

BLISWORTH PARISH COUNCIL

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Date: 07/02/2023

Your ref: **Planning Act 2008 (as amended) Application For a Non-Material Change to the Northampton Gateway Rail Freight Interchange Development Consent Order 2019.**

Request for Comments from all Interested Parties. The Secretary of State invites comments from any Interested Party on the representations received.

I refer to the application made by SEGRO (Junction 15) Limited (previously Roxhill (Junction 15) Limited) (“the Applicant”) dated 8 August 2022 seeking a change to the Northampton Gateway Rail Freight Interchange Development Consent Order 2019 (“the Application”).

The Application was published on 10 August 2022 and the Secretary of State initiated a consultation on the Application on the same day. The deadline for representations on the Application was 26 September 2022. The representations submitted in response to the consultation were published on 11 November 2022.

The Secretary of State has published a submission from the Applicant dated January 2023 which sets out their response to the representations on the Application. The Secretary of State has invited any Interested Party to respond to any of the points raised in this submission.

We note that the time allowed for further response is very short; nevertheless, Blisworth Parish Council has carefully considered the response from the applicant to representations about their application. The council responded to the original application on 22 September 2022, strongly objecting to the proposal that a substantial proportion of the warehouse space be used commercially in advance of the rail terminal being operational. In our response we detailed six areas of concern regarding the proposal.

We consider that many of the applicant’s responses to our concerns to be without merit. We have summarised below our six original concerns and whether we consider the applicant’s response to adequately addresses them:

1. We considered that the condition precluding commercial operation before the rail terminal was available was an important response to

concerns that SFRI status was just a device to obtain permission to build road-served warehouses that would not have got permission from the local Planning Authority. Whilst we accept that SEGRO has shown commitment to construct the parts of the rail terminal that do not require a “possession” of the railway, we still believe that it is appropriate that the condition is maintained to keep the incentive for SERGO and Network Rail to complete the terminal, and as a demonstration to the logistics industry that SFRI is not a “back door” strategy to side-line local planning.

2. We were concerned about traffic; specifically, goods traffic using local roads which was not considered in the original traffic assessment. The applicant’s response is merely a reiteration of their previous assertions and relate only to trunk roads. We still consider that local traffic impacts need to be considered.
3. We remain concerned about the message that agreement to the DCO variation will send to the industry. Our concern is driven by the threat that the (now withdrawn) “Rail Central” SFRI adjacent to Northampton Gateway may be resurrected if DCOs can be flexible in the face of rail connection issues. This concern is not addressed in the Applicant’s response.
4. We commented that the need for the DCO variation seemed to be driven by their commercial strategy of building bespoke warehouses. In their response, SEGRO assert that this is their usual strategy. That may be so, but changing their strategy in the face of rail connection delay must also be an option for them.
5. In their response, SEGRO assert that their position remains that the change is “non-material”. In our original comments we suggested that the Secretary of State might regard the application as undermining the Government’s strategy on developer led SFRI. As such, we still believe that there are important national issues that should be examined. This could not be achieved through agreeing non-material status. In addition, SEGRO assert in their response that the weight of objection should not be a factor in determining a material change. We disagree. There is no legal definition of what makes a change material or not, although there is guidance. We wonder if the Planning Inspectorate has ever had such a large response to a non-material application? We believe the Secretary of State should take into account the strength of local feeling as evidenced by the volume and range of objections that have been received.

6. We commented that the draft amendment to the DCO deleted the requirement for train lengths and frequency. We note SEGRO's response that this requirement is reflected elsewhere in the DCO. We also note that the change aimed at requiring the Local Planning Authority to permission future variations has now been withdrawn.

In conclusion, we continue to have grave reservations about changing the DCO. We believe the application should be refused, or at minimum it be given "material" status.

Yours sincerely,

Angela Billing
Clerk to Blisworth Parish Council
On behalf of Blisworth Parish Council