

Judicial Review Judgement

Following a judicial review hearing at the High Court in June 2026, the presiding judge, Sir Peter Lane, has today delivered his judgement in relation to the proposed mega warehouse development by IM Properties. (NNC ref: NE/22/00698/OUT).

STAUNCH had brought the action on behalf of the community following a decision by North Northants Council to approve the development in November 2025.

Despite what STAUNCH still believe was a convincing case with which to challenge the original approval, the judge has dismissed the judicial review.

The case was based on five specific grounds:

Ground 1: That the council failed to lawfully to assess whether the proposed replacement habitat situated at Lilford Hall Estate was a mitigation measure or a compensation measure;

Ground 2: Failing to take it into account that the owner of the proposed replacement habitat had been reported to both the Environment Agency and the Council for burying and burning rubbish on land adjacent to the proposed replacement habitat;

Ground 3: Failing to take into account the express statement in the Council's Special Protection Area Supplementary Planning Document ("SPA SPD") that "providing new habitat outside the SPA boundary" was compensation, not mitigation;

Ground 4: Failing lawfully to assess the effects of the Development in-combination with other local development, including (but not only) that of the Castle Manor Farm site; and

Ground 5: Failing to give reasons why the proposed replacement habitat constituted mitigation not compensation and/or why the Council was satisfied beyond reasonable scientific doubt that the Development would not adversely affect the SPA's integrity.

Kevin Shapland, Chair, STAUNCH said;

"STAUNCH are obviously extremely disappointed by the outcome of the case which does nothing to stem the tide of warehouse development in the Upper Nene Valley, and their impact on the environment and our communities. In my view, the hours of work carried out by our dedicated team of volunteers, working closely with our legal team, could not have presented a stronger case."

"We will continue to work on behalf of the Upper Nene Valley, and we would like to extend our thanks to all those that continue to support us."

Having reviewed the judgement, our legal team believe that there are strong grounds for appeal in relation to the judge's approach to grounds 2 and 4. We have already submitted an application to the court for leave to appeal, and we are continuing with our fund raising to continue our efforts to protect the Upper Nene Valley for all and allow us to challenge this decision in the Court of Appeal.

The full judgement can be viewed via the following link:

<https://caselaw.nationalarchives.gov.uk/ewhc/admin/2026/1962>