

Date: 26 August 2026
Our ref: 557138
Your ref: DCO: BC0410001 MCO: TR0510002



Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

The Planning Inspectorate
emgateway2@planninginspectorate.gov.uk

BY EMAIL ONLY

Dear Sir or Madam

NSIP Reference Names / Codes:

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) / BC0410001

The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 – regulation 44

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 / TR0510002

Interested Party references: [REDACTED] and [REDACTED]

Examining Authority's submission deadline: 01 September 2026

Natural England (NE) is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

National Planning Policy Framework

Natural England welcomes the opportunity to consider the updated National Planning Policy Framework (NPPF) in consideration of our previous responses at Deadline 6 and our responses to the Examiner's Questions 3.

In Annex A NE have reattached our responses to the Examining Panel's Third Written Questions with justifications as to their relevance under the newly published NPPF. We have also submitted an updated Risk & Issues Log alongside this letter following the resolution of outstanding items in the Statement of Common Ground.

For any further advice on this consultation please contact the case officer Lucy Collins and copy to consultations@naturalengland.org.uk.

Yours faithfully

Lucy Collins
Sustainable Development Senior Officer

Annex A Natural England's Response to the Examining Panel's Third Written Questions

Table 1 Natural England's Response to the Examining Panel's Third Written Questions

ExQ3 Ref	Question to:	Question:	Response from Natural England at D6:	Why the D6 response remains material:
Q3.0.1	The applicants Natural England	Soil Management Plan – cumulative effects Please can the applicants and NE confirm whether agreement has been reached relating to the contents of the updated Soil Management Plan to reflect the assessment of cumulative effects on the soil resource.	NE is satisfied with the cumulative assessment provided. The draft Soil Management Plan for the DCO submission has some outstanding points for further review, summarised below: 1. Include a commitment for BMV agricultural land temporality required for the development to be returned to its original ALC grade in the Soil Management Plan. This has been agreed and can be resolved once updated in the draft SMP (Risk & Issues Log, NE20). 2. Strengthened commitment to avoidance of winter working and giving clarity to contractors on the approach of avoidance of soil compaction through construction during the winter months and wet weather. This is under review and can be resolved once updated in the draft SMP (Risk & Issues Log, NE21). 3. Outline of approach, in line with guidance, where working on soils in a plastic state cannot be avoided. This is under review and can be resolved once updated in the draft SMP (Risk & Issues Log, NE21).	National Networks National Policy Statement (NNNPS) paragraph 4.12 notes cumulative assessment should be considered within Environmental Assessment. As such this remains a material consideration. The updated NPPF states in Section 19.N2.1(b), significant impacts to high quality (best and most versatile) agricultural land should be considered and avoided where possible. As such impacts to best and most versatile land remains a material consideration. The updated NPPF states in Section 19.N2.2 that development should seek to avoid significant impacts to biodiversity in the first instance, followed by mitigation and as a last resort compensation. Therefore, the mitigation hierarchy as outlined has been applied and the mitigation presented through the management plans remains a material consideration. 1. Commitments on restoration of temporarily impacted best and most versatile agricultural land has now been

ExQ3 Ref	Question to:	Question:	Response from Natural England at D6:	Why the D6 response remains material:
			4. It should be noted that soils should be dry and friable for works to commence and reference the Institute of Quarrying Part One (Explanatory Note 4 – Table 4.2) for the field test to give a robust and best practice field test method. This is under review and can be resolved once updated in the draft SMP (Risk & Issues Log, NE21). 5. Ensuring the details NE have requested be outlined in the draft SMP for inclusion in the final SMP post consent. This is under review and can be resolved once updated in the draft SMP (Risk & Issues Log, NE23).	included in the updated draft Soil Management Plan (dSMP) as submitted at D6. 2. Strengthened commitments to avoidance of winter working have now been included in the updated dSMP submitted at D6. 3. The guidance on field soil testing from the Institute of Quarrying has been referenced as requested and now included in the updated dSMP submitted at D6. 4. The guidance on field soil testing from the Institute of Quarrying has been referenced as requested and now included in the updated dSMP submitted at D6. 5. The details outlined by NE for inclusion in the detailed SMP post-consent have been outlined in the dSMP for clarity as submitted at D6.
Q5.0.5	The applicants Natural England	SoCG with Natural England Notwithstanding any overlapping questions elsewhere within ExQ3, please can Natural England and the applicants provide a detailed up to date	NE and the Applicant have worked through the outstanding issues and have the below updates: 4.9 – This has now been agreed and moved to “Green” status. NE are satisfied that Sustainable Drainage Systems (SuDS) are	The updated NPPF states in Section 19.N1.1(a) that the hierarchy of international, national and local sites should be considered. As such internationally and nationally

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		position clarifying what is preventing 4.9, 4.26, 4.27 and 5.8 within the SoCG [REP4-054] from being agreed?	secured for the lifetime of the development within requirement 10(2) and that the SuDS statements must be adhered to and maintained for the lifetime of the development in requirement 17(1) and 17(2). NE are satisfied that the SSSIs will be included within the relevant Management Plans as sensitive ecological receptors for contractors. This can be reviewed within the detailed and phased Management Plans post consent. Reference to the CIRIA SuDS Manual is welcomed within the Management Plans for the implementation, monitoring and maintenance of the SuDS. • 4.26 – This has now been agreed and moved to “Green” status. NE are satisfied that monitoring is secured and will feedback into the management of the SuDS, with reference to the CIRIA SuDS Manual. • 4.27 – This has now been agreed and moved to “Green” status. NE are satisfied that the CEMP has appended a Silt Management Plan. The phased CEMPS are included in the DCO and although the Silt Management Plan	designated sites should continue to be considered within this hierarchy. The updated NPPF states in Section 19.N2.2 that development should seek to avoid significant impacts to biodiversity in the first instance, followed by mitigation, and as a last resort compensation. Therefore, the mitigation hierarchy as outlined has been applied and the mitigation presented through the management plans remains a material consideration.

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			is not named, it is covered in draft DCO 11, 12 and 17. 5.8 – This has now been agreed and moved to “Green” status. NE have reviewed document 6.10 Construction Management Framework Plan from the East Midlands Gateway 1 DCO. We are satisfied that adequate reference to the CIRIA guidance is included and that all works affecting a watercourse shall be carried out in accordance with a method statement to be prepared and included in a phased CEMP. NE are satisfied that the mitigation for impacts to sensitive water courses are adequate and secured by requirement. Final details of mitigation can be reviewed in the phased CEMPs post consent.	