



Meeting note

Project name	East Midlands Gateway Phase 2 and East Midlands Gateway Rail Freight Interchange Material Change
Case reference	BC0410001 and TR0510002
Status	Final
Author	Planning Inspectorate
Date of meeting	30 September 2025
Meeting with	SEGRO Properties Ltd and SEGRO (EMG) Ltd
Venue	Microsoft Teams
Circulation	All attendees

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 (PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

1. Section 51 Advice

The application for a Development Consent Order (DCO) and Material Change Order (MCO) were made on 28 August 2025. The applicant subsequently withdrew their applications on 22 September 2025. The table appended to this meeting note at Appendix A contains observations made during the review of the applications prior to withdrawal.

The basis of the meeting was to discuss the points raised in the table at Appendix A. All sections where clarification was sought by the applicant or advice provided by the Inspectorate are explained below.

Transport Assessment (items 1 - 5 of the appended table)

The Inspectorate identified within the transport assessment (TA), and also Chapter 6 of the Environmental Statement (ES), references to routes / links, however the precise location of these is not clear.

The applicant explained that it shall refine this information into smaller segments and provide further clarity regarding the 172 links identified. The Inspectorate noted that the applicant should make this information clear and comprehensible for all stakeholders.

The applicant asked for the Inspectorate to confirm what was meant by 'Ensure tables have appropriate identifiers'; given as a potential resolution to the issue identified. The Inspectorate advised that this point was in relation to Tables 25 and 26 of the TA in which the first column is titled 'Counter Location', but the information in these columns relates to timings. This is given as an example of the issue and is not an expansive review of all instances where inappropriate identifiers have been used.

The Inspectorate observed that the information given in figures 3.9, 3.10, 3.14 and 3.15 of Appendix 70 of the TA (Part 4) is also not clear.

The applicant stated that it proposes to separate out the images in Figures 3.9, 3.10, 3.14 and 3.15 to allow them to be provided at a larger scale for increased legibility.

The Inspectorate advised that this approach was acceptable, assuming that the relevant drawings clearly show the individual roads in question. The Inspectorate is concerned that roads located close together e.g. M1 and A453, running parallel to each other, are not clearly defined, and therefore the applicant should ensure appropriate clarity.

The applicant stated that plans would be amended to improve clarity.

Energy (items 6 & 7 of the appended table)

The Inspectorate observed that the need for the provision of photovoltaic (solar) panels is not set out in detail. The applicant explained that the need for photovoltaics is to meet the applicant's low carbon commitments, occupier demands and planning policy in relation to climate change as set out in the ES, Planning Statement and Design Approach Document (DAD). The applicant is revisiting the text within Chapters 19 of the ES, the Planning Statement and the DAD to make this explicit.

The Inspectorate is content with this approach.

Environmental Statement (ES) (items 8 - 10 of the appended table)

The Inspectorate observed that the parameters used to inform the assessment were unclear and it was difficult to understand the worst-case assessment that had been undertaken.

The Inspectorate observed that the applicant's project description did not refer to all the plans where parameters were provided, and that the parameters plan only showed the main site. The Inspectorate requested clarity on the parameters that have been included for assessment purposes, particularly to clarify what assumptions had been made in the assessment of works to existing utilities within the proposed development. It was unclear whether such works would take place within the parameters as provided.

The applicant stated it proposed to prepare a schedule of all parameters / limits of deviation (LoD), including relevant units of measurement for all elements of the proposed development. These would be presented in tabular form and included in the ES project description. The Inspectorate confirmed that this would help provide clarity on the parameters used for the assessment and where worst-case assumptions have been applied. The Inspectorate also advised that the applicant ensure all aspect chapters and other related assessments (such as the flood risk assessment) also take account of these changes. The Inspectorate agreed that these should be included in the project description.

The Inspectorate observed that the draft Development Consent Order (dDCO) Schedule 1 includes a list of 'further works' without explanation of why these works are considered to not give rise to likely significant effects and thus have not been assessed in the ES. The applicant is requested to provide justification as to why these works are considered to not give rise to likely significant effects. The ES should include reference to information on the scale and extent of these further works (and thus form part of the clarification on parameters and LoD). If those matters have also been agreed with relevant consultation bodies, confirmation should also be provided.

The applicant stated that the 'further works' referred to are constrained by the fact that they must not give rise to any likely significant effects beyond those assessed in the ES. If an item of work would result in likely significant effects beyond those already assessed, then it is not permitted despite appearing on the 'further works' list.

The Inspectorate advised that this approach should be made explicit and the dDCO constrained appropriately. Details on how this was assessed and how conclusions were reached would be helpful.

The Inspectorate noted that several ES aspect chapters did not present conclusions consistent with the stated methodologies. The Inspectorate advised the applicant to check that across the whole ES, it is possible to clearly relate the assessment conclusions to the definitions used in the methodology, both where the assessment refers back to ES Chapter 1 overarching methodology, or for any aspect-specific methodologies stated.

Energy and Design (items 11 - 14 of the appended table)

The Inspectorate noted what appears to be inconsistencies in the design life and need for decommissioning of various elements of the proposed development. Paragraph 19.2.2 of chapter 19 of the ES indicates that the decommissioning of the EMG2 project has not been assessed, as it is considered to be a 'permanent development'. Paragraph 5.5.99 of Chapter 5 of the ES states that in assessing the age of obsolete stock 'the age of obsolete stock has been assessed as either 30 or 40 years since construction or since the property was last refurbished'. The design-life of the individual buildings should be set out in chapter 3 (project description) of the ES, and thus whether they would, individually, be likely to be replaced. Any emissions associated with any demolitions, refurbishments and replacements should be assessed and reconciled within the document. This also related to the lengthy list of "further works" associated to the draft DCO under item 18 to the appended table, where it includes matters such as 'demolition' which is not necessary.

The applicant confirmed that the reference to decommissioning is in relation solely to existing 'obsolete stock' and that the proposal sought by the DCO does not have a designed end of life.

The Inspectorate observed that the assessment of the potential photovoltaics is unclear with regard to:

- the glint and glare safeguarding assessment (ES appendix 20A), which does not appear to consider the specifics of the proposed development and the potential extent of photovoltaics in relation to glint and glare.
- ES chapter 10 (landscape and visual impact), which does not consider the presence of photovoltaics in its assessment.

The applicant explained that the aerodrome safeguarding assessment is in Appendix 6.20C and makes provision for glint and glare from solar photovoltaics. The applicant will review and update that text and make any necessary consequential amendments to Chapter 10 of the ES and Schedule 13 of the dDCO in relation to protective provisions.

The Inspectorate advised that the applicant should assess all likely significant effects in respect to the proposed photovoltaics. This also applies to the assessment of effects for the Material Change application.

Substation (item 17 of the appended table)

The Inspectorate notes that the need for the substation extension is not set out in detail. The applicant should ensure that the need for the substation is fully addressed, and parameters provided within the application documentation. The ES and other assessments should also take account of the updated parameters and description of the substation.

The applicant responded that the need for the substation is to provide power to EMG2 and is set out in paragraphs 3.2.24 (Chapter 3) and 16.5.24 (Chapter 16) of the ES. The applicant will include additional parameters for the substation.

Draft Development Consent Order (item 18 of the appended table)

Observations and advice discussed in relation to item 12.

Flood Risk Assessment (items 19 - 23 of the appended table)

The Inspectorate noted that the applicant's information relevant to the FRA (flood risk assessment) is spread across several documents and advised the applicant to consider consolidating this information in one document for ease of reference and to ensure that flood risk assessment has been assessed for the proposed development as a whole. The Inspectorate also advised the applicant to consider the latest government guidance on flood risk and coastal change issued on 17 September 2025 in their update.

In relation to consultation responses in items 21 and 22 of the table, the Inspectorate advised the applicant that it wasn't always clear if the consultation bodies had seen all of the documents in relation to flood risk and that clarification on this point should also form part of any updated documentation.

Landscape and visual effects (item 35 of the appended table)

The applicant noted the Inspectorate's observation on the lack of certain site sections and night-time photomontages.

The applicant stated that nine images showing cross sections were included with the application in ES Appendix 6.10D (Illustrative Landscape Masterplan and Cross Sections) and asked if the Inspectorate could clarify what further images are required.

The Inspectorate acknowledges the documents provided in Appendix 6.10D and draws attention to the annotated drawing at the end of this document, which was provided after the meeting. Whilst two of the additional proposed sections depicted in the annotated drawing (shown in red) are in a similar location to the sections provided in Appendix 6.10D, the location of proposed additional sections extends further at either end of the proposed site. The Inspectorate stated that all sections should be at the same scale and for cross sections D and E to be produced at 1:500. The Inspectorate considers the night-time photomontages from both distant views, particularly high ground to the south, and closer views from Diseworth would be particularly useful. This should ensure assessment of occasions when there is significant water vapour in the atmosphere, for example, fog and mist.

The applicant stated that night-time photomontages would be provided and the Inspectorate agreed that these could be made available after acceptance and before examination

2. Material Change Order application (MCO)

Development Consent Order (DCO)

The applicant was advised to clarify Article 2(1)(a) “the undertaker” of the proposed changes to the EMG1 DCO (Doc MCO 3.4) identifies Roxhill (Kegworth) Limited as an undertaker. However, Companies House records show that SEGRO (EMG) Limited is the new name for Roxhill (Kegworth) Limited.

Explanatory Memorandum (EM)

The applicant was advised to review the MCO 3.2 Draft EM relating to MCO, as there is a discrepancy (typo) between the draft MCO and the draft EM relating to the MCO's requirement 28.

Draft Regulation 19 of the Infrastructure Planning (changes to, and revocation of, development consent orders) Regulations 2011 (as amended)

The applicant was advised to review the following in the notice:

- The use of draft ‘Development Consent Order’ instead of ‘Material Change Order’ in the notice.
- Making representation about the application section of the note refers to Registration and Relevant Representation Form which has been replaced by the “Have Your say” tab on the project page.
- Replace the reference “legislation and advice” with “view guidance”
- Replace “outline of the points intended to be made at the examination stage” with “use full details of any interest in, or objection to, the application.
- Replace the link to the Inspectorate’s privacy with the following link: [Customer Privacy Notice - GOV.UK](#)
- Consents and licenses required under other legislation.

The applicant was advised to review Environmental Statement Chapter 9 (MCO 6.9) to ensure that the 'Letter of No Impediment' applies to both the DCO and MCO applications.

3. Next steps

The applicant confirmed it intended to resubmit its application on Friday 10 October 2025.

The Inspectorate requested whether the acceptance fee would be made in advance of its resubmission and when this will likely be made. The applicant confirmed they would be in contact with the Case Manager regarding this matter.

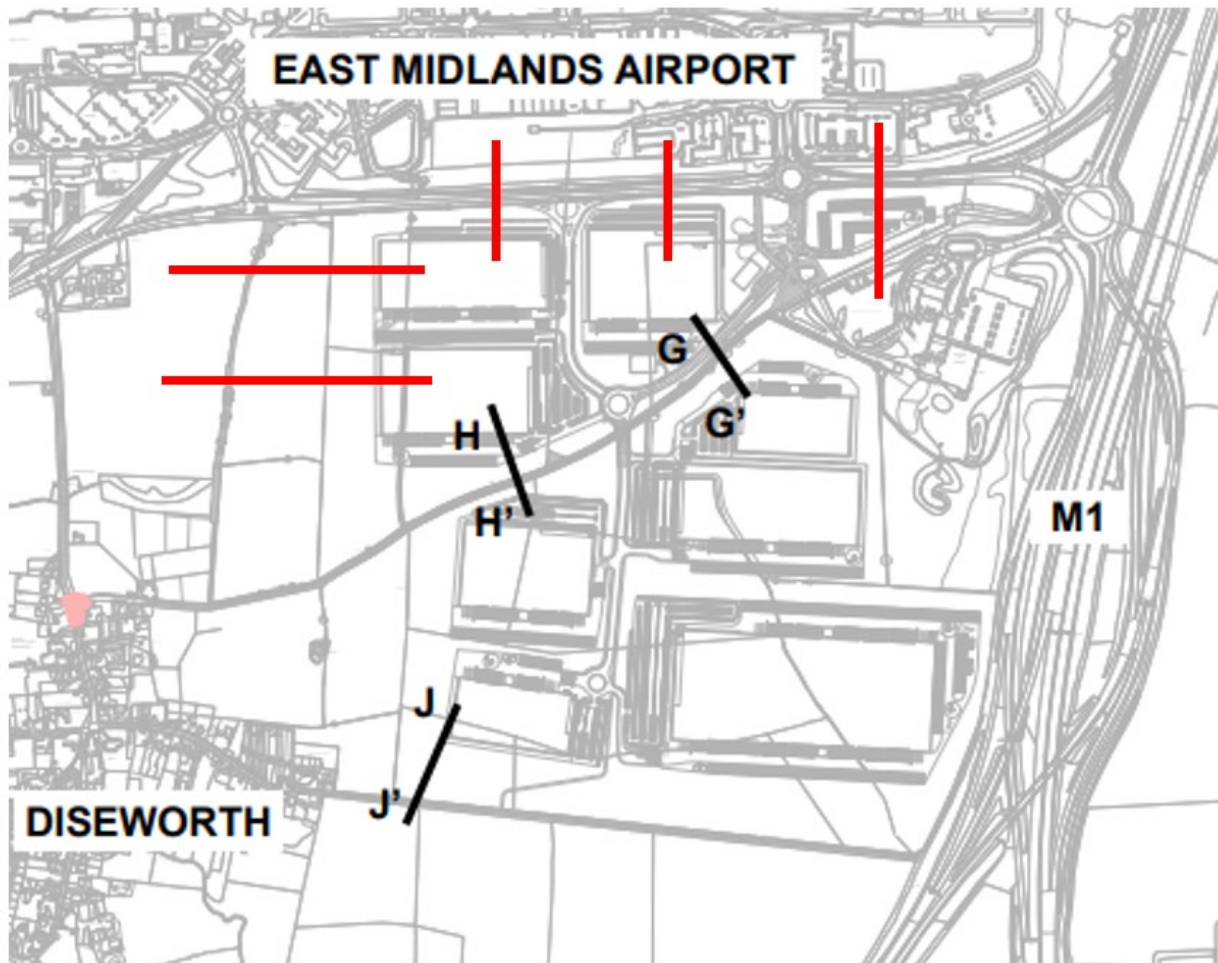
Specific decisions/ follow-up required?

The following actions were agreed:

- The applicant confirmed a change log would be sent with the DCO and MCO application documents and enquired if a tracked changes copy of documents would also need to be included. The Inspectorate confirmed that the change log would be sufficient.
- Provide the applicant with the diagram related to item 35 (photomontages), included below, after the meeting

Photomontages diagram

Additional sections proposed, as highlighted in red.





Planning Inspectorate

East Midlands Gateway 2 DCO application

Section 51 advice for applicant relating to documentation as to submission dated August 2025

The Planning Act 2008: Acceptance stage for NSIPs, states within the guidance that when looking at the application documents and in order to reach a decision on whether to accept an application for examination, the planning inspectorate will base such decision (not exclusively) to:

“the content and overall quality of the application in terms of the ability of the Examining Authority to be able to examine it within the maximum 6-month statutory time period.”

Items 1 to 22 below, reflects where the Inspectorate has determined that the overall quality is of such a nature that the appointed ExA would not be able to examine the application within 6-month period. We would encourage the Applicant to take note hereof, prior to resubmitting their application.

The applicant is requested to provide a ‘change log’ of any amendments if and when a revised application is submitted.

	Issue	Potential Resolution
<u>Transport Assessment</u>		
1.	<p>Within the Transport Assessment (TA) and chapter 6 of the Environmental Statement (ES) there are numerous routes/ links which are referred to. However, it is not clear the precise locations of these or the extent of the routes/ links.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Tables 25, 26, 28, 29 and 30 of the TA • Paragraph 6.6.9 of chapter 6 of the ES refers to various links, purporting to show them in a figure in Appendix 6D. However, Link 6 is said to be Long Street, Belton which is not shown. There is a link “6” in Diseworth (given there isn’t a link “9” this may be upside down). The extent of link 28 also is not clear, and Link 54 (see Table 6.8) appears to be missing from Appendix 6D, and there are two links identified as ‘Link 20’ in the key. • Tables 6.9 and 6.14 of chapter 6 of the ES. <p>Furthermore, Tables 25 and 26 of the TA have as their first column titles ‘Counter location’ but all are times.</p>	<p>Provide plans based on Ordnance Survey at no greater scale than 1:10 000 showing full extent of all links referred to. This may involve redrafting documents such as chapter 6 of the ES, its appendices and the TA, to ensure all routes/ links are fully identified. Ensure tables have appropriate identifiers.</p>
2.	<p>Table 44 of the TA refers to the A453/ Kegworth Road dumbbell Roundabouts. This shows 3 arms to the junction. However, there are three roundabouts off this junction (even if one is to facilitate a corner).</p>	<p>Clarify relevant junction inputs on a plan, and ensure all inputs are resolved. It is not clear which three arms are referred to, and in any event, it would appear that traffic to and from the East Midlands Parkway station, or that to Ratcliffe on Soar has been omitted</p>

	Issue	Potential Resolution
3.	Within the TA many junctions are referred to with a direction marker at the end, for example A453(W). It is not clear whether this is the west side of the junction, or for 'westbound' traffic, that is on the east side of the junction. The implication in the TA is that it is the west side of the junction. However, the drawings, for example Highway Plans Cross Sections Sheet 3 of 3 refers to 'westbound'.	Clarify in text how junctions have been identified and ensure a consistent approach throughout all application documentation.
4.	The information in Figures 3.9, 3.10, 3.14 and 3.15 of Appendix 70 of the TA (Part 4) is not clear.	The information should be provided as standalone drawings. These should be as if, when printed out, the wider network drawings are A1 and the inset drawings A3.
5.	Paragraph 6.8.6 states: <i>"The EMFM 2019 modelling shows that the SRN would accommodate an additional 2,067 vehicles during the peak hour periods in 2028 and 2,153 vehicles during the peak hour periods in 2038 (less in the latter because there is more traffic in the network) as a direct result of the proposed Highway Works"</i> . The latter figure (2,153) is higher than the former (2,067), and would appear to be incorrect	Ensure that information is accurate.
<u>Energy</u>		
6.	It is not clear from the application documents whether the proposed energy generation elements would constitute a NSIP in its own right.	Set out the energy generation capacity from the proposed energy production system in Megawatts (see section 15 of the Planning Act 2008). This should define both the 20% roof area coverage and the 100% coverage. If necessary, ensure compliance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.

	Issue	Potential Resolution
		Once the correct energy generation capacity has been clarified that this figure should then be consistently applied to all relevant documents and/ or figures across the application documents
7.	The question of the need for the photovoltaics is not set out in detail.	Justify the need for the photovoltaic provision within the application.
<u>Environmental Statement</u>		
8.	Parameters that have been used to inform the assessment are unclear and it is difficult to understand the worst-case assessment that has been undertaken.	<p>(i) A clear description, with reference to the units of measurement and using tables where possible, of the parameters and limits of deviation assumed for the proposed development such that a consistent worst-case scenario can be seen to have been applied to the impact assessment</p> <p>(ii) Cross references to all plans that show the parameters for the proposed development or inclusion of ES-specific figures (ES chapter 3 refers to the 2.5 Parameters plan, but this plan does not show all of the parameters for the proposed development). Where plans refer to parameters being either 'tightly drawn' or are 'the full extent of the works shown on this plan', the plans should be revised in line with the parameters used, any limits of deviation (LoD) and include appropriate units of measurement</p> <p>(iii) Confirm the parameters assumed for the substation extension (see also this matter in relation to the Flood Risk Assessment)</p>

	Issue	Potential Resolution
		(iv) Explain what works have been assumed for the utilities proposed (ES Chapter 16)
9.	<p>Information relevant to the assessment is not always presented in the ES project description. It isn't therefore clear whether information on the proposed development has been applied consistently across the ES, including but not limited to:</p> <ul style="list-style-type: none"> • Information on piling at the A453 and Junction 24 of the M1 (as potential additional piling is identified on DCO plan 2.11 but it is unclear whether relevant aspect chapters have assessed this) • 'Timeslices' used in the noise assessment and assessment years • Cut/fill balance and its relationship to assumptions on construction traffic movements • The operational and construction data in appendices 6.7B and 6.7C 	Amendments or improved cross referencing, ensure that all the information assumed for the assessment is accessible to understand the conclusions that have been reached.
10.	<p>Aspect chapters do not present the conclusions in line with the given methodology, including ES chapters 5 (socio-economic), 10 (Landscape and visual) and 12 (cultural heritage).</p> <p>Examples of conclusions that are unclear:</p> <ul style="list-style-type: none"> • A 'low' sensitive receptor for cultural heritage is defined as 'archaeological sites that score less well against the SoS's criteria'. Receptors later in the chapter considered to be low sensitivity are classed as those that are of 'local importance'. 	Review and update conclusions for all aspect chapters.

	Issue	Potential Resolution
	<ul style="list-style-type: none"> Chapter 17, population and human health is supported by baseline data in appendix 17.B although it is not easy to understand how the data presented are translated using the criteria in the chapter to reach a conclusion that the population is of low sensitivity 	
<u>Energy and design</u>		
11.	There are inconsistencies in the design life and need for decommissioning of various elements of the proposed development. Paragraph 19.2.2 of chapter 19 of the Environmental Statement (ES) indicates that the decommissioning of the EMG2 project has not been assessed as it is considered to be a 'permanent development'. Paragraph 5.5.99 of Chapter 5 that in assessing the age of obsolete stock <i>"The age of obsolete stock has been assessed as either 30 or 40 years since construction or since the property was last refurbished."</i>	The design-life of the individual buildings should be set out in chapter 3 (project description), and thus whether they would, individually, be likely to be replaced. Any emissions associated with any demolitions, refurbishments and replacements should be assessed and reconciled within the document.
12.	The draft Development Consent Order (dDCO) Schedule 1 includes a list of 'further works' without explanation of why these works are considered not to give rise to significant effects and thus have not been assessed in the ES.	Detailed assessments of matters that are unlikely to give rise to significant effects are not required. However, justification of why any further works have been scoped out of the assessment should be included with reference to information on the scale and extent of the works and any reference to agreement with consultation bodies.
13.	<p>The assessment of the potential photovoltaics is unclear as follows:</p> <ul style="list-style-type: none"> The glint and glare safeguarding assessment (ES appendix 20A) does not appear to consider the 	Ensure that the proposed development is assessed in relation to appendix 20A and chapter 10 of ES and/ or provide details of where this is to be found

	Issue	Potential Resolution
	<p>specifics of the proposed development and potential extent of photovoltaics in relation to glint and glare.</p> <ul style="list-style-type: none"> ES chapter 10 (landscape and visual impact) does not consider the presence of photovoltaics in its assessment. 	
14.	Figure 5 of ES Appendix 14M states an overall cut and fill balance: 17,000m ³ deficit. However, para 14.5.91 of ES chapter 14 states that the deficit is 2,700m ³	Ensure that consistent figures are utilised throughout the Environmental Statement.
<u>Piling</u>		
15.	Chapter 3, paragraph 3.2.31 (fourth bullet) indicates that piles may be used for bridge works. Chapter 7 does not assess the piling of foundations in respect of either noise or vibration	Either assess piling throughout the examination or specifically ensure piling does not form part of the development proposals.
<u>Piling and flood risk</u>		
16.	ES chapter 14 ground conditions identifies that a foundation works risk assessment (FWRA) would be required if piling is needed for the M1 J24 highways works. It is not clear how this has been taken account of in the assessment of 'negligible' effects on controlled waters. A worst-case assessment should be provided and an outline FWRA provided.	If piling were to be a potential option for foundations, provide an assessment of piling at all locations with reference to a worst case where details of the nature and extent of any piling are to be confirmed at a later date'..
<u>Substation</u>		
17.	The need for the substation extension is not set out in detail. Furthermore, we cannot find any details of the parameters for the substation extension. The only	Ensure that the need for the substation is fully addressed and parameters included within the application documentation.

	Issue	Potential Resolution
	<p>references to parameters for the substation extension are in response to a previous query from PINs where it says that the parameters have been 'tightly drawn', and Works Plan 2.3C (sheet 3 of 4) states that the limits of deviation for the substation are 'the full extent of the works shown on this plan' but this does not confirm height or depth of any foundations (if relevant).</p> <p>The parameters plan in ES chapter 3 is referred to for the DCO works, but this plan only covers the main site.</p>	
<u>Draft Development Consent Order</u>		
18.	<p>There is a lengthy list of 'further works' that has been included in the dDCO as works that might be needed for construction, but are stated to have not been assessed in the ES because they are not considered to give rise to any materially different environmental effects. There is no reference to these works in the ES project description to confirm what process has been undertaken to confirm this. Neither has the extent of what some of these works appear to be (ES chapter 18 states that the utilities diversions have not been designed yet, so it raises the question, if that is the case, how can they be sure that there are no significant effects arising from those works). Equally, there are other works listed in 'further works' such as demolition works that the ES states will not be required and thus have not been assessed.</p>	<p>(i) Clarify whether all the 'further works' have been assessed, and if not, ensure assessment. Ensure list of 'further works' is accurate.</p>
<u>Flood risk assessment</u>		

	Issue	Potential Resolution
19.	Information relevant to the FRA is spread across several documents – a highways works FRA screening, a main site FRA and a separate sequential test for the main site included within the Planning Statement. Further drainage strategies are provided as separate appendices to the ES chapter on flood risk.	Consolidate information for ease of reference, taking account of the additional points below on missing or unclear assessment information.
20.	Conclusions for the electricity substation are based on the works comprising ‘improvements to existing infrastructure’, whereas the dDCO describes Works Number 20 as a ‘modified and extended’ electricity substation. This review should also confirm the flood zone within which these works are located, together with the flood risk vulnerability category.	Clarify and provide an assessment or provide further explanation.
21.	<p>The following consultation response from the Environment Agency is reported in ES table 19.3, ES chapter 19: Climate Change</p> <p><i>“However, the standards do not provide for the potential future surface outfall requirements in the context of climate change resilience. Therefore, the Applicant should consider designing new infrastructure or developments adjacent to the Strategic Road Network to avoid constraining the construction of new above- or below- ground surface water attenuation feature.”</i></p> <p>In response, the climate change chapter refers to the mitigation measures adopted by the proposed development in sections 19.5 and 19.6 but these measures are high level and so it is not possible to see how this comment specifically has been addressed. The drainage</p>	Ensure, or clarify, how the response to the Environment Agency is specifically addressed in the ES.

	Issue	Potential Resolution
	strategy for highways works does not refer to whether this potential design measure has been considered.	
22.	No assessment of downstream flood risk across the proposed development (only presented for the main site)	Review and update the assessments.

The guidance to the Acceptance stage for NSIPs, notes that an application may only be accepted if the Secretary of State concludes that, the application (including accompaniments) is of a standard that the Inspectorate (on behalf of the SoS) considers satisfactory.

Items 23 to 45 set out a number of other issues, identified during acceptance, which could usefully be addressed in relation to any resubmission. However, the cumulative issues identified by the Inspectorate, reflects that the standard of the application to be unsatisfactory. The Applicant is advised to review [the Acceptance guidance](#).

	Issue	Potential Resolution
<u>Development Consent Order and Explanatory Memorandum</u>		
23.	Schedule 1 of the dDCO set out there are 2 nationally significant infrastructure projects (NSIP). However, Parts 1 & 2 identify the different 'elements' of the project and splits these into Commercial and Business (Works 1 to 7) and Alterations to Existing Highway (Works 8 to 12). Paragraph 1.17 of the Explanatory Memorandum explains that works within Work Nos. 8 to 12 (Schedule 1, Part 2) are a NSIP in their own right (alterations to highway) but paragraph 1.18 explains works in Work Nos. 6 and 7 are 'associated development' (which are listed under Part 1).	Ensure drafting appropriately allocates all works. A proposal cannot be both part of an NSIP and 'associated development'. The application must be clear as to what is being applied for and must be accurately represented. The applicant is referred to s37(3)(a) of the PA2008.
24.	The list of documents proposed for certification in Schedule 16 of the dDCO does not fully align with the list of "documents to be certified" as set out in the Guide to the Application. Notably, documents such as the Location Plan (Order Limits), A453 Bridge Plan, and Special Category	Ensure list of documents in Schedule 16 is accurate.

	Issue	Potential Resolution
	Land Plans are referenced in the Guide but are not included in Schedule 16.	
<u>Land Rights Issues</u>		
25.	There are no green shaded plots on the Land Plans, unless this is referring to the desaturated yellow 'Public highway required for highway works only (no permanent acquisition of land or rights)' in which case recommend the colour is adjusted to be clearer.	Ensure colours used on land plans (of all types) is clear.
26.	The descriptions in the Book of Reference (BoR) either give no or limited indication of what type of Compulsory Acquisition or Temporary Possession is requested. Even though paragraph 5 'How to use this BoR' explains how the BoR and Land Plans can be read to see what powers apply to which plot.	<p>Ensure rights sought are set out in BoR for each plot of land. For example:</p> <ul style="list-style-type: none"> • Permanent acquisition of land and existing rights • Land to be used temporarily and new rights to be acquired permanently • Land to be used temporarily only • Public highway required for highway works only (no permanent acquisition of land or rights)
27.	A lot of 'unknown' and 'none' entries in Part 2a and 3, column (3) Name and Address that have identified Category 1 & 2 persons in Part 1.	Set out fully what 'due diligence' measures have been undertaken to identify affected parties.
28.	The scale of Inset Plan 2A is such it is difficult to distinguish between Plots 2/17, 2/18, 2/53 and 2/54	Amend scale of this inset to clarify identified plots.

	Issue	Potential Resolution
<u>Environmental Statement (generally)</u>		
29.	The Cumulative Effects Assessment (CEA) would benefit from a figure to show the study area and the projects within it. The chapter lists projects in each tier and says (paragraph 21.4.4) information was gathered in relation to each project but does not clarify which documents were reviewed to reach the conclusions presented.	Provide a figure showing the study area and the projects within it, and set out documents reviewed (this last item can be high level, for example, 'the planning application').
30.	Some of the aspect chapters cover CEA by project, but in some cases more potential impacts are identified in the aspect chapters than are concluded on in the CEA. Reasons aren't given for the aspects chosen to be assessed for each project in each tier (for example, some projects only assess cumulative socio-economic effects but don't explain why other aspects are not considered).	Set out reasoning for approach in CEA.
31.	Lack of contents pages for each chapter makes them difficult to navigate.	Provide Table of Contents pages for each chapter of the ES.
32.	<p>The following reports contain figures that are difficult to read (inappropriate scales, black and white/ indistinct mapping backgrounds):</p> <ul style="list-style-type: none"> • ES appendix 6.9A: Preliminary Ecological Appraisal • ES appendix 6.9D: Bird Report • ES appendix 6.9G: Reptile Report • ES appendix 6.8D: Modelled Ecological Receptor Locations 	Figures and maps used within the ES, particularly where these are embedded within text, should be reviewed for clarity and ease of understanding.

	Issue	Potential Resolution
33.	Appendix 6.7A is titled 'Thematic Glossary' but the title of the document on opening is 'Noise and Vibration Terms'	Update as necessary.
34.	<p>ES Chapter 9 Ecology and Biodiversity [DCO 6.9] states at paragraph 9.6.74 that as part of the mitigation for the EMG2 Project (covering both DCO and MCO schemes) the applicant would enter into a District level Licensing (DLL) agreement in respect of great crested newts (GCN). Table 9.2 states that a GCN DLL Impact Assessment & Conservation Payment Certificate (IAPC) was secured (Reference: DLL-ENQ-LEIC 00056-1).</p> <p>References are also made to letters of no impediment for bats and badgers in doc ref: DCO5.2 Consents and other licences required under other legislation.</p>	<p>The applicant is requested to provide a copy of the GCN DLL IAPC.</p> <p>The applicant is also requested to submit copies of any LONIs obtained in respect of bats and badgers to the examination.</p>
<u>Landscape and visual effects</u>		
35.	Lack of site sections and night-time photomontages	<p>(i) Provide wire diagrams of the buildings and other structures on site sections.</p> <p>(ii) Provide appropriate night-time photomontages.</p>
<u>Disclaimers</u>		
36.	Disclaimers appear in documents such as: Energy Report, GHG Assessment, Climate Change and Cultural Heritage appendices. These disclaimers contain language around liability, verification, and use of the report. While they are legally protective, they may come across as overly cautious and could obscure accountability, particularly in the context of the Examination process.	Ensure that this issue is addressed, either by removing the disclaimers or ensuring that the documents can be relied upon for the purposes of the examination.

	Issue	Potential Resolution
<u>Design and parameters</u>		
37.	Various datums are shown on the drawings, which may be based on Ordnance Survey given the ground levels. However, on drawing EMG2-CH-SBR-BR-DR-CB-00024 Rev P2 (A453 Bridge Plan) it states: "All levels & Coordination are in metres relative to Project Grid". The Applications: Prescribed Forms and Procedure (APFP) regulation 5(2) indicates drawings should show "by reference to Ordnance Survey or Chart datum". It is not clear therefore whether it is OS or some other datum, and if some other, the base point where and what that is	Ensure a consistent, defined, datum is used across the application documentation.
38.	The dDCO and the Application Form refer to the document as the "Community Park Plan". However, the submitted document is titled "Community Park Layout Plan"	Ensure a consistent terminology is used across the application documentation.
39.	Reference to Limits of Deviation of 1.5m upwards or downwards but no level given where this should be taken from	Ensure that the 'base' level is defined and used consistently across the application documentation.
40.	<p>Page 67 of the Design Statement shows how car park landscaping strips may look. However, the Illustrative Landscape Masterplan and other similar plans shows parking without such landscaping. The principle of car parking of being in a green area is also referred to on page 70.</p> <p>In making this reconciliation, as the applicant has elsewhere committed to meeting the relevant parking standards, it should therefore be demonstrated that sufficient landscaping and parking can be made available for the quantum of</p>	Ensure that the Design Statement and the Illustrative drawings/ parameters plans are consistent and meet the commitments relied upon.

	Issue	Potential Resolution
	development proposed within the overall individual plot layout on the illustrative drawings.	
<u>Construction Hours</u>		
41.	Table 7.5 in Chapter 7 of the ES indicates construction work core hours on Saturday of 07:00 to 13:00. However, dDCO requirement 19 and the lighting assessment states 07:00 to 16:00 hours on Saturdays. The Construction Traffic Management Plan (in the CEMP) has it as 07:00 to 15:00 hours (para 4.5).	Ensure all construction hours are reconciled, and assessment undertaken based on that unified basis.
<u>Ground conditions</u>		
42.	Paragraph 14.5.40 of Chapter 14 of the ES refers to Appendix 14E. This would appear to be a typographic error for Appendix 14F. Assuming that this is Appendix 14F, there is reference to Appendix 2, Historical mapping. It would also appear that the Appendix 2 front sheet has been inserted in the incorrect location, in the middle of Appendix 1.	Ensure that these matters are clarified.
<u>Habitats Regulations Assessment (combines both DCO and MCO)</u>		
43.	There are errors in the paragraph numbering in the report (not all paragraphs are numbered, some paragraphs have more than one).	For ease of reference, provide a document with the correct paragraph numbers applied.

MCO ISSUES

The applicant is advised to check and confirm/ amend matters raised in relation to the DCO that also could affect the MCO application.

<u>Landscape and visual effects</u>		
1.	<p>The Visual Effects Table at R15 (Receptors Kegworth) notes that the higher parts of the gantry cranes will be visible albeit these will be sited at a lower level than the development on Plot 16. The Plot 16 building will sit relatively lower than the existing EMG1 buildings with its maximum roof height broadly comparable to the existing roof height of the mounding to the west.</p> <p>The MCO Explanatory Memorandum notes at 2.10 that details over and above those shown on the Parameters Plan, including, for example, the precise location and height of buildings within Plot 16 are to be approved (by the LPA) following the grant of the MCO.</p>	Ensure that these matters are clarified.
2.	The extent of the Photovoltaics proposed for the MCO are not provided in the MCO ES	Confirm details and ensure relevant assessments, including CEA, are update where necessary.
3.	The description of the proposed development for the MCO does not confirm whether new train movements are proposed	
<u>Flood risk assessment</u>		
4.	It is not clear whether the LLFA and/ or EA has commented on the SuDS strategy or long term maintenance and management.	Review and clarify.