

**From:**

**To:**

**Cc:**

**Subject:**

Application to change DCO conditions Northampton Gateway

**Date:**

07 September 2022 13:59:58

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TO: The Planning Inspectorate - Secretary of State for Transport - Andrea Leadsom MP - Chris Heaton Harris MP - Cllr Jonathan Nunn - Cllr Lizzy Bowen - Cllr Phil Larratt

**RE; SEGRO NORTHAMPTON GATEWAY. APPLICATION FOR AMENDMENTS TO THE DEVELOPMENT CONTROL ORDER RESTRICTING WAREHOUSE OCCUPANCY PRIOR TO RAIL CONNECTION TO THE WEST COAST MAINLINE.**

I wish to comment on the above application to change the conditional restriction placed on the Northampton Gateway Development Control Order (DCO) and thereby object to this application.

I was a registered Interested Party during the Examination process and a resident of Collingtree which is the closest residential community to the Northampton Gateway site. During the two year Examination carried out by the Planning Inspectorate, the proposal was opposed strongly by many surrounding communities, parish councils, local authorities, two constituency MP's as well as environmental groups and rail transport specialists. The Examination involved hours of hearings, reports, cross examinations and assessments. Throughout all the deliberations the overriding justification for the proposal was that the admitted negative impacts (loss of countryside, air quality issues, traffic generation, closure of ancient rights of way and disruption during construction) would be outweighed by the benefit of getting substantial amounts of freight of the road network and on to rail. It was on this basis that the proposal was viewed as a Strategic Rail Freight Interchange (SFRI) linked to the West Coast Mainline (WCML) and was eventually granted a DCO by the Secretary of State for Transport.

The site has now been levelled and all vegetation removed causing substantial inconvenience, disruption and air pollution for local communities. But now, for marketing purposes and because Segro has been unable to obtain firm commitments from Network Rail for connection to the WCML, this change to the DCO condition has been applied for.

My objections are based on the following:

**This is a Material change.**

The applicant states that this is a non-material change that does not affect the fundamentals of the overall scheme or the basis of the DCO. I understand that it is for the Secretary of State to decide what is or is not material and that this may depend on whether the change might require an updated Environmental Statement or result in a substantial impact on local residents and businesses. I believe that the long term implications of the proposed change would conflict with the original assumptions on which Northampton Gateway was approved, would impact on local residents and therefore have Environmental Impacts.

**This is a substantial change**

The applicant states that the proposed change to the condition restricting space occupancy before a rail link is established would enable 37% of the total space to be occupied outside this restriction. However, as the original consent was for a scheme of 468,000 sq.m of warehousing

and the application is for 232,260 sq.m to be occupied without restriction, this would mean an actual increase of 50% - a substantial increase. In addition the applicant is seeking to change the wording of the current DCO to allow further increases of permitted occupancy of up to 80%, should the rail connection be delayed further. The new wording would avoid the need for a full DCO application and would simply need to be 'agreed in writing by the relevant planning authority'.

### **The Potential warehouse capacity could be even greater**

Although the wording of the DCO provides for 468,000 sq.m of warehouse space, it excludes from that figure Mezzanine floor levels within the warehouse units. The trend in warehouse design is for greater use of mezzanine floors thereby increasing storage capacity many times. The applicant has already increased the height of units (via the Local Planning Authority) from the original 18 meters maximum to around 26 meters. The applicant is also currently marketing units with eave heights of up to 30 meters. The combination of increased heights and mezzanine floors will clearly increase total storage capacity and therefore the number of HGV's servicing the site. This aspect needs greater clarification within the terms of the DCO.

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### **It is in conflict with National Policy**

The National Policy Statement for National Networks (NSPNN) part of the Planning Act 2008, sets the framework for the development of SRFI's. It states in Para 2.44 that 'the aim of SRFI's is "to optimise the use of rail in the freight journey by maximising rail trunk haul and minimising some elements of the secondary distribution leg by road" in Para 4.88 the NSPNN states "Applications for a proposed SRFI should provide for a number of rail connected buildings from the initial take up....The initial stages of the development must provide an operational rail network connection and although not essential for all building to be rail connected from the offset but a SIGNIFICANT element should be"

It is clear that neither of these requirements will be met if the proposed application is approved,

### **Need to re-assess Traffic and Environment Issues**

A major concern for local communities throughout the Planning Examination into Northampton Gateway, was the Environmental Impact from traffic and in particular, diesel HGV's. The air and noise quality issues remain contentious not least because of the continuing lack of adequate monitoring and measurement. Therefore at the very least, any change in the predicted volumes and patterns of traffic should be rigorously re-examined in a full Traffic Assessment.

Segro, in its Application Statement (points 5.9 – 5.15) appears to suggest that any delay in providing an operational rail interchange would be of benefit to the local environment as most of the eventual traffic generation will result from users of the rail freight facility. The logical conclusion from this argument is that it would be better for the environment if the SRFI facility did not get built at all. This is a complete abandonment of the whole rationale for SRFI's and the judgement made by the Examiners that the benefits would outweighed the negative impacts.

During the Examination, a group of 30 Parish Councils (Parishes against Pollution) in this region registered as a Interested Party and made a joint submission urging that the principle set out in the National Planning Policy 'that new developments should not adversely affect levels of soil, air, water and noise pollution' should be adhered to.

### **Uncertainty over Network Rail**

It is extraordinary, that after months of exhaustive examination, hearings and reports, the fundamental building block of the SFRI proposal i.e. the connection with the WCML, was not in place. Network Rail has remained non committal throughout including in correspondence as early as 2017 with Andrea Leadsom MP. All this was known when the DCO was granted.

In an effort to address the uncertainty over commitments from Network Rail, Segro says in its Application Statement, that it has, or soon will, complete the onsite rail infrastructure needed (sidings/rail tunnel etc). However, unless this infrastructure is actually connected to WCML, it is irrelevant and the costs of construction are modest compared to the overall investment in the Logistics Hub.

### **Conclusion**

The potential consequences of the change to the DCO applied for are a material factor that will impact on local communities and their environment and also undermine the basis on which the DCO was granted. The application should be refused unless:

- a) Network Rail commit to a firm date and timetable for connection to WCML or
- b) There is a full and independent Traffic & Environmental Assessment and Statement.

Rod Sellers

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[REDACTED]

6<sup>th</sup> September 2022