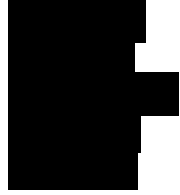


Mr John Exley



## **Northampton Gateway Non-Material Change TR050006**

Request to amend the Development Consent Order for Strategic Rail Freight Interchange.

I strongly object to this amendment on the following items.

A development Consent Order was granted to Northampton Gateway on October 2019. The planning application had been processed through the Planning Inspectorate rather than the local planning authority as the scheme was proposed to be a Strategic Rail Freight Interchange (SRFI). The principles are set out in the National Policy Statement for National Networks. The policy below makes it extremely clear that an SRFI should be rail connected from day **one**.

*4.88 Applications for a proposed SRFI should provide for a number of rail connected or rail accessible buildings for initial take up, plus rail infrastructure to allow more extensive rail connection within the site in the longer term. The initial stages of the development must provide an operational rail network connection and areas for intermodal handling and container storage. It is not essential for all buildings on the site to be rail connected from the outset, but a significant element should be.*

The Development Consent Order (DCO) issued for Northampton Gateway contained the following statement:

Components of development and phasing, 3 (3) on page 44

*A rail terminal capable of handling at least four intermodal trains per day, including 775 metre length trains, must be constructed and available for use **prior** to the occupation of any of the warehousing.*

The above is a specific requirement for Northampton Gateway, as issued by the Planning Inspectorate, for the rail connection to be available before any warehouse can be occupied.

SEGRO attempt to use East Midlands Gateway as a precedent for allowing a rail connection to be made after the first warehousing has been occupied. The DCO for East Midlands Gateway is no guide whatsoever as to what may happen at Northampton Gateway.

Roxhill undertook Stage 1 of public consultation in December 2016 and it seems extraordinary, that after months of exhaustive examination, hearings and reports, the fundamental building block of an SFRI are still not in place with Network Rail, a time frame approaching 6 years! The developer has chosen to begin building well before Network Rail is ready to make a connection. That has been a commercial risk that it chose to take.

Segro has been marketing the availability of warehousing at Northampton Gateway from Q4 2022, which is in breach of the current DCO. Segro has been attempting to pre-empt the forthcoming decision of the Planning Inspectorate concerning its proposed amendment to the DCO.

[REDACTED]

The consequences of approving the requested amendment are that logistics companies would operate as entirely road-based operations at Northampton Gateway. They would become established in that mode of operation for a year or possibly longer, and there would be no incentive for them to switch to using the rail connection at a later point. The site could well become a purely road-based logistics hub, with the SRFI tag used to circumnavigate all local planning. If that were to happen, the original DCO would become invalid as it would have been granted on a basis which was not delivered.

Local residents have an understandable fear that a change in the SEGRO DCO to allow a road based warehousing scheme, even if for a short while, could set a precedent for the Rail Central SRFI to go proceed without the SRFI component of the development ever having to be built. Rail Central was first proposed in 2015 and the developer has always maintained that the two proposals can co-exist, proposed changes to the DCO relight all the concerns residents have about road based warehouse schemes.

The definition of a non-material change under the Town and Country Planning Act 1990, Section 96A (as amended) is not clear, but has been summarised in the Planning Portal: *A non-material amendment should only be considered a minor change to the planning permission if it does not breach any conditions originally placed on the consent.* (<https://www.planningportal.co.uk/planning/planning-applications/consent-types/non-material-amendment-of-an-existing-planning-permission>)

Departing from a basic condition of the DCO can only be described as Material. Such a change would have a long-term impact on traffic, noise generation and air quality (adjacent to an existing AQMA) all of which should require a revised Environmental Impact Assessment.

I maintain my strongly held view that the amendment to the DCO requested by Segro in respect of Northampton Gateway should be refused.

John Exley

September 22<sup>nd</sup> 2022

