

Curtlee Hill, Wootton, NN4 6ED

Tel: 01604 705055

Email: [REDACTED]
[REDACTED]

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FAO: The Planning Inspectorate

Re: Northampton Gateway Rail Freight Interchange Project – Non-Material Change TR050006

We are writing on behalf of the residents of Wootton Parish Council about the SEGRO request for a non-material amendment to the Development Consent Order (DCO), which is specifically seeking permission for the occupation of the relevant warehousing ahead of the rail terminal being operational.

The DCO in question is for the Northamptonshire Gateway Strategic Rail Freight Interchange (SRFI) project (reference 2019/ No.1358 The Northamptonshire Gateway Rail Freight Interchange Order 2019).

The original development consent was given based on National Infrastructure Planning and Government's policy of a modal shift of freight to rail, to reduce the burden on the road network and with a longer-term vision to support the Government's Net Zero carbon ambitions. Freight was to be delivered to the development by rail, to rail-connected warehousing.

The SRFI was approved by the Secretary of State for Transport on 9th October 2019. The approved DCO included a specific condition (Requirement 3.3) that no warehouse occupations can occur prior to the rail terminal, capable of handling at least four intermodal trains per day, being operational. This was required to make the application appropriate as a 'Strategic Rail Freight Interchange' which in turn allowed the decision on the planning application to be made by central government rather than local government, despite the many objections from local communities.

The argument that other RFIs have been allowed to operate on the basis that the occupation of floor space was permitted in advance of the rail terminal being available, should not form the basis for this proposal and presents a real risk of development creep. This would set a precedent for other changes nationally and undermines the planning system. It was already known at project inception that there was a risk that the connection to Network Rail would not be possible ahead of 2024, and therefore mitigating plans will have formed part of the original planning application.

The requested amendment to condition 3.3 proposed by SEGRO is "The rail infrastructure must be completed prior to the occupation of any of the warehousing and both the connections to the West Coast Main Line must have been constructed and commissioned sufficient for the rail terminal to be operational prior to the occupation of more than 232,260 square metres (37%) of the warehousing unless otherwise agreed in writing with the relevant planning authority".

Worryingly, if this amendment is to be accepted, specifically with the wording 'unless otherwise agreed in writing with the relevant planning authority', it would allow the initial occupancy of up to 37% of the warehousing AND the ability to increase this in the scenario where there is a future delay to the connection of the rail terminal, *without* the need for a formal amendment and consultation. This is not acceptable.

As a community, we strongly object to this amendment. Wootton lies to the east of the development, within 1 mile, and we directly border the A45. We have grave concerns about the projected increased volumes of traffic and draw your attention to the following:

- The A45 between Wootton and East Hunsbury is already designated as an Air Quality Management Area (AQMA) [AQMA - 45 London Road.pdf](#) and a Noise Important Area (NIA) by the Government Department for Environment (DEFRA), and will be adversely affected by the scale of development of the SRFI. In the absence of the mainline rail connection, any occupied warehousing will need to be supplied and redistributed via the road network resulting in an increase in traffic levels, yet the Government has an obligation to reduce noise and pollution levels in this area.
- A significant amount of work appears to have been done on the J15 roundabout and the Roade by-pass, yet not a single improvement has been made to the A45 stretch of road which passes directly between the residential areas of Wootton Parish and East Hunsbury Parish. The Highways Route Strategy Report states 'The A45 is a key distributor route, a gateway to A43 and provides a connection between the M1 and A14 (Felixstowe)'. The A45 AQMA stretch of road remains unchanged, and with no improvements to mitigate the impact of the development simply cannot cope with the volume of additional traffic, especially given the further development of Brackmills Industrial Estate and the new Swan Valley Industrial Estate.
- This distribution centre estimates that 36% of the HGV movements generated by the new development, would depart from Junction 15 of the M1 onto the A45. These vehicles will travel through the AQMA/NIA at Wootton which will only have a detrimental effect to noise, pollution, congestion, and a negative impact on our residents with a loss of quality of life, a risk to their health and wellbeing, and increased health care costs.
- As well as serving main trunk roads, the A45 also connects to Brackmills Industrial Estate and their container new dry docks, Swan Valley Industrial Park, and Moulton Industrial Park, which are all generators of additional traffic flow.
- We understand that a SEGRO 106 contribution has been agreed for Air Quality Contribution (£250k) and Highway Capacity Contribution (£560k), but we see no evidence of these monies being used to proactively prevent the serious impact of this development along the A45. As a Parish Council we have no line of sight to where and when these monies will be spent. A plan of mitigating actions, specifically for the AQMA/NIA, should be in place before the site is operational.

It appears that the A45 has been completely missed out of any consideration for the SRFI. In order to comply with legal obligations and government legislation, the highway improvements should be in place before the occupation of any warehousing including:

- A reduction in speed limit from 70 to 50mph along the stretch of road that runs between Wootton and East Hunsbury and up to the Brackmills Industrial Estate, in line with section 6.3 of the DfT Setting local speed limits policy - [Setting local speed limits - GOV.UK \(www.gov.uk\)](#). As well as reducing noise, this will limit the levels of CO2 and NO2 from traffic pollution
- Low-noise road re-surfacing
- The erection of safety and sound barriers
- Noise and pollution monitoring
- Speed cameras

- GPRS configuration to ensure that vehicles are not diverted through our communities in the scenario where there are traffic incidents and congestion

Due to the significant intended change of use and the additional warehouse recently constructed in the area, we consider the traffic surveys and information provided in 2019 to be out-of-date and incorrect. Updated traffic volumes and noise/emission pollution data is required as part of the DCO amendment request before any decision is made.

To illustrate the severity of our concerns for our community, the site is not even occupied and already Wootton is experiencing speed, noise, pollution, safety, and congestion issues on the A45 and through our village. To obtain consent for the original development the applicant had to prove that local road networks would cope with the inevitable increase in HGVs and other vehicles, not only on days when the networks are operating as they should but also in the event of the closure of one of the main access routes. Closures for road works recently exposed the shortcomings of the road networks to deal with traffic – Roads were gridlocked as sat nav/Google directions were directing traffic through Wootton.

The J15 site location was previously considered unsuitable for development because there were concerns regarding impacts on the highway network (other businesses applications were rejected) but SEGRO were exceptionally given consent based on National Infrastructure Planning and the Government's policy of a **modal shift of freight to rail**.

The huge increase in traffic this SRFI is bringing was specifically agreed to coincide with the opening of the rail link, a delay in which SEGRO would have anticipated and commercially prepared for.

A commercial business decision to get tenants for the warehouses asap should not supplant planning conditions, agreed and signed off by The Secretary of State himself, however inconvenient it may be to SEGRO. Planning conditions are exactly that; conditions that must be met in order for a development to proceed and complete. It is not acceptable to seek to change those conditions part way through to satisfy a purely commercial objective.

This amendment is not a minor change, and nor can it be considered a non-material change when the request is to fundamentally alter the modus operandi from rail to road, which is in complete contradiction with the original objective and the basis on which the original application was approved.

This was already a very controversial planning decision. At the very least, the terms on which it was agreed should be adhered to.

On behalf of our community and residents, and in support of our neighbouring impacted communities, we object to this amendment and request that you insist that the original DCO is followed as signed by the Secretary of State for Transport in October 2019.

Yours Sincerely,

Wootton Parish Council