

PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

APPLICATION BY SEGRO PROPERTIES LIMITED FOR THE EAST MIDLANDS GATEWAY PHASE 2 AND HIGHWAY ORDER 202X

RESPONSES TO THE EXAMINING PANEL'S WRITTEN QUESTIONS AND REQUESTS FOR INFORMATION (EXQ2): ISSUED ON 2 JUNE 2026


ON BEHALF OF

EAST MIDLANDS INTERNATIONAL AIRPORT LIMITED

EAST MIDLANDS AIRPORT PROPERTY INVESTMENTS (INDUSTRIAL) LIMITED

Interested Party References: [REDACTED]

ExQ2	Question to:	Question:	EMIA Response
1. General and cross-topic questions			
1.0 Consideration of application – general matters			
Q1.0.5	The applicants Prologis EMIA	<p>Section 35 direction</p> <p>The ExP appreciates that this matter was discussed during CAH2 and that associated action points will be addressed accordingly. Supplemental to those, please can the parties explain whether the SoS has discretion to allow the development secured by the DCO to deviate from the wording of the s35 direction provided that it would be sufficiently similar in nature and scale to remain nationally significant? As such, would it be open to the SoS to consider the matter in terms of “fact and degree” during their decision or would they be bound by the exact wording of the s35 direction?</p>	EMIA agrees with Prologis’ response to this question as set out in its Deadline 4 submission.

ExQ2	Question to:	Question:	EMIA Response
2. Design, parameters and other details of the proposed development			
Q2.0.2	The applicants	<p>Work no. 19</p> <p>In the 'Applicants' Post Hearing Submissions (PM, CAH1, ISH1 and ISH2) [REP1-052] item 6, when discussing Work No. 19 it is stated the works “relate to an upgrade of the existing footpath L57 running westwards from EMG1 to Castle Donington to deliver commuter cycle connectivity. The most direct route from Castle Donington to EMG2 is via footpath L57”.</p> <p>Could the applicants’ please explain how it is intended to facilitate access across the bund for cyclists to the west of Plot 16 given the current steps over the bund and the existing gradients, particularly as it is said that the “route from L57 ties in with the wider cycle improvements on the A453 between EMG1 and EMG2”.</p>	<p>It may assist the ExP to be aware that there are 2 active crash gates at the end of Diseworth Lane (illustrated below) on the northern boundary of the airfield.</p>  <p>Those gates enable emergency vehicles based at the Airport to exit the runway at speed in the event of an incident occurring outside the Airport’s perimeter fence.</p> <p>Work No. 19 proposes to upgrade the footpath connecting on to Diseworth Lane, and for a short stretch utilise the same surface, before accessing the rear of EMG1.</p> <p>Emergency vehicles, in particular fire engines, would egress from the airfield at pace along Diseworth Lane if needed to get to an incident. A possible conflict could arise with the users of this route. The Applicant may wish to consider whether signage may be appropriate to warn users of that risk.</p>
7. Compulsory acquisition, temporary possession and other land rights considerations			
Q7.0.2	The applicants Prologis EMIA	<p>Alternatives</p> <p>Can the applicants provide further information about the negotiations they have had with affected persons (principally East Midlands Airport and</p>	<p>EMIA agrees with Prologis’s response to this question contained within its Deadline 4 submission.</p>

ExQ2	Question to:	Question:	EMIA Response
		<p>Prologis) about entering into a joint venture to develop both northern and southern parcels of land subject to the EMG2 main site?</p> <p>For example, whilst the ExP acknowledges the applicants have provided some high level chronology of engagement, is there any further information about the details of the joint venture that was discussed, options for how the land might be jointly developed and any other alternatives to compulsory acquisition duly explored?</p> <p>For clarity, does East Midlands Airport or Prologis dispute as a matter of fact whether the negotiations took place as set out in the applicants' response to relevant representations [REP1-051D], or do their objections principally relate to the substance of negotiations that took place?</p>	
Q7.0.4	The applicants Prologis EMIA	<p>Exercise of compulsory acquisition powers</p> <p>Paragraph 1.19 of Prologis's submission in response to action point 2 [REP1-258D] sets out that if compulsory acquisition powers were exercised and the scheme then became undeliverable, there would be no mechanism to restore Prologis' position as there was in Morpeth. Please can the parties explain whether there are any remedies that could be secured in the dDCO, or that already exist in legislation, to restore the position of affected persons in the event compulsory acquisition powers were exercised but the scheme was not then delivered? For example, whilst the Crichel Down Rules apply to public sector bodies, could a version of those rules be tailored to the private developer context and secured by provisions in the dDCO?</p> <p>If a potential remedy could be secured or otherwise exists, how might this affect the assessment of private loss when determining whether compulsory acquisition is justified? For example, would the existence of a remedy mean private loss would be temporary and would this limit the resulting harm compared to permanent private loss?</p>	EMIA agrees with Prologis's response to this question contained within its Deadline 4 submission.
8. The draft Development Consent Order (dDCO) [REP2-008D]			
8.0 Schedule 13 – Protective provisions			
Q8.4.1	The applicants All those who would benefit from protective provisions	<p>Protective provisions</p> <p>Would the applicants please ensure that the next version of the dDCO to be submitted at D4 includes updated protective provisions as far as will have been agreed.</p> <p>Where disagreements remain could those who would benefit from protective provisions ensure that they submit alternative versions explaining why, by each specific provision, they hold that different drafting should be provided.</p>	The Applicants and EMIA have not yet agreed protective provisions. In its Deadline 4 submission, EMIA has included its proposed alternative version explaining why it holds that different drafting should be provided, by each specific provision.
9. The draft Material Change Order (dMCO) [REP2-010M]			
Q9.0.1	The applicants EMIA	<p>Protective provisions in favour of East Midlands Airport</p> <p>Would the applicants please ensure that the next version of the dDCO to be submitted at D4 includes updated protective provisions as far as will have been agreed.</p> <p>Where disagreements remain could EMA ensure that it submits an alternative version explaining why, by each specific provision, it holds that different drafting should be provided.</p>	The Applicants and EMIA have not yet agreed protective provisions. In its Deadline 4 submission, EMIA has included its proposed alternative version explaining why it holds that different drafting should be provided, by each specific provision.
13. Major accidents and disasters and other safety risks			
Q13.0.1	EMIA	<p>Aerodrome safeguarding protective provisions</p> <p>The ExP acknowledges EMIA's preference in their submission [REP2-049D] that the applicants should review and revise the community park design</p>	EMA's preferred set of protective provisions for the dDCO and dMCO contain provisions relating to landscaping, wildlife hazard management, drainage and attenuation ponds. Provided these provisions as proposed

ExQ2	Question to:	Question:	EMIA Response
		pursuant to aerodrome safeguarding. However, for the avoidance of doubt, can EMIA clarify whether securing its preferred set of protective provisions in the dDCO and dMCO would fully address its aerodrome safeguarding concerns, in the event no further review or revision of the community park design was forthcoming from the applicants?	<p>are secured on both the dDCO and dMCO, EMA considers that the aerodrome safeguarding concerns in relation to the community park design would be suitably addressed.</p> <p>However, there is a risk that the attributed recreational and visual benefits attributed to the community park would be diminished if the safeguarding requirements are met. The safeguarding requirements may require management measures that would reduce the amenity value of the community park. EMA and EMIA would ask that the ExP take that into account when (a) weighing the benefit of the community park as part of the planning balance and (b) comparing the relative benefits of EMG2 and the Joint Application.</p>
19. Traffic and Transport			
Q19.0.2	LCC National Highways (NH)	Traffic modelling Can both NH and LCC comment on the critique of the TA as provided by EMIA in [REP3-058] ? If there are proposals for any of the specific junctions commented upon then could these be identified along with information as to whether they have been secured.	To assist the ExP, we note that the reference is wrong and should have been REP3-059.
Q19.0.12	NH LCC NWLDC Prologis/ EMIA	Work packages Other than the current proposals for the 'green' package of works, have the various packages of works shown for the area along the M1 shown on [REP1-054] been identified for other projects. If not, is there any information as to when and how that might occur. The ExP appreciates that this may be difficult to identify, since, for example, for the joint application, at this stage we identified what, if any, highway and transport mitigation works might be necessary.	EMIA agrees with Prologis's response to this question contained within its Deadline 4 submission.
Q19.0.18	NH	Joint Application Mitigation Package Prologis submits [REP3-061] the mitigation package for the joint application focuses on improvements at the Finger Farm roundabout and provision for dualling on the A453, which is consistent with the wider strategic programme (the "purple" package) and represents an alternative, equally valid, contribution. Please can National Highways clarify how the joint application mitigation package compares to the EMG2 mitigation package in terms of facilitating enhancements to the SRN. For example, is any one package more important than any other and which would facilitate more significant enhancements to the SRN?	EMIA agrees with Prologis's response to this question contained within its Deadline 4 submission.