

**From:** [REDACTED]  
**To:** [Northampton Gateway](#)  
**Subject:** Northampton Gateway TR 50006  
**Date:** 26 September 2022 15:41:34

---

Dear Sir or Madam,

I wish to register my objections to the proposed variation to the DCO in respect of the Northampton Gateway Rail Freight Interchange. I am a Parish Councillor for Milton Malsor, responsible for Planning matters, but make these representations in a personal capacity.

1) 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.”

2) In their Northampton Gateway SRFI DCO Amendment Application Statement of August 2022 (AAS), SEGRO say NR consider they should be able to provide rail connections by Q1 2024. 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.

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

4) SEGRO admit planning and construction of a warehouse will probably take longer than 12-15 months, which indicates work commencing now (Q3 2022) would be complete by Q4 2023 at the earliest. As there is only one occupier confirmed by Q3 2022, it seems very unlikely that any further units could be completed by that Q4 2023 date. Even allowing for any possible delay to NR’s works beyond their Q1 2024 target, **there is no indication from such a timetable that the stipulations of the DCO offer a likely barrier to occupation**, reinforcing point 3) above..

5) At the Public Meetings it became clear that Network Rail were unable to guarantee a process for rail access to the Terminal. In full knowledge of this, the original Applicants Roxhill (Junction 15 Ltd.) nevertheless took the business risk of uncertain dates for rail connection and submitted their plans to Government.

6) Subsequently the Secretary of State transferred the benefit of the provisions of the DCO to SEGRO , so the failure to ensure a suitable timetable with NR which was Roxhill’s responsibility now became SEGRO’s .

For SEGRO to state that a failure to ensure the rail terminal would be operational as required is “ entirely outside “ of their control (AAS 3.2) is disingenuous, as their “ close and joined-up collaborative working “ (AAS 3.3) with NR should have identified problems or resulted in the contractual insurances against any risks which Roxhill had bequeathed them.

This implies that there was an omission, almost an oversight, which needs correction, rather than the reality of the restriction being necessary to support the integrity and

even the justification of SRFI status, particularly in view of considerable local misgivings.

7) In support of SEGRO's claims, a table at AAS 3.4 sets out the percentage floorspace allowed to be occupied before the rail terminal was operational at three other SRFI sites. This information is **rendered irrelevant by the requirements of this different DCO**, which has considered different circumstances, and reached a different conclusion, one that SEGRO appeared to accept at the time it inherited the project.

8) SEGRO say ( AAS 3.7) that all occupiers at East Midlands Gateway now use the rail terminal, including those who occupied before the terminal was operational. This assertion, intended to bolster the credentials of the SRFI concept , appears to seriously undermine the justification of asking for the DCO to be varied, as East Midlands clients were not deterred in the same way that SEGRO now claim NG clients will be.

9) 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 the developer's own poor planning is particularly galling.

10) 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 can 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**. NIP Advice Note 16 2.1 indicates a material change would be if " the development...is not in substance that which was originally applied for." My point is that **80% of the site opening before a train arrives falls into that definition**, as such usage is likely to be permanent.

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.

11) Should this variation in permitted occupancy be granted, it could allow 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.

**SEGRO have 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 increase public confidence in the planning system and those charged with administering it.

I therefore urge the Planning Inspectorate to refuse SEGRO's Application.

Paul Heath



•

