



Department for Transport

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2 October 2025

Dear Sir or Madam

PLANNING ACT 2008

APPLICATION FOR A NON-MATERIAL CHANGE TO THE NORTHAMPTON GATEWAY RAIL FREIGHT INTERCHANGE ORDER 2019

1. I am directed by the Secretary of State for Transport ("the Secretary of State") to say that consideration has been given to the non-material change application ("the Application") by Eversheds Sutherland (International) LLP on behalf SEGRO (Junction 15) Limited (previously Roxhill (Junction 15) Limited) ("the Applicant") made on 6 May 2025 seeking an amendment to the Northampton Gateway Rail Freight Interchange Order 2019 (S.I. 2019/1358) ("the 2019 Order"). The Application was made under paragraph 2 of Schedule 6 of the Planning Act 2008 ("PA08"). This letter is the notification of the Secretary of State's decision in accordance with regulation 8 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (as amended) ("the 2011 Regulations").
2. The 2019 Order was granted on 9 October 2019. The Northampton Gateway Rail Freight Interchange (Correction) Order 2020 (S.I. 2020 No. 1670) was made on 6 October 2020 which corrected errors in the 2019 Order. The Northampton Gateway Rail Freight Interchange (Amendment) Order 2023 (S.I. 2023 No. 418) was made on 6 April 2023 which amended the 2019 Order to allow for changes to the phasing of the occupation of warehousing space for the authorised development.
3. The Development site is adjacent to Junction 15 of the M1 in Northamptonshire and the 2019 Order allows for the construction and operation of a new Strategic

Rail Freight Interchange and associated infrastructure (collectively referred to as 'the Development') including:

- up to 468,000 sq.m of warehousing and ancillary buildings, with additional floorspace of up to 155,000 sq.m provided in the form of mezzanine floor space;
 - a new rail freight terminal and new rail infrastructure with connections to the Northampton Loop of the West Coast Main Line railway;
 - highways infrastructure and improvements including an upgrade to Junction 15 of the M1 motorway, improvements to the A508 including works to deliver a new site access, and a bypass to the village of Roade; and
 - other on and off-site infrastructure to enable the site to be developed and occupied as consented, including earthworks and landscaping on-site, and a range of off-site highways improvements.
4. In the Applicant's original application submitted to the Secretary of State on 6 May 2025, a change was sought to the 2019 Order to allow for an additional 111,483 sq.m of mezzanine floorspace on the site. The proposed change would require the following changes to the site's access infrastructure (A508 roundabout):
- works to signalise the A508 southbound entry-arm to the roundabout;
 - relocation of controlled pedestrian crossing; and
 - relocation of the maintenance hardstanding within the central island of the roundabout.
5. The Applicant proposed a new works package (Works No. 7A) to deal with the access amendment.
6. On 11 July 2025, the Applicant submitted a revised non-material change application which removed the minor highway improvement proposals and withdrew the following documents:
- The new Works Plan sheet 8 (Document 2.2H) and updated Key Plan (Document 2.2).
 - The new Highway General Arrangement Plan sheet 7 (Document 2.4V) and updated Key Plan (Document 2.4). This means that the only change that is required to the DCO is the amended Parameters Plan.
7. Within this letter, all references to the Application are to the revised Application submitted on 11 July 2025 unless clearly stated otherwise.

Summary of Secretary of State's Decision

8. The Secretary of State has decided under paragraph 2(1) of Schedule 6 to the Planning Act 2008 to make a non-material change to the 2019 Order as amended in 2023 to authorise the change detailed in the Application.

Consideration of the Materiality of the Proposed Change

9. The Secretary of State has considered whether the Application is for a material or non-material change. In doing so, she has had regard to paragraph 2(2) of Schedule 6 to the PA08 which requires the Secretary of State to consider the effect

of the change, together with the previous change, on the 2019 Order as originally made.

10. There is no statutory definition in the PA08 or the 2011 Regulations of what constitutes a 'material' or 'non-material' change for the purposes of Schedule 6 to the PA08 and Part 1 of the 2011 Regulations.

11. The former Department for Communities and Local Government's Planning Act 2008: Guidance on Changes to Development Consent Orders (December 2015) ("the Change Guidance") makes the following points:

- Given the range of infrastructure projects that are consented through the PA08, and the variety of changes that could possibly be proposed for a single project, the Change Guidance cannot, and does not attempt to, prescribe whether any particular types of change would be material or non-material and such decisions will inevitably depend on the circumstances of the specific case.
- Certain characteristics may indicate that a change is more likely to be material. As a starting point, the guidance suggests that, as a result of the proposed change, a requirement to update an environmental statement to take account of new or materially different significant effects on the environment, the authorisation of compulsory acquisition powers over additional land, the need for a new Habitats Regulation Assessment ("HRA"), and the level of the potential impact on local people are examples of characteristics which would make a change more likely to be material.
- Although the above characteristics indicate that a change to a consent is more likely to be treated as a material change, these only form a starting point for assessing the materiality of a change. Each case must depend on thorough consideration of its own circumstances.

12. The Secretary of State has considered the change proposed by the Applicant against the four matters listed in the second bullet point in paragraph 11.

(a) Environmental Statement

The Secretary of State has considered whether the Application would give rise to any materially new or materially different likely significant effects when compared to the effects set out in the Environmental Statement submitted in support of the application for the 2019 Order. The Secretary of State has considered the nature of the change sought by this Application, and notes that the West Northamptonshire Council ("WNC") agreed with the Applicant's conclusions that the change would not lead to any other new or increased environmental impacts beyond those considered and permitted under the original Order. Having considered the application and the consultation responses, the Secretary of State finds that there will not be any materially new or materially different likely significant effects when compared to the effects set out in the Environmental Statement submitted in support of the authorised Development. She therefore considers that there is no requirement

to update the Environmental Statement. Since there are no new significant environmental impacts as a result of the Application, the Secretary of State does not consider that there is any need for consultation on likely significant transboundary effects in accordance with regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

(b) Habitats Regulations Assessment

The Secretary of State has considered her obligations as set out in the Conservation of Habitats and Species Regulations 2017 (“the Habitats Regulations”). The Habitats Regulations require the Secretary of State to consider whether the change to the Development would be likely either or in combination with other plans and projects, to have a significant effect on a protected site, as defined in the Habitats Regulations. If likely significant effects cannot be ruled out, then an Appropriate Assessment must be undertaken by the Secretary of State, pursuant to regulation 63(1) of the Habitats Regulations, to address potential adverse effects on site integrity. The Secretary of State may only agree to the Application if she has ascertained that it will not adversely affect the integrity of the protected sites within the National Site Network. The Secretary of State has considered the information submitted in the Application and the comments of consultees, the latter of which are dealt with in more detail below. The Secretary of State is satisfied that the proposed change does not alter the Secretary of State’s conclusion set out in paragraphs 72 and 73 of the 9 October 2019 decision letter in that the Development does not lead to a likely significant effect on any protected sites or their qualifying features, and therefore she considers that it is unnecessary for her to carry out an appropriate assessment under the Habitats Regulations.

(c) Compulsory Acquisition

The Secretary of State notes that the Application would not authorise the compulsory acquisition of land, interest in or rights over land that was not authorised by the 2019 Order. The Secretary of State is therefore satisfied that these matters do not raise any issues of materiality in relation to the proposed changes.

(d) Impacts on local people

The change does not authorise any alteration to the external appearance or height of the development. Therefore, the Secretary of State concludes that local people will not experience a change in the environment or in amenity as a consequence of the proposed change and as such the change would not result in a Development inconsistent with the 2019 Order. She is also content that, given no change is anticipated to the impacts already assessed in the Environmental Statement submitted in support of the application for the 2019 Order, the potential impacts on local people and businesses are no greater than those that arise from the Development permitted by the 2019 Order.

13. For the reasons explained in paragraphs 12, 25 & 39-41 the Secretary of State is satisfied that the change sought by the Applicant is not material and should therefore be dealt with under the procedure for non-material changes.

Consultation

14. The Applicant publicised the original Application in accordance with regulation 6 of the 2011 Regulations and on 8 May 2025, consulted the persons required by regulation 7 of the 2011 Regulations in the manner prescribed. The deadline for the receipt of representations on the original Application was 12 June 2025.
15. The original Application was made available on the Planning Inspectorate's website on 8 May 2025 so that there was an opportunity for anyone not notified to also submit representations to the Planning Inspectorate.
16. The revised Application was made available on the Planning Inspectorate website on 23 July 2025. The Secretary of State issued a consultation letter on 23 July addressed to the Applicant and West Northamptonshire Council in response to the revised application submitted by the Applicant. The deadline for receipt of representations was 6 August 2025.
17. The responses from WNC and the Applicant were published on the Planning Inspectorate website on 8 August 2025.
18. The Secretary of State has considered the representations received in response to the consultation and the Applicant's response and does not consider that any further information needs to be provided by the Applicant or that further consultation of those already consulted is necessary.

Consultation responses

19. A total of fifteen responses were received and published on the Planning Inspectorate's website during the consultation period for the original Application submitted on 6 May 2025. A further 3 responses were received during the consultation period of the revised Application, in which the Secretary of State specifically requested comments from the Applicant and West Northamptonshire Council.
20. The Secretary of State's consideration of the representations submitted by Interested Parties is summarised below.

Traffic and Highway Safety

21. Several Interested Parties raised concerns regarding traffic generation and the highway safety impacts resulting from the proposed increase in mezzanine floor space. The Secretary of State has considered the concerns raised on traffic and highway safety to the original non-material change application and notes that the key concerns relate to:
 - The impact from the additional traffic on the existing poor condition of local roads; and
 - Increased congestion levels and safety risks from road traffic travelling through Collingtree and Blisworth village.

22. The Secretary of State also notes that in its response of 6 June 2025 to the original non-material change application, West Northamptonshire Council (“WNC”) raised concerns on the use of the 2018 Transport Assessment, the use of an isolated LinSig model, lack of a reference to the current version of the Northamptonshire Strategic Transport Model (“NSTM”), and the absence of fully updated Road Safety Audit data. She also notes that National Highways indicated in its response of 22 May 2025 that the operation of the M1 Junction 15, was unlikely to be materially affected and raised no objections. The Secretary of State has considered the impacts on traffic and highway safety from the revised application later in this letter.

Environmental and Local Amenity Impacts

23. The Secretary of State notes that Collingtree Parish Council raised concerns on the potential increase of noise and air pollution and the impact on local residents. An Air Quality and Noise Impacts Technical Note was submitted by the Applicant in Appendix 7 of its Application Statement original Application, which concluded that the increase in traffic would not result in any new, or materially different, likely significant effects on the environment with respect to air quality. It also concluded that while there would be minimal increases in road traffic and operational noise as a result from the change, there would be no new, or materially different, likely significant effects on the environment.
24. The Secretary of State notes that in its response to the Applicant on 30 April 2025, WNC’s Environmental Protection team confirmed that they were happy with the content and accepted the findings of the Technical Note. The Secretary of State also notes that in its response of 10 June 2025, the Forestry Commission confirmed it had assessed the changes to the original Application and considered that there would be no additional environmental effects. In its response of 14 May 2025, Natural England also set out that it had no comments to make on the original Application. The Secretary of State has considered the responses submitted and is satisfied that the proposed change would not lead to any materially new or materially different environmental effects. She also considers that as the revised Application removes the proposed highway works, she is satisfied that the environmental conclusions reached would not differ.

Procedural and Materiality Concerns

25. The Secretary of State notes that several interested parties were concerned that the scale of the increase in mezzanine floor space could constitute a material change to the DCO, requiring a more formal consultation and assessment. As set out above, the Secretary of State has considered the materiality of the proposed change. While she notes the concerns raised by Interested Parties, she also notes that the proposed change would not alter the external appearance or height of the development, nor result in any additional impacts to the environment, habitats and protected species, local residents and businesses and would require no new compulsory acquisition powers. She is therefore satisfied that the change sought by the Applicant is not material and has considered the application under the non-material change procedure.

Revised Non-Material Application

26. In response to the revised non-material change application submitted by the Applicant on 11 July 2025, the Secretary of State issued a consultation letter inviting comments from West Northamptonshire Council on the revised application and the Applicant's updated impact assessment.
27. As previously noted, the Applicant removed the previously proposed highway works in its revised Application, having concluded that they were no longer necessary. This conclusion was based on updated modelling which indicated that the A508 would be able to accommodate greater traffic flows than originally forecasted, including the additional traffic associated with the proposed non-material change, following the granting of the original DCO.
28. In section 2.2 of WNC's Highway Authority's Technical Note, it raised concerns regarding the Applicant's application of a 50% reduction factor in assessing trip generation from the increased mezzanine space in that it had not been suitably justified. The Applicant set out that as mezzanine space typically generates 50% fewer vehicle trips than conventional floor space, it therefore considers the reduction approach to be justified. The Secretary of State notes that WNC does not consider this justification to be robust, noting the dissimilarities between the application site and the reference sites used by the Application for comparison. She also notes that WNC requested further justification of the 50% trip rate from the Applicant.
29. WNC accepted the Applicant's use of the latest National Transport Survey Model ("NTSM") data on background flows and agreed that the A508 roundabout and M1 Junction 15 could accommodate the revised trip scenarios. The Secretary of State notes that as WNC did not agree with the Applicant's 50% reduction trip rate approach, the Applicant conducted sensitivity testing using a 100% trip rate referred to as scenario (c) in section 2.3 of its response. Section 2.5 set out that the testing conducted demonstrated that the A508 roundabout would remain below operational capacity (0.87, below the 1.0 threshold). Although WNC found that M1 Junction 15 remains in over-capacity, it considers the incremental impact attributable to the mezzanine expansion to be negligible.
30. The Secretary of State agrees with WNC that as the mezzanine floor space is far greater in the application site than the site that the Applicant surveyed, the comparison of trip rates is not comparable. She therefore agrees with WNC's conclusion that the 50% reduction rate used by the Applicant has not been sufficiently justified or evidenced. While WNC requested further justification from the Applicant on 50% reduction approach, the Secretary of State considers that, given the sensitivity testing undertaken at a 100% trip rate demonstrated that the change would not result in a significant adverse impact on the operational performance of the junctions, it is not necessary to undertake further consultation on the 50% reduction factor.
31. In accordance with paragraph 116 of the National Planning Policy Framework (December 2024), WNC set out under scenario (c) that it does not consider the non-material change application to result in an unacceptable impact on highway safety or a residual cumulative impact on the operation of the local highway

network that would be considered severe. The Secretary of State sees no reason to disagree with this.

32. The Secretary of State notes that while WNC does not object to this application, it considers that the updated versions of the following documents should be secured to reflect the revised application:
- Travel Plan
 - Service and Delivery Management Plan
 - Car Parking Design and Management Plan
 - Construction Traffic Management Plan.
33. The Secretary of State notes that in its response of 7 August 2025, the Applicant set out that it does not consider that any amendments to the DCO are required in this regard since these matters are already secured in the original DCO.
34. The Secretary of State has considered this matter and notes that there is no reference to the Service and Delivery Management Plan, Car Parking Design and Management Plan and Construction Traffic Management Plan within the 2019 Order or the Application documents. In those circumstances, she does not consider it necessary or proportionate to secure updated version of those documents, particularly where they were neither secured as part of the original DCO. She also notes that the Framework Travel Plan is secured as appendix 1 to the transport assessment, as part of Appendix 12.1 of the Applicant's Environmental Statement. Under requirement 4 of Schedule 2 to the DCO, the provisions of the framework Travel Plan may be varied under agreement with the transport working group. Having regard to this mechanism, she does not consider it appropriate or necessary to secure an updated version as part of the DCO. Nonetheless, she strongly encourages the Applicant to ensure that all relevant post-consent documents reflect the final design and operation of the Development.

General Considerations

Equality Act 2010

35. The Equality Act 2010 includes a public-sector equality duty. This requires a public authority, in the exercise of its functions, to have due regard to the need to (a) eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic (e.g. age; sexual orientation; sex; gender reassignment; disability; marriage and civil partnerships; pregnancy and maternity; religion and belief; and race) and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
36. The Secretary of State has had due regard to the need to achieve the statutory objectives referred to in section 149 of the Equality Act 2010, and is satisfied that there is no evidence that granting the changes will affect adversely the achievement of those objectives.

Human Rights Act 1998

37. The Secretary of State has considered the potential infringement of human rights in relation to the European Convention on Human Rights by the proposed changes to the 2022 Order. The Secretary of State considers that the grant of the Application would not contravene any human rights as enacted into UK law by the Human Rights Act 1998.

Natural Environment and Rural Communities Act 2006

38. In making a decision on the Application for the proposed changes to the 2022 Order, the Secretary of State has had regard to the purpose of conserving and enhancing biodiversity and, in particular, to the United Nations Environmental Programme Convention on Biological Diversity of 1992 in accordance with the duty in section 40(1) of the Natural Environment and Rural Communities Act 2006 as amended by section 102 of the Environment Act 2021. The Secretary of State notes that there will be no new environmental effects as a result of the Application, and as such considers that no further action regarding the conservation and enhancement of biodiversity is required.

The Secretary of State's overall conclusion and decision

39. The Secretary of State has considered the nature and effect of the proposed change, noting that it would have no materially new or materially different likely significant environmental effects from those already assessed. She is satisfied that the conclusions of the Environmental Statement submitted in support of the application for the 2019 Order remain unchanged, and notes that no new powers of compulsory acquisition are sought.

40. The Secretary of State is content that none of the specific indicators referred to in the Change Guidance, or other relevant considerations, suggest that the change sought by the Applicant is a material change and is satisfied that the proposed change requested by the Applicant is not a material change to the 2019 Order.

41. The Secretary of State has considered the Application, the matters set out in the Change Guidance and the consultation responses received. For the reasons set out in this letter, she is content that the increase in mezzanine space is appropriate and none of the specific indicators referred to in the Change Guidance, or other relevant considerations, suggest that the change sought by the Applicant is a material change and is satisfied that the change requested by the Applicant is not a material change to the 2019 Order. The Secretary of State has therefore decided under paragraph 2(1) of Schedule 6 to the 2008 Act to make a non-material change to the 2019 Order so as to authorise the change sought by the Applicant.

Challenge to the decision

42. The circumstances in which the Secretary of State's decision may be challenged are set out in the note attached to the Annex to this letter.

Notification of decision

43. The Secretary of State's decision on this Application is being notified as required by regulation 8 of the 2011 Regulations.

Yours faithfully,

Marco Picardi

ANNEX

LEGAL CHALLENGES RELATING TO DECISIONS MAKING CHANGES TO DEVELOPMENT CONSENT ORDERS

Under section 118 of the Planning Act 2008, a decision under paragraph 2(1) of Schedule 6 to the PA08 to make a change to an Order granting development consent, can be challenged only by means of a claim for judicial review. A claim for judicial review must be made to the High Court during the period of 6 weeks beginning with the day after the day on which the Order making the change is published. The Northampton Gateway Rail Freight Interchange (Amendment) (No.2) Order 2025 is being published on the Planning Inspectorate website at the following address:

- <https://national-infrastructure-consenting.planninginspectorate.gov.uk/projects/TR050006>

These notes are provided for guidance only. A person who thinks they may have grounds for challenging the decision to make the Order referred to in this letter is advised to seek legal advice before taking any action. If you require advice on the process for making any challenge you should contact the Administrative Court Office at the Royal Courts of Justice, Strand, London, WC2A 2LL (020 7947 6655).