8 recognises '*acts as a barrier to movement from this site*' (criterion 2).

- 1.32 The need for a northern access arrangement would however be totally inconsistent with the basic premise of the B8 allocation, given that it is meant to be a sustainable urban extension of north Radlett. However, if direct connectivity with Radlett from the south of the Site is unachievable in practical terms, then this will result in additional vehicular, cycle and pedestrian movements moving southbound via Watling Street from the already congested Harper Lane, which has limited scope for further improvement.
- 1.33 In summary, it is not clear therefore to users of the Plan what the necessary highway improvements would specifically entail, and how they could be delivered. Therefore a safe and suitable access to the site does not look to be achievable, without causing material highway impacts elsewhere.

Q6 Is Policy B8 justified, effective and consistent with national planning policy? If not, what modifications are required to make the Plan sound?

- 1.34 As set out in our Regulation 19 Submissions, Tarmac retains its position of objecting to the allocation of site B8 for 274 new dwellings, in principle, given the unresolved lack of a suitable vehicular access and the potential conflict with the existing and future operations of the Rail Depot, as set out above. Tarmac also reserves the right to bring further corroborating evidence to the hearing, as required.
- 1.35 Without prejudice, Tarmac however sets out below two potential resolutions (in order of preference) which, if adopted, would make the Plan sound in relation to this Broad Location and address the Tarmac objections to the allocation of site B8 for development. The resolutions which are sought to make the Local Plan sound are set out in full in our Regulation 19 submissions, at Paragraph 2.31.
- 1.36 In summary these resolutions are:
- a) **Non-Residential Use of the B8 Site**; involving the total exclusion of the Rail Buffer from the B8 allocation boundary and allocating the remainder of the site for general industrial, office and storage, and distribution uses only.
 - b) **Partial Residential Use of the B8 Site**; involving the total exclusion of the Rail Buffer from the B8 allocation boundary and allocating the remainder of the site for up to 100 new homes, located in the southern part of the amended B8 site area, accessible to the settlement boundary edge of Radlett, subject to achieving a suitable means of access.

End

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