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To: The applicant

Your Ref:

Our Ref: DCO: BC0410001

Date: 3 July 2026

Dear Sir/ Madam

The Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010 – rule 17

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

The applicant's notice of intention to make a change to the application

Thank you for your letter of 30 June 2026 [[REP5-001](#)] which includes within it a request to make a change to the application. This has been published on the project webpage.

The applicant's document sets out three proposed changes to the application as follows:

1. changes to proposed rights of way:
 - 'alteration' of the proposed public footpath along the eastern side of the main business and commercial application site from a public right of way (footpath) to a permissive path. The route of this is shown on the Access and Rights of Way Plan Sheet 1 [[REP1-011D](#)] between points 6-13-14-15-16.
2. changes to the active travel link (ATL) - Works No. 14:
 - change to the area of land proposed for the ATL along the East Midlands Airport at the eastern end of the runway.
 - realignment of the ATL at the corner of the East Midlands Airport car parking
 - realignment of the ATL near the access to the Severn Trent Water compound

3. changes to the A453 junction crossing – Works No. 15:

- amendment of the crossing of the A453 junction at the main entrance to the East Midlands Airport to include a pedestrian phase to the signal controlled junction. This would allow for the crossing of the A453 between the proposed Community Park and the north side of the road (at current and as proposed in the original application this does not include a pedestrian phase).

The reasons for the proposed changes are set out in full in the applicant's document entitled "Note on Changes to Public Right of Way and Works Nos.14 and 15" [[REP5-034D](#)], but in short form, proposed changes 1 and 3 are to respond to requests from Leicestershire County Council and proposed change 2 follows negotiation between East Midlands Airport, Severn Trent Water and the applicant to respond to concerns raised.

The applicant considers that the modifications to the scheme associated with the proposed changes are minor and would not result in a materially different DCO application from that accepted for examination. No 'additional land' as defined in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010 would be required; rather it is indicated that less land would need to be the subject of proposed compulsory acquisition for the scheme.

These changes were originally promoted as part of the deadline 4 submissions. However, there was no acknowledgement of the need to follow proper process in this regard and consequently we, as Examining Panel (ExP), wrote to the applicant in a rule 17 letter on 19 June 2026 [[PD-024](#)] asking the applicant to consider the guidance within [Nationally Significant Infrastructure Projects: Changes to an application after it has been accepted for examination](#) (the guidance).

The appendix to the letter of 30 June 2026 [[REP5-001](#)] sets out the five steps set out in the guidance, and the applicant considers the proposed changes against these.

The ExP considers that the applicant's approach, which has been undertaken to date, to be appropriate and proportionate and, were the changes to be accepted at, say, the end of July 2026 there would still allow sufficient time for the changes to be fully considered prior to the close of the examination (scheduled for 10 September 2026).

The ExP notes that the documentation submitted to date does not include all that is necessary for the ExP to accept the proposed changes. Principally this requires amendments to the Land Plans, Statement of Reasons and Book of Reference. However, it is noted that the proposed changes are included within the draft development consent order [[REP5-008D](#)] and considered in the Explanatory Memorandum [[REP5-012D](#)] submitted at deadline 5. The ExP is content to consider these on a 'without prejudice' basis to any formal acceptance of the proposed changes.

In light of the consultation undertaken to date, the ExP is content no further consultation outside that which would form part of the normal consideration of documents submitted as part of the deadline 6 submissions (28 July 2026) is necessary.

The applicant is therefore requested, if it so wishes, to make a formal request to the ExP for the proposed setting out the relevant information as set out in step 4 in the appendix.

Other interested parties who wish to comment on the proposed change will be welcome to do so. Depending on when any formal proposed change request is submitted, the ExP will

consider amending the examination timetable to allow interested parties to comment to ensure that this would not cause prejudice.

Yours faithfully

Robert Jackson

Robert Jackson
Lead member of the panel of Examining Inspectors

This communication does not constitute legal advice.

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