

2023 No. 418

INFRASTRUCTURE PLANNING

**The Northampton Gateway Rail Freight Interchange
(Amendment) Order 2023**

Made - - - - *6th April 2023*

Coming into force - - *7th April 2023*

An application has been made under paragraph 2 of Schedule 6 to the Planning Act 2008(a) to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(b) for a non-material change to the Northampton Gateway Rail Freight Interchange Order 2019(c).

The Secretary of State, having considered the responses to the publicity and consultation carried out in accordance with regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make this Order amending the Northampton Gateway Rail Freight Interchange Order 2019.

The Secretary of State, in exercise of the powers conferred by paragraph 2 of Schedule 6 to the Planning Act 2008, makes the following Order—

Citation and commencement

1. This Order may be cited as the Northampton Gateway Rail Freight Interchange (Amendment) Order 2023 and comes into force on 7th April 2023.

Amendment of The Northampton Gateway Rail Freight Interchange Order 2019

2.—(1) The Northampton Gateway Rail Freight Interchange Order 2019 is amended as follows.

(2) In article 2(1) (interpretation), in the appropriate alphabetical place, insert—

““rail infrastructure plan” means the plan of that description referred to in Schedule 16 and certified as the rail infrastructure plan by the Secretary of State for the purposes of this Order;”.

(3) In Schedule 2 (requirements), in paragraph 3 (components of development and phasing) for sub-paragraph (3) substitute—

(a) 2008 c. 29. Paragraph 2 of Schedule 6 was amended by paragraph 4(6)(a) of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraph 72 of Schedule 13 and Part 20 of Schedule 25 to the Localism Act 2011 (c. 20) and by section 28 of the Infrastructure Act 2015 (c. 7).

(b) S.I. 2011/2055, amended by S.I. 2012/635, S.I. 2012/2654, S.I. 2012/2732, S.I. 2013/522, S.I. 2013/755, S.I. 2015/377, S.I. 2015/760, S.I. 2015/1682, S.I. 2017/314, S.I. 2017/524, S.I. 2018/378, S.I. 2019/734, S.I. 2020/764, S.I. 2020/1534, S.I. 2021/978 and S.I. 2022/634.

(c) S.I. 2019/1358 was corrected by S.I. 2020/1670.

“(3) There is to be no occupation of any of the warehousing until the undertaker has completed the rail infrastructure within the area coloured pink on the rail infrastructure plan. On completion of the rail infrastructure, no more than 232,260 square metres of the warehousing is to be occupied (including any warehouse erected pursuant to the planning permission reference WNS/2021/1860/MAF(a), as amended) until both of the connections to the West Coast Main Line railway have been constructed and commissioned sufficient for the rail terminal to be operational.”.

(4) In Schedule 16 (certification of plans and documents), at the end of the table insert—

“The rail infrastructure plan - NGW-BWB-GEN-XX-SK-C-SK315-S2-P01”

Signed by authority of the Secretary of State for Transport

6th April 2023

Natasha Kopala
Head of the Transport and Works Act Orders Unit
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Northampton Gateway Rail Freight Interchange Order 2019, a development consent order under the Planning Act 2008.

This Order follows an application under paragraph 2 of Schedule 6 to the Planning Act 2008 for a non-material change to allow for changes to the phasing of the occupation of warehousing space for the authorised development.

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(a) Planning permission WNS/2022/1860/NMA was granted on 27 January 2022 by the West Northamptonshire Council as the local planning authority for the erection of a warehouse development on Plot 7 within Zone A4 of the Development with a permitted gross floorspace of 265,000 square metres. A subsequent non-material amendment to the original permission, WNS/2022/1633/NMA, was granted by the Council which authorised a reduced floorspace of 215,000 square metres.

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