

The Rt Hon Anne-Marie Trevelyan,  
Secretary of State for Transport,  
Great Minster House, 33 Horseferry Rd, London SW1P 4DR Email:  
[REDACTED]

Dear Secretary of State,

I wish to record my objection to the Application by Segro (Junction 15) Ltd for the 3 amendments to DCO 2019 No 1380 for the following reasons.

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 thus 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 and noise generation, and air quality (adjacent to an existing AQMA) all of which should require a revised Environmental Impact Assessment.

The Northampton Gateway site has caused significant damage with loss of wildlife habitat and a considerable number of trees, whose carbon capture capacity will take 30 years to replace. The country can ill afford the loss of so much good agricultural land. Much inconvenience to local road users will continue for access to neighbouring villages even after the completion of the road works. This was 'sold' to the residents as a national benefit as there would be an overall reduction in CO2 from HGV emissions when a significant amount of long-haul freight transfers to rail.

Segro have stated: *supply of deliverable high quality sites with Rail terminals is very limited and the sector continues to see high levels of demand.* Their previous estimates of rail-served warehousing was 70%, so does this indicate a change in demand, supported by their ambitions for 80% occupancy without a rail connection?

The prospect of finishing up with an 80% road-based logistics hub, as Segro is now calling it, is totally contrary to planning policy. The history of this site indicates this has always been their preferred option (see below) The investment over a potentially long-term before connection to the Northampton Loop line appears to be a risk worth taking, especially if eave heights can be increased to give extra capacity to the units to help finance it. This makes a mockery of national policy.

The uncertainty over the capacity of the WCML to accommodate a SRFI at this location would have been known. The Applicant is an experienced developer, having developed East Midlands Gateway, and would have carefully assessed the implications of constructing the rail infrastructure and being unable to make the final rail connection for some time. The Congested Infrastructure Code of Practice was developed to meet Regulation 28 'Capacity Enhancement Plan' of the Railways (Access, Management and Licensing of Railway Undertakings) Regulations, 2016, and the latest Network Rail Capacity Report (May 2021), in updating capacity availability, appears to confirm the situation that has always existed – that capacity will not be available until after HS2 is commissioned. The Applicant would have been well aware of this and a strategy appears to be emerging to operate Northampton Gateway as a road-based logistics hub with increased capacity to finance the required rail infrastructure over a longer term.

The NSPNN section of the Planning Act 2008 states:

*Para 2.44. The aim of SRFIs 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.*

*Para 4.88 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.*

The reason for the Condition to require the rail terminal connection to be fully functional prior to occupation of the first unit was obviously to prevent occupation by companies not requiring rail servicing. The history of the site suggests this was a wise condition:

In December 2014, the Applicant (then known as Roxhill) made an application to South Northants Council (SNC) for a 2.7m sq ft National Distribution Centre for Howdens Joinery. This company had little or no requirement for rail access, distributing to their circa 600 stores daily by HGV. Their Supporting Statement to SNC made this statement on page 8, Why Northampton, last paragraph: *If the company does not have confidence that this will be delivered in Northampton within an appropriate timescale then a relocation away from the town is accepted as being necessary, even if it would be deeply regrettable.* It is interesting to note that, 8 years later, the company is still in Northampton although with an additional facility locally in a Roxhill property in Raunds.

Also in December 2014, the Applicant made a request to the ExA for the West Northamptonshire Joint Core Strategy to zone this site for development. It was turned down as it was considered inappropriate in open countryside and the company was directed to J16 and DIRFT, the largest SFRI in the UK and still expanding, only 18 miles up the M1.

In June 2015, Howdens withdrew their application as it was unlikely to be approved.

In January 2016 Roxhill received approval for their East Midland Gateway SRFI.

In November 2016, Roxhill commenced pre-application community consultations for Northampton Gateway.

In October 2019 the DCO for Northampton Gateway was granted

Is Howdens waiting in the wings? A requirement for 2.7m sq.ft of industrial units would represent in excess of 50% of the NG site – a useful contribution.

Para 5.10 of the Application Statement (TR050006-001352) states: *While it may at face value seem counter-intuitive, without the rail terminal operational traffic levels associated with the site will reduce compared to the levels expected with the terminal in operation. This is because the rail terminal is itself a traffic generator (see below) and a delay to the opening of the rail terminal would mean that the full traffic generation of the development will not be realised in the shorter term.*

The claim that the absence of the rail terminal will result in reduced traffic is disingenuous. The statement *in the shorter term* is patently obvious, but the real issue is the longer term. The whole purpose of a rail terminal is to reduce HGV traffic. If it is not operational it stands to reason that the rail traffic will be replaced by road traffic. The developer made this statement in the application for the DCO: *instead of goods destined for Northampton arriving on HGV having travelled from Felixstowe on the A14 and then the A45, the containers may be transferred to the region by rail, arriving at Northampton Gateway SRFI to then be distributed from Northampton Gateway SRFI to the local area by HGV* (ES-TR App 12.1–TA App 7– TN3, para 2.3) and para 4.7 advises that HGV traffic will be split 70% national and 30% regional.

In their application for the DCO, the Applicant's forecast of daily traffic movements was 16,531 daily including 4245 HGVs, 25% of the total. Without a rail connection this would double to 50%. Increased warehouse heights to accommodate additional mezzanines, and therefore more goods, would increase these volumes further. The impact of this on the local road system would be sufficient to require a new Environmental Impact Assessment.

Traffic generation is a concern to West Northants Council Highways Authority as reported in the Application Statement Appendices, Appdx A, May 2022 (TR050006-1356) with this Recommendation:

*Before support for this proposal can be considered, WNC requires a new Transport Assessment be submitted as detailed. The scope should be agreed in advance to avoid misunderstanding and abortive works. The Applicant should also contact National Highways and the Planning Department regards the proposal. For information, WNC will be approaching NR directly to discuss their proposed work programme.*

The Applicant has been advertising 30-metre eave heights on their website (since removed) with a build time of 15 months, despite the limitation imposed by the DCO of 18 – 21 metres, and since increased to 26 metres.

SEGRO DOC Change-Application Statement, para 3.5 claims: *The change sought to the Northampton Gateway DCO would allow the ability to occupy 232,260 sq.m of warehousing (equivalent to 37% of the total) built pursuant to the DCO prior to the rail terminal being operational.* This represents 50% of the total approved 488,000 sq.m. of ground floor area NOT 37%, which would be 173,160 sq.m. The reasoning behind claiming this to be 37% is open to conjecture.

In para 3.6 Segro claim: *All promoters of SRFI DCO encounter scepticism as to the genuine intention of the promoter to provide the rail terminal and every SRFI DCO Examination has had to address this. From the table in paragraph 3.4 above it can be seen that it has not been thought appropriate to respond by preventing any occupations in advance of the rail terminal being operational.*

However, Segro have conveniently omitted the Secretary of State's refusal of an appeal in 2018 by the same developer for a rail-connected site which had a condition to meet GRIP stage 7 before any of the development could be occupied. This was prior to the approval of Northampton Gateway.

**Report APP/D5120/W/17/3184205 and APP/T2215/W/17/3184206  
APPEALS BY ROXHILL DEVELOPMENTS LIMITED  
AGAINST THE DECISIONS OF  
THE LONDON BOROUGH OF BEXLEY, AS DIRECTED BY THE MAYOR OF  
LONDON, AND DARTFORD BOROUGH COUNCIL**

**Land adjacent to the Southeastern Train Depot, Moat Lane, Slade Green, Erith, Kent, DA8 2NE**

**Appendix 4, Conditions, Item 6.1, p212:** No part of the development shall be occupied or brought into use until the Rail Works have been progressed to the end of GRIP Stage 7- Scheme Handback (or equivalent), are ready to be brought into use and the developer has informed the local planning authority that it has satisfied the requirements to reach the end of GRIP Stage 7.

TR050006-001291 Recommendation to the Secretary of State for Transport by the Planning Inspectorate, para 11.4.97 – 101 records discussion on early occupation of units prior to the completion of the rail connection and the submission that the NPSNN reasoning for the condition was *to stop the system from being "used"*. 11.4.101 states: *At the Proposed Development, 140,400 m2 is 30% of the*

*floorspace excluding mezzanines and 22.5% of the total floorspace.* The inclusion of the mezzanines in the calculation of total floorspace indicates the importance to giving greater clarity to what should be permissible. Uncontrolled storage space means uncontrolled traffic movements which, in turn, impacts on the carbon footprint and associated pollution generated by the site.

I recognise that construction is at an advanced stage and, if the Secretary of State is minded to approve some adjustment to the Condition, then the total allowable floor space, including mezzanines, of 20% should be the absolute limit prior to the commissioning of the rail connection and completion all off-site road works, as specified in the DCO, prior to any occupation of units. A condition of such approval should be that no further such amendments will be allowed.

Yours sincerely,

Alastair Inglis

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Copies to:

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Dame Andrea Leadsom MP: [REDACTED]

WNC Towcester & Roade Ward, South Northamptonshire Local Area Planning Committee, Cllr Maggie Clubley: [REDACTED]

WNC Towcester & Roade Ward, Place Overview and Scrutiny Committee, Cllr Louisa Fowler:

[REDACTED]

WNC Towcester & Roade Ward, Council, Cllr Lisa Samiotis: [REDACTED]

Roade Parish Council: [REDACTED]