

From: [REDACTED]
To: [Northampton Gateway](#)
Subject: Northampton Gateway Rail Freight Interchange Order 2019 - S.I. 2019 No. 1358
Date: 13 September 2022 15:34:41
Attachments: [Planning - SEGRO - Responise to DCO August 2022.docx](#)

To: The Planning Inspectorate
From: Milton Malsor Parish Council
Ref: Objections to the Amendment to
The Northampton Gateway Rail Freight Interchange
Order 2019, S.I. 2019 1358

Dear Sirs,

Attached please find a copy of Milton Malsor Parish Council's representations about the above non-material amendment to the DCO application.

If you have any queries regarding the attachment, please don't hesitate to contact me.

Yours sincerely,

Ann Addison

Clerk to Milton Malsor Parish Council

MILTON MALSOR PARISH COUNCIL

www.miltonmalsorpariscouncil.org.uk

Correspondence to The Clerk, Mrs Ann Addison

Tel: [REDACTED]

The Planning Inspectorate,
Temple Quay House, 2 The Square,
Temple Quay, BRISTOL, BS1 6PN

Dear Sirs,

Milton Malsor Parish Council's objections to the Amendment to the Northampton Gateway Rail Freight Interchange Order 2019, S.I. 2019 1358

SEGRO wish to apply for an amendment to the Northampton Gateway Rail Freight Interchange Development Consent Order. One of the requirements of the Secretary of State granting the DCO was that "a rail terminal capable of handling at least four intermodal trains per day must be constructed and available for use prior to the occupation of any of the warehousing." This stipulation was to allay fears that the entire scheme was not just a giant warehouse park with a rail terminal tacked on to exploit claims about reducing truck mileages on our roads.

Network Rail (NR) have to make the connections from the mainline to the SEGRO sidings, but now say they are unable to complete them until January 2024 at the earliest.

SEGRO state their own rail works will be completed by early 2023 but are constrained from allowing occupation due to the delay from the NR works. They claim they have several potential tenants who would be discouraged by the delay, and so are seeking a change to the DCO to allow between 2.5 and 4 million sq.ft. of warehousing to be occupied before the rail terminal is operational, presumably by tenants not using the rail link.

SEGRO are therefore asking for up to 80% of the units to be occupied before the rail link is operational. From this, it is clear that the vast majority of the site will not use the rail link facility confirming that this Strategic Rail Freight Interchange, identified as a “Nationally Significant Infrastructure Project” has used that status to bypass local democracy knowing that the DCO can be manipulated to suit.

The failure to ensure a suitable timetable with NR is SEGRO’s responsibility, and the liaison with NR and any resulting difficulty was highlighted many times during consultations and at Public Meetings. The proviso of completion of the rail terminal before occupation seemed to offer re-assurance that this was a genuine inter-modal project, but it now transpires that this could be a project without risk or responsibility for the developer.

If the DCO amendment is granted because rejection may jeopardise the economic viability of the SRFI, or even cause the business to fail completely, then the stipulations SEGRO are seeking to bypass will be exposed as weak or ultimately meaningless.

The NG project is a large undertaking, which has already caused a great deal of concern for local residents over the additional traffic which will access the site through unsuitable village roads, and is presently causing disruption due to construction noise, dirt and roadworks . To find that this huge enterprise can bypass its original justification for any reason is shocking, but to realise that the problem is caused by its own poor planning is particularly galling.

Should this variation in permitted occupancy be granted, it could encourage other developers to absolve themselves from the responsibility of adhering to realistic, professionally prepared plans. As they already benefit from the generous permissions allowing SRFIs to exist at all, this would further undermine public confidence in the planning system and in Councils’ and Governments’ motives when considering the public benefit.

It should be noted that SEGRO have already sought two variations of the DCO concerning the first plot to be occupied (Plot 7). They do not say if this client, occupying the largest building on site (around one third of the total SRFI floor area permitted by the DCO) will use the rail facility, which further adds to increasing concerns that the process benefits the developer in a way which the public were not intended to realise.

As the 2008 Planning Act and the 2011 Regulations admit the distinction between a non-material and a material change to a DCO is not defined, it could be argued that wishing to operate a large part of the site for clients who do not require a rail link, and because a link is in any case not available, constitutes a material change. Such a designation is reinforced by the environmental impact and effects on residents of no trains initially and reduced train numbers ultimately, leading to increased HGV movements, which the SRFI status was intended to avoid.

The Parish Council therefore strongly opposes the change to the DCO and suggest the difficulties SEGRO are experiencing should be regarded as part of the normal risks of business. Further, SEGRO has an obligation to adhere to the original restrictions on occupancy required by the DCO, both to help justify the integrity of the SRFI concept, and to help increase public confidence in the planning system and those charged with administering it.

Yours sincerely,

Ann Addison

Clerk to Milton Malsor Parish Council
On behalf of Members of the Council