

7 February, 2020

Dear Sir / Madam,

Eversheds Sutherland / Four Ashes / West Midlands Interchange DCO application

I wish to make the following comments in relation to the submission made on behalf of Four Ashes Limited.

1. My understanding is that planning permission was granted early in 2016 for the East Midlands Gateway DCO, three and a half years before that of the Northampton Gateway. The representation from Eversheds Sutherland indicates that the looser interpretation applied for the East Midlands should apply to the West Midlands application. It fails, however, to recognise that in those years much has changed in the world, not least the awareness of the desperate urgency of the climate emergency. The vital importance of choosing to use land appropriately and sustainably is now beyond dispute, and yet, this proposal appears to ignore this, arguing that to have the possibility of rail provision at some unspecified time in the future is a perfectly acceptable justification to build warehousing on green belt land in advance of the rail hub. In effect, the building of the warehousing would have a detrimental impact on the local environment, with the use of so many materials, so much energy, diesel, the loss of so much land without any benefits from a rail hub being in operation first.
2. The first point of the letter concludes as follows: "There is no issue therefore that arises in relation to 4.83; there is no suggestion that West Midlands Interchange could not accommodate rail activities". Given the great focus on the interpretation of language, I can only presume that the words "could not" were chosen deliberately. This reinforces the impression that Four Ashes Limited believes that its application needs only to indicate the potential for rail activities on the site, without making any firm commitment as to whether it will actually bother to ever build and operate the rail activities.
3. I disagree with statement in second point which argues that the lack of provision for a number of rail connected or rail accessible buildings for initial take-up does not render an application "contrary to policy". In my opinion, there is no justification for building on green belt land at all, and certainly not when the rail connected or rail accessible buildings are not required to be available at the start of the development, or ever.
4. In relation to the ambiguity regarding "initial take-up", I believe that the rail hub needs to be built first, and only when that is complete should warehousing be built which will be connected to the rail hub or be rail accessible. The justification given by Four Ashes Limited in its initial flyers to local residents has always been on the basis of the benefits of rail hubs in general, but this is apparently not the real drive and focus of the project, given the applicant's ongoing submissions to delay the rail accessible provision and perhaps even to avoid making any legally binding obligations to ever provide the rail hub.
5. My understanding is that the site for development is around 260 hectares. Building warehousing on 25% of such a large site would increase carbon emissions for a long time, given that the applicant is not intending to commit to having the rail hub available within any particular timescale.

6. The applicant has chosen to employ a firm of highly skilled lawyers, who have handled other strategic rail freight hub applications, in order to nit-pick at the detailed wording of the NPSNN, in the hope of allowing the applicant to commit to very little in terms of rail hub provision, while being able to exploit green belt land and increase carbon emissions. My understanding is the primary aim of the NPSNN is to reduce carbon emissions by using rail freight, but the spirit of this legislation is being overlooked in the pursuit of financial gain for the shareholders of Four Ashes Limited.
7. The applicant's lawyers had about eight weeks of time to consider the response to the Northampton Gateway application. Local residents have had two weeks to reply to this submissions. This is a further indication of how the planning application process favours the applicant, with its vast resources. We locals, who unlike the applicant and its lawyers, will have to live with the significant environmental impact of this proposed development, have to try to formulate reasoned responses after working full-time and without the help of skilled lawyers.
8. This latest submission further highlights the applicant's disregard for the local community and the impact of the development on the local area. It will be interesting to see how the directors of the ultimate parent of Four Ashes Limited will be able to report on whether it has a reputation for high standards of business conduct. I believe there is significant doubt as to the applicant's commitment to providing a rail hub, and in failing to present to local residents, in its initial presentations, the actual proposal of building warehouses first and the rail hub only when funding might allow, the applicant has failed to demonstrate the integrity expected of businesses in the UK.

In conclusion, I believe that the rail hub needs to be built before any warehousing, as required by the Northampton Gateway development, because this reflects the real intention behind the NPSNN legislation, and would be in accordance with the government's target to become carbon neutral by 2050.

Yours sincerely

Gill Yerbury