



## Meeting note

<b>Project name</b>	<b>East Midlands Gateway Phase 2</b>
<b>File reference</b>	<b>BC0410001</b>
<b>Status</b>	<b>FINAL</b>
<b>Author</b>	<b>The Planning Inspectorate</b>
<b>Date</b>	<b>13 May 2024</b>
<b>Meeting with</b>	<b>Segro Properties Ltd</b>
<b>Venue</b>	<b>Microsoft Teams</b>
<b>Meeting objectives</b>	<b>Inception Meeting</b>
<b>Circulation</b>	All attendees/ additional contacts to share meeting note

### Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

The Inspectorate explained that the publication of the meeting note could be delayed up to six months, or until a formal scoping request had been submitted.

### Proposed Development

East Midlands Gateway Phase 2 has been identified as a Business and Commercial Development Project incorporating a logistics and manufacturing hub, including a substantial carbon neutral campus/ headquarters including co-located head office functions. The proposal is primarily on land south of the East Midlands Airport and it is one of the sites designated as part of the East Midlands Freeport.

The Secretary of State, on 21 February 2024, gave a direction under Section 35 of the Planning Act 2008 confirming that the proposal can be treated as a development of national significance and, as such, should be treated as a Nationally Significant Infrastructure Project to be taken forward via the Development Consent regime.

### Environment Impact Assessment and Scoping

As the Applicant had started down the Town and Country Planning Act 1990 application route, much of the supporting archaeological trenching and intrusive surveys are complete. A Scoping Opinion (SO) was adopted by the Local Planning Authority in 2022. The Applicant asked if the Inspectorate considered that a SO under [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations 2017 should also be sought](#). The Inspectorate noted that the project would not have a SO for the purposes of the Infrastructure EIA Regulations but that it is not mandatory for applicants to have one and it

is a matter for the Applicant to choose their approach. The Applicant noted that under the Infrastructure EIA Regulations more consultees are contacted, compared with the LPA SO, which may bring more responses. The Inspectorate advised that the Applicant will still be required to make a notification under Regulation 8 of the Infrastructure EIA Regulations, and this will need a shapefile to allow the identification of statutory consultees who the Inspectorate is obliged to consult. The notification must be received before the Applicant begins their consultation under s42 of the Planning Act 2008. The Inspectorate advised that the shapefile submitted with the application is shared with the Department for Levelling Up, Housing and Communities (DLUHC) and available in the public domain but may also be shared at the scoping stage. The Inspectorate took an action to confirm whether the shapefile for scoping is shared with DLUHC and in the public domain.

The Inspectorate asked if construction of East Midlands Gateway Phase 1 is complete. The Applicant confirmed that the last four acres are under development and the rail terminal is operational.

## **Stakeholder engagement to date**

The Applicant confirmed that it has been engaging with North West Leicestershire District Council, other relevant authorities, and parish councils, and has had extensive engagement in respect of the emerging local plan allocation. Further, the Applicant has engaged with relevant authorities and confirmed for the Inspectorate that this includes National Highways, Leicestershire County Council, and the Environment Agency.

The Inspectorate enquired about what highways works might be involved. The Applicant advised an additional lane and signalisation at Finger Farm roundabout and additional lanes at junction 24 of the M1 are currently anticipated, however refinement of the highway mitigation is ongoing.

## **Compulsory Acquisition**

The Inspectorate asked if there will be a need for Compulsory Acquisition (CA) at the project site. The Applicant confirmed that Segro Properties Ltd controls a large portion of the site and it is in continuing dialogue with the remaining landowners who control approximately a third of the site. The Applicant hopes to finalise agreements with landowners but confirmed that, unless all of the agreements are in place by submission, it proposes to include CA powers in its draft Development Consent Order.

## **Planned Programme**

Presently, the Applicant intends to conduct statutory consultation late summer / early autumn 2024 and submit in Quarter 1 2025. The Applicant was advised by the Inspectorate that Regulation 8 notification under s42 of the PA2008 must be publicised before commencing statutory consultation.

The Applicant queried if under the National Infrastructure Planning Reform Programme, it would be eligible to qualify as candidate for the fast-tracking pre-application service in the absence of a designated National Policy Statement (NPS) for business and commercial projects. A designated NPS is given as a “key determinant” for consideration of fast-track eligibility in the recently published DLUHC guidance. The Inspectorate reminded the Applicant that it is possible to shorten the consenting process without following a formal fast-track service, and asked the Applicant to consider, given the anticipated submission

timeline, whether fast-track is right for the project as this would only be available on the enhanced pre-application service tier and only available later this year. The Applicant explained that the driver for seeking a fast-tracked approach is that the Freeport tax designation window is limited to 2031, and the proposals aim to benefit from the designation. The Inspectorate advised it would provide further advice on eligibility following the meeting, and advised the Applicant that publication of the Pre-application prospectus that will provide more information and accompanying Frequently Asked Questions is anticipated very shortly.