



The Rail Central Rail Freight Interchange

Northampton Gateway
Examination

Summary Written Representation
of Ashfield Land Management
Limited and Gazeley GLP
Northampton s.a.r.l.

**Northampton Gateway PINS Reference Number
TR050006**

6 November 2018

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1. Introduction

- 1.1 This Summary Written Representation is submitted on behalf of Ashfield Land Management Limited ("Ashfield Land") and Gazeley GLP Northampton s.à.r.l ("Gazeley") (together "the Applicant for Rail Central") who are the applicants for the Rail Central Strategic Rail Freight Interchange ("Rail Central") and Interested Parties to the Northampton Gateway Examination.
- 1.2 The Written Representation follows the Relevant Representation submitted on behalf of the Applicant for Rail Central on 5 August 2018, and the oral representations made by Counsel on behalf of the Applicant for Rail Central at the Preliminary Meeting held on 9 October 2018 and the DCO ISH1 on the same day.

2. Resubmission of the Rail Central Application

- 2.1 The Applicant for Rail Central resubmitted the Development Consent Order application for Rail Central on 29 October 2018. The resubmission of Rail Central was in response to the decision of the Secretary of State not to accept the application for Rail Central, submitted on 21 September 2018 as an application for examination for an Order granting Development Consent, on 19 October 2018.
- 2.2 A copy of the Section 55 Notification letter is annexed to the Written Representation which sets out the reasons why the application for Rail Central was not accepted. The reasons for non-acceptance of the original application are minor in nature. They have all now been rectified in the resubmitted application, and do not therefore represent an obstacle to acceptance of that application. It is therefore likely that the Rail Central application submitted on 29 October 2018 will be accepted by 26 November 2018, and in any event during the course of the Northampton Gateway examination. It is therefore likely to be an overlap between the two examinations.

3. Written Representation

The Written Representation addresses the following issues:

- (a) Interrelationship between the Northampton Gateway and Rail Central projects;
- (b) Market Demand for both Northampton Gateway and Rail Central;
- (c) Operational Compatibility of Northampton Gateway and Rail Central;
- (d) Cumulative Assessment undertaken by Northampton Gateway;
- (e) The assessment of the Environmental Impact of Northampton Gateway in respect of Climate Change;
- (f) Traffic and Transport Issues in respect of the Roade Bypass;
- (g) The Compulsory Acquisition of Parcels 1/7 and 1/12 within which Ashfield Land holds an interest;
- (h) Submissions relating to the Northampton Gateway dDCO following DCO ISH1;

- (i) Submissions on the Comparative Assessment between Northampton Gateway and Rail Central.

4. **Interrelationship between Northampton Gateway and Rail Central**

- 4.1 The Written Representation appends the Interrelationship Report submitted as part of the Rail Central application.
- 4.2 The Interrelationship Report sets out the areas within which Northampton Gateway and Rail Central overlap and identifies the nature of the works sought under the respective dDCOs for each project.
- 4.3 Northampton Gateway and Rail Central overlap in three key areas:
 - (i) Rail Connections: Where both projects connect into the existing Northampton Loop Line (Work 1 of the Northampton Gateway dDCO and Work 1 of the Rail Central dDCO, both in respect of the construction of Rail Connections);
 - (ii) Landscaping and Footpaths: Where both projects propose a footpath and structural landscaping adjacent to the NLL (Work 6 of the Northampton Gateway dDCO and Work 9 & 12 of the Rail Central dDCO);
 - (iii) Highway Improvements: Where both projects propose improvement works at Junction 15a of the M1 motorway to increase junction capacity to provide mitigation for increased traffic flow.
- 4.4 Rail Central has been designed in such a way that it can be delivered independently or accommodate the delivery of Northampton Gateway. Although the Order Limits for both Rail Central and Northampton Gateway overlap in a limited number of locations, the infrastructure proposed by the both projects is complementary and can be aligned to achieve a common purpose.
- 4.5 This Section sets out the Applicant for Rail Central's views as to the interrelationship between Rail Central and Northampton Gateway, identifying how both projects can be delivered in practice and in particular sets out the proposed mechanisms contained within the Rail Central application documents and the need for Protective Provisions within the Northampton Gateway DCO.
- 4.6 In the view of the Applicant for Rail Central, much of the interrelationship can be governed by requirements and the approval of plans referred to within requirements. Protective Provisions are also sought within the Northampton Gateway DCO in order to accommodate the necessary flexibility and to ensure appropriate co-operation between the parties to enable Rail Central and Northampton Gateway to be delivered in parallel.
- 4.7 It proposed that Protective Provisions will be discussed within the SoCG between Rail Central and Northampton Gateway, requested to be submitted by the ExA by Deadline 3.

5. **Market Demand**

- 5.1 The Written Representation appends the Market Assessment Report submitted as part of the Rail Central application.
- 5.2 The Rail Central Market Assessment Report concludes that the Midlands is the largest logistics property market in Great Britain and the East Midlands has attracted the largest regional share of take-up of any region. The evidence based on demand at existing SRFI sites suggests very strong demand for logistics properties on rail served sites.
- 5.3 The Written Representation acknowledges the need for the network of SRFIs established by the NN NPS and that both Rail Central and Northampton Gateway have submitted assessments of market demand respectively as part of their applications. The NN NPS recognises that investment decisions on SRFI will be made in the context of a commercial framework. The fact two promoters are bringing forward schemes on adjacent sites in this location reflects confidence of each that their own scheme will be successful with or without the other scheme operating alongside it.
- 5.4 It is submitted that there is strong demand for warehouse space in Northampton and the wider 'Golden Triangle' area which is likely to continue over the medium and longer term, as there are no foreseeable alternatives for storing and facilitating the movement of materials, parts and finished goods.

6. **Operational Compatibility**

- 6.1 The Written Representation appends the Rail Operations Report submitted as part of the Rail Central application.
- 6.2 The Applicant for Rail Central submits that in terms of operational compatibility, the combined results of the work undertaken to date with NRIL on main line access and network capability for Rail Central have not identified constraints which would otherwise prevent all three SRFI (Rail Central, Northampton Gateway and DIRFT) from being able to operate satisfactorily in the way required by the Planning Act 2008 and NN NPS.

7. **Cumulative Assessment**

- 7.1 The Written Representation appends the Cumulative Effects Summary Chapter submitted as part of the Rail Central application.
- 7.2 The Applicant has been asked to submit an updated cumulative impact assessment taking into account any further material in relation to Rail Central by Deadline 4, Tuesday 8 January 2019.
- 7.3 The Applicant for Rail Central has a number of concerns as to the methodology adopted in Chapter 15 (Cumulative Impacts) of the Northampton Gateway ES (APP-123). These are relevant to all technical topics and call into question the validity and robustness of the conclusion within the Northampton Gateway ES.
- 7.4 The concerns raised by the Applicant for Rail Central include:

- (a) There is no methodology documented as to how the four projects considered in the Northampton Gateway cumulative assessment have been identified;
- (b) The ES does not consistently assess the four projects;
- (c) The ES and all the Chapters within it do not identify the technical information which has informed the Cumulative Assessment;
- (d) It is uncertain whether the four projects in combination with Northampton Gateway have been assessed as a whole or a series of separate assessments;
- (e) Evidence and reasoning for conclusions made is often not provided, with examples in Chapters 5, 10 and 14 of the Northampton Gateway ES;
- (f) The Northampton Gateway ES concludes there are limited if any likely significant cumulative effects across the four projects, which is not consistent with the equivalent assessment reported in the Rail Central ES. This may reflect the fact that the two assessments are not comparable.

8. **Environmental Impact: Climate Change**

- 8.1 The Written Representation appends the Climate Change Mitigation and Adaptation Chapter submitted as part of the Rail Central application.
- 8.2 The Applicant for Rail Central is concerned that the Northampton Gateway Climate Change assessment is not adequate, when considered in line with the specific policy requirements contained in the NN NPS, nor the EIA (2017) Regulations.
- 8.3 In particular the Cumulative Impacts section of the Northampton Gateway ES, which includes Climate Change, is deficient with regards to:
 - (a) Air Quality;
 - (b) Transportation;
 - (c) Future climatic factors;
 - (d) The existing BREEAM 'Very Good' commitment, and not 'Excellent', as a measure to mitigate and adapt to climate change;
 - (e) Carbon emissions.
- 8.4 The Rail Central climate change assessment identifies the effect of Greenhouse Gas ("GHG") emissions from Rail Central, as well as how future changes may impact upon Rail Central.
- 8.5 The Applicant for Rail Central submits that Rail Central will result in a significant environmental benefit with regard to GHG emissions, whilst significant adverse environmental impacts have been avoided through site design and requirements, with regard to climate change adaptation.

9. Traffic and Transport Issues: The Roade Bypass

9.1 The Applicant has been asked to indicate how the proposed Roade Bypass and other junction improvements are properly considered to be within the scope of the DCO.

9.2 The Applicant for Rail Central believes it is currently unclear how the Applicant has concluded that a full bypass is justified and proportionate rather than any combination of lesser and less harmful measures. It is therefore unclear how the development complies with the Associated Development principles.

10. Compulsory Acquisition

10.1 The Applicant for Rail Central objects to the acquisition of land/rights sought by the Applicant over Parcels 1/7 and 1/12, in respect of which Ashfield Land is a Qualifying Person, as identified in the Applicant's Book of Reference.

10.2 Rail Central requires this land to partially offset the loss of farm land, to provide landscape and visual impact mitigation and as part of a wider public rights of way strategy. The proposed works are depicted on the Illustrative Landscape Masterplan within the Interrelationship Report appended to the Written Representation.

10.3 It is submitted that no approach or attempts to seek to negotiate a voluntary agreement have been made. Furthermore, the Applicant has not met or complied with the compulsory acquisition tests stipulated in s.122 Planning Act 2008 and the Planning Act 2008 Guidance, published in September 2013. Accordingly, the compulsory acquisition of Ashfield Land's interests are being used as a first rather than last resort.

11. Northampton Gateway dDCO

The Applicant for Rail Central submits that there is a need for appropriate provision to be made in the Northampton Gateway dDCO to address the overlaps and interrelationship between Rail Central and Northampton Gateway, should both be given Development Consent. Such provision is necessary and justified in the public interest for the reasons given in the Interrelationship section.

12. Comparative Assessment

12.1 The Written Representation appends the Alternative Sites Assessment submitted as part of the Rail Central application which includes a Comparative Assessment of Northampton Gateway and Rail Central.

12.2 The Comparative Assessment addresses key specific impacts or differences between Northampton Gateway and Rail Central on two central topics:

(a) Environmental Impact, with specific reference to landscape and visual; ecology and green infrastructure; built heritage agriculture; and transport.

(b) Technical and Operational Aspects, with specific reference to main line access; reception sidings and headshunt; intermodal terminal capacity; express freight facilities; maintenance facilities; technical audit of SRFI proposals by Network Rail; and connection to strategic highway network.

- 12.3 The Comparative Assessment concludes that Rail Central and Northampton Gateway are two top performing sites that would seek to serve broadly the same core catchment area, although there are differences in performance which allow them to be distinguished.
- 12.4 It is submitted that Rail Central does have enhanced operational and technical advantages over Northampton Gateway which make it more resilient, flexible and more adaptable to the changing rail freight market. Rail Central is larger than Northampton Gateway in commercial terms, having more commercial floor space and therefore greater potential for rail connection and rail served access.
- 12.5 It is concluded that the Rail Central site is the better performing SRFI site, however it is recognised that Northampton Gateway has the potential to be consented in addition to Rail Central. Therefore Northampton Gateway could also be complementary to Rail Central and alongside Rail Central, could contribute to the required network of SRFIs.