

Document DCO 1.3

Guide to the Application

SEPTEMBER 2026

The East Midlands Gateway Phase 2
and Highway Order 202X and The East Midlands Gateway
Rail Freight and Highway (Amendment) Order 202X

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1 Introduction

- 1.1 This document is provided as a guide to the application made for a Development Consent Order (DCO) by SEGRO Properties Limited (DCO Applicant) relating to a second phase at East Midlands Gateway Logistics Park (EMG1) (DCO Application).
- 1.2 A second application has been submitted simultaneously for a material change to the EMG1 DCO (MCO Application) by SEGRO (EMG) Limited (MCO Applicant).
- 1.3 The DCO Applicant and the MCO Applicant are together referred to as 'SEGRO' or 'the Applicants'.
- 1.4 EMG1 is a nationally significant infrastructure development comprising a rail freight terminal and warehousing. It was authorised by The East Midlands Gateway Rail Freight Interchange and Highway Order 2016 (SI 2016/17) (the EMG1 DCO) and was substantially completed in October 2024.
- 1.5 This second phase is referred to as 'East Midlands Gateway 2' or 'EMG2' or the 'EMG2 Project'.
- 1.6 Further details about the parallel applications are provided in the next section of this guide, which gives an overview of the EMG2 Project. SEGRO has discussed both applications prior to submission with the Planning Inspectorate and the Secretaries of State for Transport and Housing, Communities and Local Government to ensure the EMG2 Project can be consented and delivered as seamlessly as possible. Consultation about both applications has been conducted simultaneously and additional details regarding the interaction between SEGRO and the Planning Inspectorate, including how regard has been made to that advice, is provided in the Consultation Report which is submitted in support of both applications (**Document DCO 5.1/MCO 5.1 and [APP-208] to [APP-218]**).
- 1.7 This document provides an overview of the DCO Application and explains the contents of each of the application documents submitted.
- 1.8 A glossary of the main defined terms used in this document and the DCO Application documents generally can be found at **Appendix 1** of this document.

Updates to Application Documentation

- 1.9 The DCO Application and MCO Application were submitted to the Planning Inspectorate (PINS) on 28 August 2025 but were subsequently withdrawn on 22 September 2025 to enable the application material accompanying the DCO Application to be updated. A further document accompanies this DCO Application therefore which is entitled 'Updates to Application Documentation' (**Document DCO 1.7 and [APP-007D]**) and provides a quick reference guide to the changes that have been made since withdrawal of the original applications.

Change Request

- 1.10 On 22 July 2006 the Applicants submitted a change request [**AS1-001**] for three changes to the DCO Application comprising:
 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
 - <https://national-infrastructure-consenting.planninginspectorate.gov.uk/>
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).
- 1.11 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 were to respond to requests from Leicestershire County Council and proposed change 2 follows negotiation between East Midlands Airport, Severn Trent Water and the Applicants to respond to concerns raised.
- 1.12 The changes were the subject of consultation with responses provided at Deadline 6a of the Examination timetable on 18 August 2026.

2 Overview of the EMG2 Project

- 2.1 The EMG2 Project comprises various components as shown on the Components Plan (**Document DCO 2.7/MCO 2.7 and [\[REP4-010\]](#)**). The three main components are as follows:

Main Component	Summary of Component	Works Nos.
DCO Application made by the DCO Applicant for the DCO Scheme		
EMG2 Works	Logistics and advanced manufacturing development located on the EMG2 Main Site south of East Midlands Airport and the A453, and west of the M1 motorway. The development includes HGV parking and a bus interchange. Together with an upgrade to the EMG1 substation and provision of a Community Park.	DCO Works Nos. 1 to 5 including relevant Further Works as described in the draft DCO (Document DCO 3.1 and [REP6-007D]). DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (Document DCO 3.1 and [REP6-007D]).
Highway Works	Works to the highway network: the A453 EMG2 access junction works (referred to as the EMG2 Access Works); significant improvements at Junction 24 of the M1 (referred to as the J24 Improvements), works to the wider highway network including the Active Travel Link, Hyams Lane Works, L57 Footpath Upgrade, A6 Kegworth Bypass/A453 Junction Improvements and Finger Farm Roundabout Improvements.	DCO Works Nos. 6 to 19 including relevant Further Works as described in the draft DCO (Document DCO 3.1 and [REP6-007D]).
MCO Application made by the MCO Applicant for the MCO Scheme		
EMG1 Works	Additional warehousing development on Plot 16 together with works to increase the permitted height of the cranes at the EMG1 rail-freight terminal, improvements to the public transport interchange, site management building and the EMG1 Pedestrian Crossing.	MCO Works Nos. 3A, 3B, 5A, 5B, 5C, 6A and 8A in the draft MCO (Document MCO 3.1 and [REP6-013M]).

- 2.2 A more detailed description of the EMG2 Project and its components can be found in Chapter 3 of the Environmental Statement (ES) submitted with the applications (**Document DCO 6.3/MCO 6.3 and [\[REP3-006\]](#)**).
- 2.3 The Applicants have made two concurrent applications for the three component parts of the EMG2 Project:
- 2.3.1 The first application, being the DCO Application, is made by the DCO Applicant is for a DCO for the EMG2 Works component and the Highway Works

component. The DCO Application is made pursuant to section 37 of Part 5 of the Planning Act 2008 (PA 2008).

2.3.2 The second application, being the MCO Application, is made by the MCO Applicant for a Material Change Order (MCO) to the existing EMG1 DCO for the EMG1 Works component. The MCO Application is made pursuant to section 153 and schedule 6 of the PA 2008¹.

2.4 This document accompanies the DCO Application, and a separate guide has been submitted for the MCO Application. However, insofar as both applications cover the EMG2 Project as a whole and have been made concurrently, this document will cross refer to the MCO Application where appropriate.

¹ EMG1 was substantially completed in October 2024, less than 4 years ago, so the power of the Secretary of State to make a change to the EMG1 DCO remains for the purposes of paragraph 5(2) of Schedule 6 of the PA 2008.

3 Proposed DCO

The DCO Applicant

- 3.1 The DCO Applicant, SEGRO Properties Limited (Company number 00448911) of 1 New Burlington Place London W1S 2HR, is a wholly owned subsidiary of SEGRO PLC, a UK Real Estate Investment Trust (REIT) and a FTSE 100 company.
- 3.2 SEGRO PLC is a FTSE 100 listed Real Estate Investment Trust (REIT), originally founded in 1920, with assets under management of £20.3 billion and net assets of £17.8 billion as at 31 December 2024. It is the largest REIT by net assets listed on the FTSE 100 and made an adjusted pre-tax profit of £470 million in the 2024 financial year. It is a leading owner, manager and developer of modern warehouses and industrial property and owns or manages 10.3 million square metres of space (110 million square feet) valued at £20.3 billion serving customers from a wide range of industry sectors. Its properties are located in and around major cities and at key transportation hubs in the UK and in seven other European countries.
- 3.3 For over 100 years, SEGRO PLC has been creating market leading high-quality assets that allow its customers to thrive. This includes modern big box warehouses, used primarily for regional, national and international distribution hubs, as well as urban warehousing and manufacturing facilities located close to major population centres and business districts.
- 3.4 SEGRO PLC is committed to being a force for social and environmental good and this is integral to their purpose and strategy. Its 'Responsible SEGRO framework' focuses on three long-term priorities where the company believes it can make the greatest impact: Championing Low-Carbon Growth, Investing in Local Communities and Environments and Nurturing Talent.
- 3.5 In addition to the very successful development of EMG1, SEGRO PLC has a history of working on other large schemes. Amongst those is:
- 3.5.1 Northampton Gateway: Commenced construction of its Northampton Gateway scheme in 2020. The project will deliver 5m sq.m. of logistics and warehousing and a new strategic rail freight interchange which was also approved via a DCO;
 - 3.5.2 Coventry Gateway: A significant warehousing and industrial development south of Coventry with planning approval for 3.7m sq.m;
 - 3.5.3 Smartparc SEGRO Derby: Comprising 2m sq.m. of manufacturing and distribution specifically designed for food manufacturing and associated services with a central energy centre and private electric network; and
 - 3.5.4 Rugby Gateway: A 1.2m sq.m. logistics park, completed in 2017 at Junction 1 of the M6.
- 3.6 In May 2023, SEGRO PLC was announced as the strategic partner of the neighbouring West Midlands Combined Authority (WMCA), with a commitment to invest £2 billion over the coming decade to deliver next generation, net zero warehouse facilities in the West Midlands. As a strategic partner, SEGRO PLC aims to deliver 13.5 million sq.m. of sustainable warehouse space across the West Midlands by the end of 2033, focused on tech-enabled logistics facilities as well as purpose-built space for research and development and light manufacturing. The development programme is expected to

create up to 14,000 jobs covering a wide range of employment types and industry sectors and will contribute significantly to economic growth and levelling up the region, which are two core aims of the WMCA.

- 3.7 Further details about the DCO Applicant and SEGRO PLC can be found in the Funding Statement (**Document DCO 4.2 and [APP-020D]**).
- 3.8 As a subsidiary of SEGRO, the DCO Applicant has the benefit of all of the above experience and resources necessary to deliver the EMG2 Project.

DCO Application

- 3.9 The DCO Application is for the EMG2 Works component and the Highway Works component.
- 3.10 The DCO Application is made pursuant to section 37 of Part 5 of the PA 2008 and:
- 3.10.1 In respect of Works Nos. 1 to 7, is made pursuant to a direction made by the Secretary of State (SoS) under section 35 of the PA 2008 and dated 21 February 2024 (Section 35 Direction) (**Document DCO 6.1B and [APP-068]**) as described in paragraph 3.11 below;
- 3.10.2 In respect of Works Nos. 8 to 12, these works are a Nationally Significant Infrastructure Project (NSIP) in their own right and the application is made pursuant to section 22 of the PA 2008, as described in paragraphs 3.12 – 3.18 below; and
- 3.10.3 In respect of Works Nos. 13 to 21, these are associated development as defined in section 115(2) of PA 2008. See paragraph 3.19 below.

Section 35 Direction

- 3.11 In January 2024, SEGRO made an application to the SoS under section 35 of the PA 2008 for a direction to recognise the development of the EMG2 Main Site as being a project of national significance for which a development consent application should be made. The SoS subsequently issued the Section 35 Direction confirming that the proposed development by itself is nationally significant because the proposal would:
- *be likely to have significant economic impact;*
 - *be important in driving growth in the economy;*
 - *have an impact on an area wider than a single local authority area;*
 - *be of a substantial physical size and scale;*
 - *contribute to delivering the outcomes of the Freeport; and*
 - *benefit from the application being determined through a single, unified consenting process provided by the Planning Act 2008 which would remove the need to apply and the uncertainty of applying for separate powers and consents*

Highway NSIP

- 3.12 Consideration was given as to whether any of the Highway Works might constitute an NSIP in their own right. Whether they do depends on whether the works meet the

criteria and thresholds relating to 'highway' NSIPs as set out in section 22 of the PA 2008.

- 3.13 There are three categories of works on highways which may qualify as NSIPs. These are the 'construction', 'alteration' and 'improvement' of such a highway.
- 3.14 No new highways are proposed to be constructed as part of the DCO Scheme for the purposes of section 22(2) of PA 2008.
- 3.15 As regards the 'alteration' and 'improvement' of highway, the criteria and thresholds are as follows:

3.15.1 Alteration (section 22(3) of PA 2008) – the works are an NSIP if:

- (a) The highway is wholly in England;
- (b) The SoS or a strategic highways company is the highway authority for the highway; and
- (c) The area of development relating to a motorway is greater than 15ha or if the area of development relating to an all-purpose trunk road with an expected speed limit greater than or equal to 50mph is greater than 12.5ha or if the area of development relating to other all-purpose trunk road is greater than 7.5ha.

3.15.2 Improvement (section 22(5) of PA 2008) – the works are an NSIP if:

- (a) The highway is wholly in England;
- (b) The SoS or a strategic highways company is the highway authority for the highway; and
- (c) The improvements are likely to have a significant effect on the environment.

- 3.16 Part of the Highway Works comprising Work Nos. 8 to 12 are to highway wholly in England, are to highway for which a strategic highways company is the highway authority and exceed the thresholds in section 22(3) of the PA 2008. As a result, and by virtue of section 22(1)(b), the identified Highway Works comprise an NSIP in their own right because they satisfy the requirements for an 'alteration' for the purposes of section 22(3) of the PA 2008. A note setting out how the criteria and thresholds have been met is at **Appendix 2**, a copy of which has been shared with National Highways Limited.
- 3.17 The remainder of the Highway Works are not being carried out on highways for which the Secretary of State or a strategic highways company is the highway authority and section 22 does not apply to them.
- 3.18 A plan providing an overview of the extent of the highway works on the strategic road network (SRN) and the local road network respectively is enclosed at **Appendix 3**. As the plan illustrates, the majority of the highway works are to be undertaken on the SRN.

Associated Development

- 3.19 The remaining works comprising Works Nos. 13 to 21 are associated development being works to highway managed by National Highways (Works Nos. 16 and 18), works

to highway managed by Leicestershire County Council (Works Nos. 13, 14, 15, 17 and 19), the upgrade to the EMG1 substation (Works No. 20) and the provision of the Community Park (Works No. 21). Associated development is defined in section 115(2) of PA 2008 as development which is associated with the development for which development consent is required, does not consist of or include the construction or extension of dwellings and is located in England for the purposes of subsection 115(3).

- 3.20 The Applicants have reviewed the proposed associated development against the principles set out in paragraph 5 of the Government's Guidance on associated development: 'Planning Act 2008: Guidance on associated development applications for major infrastructure projects'² (the Guidance). The Guidance records that associated development for the purposes of section 115 of the Planning Act 2008 requires a direct relationship between the associated development and the principal development, should support the construction or operation of the principal development or help address its impacts and should be proportionate to the nature and scale of the development. Each element is explained in the table below. The individual elements are also shown on the drawing at **Appendix 4**.

Works No. and summary	Direct Relationship	Support construction, operation or address impacts	Proportionate in nature and scale
13 – improvements to access junction of EMG1	These improvements are only required to accommodate the increase in traffic generated by EMG2	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the scale of EMG2 and mitigate its impacts
14 – active travel link	This link is required to facilitate access to the EMG2 Main Site by sustainable means	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the nature of EMG2 and mitigate its impacts
15 – controlled crossing on A453	This crossing will allow persons travelling by sustainable means to cross the A453 and access the EMG2 Main Site	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the nature of EMG2 and mitigate its impacts
16 – verge and gantry mounted signs	The updates to verge and gantry signs are required to direct users for the A50 to the new J24A exit being constructed as	Supports operation of the s22 Highway NSIP	Improvements are proportionate to the scale of the s22 Highway NSIP

² Issued by the then Department for Communities and Local Government dated April 2013.

	part of the s22 Highway NSIP		
17 – works to Long Holden PRow	Long Holden is a PRow on the perimeter of the EMG2 Main Site and works are required to accommodate the development	Supports construction, operation of EMG2 and address impacts	Improvements are proportionate to the scale and nature of EMG2 and mitigate its impacts
18 – works to A42/A453 Finger Farm roundabout	The A42/A453 Finger Farm roundabout leads road uses on to the A453 to access the EMG2 Main Site	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the scale of EMG2 and mitigate its impacts
19 – upgrade footpath L57 to a cycle track	Converting footpath L57 enables access to the EMG2 Main Site from Castle Donington by sustainable means	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the nature of EMG2 and mitigate its impacts
20 – upgrade to existing substation	The existing substation within EMG1 requires upgrading to provide power to the EMG2 Main Site	Supports operation of EMG2	Improvements are proportionate to the scale and nature of EMG2
21 – provision of community park	The Community Park is adjacent to and serves the EMG2 Main Site	Supports operation of EMG2 and addresses impacts	Improvements are proportionate to the scale and nature of EMG2 and mitigate its impacts

3.21 The Guidance also clarifies that associated development should not be an aim in itself and should not be justified solely as a source of additional revenue. None of the works within Part 3 of Schedule 1 of the draft DCO as summarised in the table above are an aim in themselves nor do they provide an additional source of revenue to the Applicants.

4 Project Team

4.1 The table below sets out the Project Team involved in the preparation of the DCO Application, in addition to the DCO Applicant's in-house team.

Topic	Entity
DCO Legal	Gowling WLG (UK) LLP
Planning, Environmental Statement Co-ordinators and Consultation	Delta Planning Oxalis Planning
Design and Masterplanning	UMC Architects
Infrastructure and Civils Design	BWB Consulting
Transportation	BWB Consulting and iTP
Industrial and Logistics Market Analysis	Savills LLP and Oxalis Planning
Landscape & Visual	FPCR
Ecology	FPCR
Socio-Economic, Human Health	Savills
Cultural Heritage	RPS
Noise and Vibration	Vanguardia
Air Quality	Vanguardia
Water, Flood Risk, Drainage and Waste	BWB Consulting
Geology	RSK
Lighting	DFL
Agriculture	Land Research Associates
Climate	RPS
Utilities	Utility Connections
Site investigation and ground engineering	Fairhurst

5 Guide to application documentation

List of documentation

- 5.1 The DCO Application comprises documents, plans and reports which have each been allocated a specific Document Number.
- 5.2 The documents comprising the DCO Application are listed in the DCO Application Documents Tracker (**Document DCO 1.8 and [\[REP6-004D\]](#)**) and their contents are explained in more detail in paragraphs 5.5 to 5.9 below.
- 5.3 It should be noted that because the EMG2 Project encompasses the DCO Application and the MCO Application, some of the application documents relate to both applications. These include:
 - 5.3.1 Copies of newspaper notices (**Document DCO 1.4/MCO 1.3 and [\[APP-001\]](#)**);
 - 5.3.2 Pre-Application Programme Document (**Document DCO 1.5/MCO 1.4 and [\[APP-002\]](#)**);
 - 5.3.3 Components Plan (**Document DCO 2.7/MCO 2.7 and [\[REP4-010\]](#)**);
 - 5.3.4 Consultation Report (**Document DCO 5.1/MCO 5.1 and [\[APP-208\]](#) to [\[APP-218\]](#)**);
 - 5.3.5 Consents and Licences Required under other Legislation (**Document DCO 5.2 and [\[APP-219\]](#)**);
 - 5.3.6 Design Approach Document (**Document DCO 5.3/MCO 5.3 and [\[REP2-022\]](#) and [\[REP2-024\]](#)**);
 - 5.3.7 Planning Statement (**Document DCO 5.4/MCO 5.4 and [\[REP4-016\]](#)**);
 - 5.3.8 Industrial and Logistics Need Assessment (**Document DCO 5.5/MCO 5.5 and [\[APP-223\]](#)**);
 - 5.3.9 Statutory Nuisance Statement (**Document DCO 5.6/MCO 5.6 and [\[APP-224\]](#)**);
 - 5.3.10 Potential Main Issues for Examination (**Document DCO 5.7/MCO 5.7 and [\[APP-225\]](#)**); and
 - 5.3.11 Environmental Statement (**Document DCO 6.1 - 6.23/MCO 6.1 - 6.23 [\[Various\]](#)**).
- 5.4 Where a document relates to both applications, it has been submitted twice, once with each application and it has both a DCO number and a MCO number. Care has also been taken within the documents to clearly set out which parts of the document relate to both applications and which parts relate only to the DCO Application or the MCO Application.

Explanation of the DCO documentation

5.5 Application form and related information

- 5.5.1 **Application Form (Document DCO 1.1 and [\[APP-003D\]](#))** – This is the standard form obtained directly from the Planning Inspectorate.

- 5.5.2 **Application Cover Letter (Document DCO 1.2 and [\[APP-004D\]](#))** – The letter sets out the background to the DCO Application and considers procedural matters regarding submission.
- 5.5.3 **Guide to the Applications (Document DCO 1.3 and [\[APP-005D\]](#))** - This document has been provided to give an overview of the EMG2 Project, identify the interrelationship between the DCO Application and the MCO Application and provide a summary of the contents of the application documents.
- 5.5.4 **Copies of Newspaper Notices (Document DCO 1.4 and [\[APP-001\]](#))** – These notices provide confirmation that the DCO Applicant has met the statutory requirements for pre-application consultation prior to submission. They are identified in the Application Form and further detail on the consultation activities that have been completed is provided in the Consultation Report at **Document DCO 5.1 and [\[APP-208 to APP-218\]](#)** referenced below.
- 5.5.5 **Pre-Application Programme Document (Document DCO 1.5 and [\[APP-002\]](#))** – A Programme was prepared in conformity with the pre-application prospectus published by the Planning Inspectorate³. The Programme was the subject of iterative changes throughout the pre-application period prior to submission. The enclosed document represents the last version published by the DCO Applicant.
- 5.5.6 **Section 55 Checklist (Document DCO 1.6 and [\[APP-006D\]](#))** - A section 55 checklist has been provided to assist PINS' review of the application together with the required Electronic Index. The latter is not submitted as a formal application document and therefore does not have an allocated document number.
- 5.5.7 **Updates to Application Documentation (Document DCO 1.7 and [\[APP-007D\]](#))** – This document provides a quick reference guide to the changes made to each document submitted with the DCO Application since the previous application was withdrawn.

5.6 Plans/Drawings/Sections

- 5.6.1 Various plans and drawings are provided pursuant to Regulation 5(2) of the 2009 Regulations⁴. These are explained below.
- 5.6.2 **Location Plan (Order Limits) (Document DCO 2.1 and [\[APP-024D\]](#))** – This plan shows the Order Limits edged red and is provided pursuant to Regulation 5(2)(i)(i).
- 5.6.3 **Land Plans (Document series DCO 2.2 and [\[APP-026D\]](#), [AS1-003](#) and [AS1-004\]](#))** – These plans are provided pursuant to Regulation 5(2)(i) and identify land required for the proposed development, land over which it is proposed to exercise powers of compulsory acquisition and right to use land and land to be used temporarily.
- 5.6.4 **Works Plans (Document series DCO 2.3 and [\[APP-035D\]](#), [REP1-006D](#), [REP1-009D](#), [REP4-006D](#) and [REP4-007D\]](#))** – These plans detail, in

³ Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus, Planning Inspectorate, May 2024 (updated 30 June 2025).

⁴ The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).

accordance with Regulation 5(2)(j), the location of the works and the limits within which the development and works may be carried out. The areas identified on the Works Plans are the areas to which the works described in Schedule 1 of the draft DCO (**Document DCO 3.1**) relate. The Works Plans also identify limits of deviation.

- 5.6.5 **Access and Rights of Way Plans (Document series DCO 2.4 and [\[REP1-010D\]](#), [\[REP4-008D\]](#) and [\[REP4-009D\]](#))** – These plans identify new and altered means of access, stopping up of streets and roads, diversions, extinguishments and creation of rights of way, as required by Regulation 5(2)(k).
- 5.6.6 **Parameters Plan (Document DCO 2.5 and [\[REP6-006D\]](#))** – This plan identifies the parameters with which the proposed development of the EMG2 Works are required to comply applying a ‘Rochdale Envelope’ approach in accordance with PINS Advice Note 9 (July 2018). It is the basis for the environmental assessment of the EMG2 Works and is provided pursuant to Regulation 5(2)(o). The plan identifies in respect of each development zone identified, the maximum and minimum number of units, the maximum development floorspace and the minimum finished floor level and the maximum building height. The number and precise location of the proposed buildings, and their detailed appearance, are not yet known or fixed, and the detail of these will be confirmed in response to occupier requirements following an approval of the DCO. Such details will need to be agreed with the local authority. However, key characteristics and details regarding the proposed buildings are fixed as part of the DCO application process, in addition to the location of the structural landscaping and earthworks. The plan also identifies the proposed Community Park, internal road layout, areas of landscaping, the HGV park, the EMG1 substation upgrade and the bus interchange.
- 5.6.7 **Illustrative Landscape Masterplan (Document DCO 2.6 and [\[APP-040D\]](#))** - This plan is provided pursuant to Regulation 5(2)(o) to assist in demonstrating a form of development of the EMG2 Main Site and Community Park which would comply with the parameters which have been assessed (as shown on the Parameters Plan (**Document DCO 2.5**)). It is not the basis for the assessment reflected in the Environmental Statement which is based on the Parameters Plan since it identifies simply one way in which a development may come forward in conformity with the Parameters Plan.
- 5.6.8 **Components Plan (Document DCO 2.7 and [\[REP4-010\]](#))** – This shows the different elements of the EMG2 Project all on one plan for ease of reference and is provided pursuant to Regulation 5(2)(o).
- 5.6.9 **Highway Plans General Arrangement (Document series DCO 2.8 and [\[AS-012D\]](#), [\[REP1-015D\]](#), [\[REP1-018D\]](#), [\[REP4-011D\]](#) and [\[REP4-012D\]](#))** – These plans comprise general arrangement plans of all the highway works proposed. They are the plans with which the highway works will need to comply, with additional details to be agreed pursuant to the Protective Provisions relating to the highway authorities (Draft DCO Schedule 13, Parts 1 and 2 (**Document DCO 3.1 and [\[REP6-007D\]](#)**)). The key plan for the series is also intended to provide a useful overview of the entirety of the development and highway mitigation. These plans are provided pursuant to Regulation 6(2).
- 5.6.10 **Highway Plans Cross-Sections (Document series DCO 2.9 and [\[APP-046D\]](#), [\[REP1-020D\]](#) and [\[REP4-013D\]](#))** – These plans show the cross-sections through the proposed Highway Works and are provided pursuant to Regulation 6(2).

- 5.6.11 **Highway Plans Long Sections (Document series DCO 2.10 and [APP-049D and REP4-014D])** – These plans show long sections of the proposed Highway Works and are provided pursuant to Regulation 6(2).
- 5.6.12 **A453 Bridge Plan (Document DCO 2.11 and [APP-053D])** – This plan provides more detail about the proposed bridge over the A453 and is provided pursuant to Regulation 6(2).
- 5.6.13 **Highway Classification Plan (Document DCO 2.12 and [REP1-021D])** – This plan identifies the classification of new highways following their completion and are referred to in Article 15 and Schedule 7 of the Draft DCO (**Document DCO 3.1**). The plan is provided pursuant to Regulation 5(2)(o).
- 5.6.14 **Traffic Regulation Plan (Document DCO 2.13 and [REP1-022D])** – This plan identifies the classification of new highways following their completion and are referred to in Article 17 and Schedule 9 of the Draft DCO (**Document DCO 3.1**). The plan is provided pursuant to Regulation 5(2)(o).
- 5.6.15 **Speed Limit Plan (Document DCO 2.14 and [REP1-023D])** – This plan identifies the speed limits which will applying to altered lengths of highway and new highways following the completion of the relevant works and are referred to in Article 16 and Schedule 8 of the Draft DCO (**Document DCO 3.1**). The plan is provided pursuant to Regulation 5(2)(o).
- 5.6.16 **Special Category Land Plan (Document DCO 2.15 and [APP-057D])** – This plan shows the special category land and is required by Regulation 5(2)(i)(iv). The special category land comprises open space land. More detail about the land and the implications of it being special category land is set out in the Statement of Reasons (**Document DCO 4.1**) accompanying the DCO Application.
- 5.6.17 **Community Park Plan (Document DCO 2.16 [REP4-015D])** – This plan shows the layout and landscaping of the proposed Community Park adjacent to the EMG2 Main Site, including the routes of public rights of way through it. The plan is provided pursuant to Regulation 5(2)(o).

5.7 Draft DCO

5.7.1 **Draft Development Consent Order (Document DCO 3.1 and [REP6-007D])** - contains the powers sought by the DCO Applicant to carry out, operate and maintain the development which is described in Schedule 1 of the draft DCO. It also includes requirements governing the proposed development (in Schedule 2) and Protective Provisions for the protection of various stakeholders (in Schedule 13). It is required to be submitted under Regulation 5(2)(b) of the 2009 Regulations. The position with regard to the protective provisions included in the submitted draft DCO is as follows:

- (a) National Highways – The draft includes protective provisions agreed with National Highways.
- (b) The local highway authority, Leicestershire County Council (LCC) – The draft includes protective provisions agreed with LCC.
- (c) National Grid – The draft includes protective provisions agreed with National Grid.

- (d) Severn Trent Water Limited – The draft protective provisions are based on protective provisions which have appeared in other made DCOs. The DCO Applicant has received no representations on the protective provisions from Severn Trent.
- (e) Electronic communications code networks – The draft protective provisions are based on protective provisions which have appeared in other made DCOs.
- (f) The operator of East Midlands Airport (EMA) – The protective provisions in favour of EMA within the draft DCO have been proposed by the DCO Applicant. Those provisions have evolved from the provisions in favour of EMA included in the EMG1 DCO and the protective provisions requested by EMA in respect of the Joint Application; being an application promoted by EMA and Prologis on land north of Hyams Lane comprising part of the EMG2 Main Site. The protective provisions are not agreed by EMA who contend alternative bespoke protective provisions are required without reasoned justification and without precedent. The Applicant has provided a response to EMA's representations identifying why the protective provisions offered address all of the points raised by EMA in **Document DCO 7.27** submitted at Deadline 7.
- (g) UK Power Distribution – The draft includes protective provisions agreed with UK Power Distribution.
- (h) Cadent Gas – The draft protective provisions are based on protective provisions which have appeared in other made DCOs. The DCO Applicant has received no representations on the protective provisions from Cadent Gas
- (i) Network Rail – The draft includes protective provisions in favour of Network Rail (NR). The Applicants have confirmed that, so far as they are aware having undertaken due diligence, NR does not have any rights over the land subject to the DCO application. However, by way of further reassurance, the Applicants have included protective provisions within Part 9 of Schedule 13 of the draft DCO.

5.7.2 **Explanatory Memorandum (Document DCO 3.2 and [\[REP6-009D\]](#))** – This document explains the provisions in the DCO setting out their effect and reasoning behind their inclusion. It is required to be submitted under Regulation 5(2)(c).

5.7.3 **DCO Validation Report (Document DCO 3.3 and [\[APP-014D\]](#))** – This report shows that the form of DCO has been drafted in accordance with the statutory instrument drafting template.

5.8 Compulsory Acquisition Documents

5.8.1 **Statement of Reasons (Document DCO 4.1 and [\[REP1-025D\]](#))** - The Applicant is seeking various powers of compulsory acquisition and rights to use land, and this document contains details of these powers and the justification for the application of them. This document is required to be submitted under Regulation 5(2)(h) of the 2009 Regulations.

- 5.8.2 **Funding Statement (Document DCO 4.2 and [\[APP-020D\]](#))** – This document explains how it is anticipated the development, and specifically any compensation due because of the exercise of compulsory acquisition powers, will be funded. This document is also required to be submitted under Regulation 5(2)(h) of the 2009 Regulations.
- 5.8.3 **Book of Reference (Document DCO 4.3 and [\[AS1-007\]](#))** - This document identifies the parties who have an interest in the in the Order Limits as well as those who may be entitled to make a “relevant claim” as defined in Section 57 of the Planning Act 2008. This document is required to be submitted under Regulation 5(2)(d) of the 2009 Regulations. The Book of Reference has been divided into five parts, as required by Regulation 7 of the 2009 Regulations:
- (a) Part 1: This part contains the names and addresses for service of each person within Categories 1 and 2 (as set out in section 57 of the PA 2008) in respect of any land which it is proposed shall be subject to:
 - powers of compulsory acquisition;
 - rights to use land; or
 - rights to carry out protective works to buildings.
 - (b) Part 2: This part contains the names and addresses for service of each person within Category 3 (set out in section 57 of the PA 2008). A person is within Category 3 if the applicant thinks that, if the order as sought by the application were to be made and fully implemented, the person would or might be entitled:
 - as a result of the implementing the order;
 - as a result of the order having been implemented; or
 - as a result of the use of the land once the order has been implemented

to make a relevant claim.
 - (c) Part 3: This part sets out the names of all those persons entitled to enjoy easements or other private rights over the land which it is proposed shall be extinguished, suspended or interfered with.
 - (d) Part 4: This part must specify the owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which the application is being made. There is no such land within the Order Limits and therefore there are no entries in this Part.
 - (e) Part 5: This part specifies land, the acquisition of which is subject to special parliamentary procedure, which is special category land, or which is replacement land. Further details about this land is set out in section 6 of the Statement of Reasons (**Document DCO 4.1 and [\[REP1-025D\]](#)**).

5.9 Other Reports, Documents and Statements

5.9.1 **Environmental Statement (ES) and its Appendices (Document series DCO 6.1 – 6.23 [Various])** – The ES reports the DCO Applicant's findings and conclusions from the environmental impact assessment undertaken. The ES is submitted as required by Regulation 5(2)(a) and includes the Flood Risk Assessment required to be submitted under 5(2)(e), the report identifying European Sites required by Regulation 5(2)(g), the heritage information required under Regulation 5(2)(m) and the nature conservation information under Regulation 5(2)(l). The ES has been prepared under the provisions of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'). It comprises the following chapters:

1. Chapter 1 – Introduction
2. Chapter 2 – Site and surroundings
3. Chapter 3 – Proposed Development
4. Chapter 4 – Alternatives
5. Chapter 5 – Socio-economic
6. Chapter 6 – Traffic and Transport
7. Chapter 7 – Noise and Vibration
8. Chapter 8 – Air Quality
9. Chapter 9 – Ecology and Biodiversity
10. Chapter 10 – Landscape and Visual
11. Chapter 11 – Lighting
12. Chapter 12 – Cultural Heritage
13. Chapter 13 – Flood Risk and Drainage
14. Chapter 14 – Ground Conditions
15. Chapter 15 – Agriculture and Soils
16. Chapter 16 – Utilities
17. Chapter 17 – Population and Human Health
18. Chapter 18 – Materials and Waste
19. Chapter 19 – Climate Change
20. Chapter 20 – Major Accidents and Disasters
21. Chapter 21 – Cumulative Impacts
22. Chapter 22 – Summary and Conclusions
23. Non-Technical Summary

5.9.2 Consultation Report (Document series DCO 5.1 and [\[APP-208 to APP-218\]](#))

– This document is required to be submitted under section 37 of the PA 2008. It details the consultation undertaken by the DCO Applicant before submitting the DCO Application, both formal and informal, including the statutory consultation undertaken pursuant to the PA 2008. It summarises responses received and explains how the DCO Applicant has had regard to those responses in finalising the proposed scheme. The Consultation Report is structured into 17 chapters, and each chapter is split into two parts where helpful, the first part addressing the DCO Application and the second part addressing the MCO Application. The 17 chapters comprise:

1. Executive Summary including Compliance Overview;
2. Introduction including summary of Key Dates;
3. Stage 1 Engagement/Informal Consultation;
4. Stage 2: Statutory Consultation: Statement of Community Consultation;
5. Stage 2: Duty to Notify the Secretary of State of the Proposed Application under S46 of the Act and Regulation 12 of the 2011 Regulations;
6. Stage 2: Statutory Consultation under Section 42 of the Act and Regulation 10 of the 2011 Regulations;
7. Stage 2: Statutory Consultation under Section 47;
8. Stage 2: Statutory Consultation: Publicity under Section 48 of the Act and Regulation 14 of the 2011 Regulations;
9. Stage 2 Statutory Consultation: Responses received under Section 42 of the Act and Regulation 10 of the 2011 Regulations and Duty to have regard to responses under Section 49 and Regulation 15;
10. Stage 2 Statutory Consultation: Responses received under Section 47 and Duty to have regard to responses under Section 49 and Regulation 15;
11. Stage 2 Statutory Consultation: Responses received under Section 48 of the Act and Regulation 14 of the 2011 Regulations;
12. Stage 3 Non Statutory Additional Consultation;
13. Stage 3 Non Statutory Additional Consultation responses;
14. Ongoing Engagement;
15. Pre-Application Guidance – Compliance with Sections 50 and 51 of the Act;
16. Adequacy of Consultation – Issues raised by Specific Consultees;
17. Conclusions;

- 5.9.3 **Consents and Licences Required under other Legislation (Document DCO 5.2 and [\[APP-219\]](#))** – This document sets out the consents and licences required to deliver the DCO Scheme and how they will be secured.
- 5.9.4 **Design Approach Document (Document series DCO 5.3 and [\[REP2-022\]](#) and [\[REP2-024\]](#))** – This document sets out the approach to the design of the DCO Scheme including key design requirements that will form part of the detailed design proposals. It also outlines the approach to the phasing and delivery of the DCO Scheme.
- 5.9.5 **Planning Statement (Document DCO 5.4 and [\[REP4-016\]](#))** – This statement explains the rationale for the development and includes a detailed explanation of how the development complies with relevant policy, including the National Networks National Policy Statement. It also includes a policy compliance statement.
- 5.9.6 **Industrial and Logistics Need Assessment (Document DCO 5.5 and [\[APP-223\]](#))** – This document provides an analysis of the industrial and logistics sector, demonstrates the demand for the supply of industrial and logistics development and explains how the DCO Scheme can meet that need including the benefits which will be delivered by it.
- 5.9.7 **Statutory Nuisance Statement (Document DCO 5.6 and [\[APP-224\]](#))** - In compliance with Regulation 5(2)(f), the DCO Application includes a statement pursuant to Section 79(1) of the Environmental Protection Act 1990 identifying where the proposals engage one or more of the matters set out in section 79 relating to statutory nuisances. The statement concludes that there are no impacts likely to give rise to a nuisance within the terms of section 79.
- 5.9.8 **Potential Main Issues for Examination (Document DCO 5.7 and [\[APP-225\]](#))** – This document is provided as an application document in accordance with the Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus.
- 5.9.9 **Commitments Tracker (Document DCO 5.8 and [\[APP-226D\]](#))** – This document identifies how the commitments, referred to in the documentation and, particular the ES are to be secured. This is either by compliance with the limits of deviations (as shown on the Works Plans (**Document series DCO 2.3 and [\[APP-035D\]](#), [\[REP1-006D\]](#), [\[REP1-009D\]](#), [\[REP4-006D\]](#) and [\[REP4-007D\]](#)**)) and expressed in Article 4 of the draft DCO (**Document DCO 3.1 and [\[REP6-007D\]](#)**)), the Parameters Plan (**Document DCO 2.5 and [\[REP6-006D\]](#)**), the requirements in Schedule 2 of the draft DCO (**Document DCO 3.1 and [\[REP6-007D\]](#)**)). A document hierarchy is attached at **Appendix 5** of this document which shows how these documents fit together to secure the necessary commitments to make the proposed development acceptable.

DCO Document Hierarchy

- 5.10 A document hierarchy is provided at **Appendix 5** to explain the order of importance between the application documentation. The information is presented in a box diagram and shows the interaction between the secondary legislation to be prescribed by the DCO, controls that operate within the application documents submitted in support of the DCO Application and the documents to be approved once the DCO is in force.

APPENDIX 1

GLOSSARY

Term	Meaning
Main Terms	
A6 Kegworth Bypass / A453 Junction Improvements	Improvements to A6 Kegworth Bypass and A453 junction improvements comprising Work No. 13 as described in the draft DCO.
Active Travel Link	An active travel link between EMG1, EMG2 Main Site and East Midlands Airport comprising Work No. 14 as described in the draft DCO.
Applicant or SEGRO	Together the DCO Applicant and the MCO Applicant.
Community Park	The community park as shown cross hatched green on the Components Plan (Document DCO 2.7) and more particularly described as Work No. 21 in Schedule 1 of the draft DCO.
DCO	A development consent order (DCO). Introduced by the PA 2008, a DCO is the means of obtaining permission for developments categorised as a NSIP.
draft DCO	The draft DCO submitted with the DCO Application.
DCO Applicant	SEGRO Properties Limited.
DCO Application	The application for a DCO for the DCO Scheme.
DCO Scheme	The development to be permitted by the DCO Application comprising the EMG2 Works and the Highway Works.
East Midlands Gateway 2 or EMG2 or EMG2 Project or Proposed Development	Together the DCO Scheme and the MCO Scheme.
EMG1	The existing SEGRO Logistics Park East Midlands Gateway.
EMG1 DCO	The East Midlands Gateway Rail Freight Interchange and Highway Order 2016 (2016 No. 17).
EMG1 Pedestrian Crossing	Works to create a pedestrian crossing at the exit from EMG1 comprising Work No. 8A as described in the draft MCO.
EMG1 Works	The proposed changes to that part of EMG1 shown cross hatched green on the Components Plan (Document MCO 2.7) comprising Plot 16, the EMG1 Pedestrian Crossing and other

	works and more particularly described as Work Nos. 3A, 3B, 5A, 5B, 5C, 6A and 8A in the draft MCO.
EMG2 Access Works	A new roundabout on the A453 to provide access to the EMG2 Main Site comprising Work No. 6 as described in the draft DCO.
EMG2 Main Site	The main site at EMG2 as shown hatched red on the Components Plan (Document DCO 2.7) comprising logistics and advanced manufacturing development, a bus interchange and HG parking, more particularly described as Work Nos. 1 to 5 in Schedule 1 of the draft DCO.
EMG2MS&CP	The EMG2 Main Site and the Community Park.
EMG2 Works	The EMG2 Main Site as shown hatched red on the Components Plan (Document DCO 2.7) comprising logistics and advanced manufacturing development, a bus interchange and HGV parking, more particularly described as Work Nos. 1 to 5 in Schedule 1 of the draft DCO, together with the Community Park (identified as Work No. 21 in Schedule 1 of the draft DCO) and an upgrade to the EMG1 substation (identified as Work No. 20 in Schedule 1 of the draft DCO).
Finger Farm Roundabout Improvements	Improvements to Finger Farm Roundabout comprising Work No. 18 as described in the draft DCO.
Further Works	The works described as further works in Schedule 1 of the draft DCO (Document DCO 3.1) being works which may be required to facilitate Works Nos. 1 to 21 as set out in Schedule 1 of the draft DCO and which form part of the authorised development.
Highway Works	The highway works required to enable development of the EMG2 Main Site including the J24 Improvements, the EMG2 Access Works, the A6 Kegworth Bypass / A453 Junction Improvements, the Finger Farm Roundabout Improvements, the Hyam's Lane Works, the Active Travel Link and the L57 Footpath Upgrade and other works as more particularly described in Work Nos. 6 to 19 in Schedule 1 of the draft DCO.
Hyam's Lane Works	Works to Hyam's Lane to create a cycle track comprising Work No. 7 as described in the draft DCO.
J24 Improvements	Improvements to Junction 24 of the M1 comprising Work Nos. 8 to 12 as described in the draft DCO.
L57 Footpath Upgrade	Works to upgrade footpath L57 to a cycle path comprising Work No. 19 as described in the draft DCO.

MCO	A material change order (MCO). Introduced by the PA 2008, an MCO is the means of obtaining permission for a material change to developments categorised as a NSIP and consented pursuant to a DCO.
draft MCO	The draft material change order submitted with the MCO Application.
MCO Applicant	SEGRO (EMG) Limited.
MCO Application	The application for an MCO for the MCO Scheme.
MCO Scheme	The development to be permitted by the MCO Application comprising the EMG1 Works.
Plot 16	That part of the EMG1 Works comprising logistics and warehousing development to be provided as part of the EMG1 Works as described in Work No. 3A of the draft MCO.
Scoping Opinion	The relevant authority's formal view on the issues an Environmental Statement should address. For the EMG2 Project, the Scoping Opinion was given by the Planning Inspectorate on behalf of the Secretary of State.
Often Used Terms	
2009 Regulations	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended).
2010 Regulations	The Infrastructure Planning (Examination Procedure) Regulations 2010 (as amended).
2011 Regulations	The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011.
Active Travel	Travelling to specific destinations (e.g. work or school) by active modes such as walking or cycling.
Advice note	An advice note published by the Planning Inspectorate intended to inform applicants, consultees, the public and others about a range of process matters in relation to the PA 2008.
Application Document	A document submitted to the Planning Inspectorate as part of the application for development consent.
Baseline	In EIA, 'baseline conditions' are the environmental conditions in existence before the occurrence of an impact from a

	development i.e. they are the existing conditions that would be affected.
Bridleway	A highway over which the public have a right of way on foot and a right of way on horseback or leading a horse. In some cases, it may include a right to drive animals of any description along the highway. Statute has added the right to ride a bicycle (not a mechanically propelled vehicle), although cyclists must give way to pedestrians and persons on horseback.
Bund	An embankment which acts as a visual or noise screen or acts as a barrier to control the spillage of fluids.
CEMP	The document known as the 'Construction and Environmental Management Plan' as contained in Appendix 3A (Document DCO 6.3A) of the ES.
Closed-circuit television	CCTV cameras are used to monitor traffic flows on the English motorway and trunk road network primarily for the purposes of traffic management.
Compulsory acquisition	The compulsory acquisition of land or buildings for public interest purposes.
Construction	Activity on and/or offsite required to implement the EMG2 Project. The construction phase is considered to commence with the first activity on site (e.g. creation of site access) and ends with demobilisation.
Construction compound	A compound used during construction for the storage of material, assembly of components or for other construction related activities.
Controlled motorway	Motorway that uses variable speed limits but retains a traditional hard shoulder.
CTMP	The document known as the 'Construction Traffic Management Plan' as contained in Appendix 3A (Document DCO 6.3A) of the ES.
Design Manual for Roads and Bridges (DMRB)	Provides standards, advice notes and other documents relating to the design, assessment, and operation of trunk roads, including motorways in the United Kingdom.
Development	Any proposal that results in a change to the land use, landscape and/or visual environment.
DfT	The Department for Transport.

Eastbound or EB	Direction of travel.
East Midlands Airport or EMA or Airport	East Midlands Airport.
EIA	An Environmental Impact Assessment, the process by which information about environmental effects of a proposed development is collected, assessed and used to inform decision making.
EIA Regulations	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended).
Environment Agency	A public body responsible for protecting and improving the environment.
ES	An environmental statement produced in accordance with the EIA Directive as transported into UK law by the EIA Regulations to report the results of an EIA.
Examination	Statutory process in where the Secretary of State will appoint an Inspector to carry out an independent examination.
Footway	A way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only. A footway is essentially a pavement alongside a carriageway – it is the part of a carriageway highway set aside for pedestrians.
Greenspace	Any area of vegetated land, urban or rural. This can include public or private parks and gardens, amenity greenspace, sports pitches, allotments, green corridors such as canals and green cycleways, as well as the natural and semi-natural environment such as woodland and fields.
Ground Investigation	Several levels of investigation from desk-based research to onsite sampling to evaluate challenges related to soil/ground.
ha	Hectare
HGV	A heavy goods vehicle being a commercial carrier vehicle with a gross vehicle weight of more than 3.5 tonnes.
IEMA	Institute of Environmental Management and Assessment.
IES	Institute of Environmental Sciences.
J	Junction.

Land-take	The temporary acquisition or permanent loss of land as a result of the construction and/or operation of the EMG2 Project.
Land use	The purpose that land is used for, based on broad categories of functional land cover, such as urban and industrial use and the different types of agriculture and forestry.
LCC	Leicestershire County Council (or any successor in function to it).
LEMP	The document known as the 'Landscape and Ecological Management Plan' as contained in Appendix J (Document DCO 6.9J) of the ES.
LLFA	Lead local flood authority.
LRN	The local road network for which LCC is the highway authority.
MHCLG	The Ministry of Housing, Communities and Local Government.
Mitigation	The action of reducing the severity and magnitude of change (impact) to the environment. Measures to avoid, reduce, remedy or compensate for significant adverse effects.
National Highways	National Highways (was Highways England) is the public body that operates, maintains and improves England's motorways and major A roads.
Natural England	A public body responsible for ensuring that England's natural environment is protected and improved.
NGR	National Grid Reference.
Noise barrier	A purpose-built structure to reduce the passage of noise from the source to receiver. These are traditionally wooden but the use of other materials (e.g. plastic) is becoming more common.
Northbound or NB	Direction of travel.
NPPF	National Planning Policy Framework.
NPS	National Policy Statement.
NPS NN or NPSNN	National Networks National Policy Statement (2024).
NRSA	New Roads and Streetworks Act 1991 (as amended).
NSIP	A nationally significant infrastructure project in England or Wales, such as proposals for power plants, large renewable energy

	projects, new airports and airport extensions, and major road projects, as set out in the PA 2008.
NTS	Non-Technical Summary.
NWLDC	North West Leicestershire District Council (or any successor in function to it).
Operation	Describes the operational phase of a completed development and is considered to commence at the end of the construction phase, after demobilisation.
Order Limits	The order limits means the limits of land to be acquired or used permanently or temporarily shown on the land plans and works plans within which the authorised development may be carried out.
Outfall	Point of discharge into a waterbody.
PA 2008	Planning Act 2008 (as amended).
Photomontage	Visualisation which superimposes an image of a proposed development upon a photograph following Landscape Institute Guidelines.
Planning Inspectorate or PINS	The Planning Inspectorate is an executive agency with responsibility to make decisions and provide recommendations and advice on a range of land use planning-related issues including operating the planning process for NSIPs.
Public right of way or PRow	A right to cross land owned by another person is known as a 'right of way'. If this is a right exercisable by the public at large, it is a 'public right of way'.
Receptor	A defined individual environmental feature usually associated with population, fauna and flora that have potential to be impacted by a development.
Secretary of State or SoS	The Secretary of State with responsibility for a department of government.
Section 35 Direction	The direction made by the Secretary of State pursuant to section 35 of the 2008 Act on 21 February 2024.
Southbound or SB	Direction of travel.
SRFI	Strategic rail freight interchange.

SRN	Strategic road network for which National Highways is the highway authority.
Statement of Common Ground	A Statement of Common Ground is a written statement containing factual information about the proposal which is the subject of the appeal that the appellant reasonably considers will not be disputed by the relevant planning authority.
SuDS	Sustainable urban drainage system.
Surface water flooding	Flooding as a result of surface water runoff as a result of high intensity rainfall when water is ponding or flowing over the ground surface before it enters the underground drainage network or watercourse or cannot enter it because the network is full to capacity, thus causing what is known as pluvial flooding.
TCPA 1990	Town and Country Planning Act 1990 (as amended).
Traffic Management	Control of traffic by means of lane closures to include temporary signals.
TMA	Traffic Management Act 2004 (as amended).
Variable Mandatory Speed Limit or VMSL	Speed limits are displayed and come into operation when traffic volumes increase, and sensors activate lower speeds. Reducing speed during peak demand decreases stop-start conditions and allows traffic to move smoothly.
Westbound or WB	Direction of travel.

APPENDIX 2

HIGHWAYS NSIP

Project	East Midlands Gateway 2 (EMG2)		
Document Number	EMG2-BWB-GEN-XX-RP-CH-0014	BWB Ref	220500
Author		Status	S3
Checked		Revision	P02
Approved		Date	19.06.2025

1 INTRODUCTION

1.1 The highway works for EMG2 include the following works on the strategic road network (SRN).

- M1 J24 Improvements comprising:
 - M1 northbound to A50 westbound link – providing a new free-flow link road from the M1 northbound at J24 to provide a direct link to the A50 westbound, which will cross the A453, and will include the A50 westbound merge alterations;
 - M1 southbound and A50 eastbound link to J24 widening – providing widening of the A50 eastbound link at J24 and other related works and traffic management measures in this location;
 - Works to the west side of the M1 Junction 24 roundabout and A453 northbound approach;
 - Works to the east side of the M1 Junction 24 roundabout and A453 southbound approach;
 - M1 northbound alterations – providing the new M1 northbound exit and associated gantry/signage improvements on the M1.
- A453 EMG1 Access Improvements – providing widening at the EMG1 roundabout to increase junction capacity and improved pedestrian crossings;
- Finger Farm (A453/A42) roundabout – directional signing works
- Active Travel works comprising an Active Travel Link – providing a dedicated cycle track alongside the A453 between EMG1 and the EMG2 Main Site, this is partly within the SRN.

1.2 The above works are shown diagrammatically on **Figure 1** below.

1.3 In addition there are localised signage works on the M1 Northbound on the approach to J23A.

1.4 Section 22 of the Planning Act 2008 (as amended) contains criteria which, if met, will mean that the works on the SRN fall under the consenting regime found at section 14 of the Act and would thus be a nationally significant infrastructure project (NSIP). If the criteria are met the works can only be authorised by a Development Consent Order (DCO).

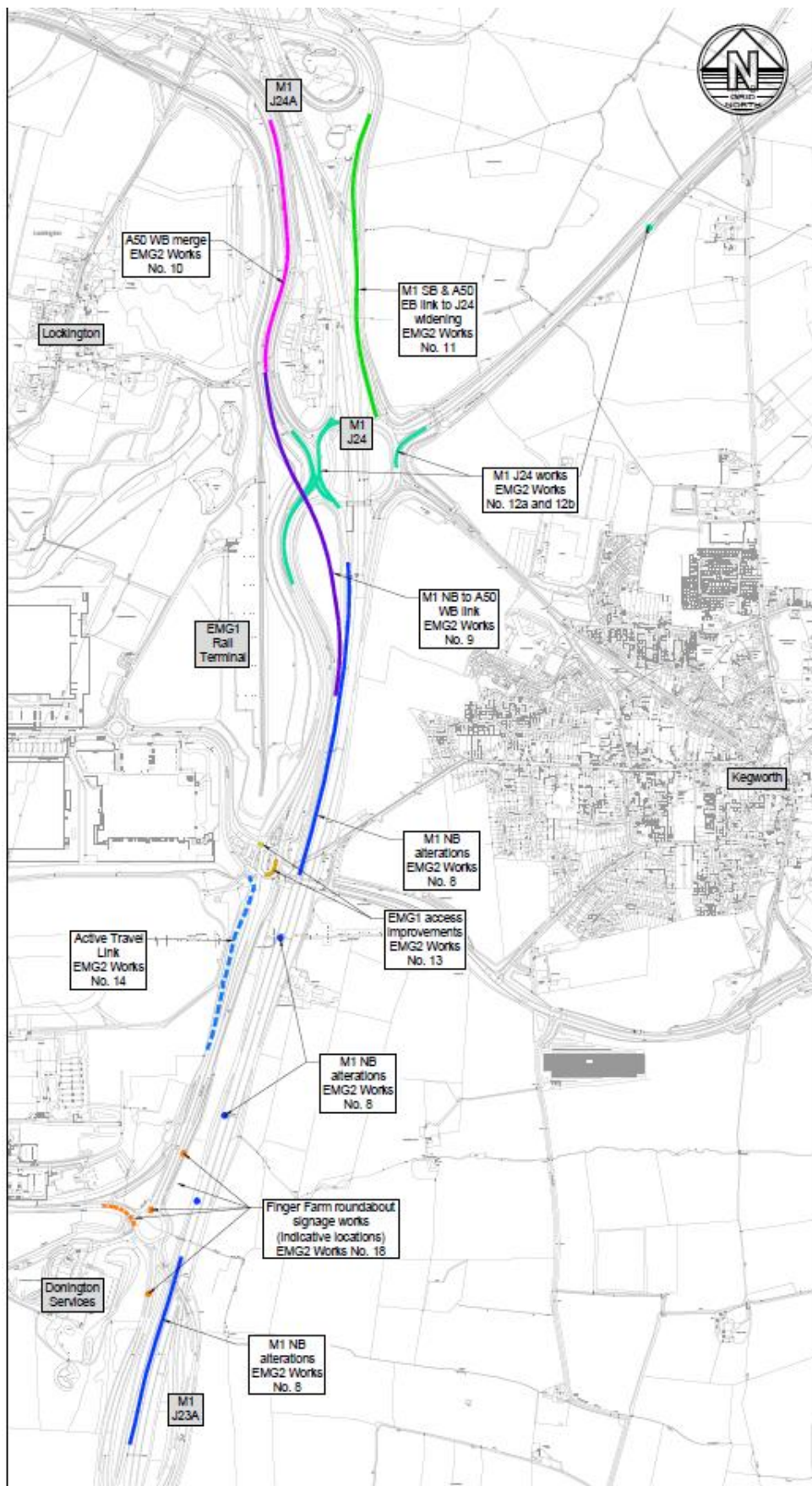


Figure 1: Overview of EMG2 highway works on the SRN

2 A453 EMG1 ACCESS, FINGER FARM AND ACTIVE TRAVEL WORKS

- 2.1 The works on the A453 south of M1 J24 at the EMG1 access, Finger Farm roundabout and active travel works are independent of the works at M1 J24 and these are all within the existing highway and are considered to be improvements which do not have a significant effect on the environment. As such they do not meet the threshold under section 22(5) to be an NSIP and are not considered further. The same applies for the M1 Northbound signage on the approach to M1 J23A.

3 M1 JUNCTION 24

- 3.1 Clearly the works to M1 Junction 24 constitute a significant item of work and, in the case of the new M1 northbound to A50 westbound link, go beyond the existing highway boundary and as such cannot be considered as an improvement under section 22. Whilst the new M1 northbound to A50 westbound link would be an element of new construction, it is within the context of improving and altering the existing junction and our view is the overall works to M1 Junction 24 are an alteration.
- 3.2 Section 22(3) defines the criteria for an alteration to be an NSIP. Of these it is clear the alteration is wholly within England and that the secretary of state is the highway authority for the M1, A50 and A453 at M1 Junction 24. The question is therefore whether the area of development is greater than the relevant limit set out in subsection (4).
- 3.3 Section 22(4) defines the area thresholds for three different types of highway as follows:

Type of highway	Threshold (ha)
Motorway	15
A highway, other than a motorway, where the speed limit for any class of vehicle is expected to be 50 miles per hour or greater	12.5
Any other highway	7.5

- 3.4 Section 22 does not give any judgement on how to apply the thresholds where the alteration has a combination of different types of highway within the same scheme.
- 3.5 The works at M1 Junction 24 are located on a combination of motorway (the M1 and its associated link roads / slip roads) and all-purpose highway which has a speed limit of 50mph or greater.
- 3.6 The works to the existing all-purpose road network of the A50, A453 and the J24 roundabout, would be all within existing highway and are considered to fall within the definition of improvement under section 22(5) were they to be considered in isolation.
- 3.7 The works to the motorway are for the reasons set out above considered to be an alteration were they to be considered in isolation.
- 3.8 There are two potential ways to make an assessment of the alteration to the motorway as follows:
- Assume the alteration is in effect an alteration to a motorway and assess the entire scheme area against the 15ha threshold;
 - Assess the area of motorway alteration within the works against the threshold in isolation.
- 3.9 The areas of the overall J24 improvements, and area of motorway when assessed in isolation, are shown on the drawing found in **Appendix A**. Using the calculated areas the thresholds are assessed for each scenario as follows:

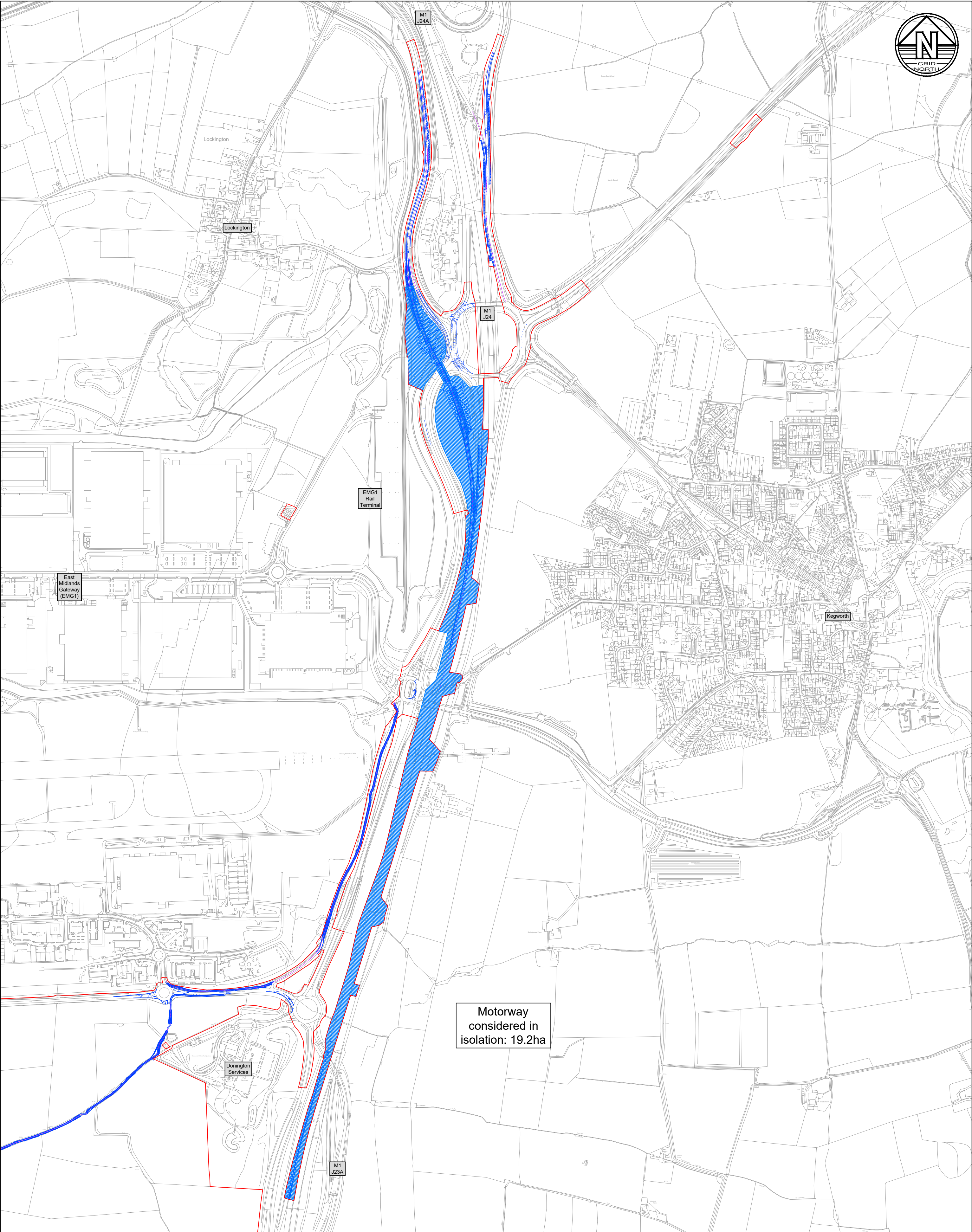
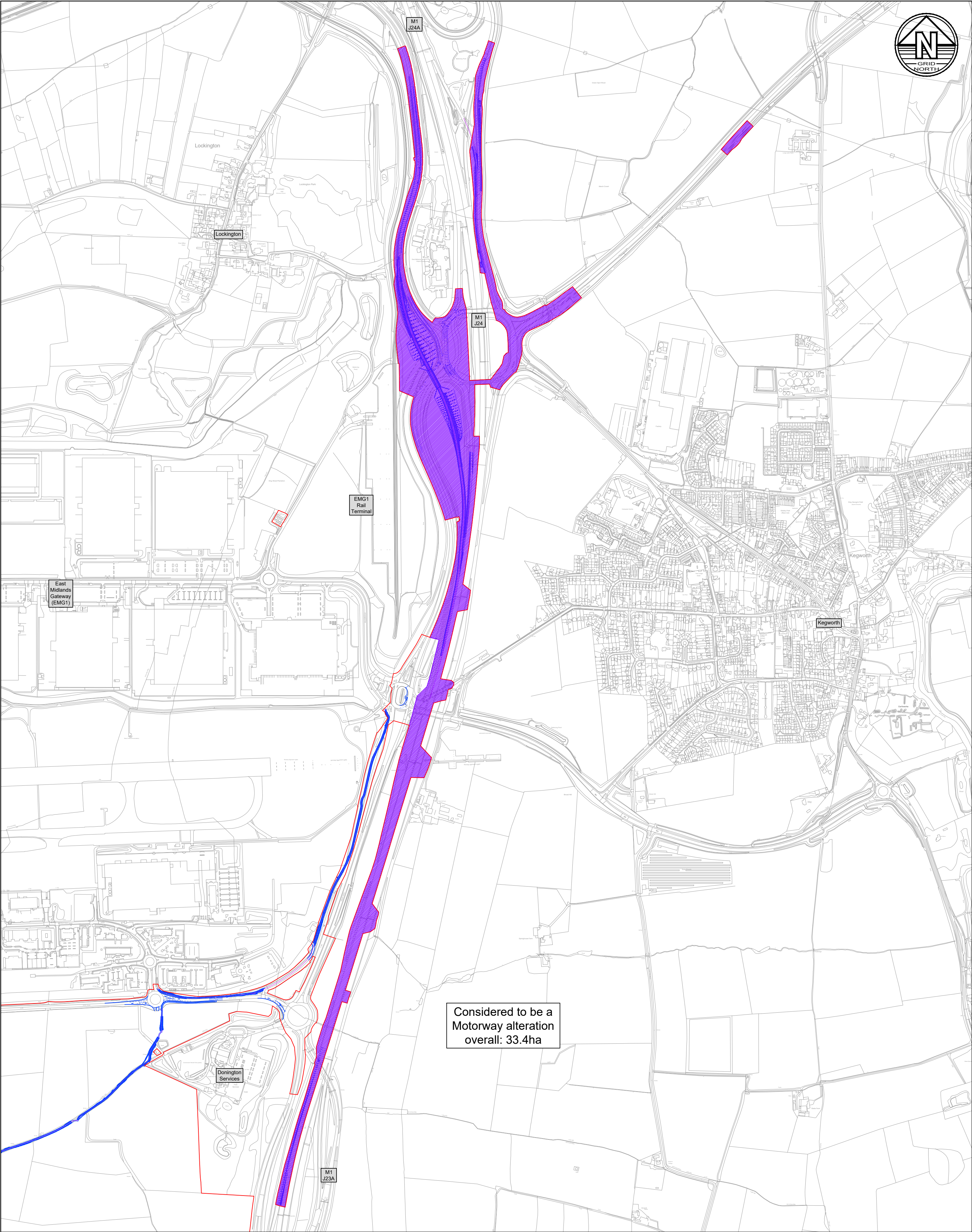
Scenario	Threshold (ha)	Area*	Is it an NSIP?
Considered to be a Motorway alteration overall	15	33.4	Yes
Motorway considered in isolation	15	19.2	Yes

* The area of development is assessed based on the definition set out in section 22(9).

- 3.10 As can be seen the area of development is above the relevant threshold in both scenarios and there is an alteration NSIP under section 22.
- 3.11 Given the J24 improvements qualifies as an NSIP then it is logical (irrespective of the method of calculation) that all of the J24 improvements proposed as part of the EMG2 scheme are considered to be an alteration NSIP.

APPENDIX A

Drawing EMG2-BWB-GEN-XX-SK-CH-SK029_M1 J24 improvements NSIP area assessment



Notes

1. Do not scale this drawing. All dimensions must be checked/ verified on site. If in doubt ask.
2. This drawing is to be read in conjunction with all relevant architects, engineers and specialists drawings and specifications.
3. All dimensions in metres unless noted otherwise. All levels in metres unless noted otherwise.
4. Any discrepancies noted on site are to be reported to the engineer immediately.

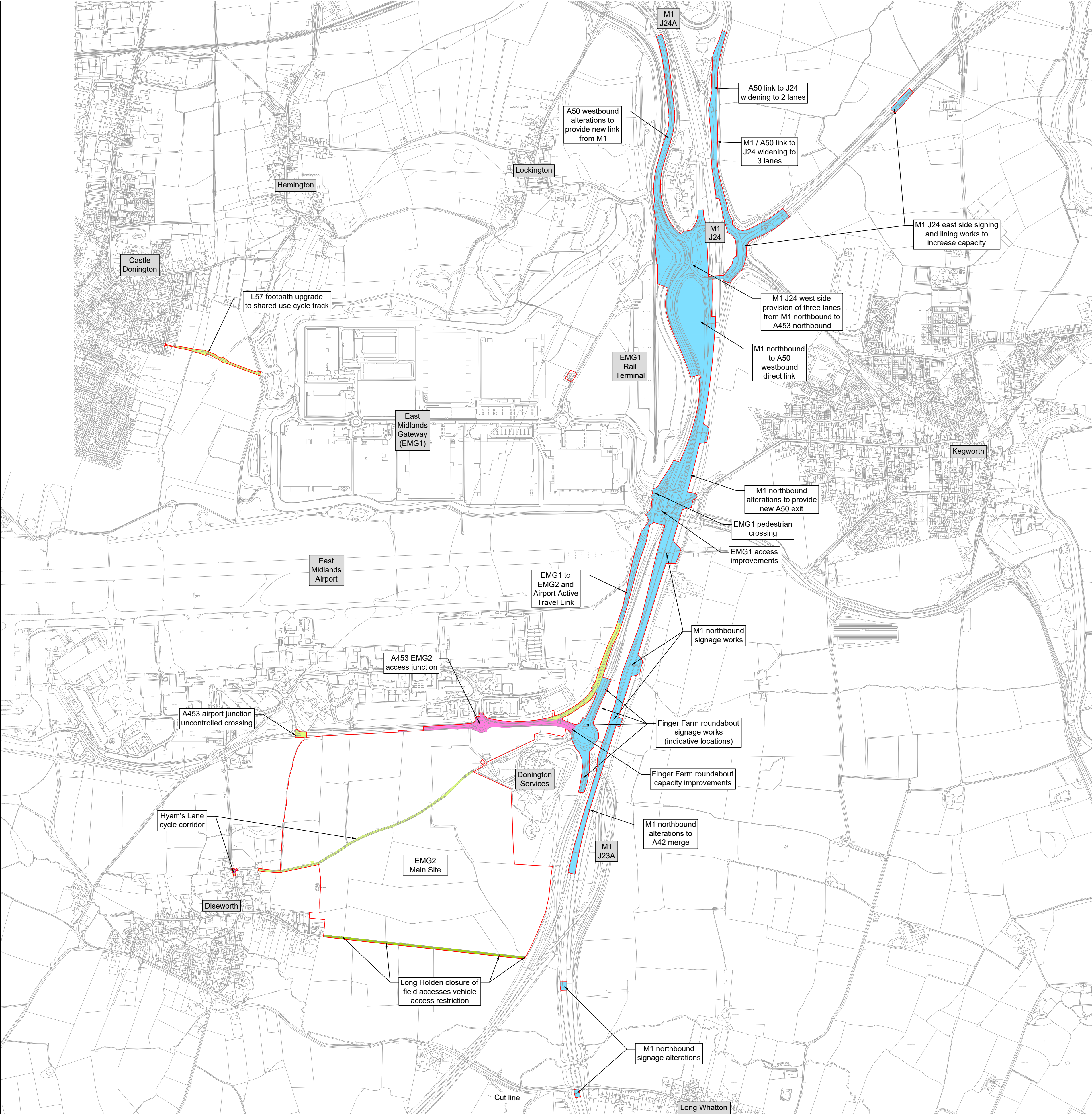
ISSUES & REVISIONS					
Rev	Date	Details of issue / revision	Drw	Rev	
P01	15.01.25	Issued for comment	SRH	SRH	
P02	19.06.25	Updated to latest scheme proposal	SRH	SRH	



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Client				Project Title				Drawing Title			
				EAST MIDLANDS GATEWAY 2 (EMG2)				M1 J24 IMPROVEMENTS NSIP AREA ASSESSMENT			
Drawn:	S. Hilditch	Reviewed:	S.Hilditch	Drawing Status	FOR INFORMATION			Project - Originator - Zone - Level - Type - Role - Number			
BWB Ref:	220500	Date:	15.01.25	Scale@A1:				EMG2-BWB-GEN-XX-SK-CH-SK029	S2	P02	

APPENDIX 3
HIGHWAYS PLAN – SRN AND LRN



Notes

1. Do not scale this drawing. All dimensions must be checked/ verified on site. If in doubt ask.
2. This drawing is to be read in conjunction with all relevant architects, engineers and specialists drawings and specifications.
3. All dimensions in metres unless noted otherwise. All levels in metres unless noted otherwise.
4. Any discrepancies noted on site are to be reported to the engineer immediately.

Legend	
—	DRAFT order limits EMG2 DCO
—	Works related to the strategic road network
—	Highway capacity and access works related to the local road network
—	Active travel works

ISSUES & REVISIONS					
Rev	Date	Details of issue / revision	Drw	Rev	
P01	30.05.25	Issued for information	SRH	SRH	
P02	30.05.25	Active travel works shown	SRH	SRH	
P03	11.06.25	M1 J24 works amended	SRH	SRH	
P04	11.07.25	EMG2 access updated	SRH	SRH	
P05	28.07.25	EMG2 access updated	SRH	SRH	



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Client

Drawn: S. Hilditch
BWB Ref: 220500

Reviewed: S.Hilditch
Date: 30.05.25
Scale@A1: 1:10,000

Project Title

Drawing Status

EAST MIDLANDS
GATEWAY 2 (EMG2)

FOR INFORMATION

Drawing Title

Project - Originator - Zone - Level - Type - Role - Number

OVERVIEW OF WORKS ON
THE STRATEGIC AND
LOCAL ROAD NETWORKS

EMG2-BWB-GEN-XX-SK-CH-SK045

Status

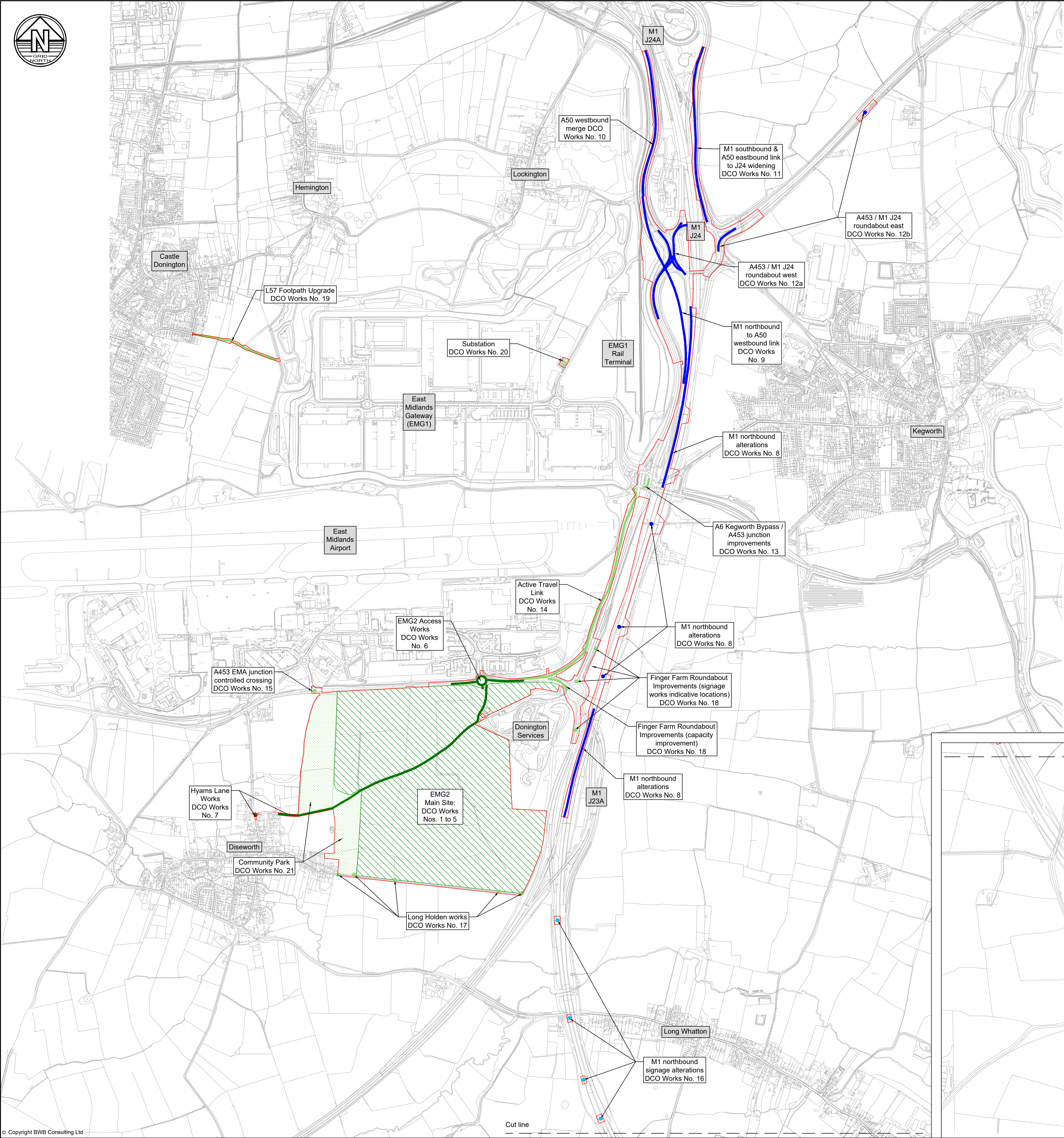
Rev

S2

P05

APPENDIX 4

ASSOCIATED DEVELOPMENT PLAN



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APPENDIX 5

DOCUMENT HIERARCHY

