

FAO Examining Panel National Infrastructure
Planning Inspectorate
c/o QUADIENT
69 Buckingham Avenue
Slough
SL1 4PN

28th July 2026

Sent via email only to: emgateway2@planninginspectorate.gov.uk

Dear Sirs,

Re: East Midlands Gateway Phase 2 – Examination - Deadline 6 Submission- Protect Diseworth

We write in relation to the above and set out below the D6 submissions on behalf of Protect Diseworth (PD). For the avoidance of doubt, whilst this representation is presented on the Seb Planning letterhead, we have been providing professional assistance throughout the examination period and as such, this correspondence is submitted for and on behalf of PD.

Summary

PD consider that this is a pivotal moment in the examination of the EMG2 project. In this regard, we note with dismay, the ExP's letter dated 28.7.26, which varies the examination timetable, confirming a CAH on the 18.8.26, but that no further Issue Specific Hearings are scheduled. Other than the addition of a further deadline (6A) which is included to cover off minor changes to the proposals, this leaves a small number of further deadlines, until the examination closes on the 10th September 2026.

Furthermore, we note that as evidenced by the ExQ3 there are a variety of points that the Applicant is still yet to clarify, which given that we are now 'deep' into the examination process, is of concern. PD note in particular with dismay the Applicant's refusal to disaggregate the Environmental Statement in respect of the highways and commercial elements of the Draft DCO, so that absolute clarity and transparency can be provided on the full extent of the likely environmental effects and the necessary mitigation to address such effects. Given the importance the ExP attached to the issue, we are concerned that you do not have the information to make a fully informed decision. In this regard, we assume that this unprecedented refusal to appropriately assess and convey environmental effects will be reflected in a recommendation to the SoS that permission be refused.

At this point in the examination process, PD has been left feeling that its concerns have been given limited or no regard. To date, the examination process has included just One Open Floor Hearing, Written Questions have rarely posed the concerns of PD to the Applicant and key environmental topics have not been afforded debate during the single ISH hearing to date, which covered off some limited environmental topics. In particular, PD are surprised and concerned that landscape and visual, noise and traffic and transport impacts, have been afforded little interrogation, beyond clarification questions. We understand the examination is a primarily written process, and hearings

are at the discretion of the ExP, but we feel that the format of this examination has gone against 'typical' best practice in other examinations.

To set out our concerns further within context, we note with concern that multiple parties within the process, continue to refer to land to the west (and similar) of the Order Limits area, rather than naming the village of Diseworth and recognising the potential impacts on the residents that occupy the houses within the village. In this respect, PD consider that thus far, this obfuscation has led to a lack of scrutiny of the potential 'amenity' impacts that occupiers of housing within Diseworth would be subjected to, both in the construction and operational phases of the development.

For the avoidance of doubt, PD remain opposed to the principle of development but noting that no further Issue Specific Hearings will take place, we are using this correspondence to set out our key outstanding areas of concern. Whilst noting that the ExP have not requested a Statement of Common Ground between PD and the Applicant, we are seeking to set out some overarching points that (in our view) the Applicant has not addressed and/or have not been subject to sufficient scrutiny within the examination process to date. In this regard, we are endeavouring to be helpful to the ExP, whilst also communicating our areas of concern.

Outstanding Areas of Concern

Without prejudice to our ongoing opposition as a matter of principle to the proposed development, we set out the below key areas of concern. This is not designed to be an exhaustive list of points, and this correspondence should be read in conjunction with all other submissions made to date by PD but are the main issues of most prevalent concern to PD at this moment in time.

Site Selection Process and Alternatives

PD note that the ExP have raised two pertinent questions in ExQ3, namely Q15.01 (Alternatives) and Q15.02 (Regional Need). Q15.01 questions whether the site search should have been conducted on a more regional scale, based on the cross boundary status of the Freeport, with Q15.02 questions whether the evidence presented reinforces the need for EMG2 in the specific location chosen, or whether it could have been delivered regionally across multiple sites.

PD have always taken the view that they are not opposed to the type of development per se, but that the location is not appropriate due to its impacts upon the occupants of Diseworth. As summarised in the Written Summary of Verbal Representations for OFH1, PD have for a long period of time sought information and clarification on the designation of the Freeport area, and we highlighted reference from a senior officer at North West Leicestershire District Council to the designation being a 'done deal.' Whilst it is noted that the Freeport designation is a wider government policy based on incentivising economic development, PD consider the two issues of the Freeport and the necessary consenting of any project developed under this 'umbrella' are inextricably linked. In the absence of the Freeport designation, PD consider it unlikely that the previous S35 direction by the SoS would have been in the affirmative.

As such, PD consider that the EMG2 scheme has been elevated to a process of consenting, controlled by central government, that supports and helps to implement their wider flagship Freeport policy. PD considers that sufficient doubts remain on the legitimacy of that previous designation, given the ongoing lack of public transparency that reinforce any considerations that went into the

Freeport designation, that have subsequently driven the EMG2 project and its progression through the DCO process.

PD remain highly sceptical that a legitimate alternatives assessment has been conducted and the Applicant has failed to evidence the 'main alternatives' considered as part of the EIA process and under the relevant EIA regulations. Finally, we would also draw attention to the fact that (as the ExP are likely already aware) the Greater Nottingham Strategic Plan is currently subject to an EIP with hearings that took place during w/c 20th July 2026. PD would draw attention to the fact that the Strategic Allocation at the Former Ratcliffe on Trent Power Station is being debated, and there are likely to be similar cross over points on need and site selection, that the ExP may wish to pose to the Applicant and/or consider, noting that this site is also part of the Freeport. Whilst noting the ExP can only examine the scheme before them, PD would raise the issue of whether an alternate substantial brownfield site, that is less environmentally constrained and does not have the same sensitivity to nearby residential receptors could fulfil the need that is being promoted by Segro at the EMG2 site.

Highways considerations

Although highways matters would also fall under 'amenity' impacts, as covered below, it is a critical topic within its own right. On issues of highways impacts, PD have engaged a professional consultant to review the adequacy of the transport assessment work presented by the Applicant. This report is presented as **Appendix A** to this correspondence.

The report seeks to consolidate the various representations that have been made to date. As noted in the report, PD consider that significant concerns remain on the reliability of the modelling. Moreover, there are a number of inconsistencies and possible errors in the way planned development and proposed mitigation affect the highway network. PD have sought an explanation on these issues from the Applicant, but have received no response, which only serves to heighten the concern of potential flaws in the work undertaken.

The work undertaken by PD also notes that the A453 between the site access and the Finger Farm roundabouts would not be able to accommodate traffic levels associated with the proposed development, with some planned interventions such as the toucan crossing on the A543 exacerbating the risk of vehicle queuing back to the A453 roundabout, which in itself would lead to serious highway safety concerns.

Moreover, PD have significant concerns about 'rat-running' through the village of Diseworth, due to significant predicated delays on the Kegworth Bypass and the A453 southbound approach to the Finger Farm roundabout. The Applicant has also not made any allowance for passenger growth at East Midlands Airport and fails to appropriately consider the potential for cumulative effects. Finally, the Applicant's Travel Plan presents a conflicted position with regards to the overall vision for sustainable access, lacks ambition and is likely to be undermined by the need to deliver safe vehicle and pedestrian crossing the A453, and the direct significant highway safety concerns if the A543 becomes congested, with queues back to the Finger Farm roundabout.

PD has held significant concerns throughout the examination period on highways impacts and these concerns remain in respect of the reliability of the traffic modelling, the effectiveness of the Travel Plan and in particular the potential adverse impacts on the living conditions of the residents of

Diseworth, as a result of 'rat-running' through Diseworth. Alongside other issues, PD consider that there has (to date) been insufficient opportunity to fully interrogate highways considerations, so that an informed and accurate conclusion can be reached on this topic area.

Amenity considerations

PD note that Q15.0.4 of the ExQ3 refers to Policy Ec2(2) of the NWLDC Local Plan and seeks the views of NWLDC as LPA and the Applicant on the extent to which the amenities of any nearby residential properties (Diseworth) will be affected. Part (2) of Policy Ec2 refers to unallocated employment sites and Part (c) specifically states that permission will be subject to (amongst the other specified criteria):

'Not being detrimental to the amenities of any nearby residential properties or the wider environment.'

PD maintain the position that the amenities of a significant number of residents within Diseworth will be seriously adversely impacted during the construction and operational phases of the proposed development.

Noise

Firstly, in relation to the issue of noise during the construction phase, PD have made repeated representations during the examination phase to date on the flaws in the Applicant's methodology for assessing and controlling construction related noise. We also consider that the mechanisms for controlling noise place too much reliance on the management plans, which would be subject to discharge of requirements, should permission be forthcoming when this issue should be clear at examination stage.

The construction activities involve some significant earth works and the levels of noise and duration of these activities are likely to result in 'blight' to many of the residents of Diseworth. This is compounded by the fact that the construction working hours proposed have not been fully justified or at any point discussed with the local community. PD note that such earthwork movements can also generate issues of dust management, worsened within periods of dry weather, and note that the Applicant has faced such concerns from the local community on other development sites they are implementing. PD has direct evidence of this specific problem on two other similar SEGRO developments. On an interrelated point, PD have significant concerns that the Applicant is seeking powers within the DCO that have not been justified, in relation to the removal of the normal controls around 'statutory nuisance.' PD consider that such removal of the normal controls is unnecessary and removes an essential protection to local amenity, whereby other controls linked to a consent do not offer the necessary protection, as in this case. This development is extremely close to Diseworth, a fact which in our submission should lead to an enhancement of controls rather than the opposite.

Landscape and Visual

Turning to landscape and visual matters, other than questions linked to the methodology of the LVIA, PD have significant concerns regarding the permanent impact of commercial 'sheds' upon the amenities of occupiers of housing within Diseworth. By the Applicant's own admission, through the assessment for this topic areas, effects are predicted to be 'significant adverse' and in PD's view, cannot be suitably mitigated so as to render these impacts to an acceptable level.

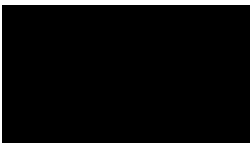
The commercial development proposed by the Applicant is of a likely size and scale such that its permanent impact and resulting effects will be highly oppressive and injurious to the amenity of the residents of Diseworth and yet, no specific residential amenity impact assessment has been undertaken by the Applicant. Moreover, as PD have previously put forward, the photomontage work as previously prepared by the Applicant does not provide a clear and accurate assessment of the overall scale and height of the buildings. In respect of the methodology, PD remain specifically concerned on the selected viewpoints that inform the LVIA and whether these viewpoints are 'representative' of the sequential experience when moving through the landscape, with regard to locally sensitive views.

PD have sought direct dialogue with the Applicant on the landscape and visual and associated amenity impacts of the proposed development, seeking agreement that they define the maximum height parameters of the built development, so that the 'true' impact can be understood and (should that be deemed to be acceptable) those maximum parameters be defined as part of any 'made' DCO, or as part of any separate agreement. Those attempts have been unsuccessful.

In summary, PD consider that the amenity considerations as summarised in this correspondence to date have not been subject to the necessary scrutiny, so that the Applicant's position on these impacts can be appropriately interrogated. This is compounded by the further lack of arranged Issue Specific Hearings.

Particularly given the Applicant's failure to disaggregate as you directed, we hope that this correspondence will be carefully taken into account so that the issues of greatest concern to the residents of Diseworth can be subject to the necessary scrutiny as part of a robust assessment of all relevant issues by the ExP and so that an informed recommendation can be made to the SoS, which in light of the issues raised in this correspondence we consider should be a recommendation of refusal, otherwise PD reserve our position in all other respects.

Yours faithfully



Director



On behalf of Protect Diseworth

Email: @sebplanning.com

Appendix A: Highways Report