



**Application by SEGRO Properties Limited, for an order granting development consent for a scheme comprising the East Midlands Gateway Phase 2 (EMG2)**

**Application by SEGRO (EMG) Limited, for an order making material changes to the previously approved East Midlands Gateway Rail Freight Interchange and Highway Order 2016**

## ISSUE SPECIFIC HEARING 3

**Date:** 13 May 2026

**Venue:** Hilton Hotel East Midlands Airport and MS Teams

## ACTION POINTS

AP No.	Action	Action By:	Response Due By:
39.	Provide case law, examining authority recommendation report and Secretary of State decision references as part of post hearing submissions relating to agenda item 3.1 on the lawful determination of the DCO application.	The applicants Prologis (Prologis UK Limited and/ or Prologis UK 121 Limited as appropriate) EMIA (East Midlands International Airport Limited and/ or East Midlands Airport Property Investments (Industrial) Limited as appropriate) Protect Diseworth	Deadline 4 (D4) Tuesday 16 June 2026
40.	Review and comment on the M1 J24 link volume-to-capacity ratios (Appendix 5, Table 3 of <a href="#">[REP1-058]</a> ), noting that the 'With Development + Mitigation' scenario shows links operating at or near capacity.	The applicants National Highways	D4

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	To confirm whether any additional mitigation is considered necessary, or explain why no further mitigation is required, having regard to the limitations and uncertainty inherent in the modelling assumptions.		
41.	Following the PRTM2023 update the latest positions in respect of Personal Injury Collision analysis.	The applicants Leicestershire County Council (LCC)	D4
42.	To clarify the interaction between the proposed bridge solution for the link road and the works shown under Package 4 (red package) including: (i) whether the proposed bridge and associated vertical alignment would preclude or constrain the future delivery of a bridge across the motorway (ii) the implications for available headroom and vertical clearance, noting the difference between an underpass and bridge scenario (iii) the implications for abnormal high loads coming from/ to East Midlands Airport	The applicants EMIA	D4
43.	To provide a drawing showing swept paths demonstrating how the potential for overrunning and side-swipe conflicts at the site access (Ref 2.2, <a href="#">[REP1-056]</a> ) has been addressed, as referred to in the <a href="#">[REP1-057]</a> .	The applicants	D4
44.	To clarify its statement in the RSA Ref 5.4, <a href="#">[REP1-056]</a> , that the proposed solution is “optimal”, including whether this reflects that the design is the best practicable option or that risks have been reduced to as low as reasonably practicable (ALARP).	National Highways	D4

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45.	Without prejudice to its position, the applicants to provide a mechanism/ wording to require a longer period for free-bus tickets for employees at the site	The applicants with input from LCC and North West Leicestershire District Council (NWLDC)	D4
46.	To further consider the requests by National Highways, LCC and NWLDC for contributions towards their attendance at the Sustainable Transport Working Group meetings.	The applicants	D4
47.	Amend the Sustainable Transport Strategy to ensure that it would free for use for all, including residents of Diseworth, rather than being restricted to site employees as at present	The applicants	D4
48.	To consider alternative delivery mechanisms for the proposed way on the eastern side of the application site.	The applicants	D4
49.	To provide an update as to the current situation in relation to highways for the joint application, particularly where outstanding matters remain.	Prologis	D4
50.	To provide a full list of Appendix 10B viewpoints with types, that were not topographically surveyed, including the night-time viewpoints, preferability in a table format.	The applicants	D4
51.	To provide comments on the updated Landscape and Ecological Management Plan [REP3-044], confirming whether it is content with the revisions or identifying any outstanding matters or areas of disagreement.	NWLDC	D4
52.	To explain the scope and application of the replacement planting commitment in paragraph 4.6 of the	The applicants	D4

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	<p>updated LEMP <a href="#">[REP3-044]</a>, including:</p> <ul style="list-style-type: none"> <li>(i) which areas and types of planting this applies to</li> <li>(ii) how this commitment aligns with and is secured by the relevant dDCO requirements for delivery of the LEMP.</li> </ul>		
53.	Submit latest archaeological assessment, archaeological mitigation strategy into examination	The applicants LCC (status update)	D4
54.	To set out how Appendix 12A Built Heritage Statement assesses setting where intervisibility is absent, including whether the approach accounts for approach (kinetic) experience and group value and to provide any further consideration, for example through a targeted addendum or update to Appendix 12A, demonstrating how approach experience has been assessed and whether this results in any change to the conclusions.	The applicants	D4
55.	<p>To explain the basis on which historical or cultural associations are considered to contribute to setting (including how 'legibility' is assessed) and to clarify whether the assessment for Langley Priory considers such associations beyond intervisibility, with signposting to the relevant ES sections.</p> <p>Information on the relevant historic documentation about Langley Priory used in Built Heritage Statement, responding to the matters raised by Protect Diseworth in the hearing</p>	The applicants	D4
56.	Review statutory tests regarding determination of this application in heritage terms in ES Chapter 12 – Cultural Heritage	The applicants	D4
57.	To review and update the assumptions used in ES Chapter 12	The applicants	D4

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	<p>regarding overlap with Isley Woodhouse (construction and operation) and to explain the robustness of the cumulative assessment, including whether any sensitivity testing for non-overlapping scenarios has been undertaken or, if not, why it is not considered necessary.</p> <p>To provide an update on the current timetable and status of the Isley Woodhouse proposal, including whether any changes affect the likelihood of temporal overlap with EMG2 (construction and/or operation).</p>	NWLDC (For second paragraph only)	
58.	<p>To undertake an assessment to St Andrew's Church, Kegworth including construction and operational effects, effects from vehicles on the motorway network and the proposed link between the M1 and A50, the increased height of the gantry cranes for the Material Change Order (MCO) proposal and the in-combination and cumulative assessments</p>	The applicants	D4
59.	<p>National Highways and the applicants to update the Statement of Common Ground (SoCG) with information relating to their respective positions on Biodiversity Net Gain and the relationship with the mitigation hierarchy. This should include how the hierarchy has been complied with in accordance with paragraph 4.23 of the NNNPS and whether there are instances where the loss of habitat on National Highways land could otherwise be avoided or mitigated in situ.</p> <p>The applicants to provide an updated biodiversity net gain report showing the net change in habitat</p>	<p>The applicants National Highways</p>	D4

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	on land controlled by National Highways.		
60.	To consider the Secretary of State's decision letter for the Cory Decarbonisation Project (November 2025), in particular paragraphs 4.53 to 4.64 and to provide a brief response setting out whether this has any implications for their position on design review in the current application, amending documentation if appropriate.	The applicants	D4
61.	To provide clear signposting within ES Chapter 17 Population and Human Health identifying where the key Health Impact Assessment (HIA) components are addressed and to confirm how the embedded approach can be verified on the face of the Environmental Statement, including whether any changes arose following removal of the standalone HIA.	The applicants	D4
62.	To review the Environmental Statement to determine whether updates are needed to individual chapters (including population and human health, air quality, noise and vibration and ecology, amongst others) in light of the PRTM 2023 sensitivity modelling conducted as part of the transport assessment.	The applicants	D4
63.	To update Appendix 17C Equality Statement Table 6 [ <a href="#">APP-183</a> ] and associated chapter of the environmental statement to include in-combination effects, including for reference number LCC1-LCC3	The applicants	D4
64.	To set out their respective cases in relation to the proposed disapplication of section 141 of the Highways Act 1980 and section 55(1) and (1A) of the New Roads	The applicants LCC	D4

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	<p>and Street Works Act 1991, including:</p> <ul style="list-style-type: none"> <li>(i) the applicant's justification as to why these provisions are necessary in this case, with reference to precedent where relied upon</li> <li>(ii) the Council's justification as to why the proposed disapplication would be inappropriate.</li> <li>(iii) to work to see if an agreed position can be secured.</li> </ul>		
65.	<p>To reconsider the article 5 and requirement 32 in relation to "a campus / headquarters including co-located head office functions". (Post Hearing Note: see also action point 30 from CAH2)</p>	The applicants in conjunction with NWLDC, LCC and National Highways	D4
66.	<p>Due to the number and nature of the points discussed during agenda item 10 (dDCO) and 11 (dMCO), all parties including the applicants, local planning authority, LCC and National Highways are requested to refer to their notes and/ or the recording of the hearing on and provide written submissions addressing the matters raised in relation to the articles and schedules of the draft Development Consent Order and/ or draft MCO.</p>	The applicants LCC NWLDC All IPs	D4