

Document DCO 8.3C / MCO 8.3C

Statement of Common Ground between the Applicants and North West Leicestershire District Council (relating to Air Quality)

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 Statement of Common Ground ("SoCG") is a written statement produced during the application process for a Development Consent Order ("DCO") and is prepared jointly by the applicants and another party.

1.2 The Guidance entitled 'Planning Act 2008: Examination stage for Nationally Significant Infrastructure Projects' (April 2024) ("the Guidance") describes a SoCG as follows:

"A Statement of Common Ground (SoCG) is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree, or indeed disagree. A SoCG helps to ensure that the evidence at the examination focuses on the material differences between the main parties and therefore makes best use of the lines of questioning pursued by the Examining Authority" (paragraph 007)

1.3 This SoCG has been prepared as part of the information accompanying the applications for a DCO and a Material Change Order ("MCO") for the scheme known as East Midlands Gateway Phase 2 ("EMG2" or "the Scheme") comprising:

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 Further Works as described in the draft DCO (Document DCO 3.1). DCO Works Nos. 20 and 21 including relevant Further Works as described in the draft DCO (Document DCO 3.1).
Highway Works	Works to the highway network: the A453 EMG2 access junction works (referred to as the EMG2 Access Works); improvements at Junction 24 of the M1 (referred to as the J24 Improvements), works to the wider highway network including the Active Travel Link, Hyam's 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).
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).

1.4 This SoCG has been prepared in accordance with the Guidance to assist the Examining Panel in examining the applications for the DCO and MCO by providing an understanding of the status of discussions or negotiations between the Applicants and another party.

1.5 Capitalised terms refer to the Glossary at Appendix A to Chapter 1 of the Environmental Statement (Document 6.1A) unless otherwise stated.

2 Parties to this SoCG

2.1 This SoCG is entered into by (1) SEGRO who has submitted the DCO Application through SEGRO Properties Limited and has submitted the MCO application through SEGRO (EMG) Limited (referred to collectively as "the Applicants") and (2) North West Leicestershire District Council ("NWLDC").

2.2 NWLDC enters into this SoCG in its capacity as Local Planning Authority.

2.3 A record of the engagement between the Applicants and NWLDC in relation to air quality is set out in the Appendix to this SoCG.

3 Structure of this SoCG

3.1 This SoCG has been structured with two clearly defined sections. The first section considers matters relevant to the DCO and the second section considers matters relevant to the MCO. Where a particular matter is common to both the DCO and the MCO this is clearly stated and recorded in both sections.

3.2 The areas covered by this SoCG are as follows:

3.2.1 The baseline nitrogen dioxide ("NO₂") diffusion tube monitoring locations and programme located in the vicinity of the Scheme.

3.2.2 The methodology traffic screening criterion to define the study area (including Air Quality Management Areas ("AQMA's") for the air quality impact assessments for both the construction and operation phases.

3.2.3 The air quality prediction methodologies adopted for the assessment

3.2.4 The traffic effects, both from increases in traffic as well as changes to traffic movements as a result of the Scheme.

3.2.5 The suitability of the Site for the Scheme as well as an assessment of air quality impacts on nearby uses (including operations at East Midlands Airport, EMG1 and Junction 23a Services).

3.2.6 The effects of each element of the Scheme (i.e. the cumulative impacts of the Main Site, the Rail Freight Interchange and EMG1, and Highway Works).

3.3 This SoCG records those matters which are agreed and, where appropriate, any matters that are not agreed and still under discussion between the Applicants and NWLDC in relation to air quality.

3.4 Where this SoCG is identified as a draft, some matters may still be under discussion. If appropriate, a final version that confirms the final positions of the parties on relevant matters will be submitted before the close of the Examination.

3.5 Within the following tables a Red Amber Green ("RAG") status has been applied as follows:

(a) **green** indicates a matter agreed;

(b) **amber** indicates a matter that is under discussion and/or further work is being completed; and

(c) red indicates a matter not agreed.

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Air Quality						
4.1	Diffusion Tube Monitoring Locations	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012) ES Chapter 8: Air Quality, Appendix 8E (Reference. APP-102)	The baseline nitrogen dioxide (NO ₂) diffusion tube monitoring locations and programme located in the vicinity of the Scheme are appropriate for the purposes of this assessment.	The baseline nitrogen dioxide (NO ₂) diffusion tube monitoring locations and programme located in the vicinity of the Scheme are appropriate for the purposes of this assessment.	Agreed	07/04/2026
4.2	Traffic Screening Methodology	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012)	The methodology traffic screening criterion to define the study area (including AQMAs for the air quality impact assessments for both the construction and operation phases is appropriate for the purposes of this assessment.	The methodology traffic screening criterion to define the study area (including AQMAs for the air quality impact assessments for both the construction and operation phases is appropriate for the purposes of this assessment.	Agreed	07/04/2026
4.3	Prediction Methodologies	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012)	The air quality prediction methodologies adopted for the assessment are appropriate.	The air quality prediction methodologies adopted for the assessment are appropriate.	Agreed	07/04/2026
4.4	Consideration of Traffic Effects	ES Chapter 8: Air Quality, Section 8.7	The traffic effects have been considered in their entirety, using data from the strategic model outputs, and the results of the traffic impacts arising	The traffic effects have been considered in their entirety, using data from the strategic model outputs, and the results of the traffic impacts arising	Agreed	07/04/2026

		(Reference. REP3-012)	from the Scheme are set out in ES Chapter 8.	from the Scheme are set out in ES Chapter 8.		
4.5	Site Suitability Assessment	ES Chapter 8: Air Quality, Section 8.7 (Reference. REP3-012) ES Chapter 8: Air Quality, Appendix 8G (Reference. APP-104)	A Site suitability assessment has been carried out and the results summarised in the Chapter, with the full results set out in an appendix.	A Site suitability assessment has been carried out and the results summarised in the Chapter, with the full results set out in an appendix.	Agreed	07/04/2026
4.6	Cumulative Impacts	ES Chapter 8: Air Quality, Section 8.8 (Reference. REP3-012)	The cumulative impacts have been considered in their entirety, and the results set out in the ES Chapter.	The cumulative impacts have been considered in their entirety, and the results set out in the ES Chapter.	Agreed	07/04/2026
4.8	PRTM2023 Traffic Data Modelling	PRTM2023 Consolidated Note (Reference. REP6A-002D)	At Deadline 1 NWLDC's Local Impact Report ("LIR") (Ref. REP1-103/REP1-104/REP1-105) sought reassurance that traffic modelling would not change the ES outcomes. Since the LIR, the Applicants produced a technical note that was submitted to NWLDC on 28 th April 2026 (included at Appendix 2) along with document DCO 7.26 PRTM 2023 Consolidated Note [REP6A-002D] submitted into the Examination at Deadline 6A (18 th August 2026). Both the technical note and PRTM 2023 Consolidated Note conclude that	NWLDC has considered the contents of the technical note and PRTM 2023 Consolidated Note. NWLDC tentatively agree with the conclusions of the PRTM 2023 Consolidated Note in that an increase in traffic along High Street / Market Street and Bondgate, Castle Donington is not likely to alter the conclusions of Chapter 8 of the ES given the presence of traffic calming measures along High Street, Market Street and Bondgate. The Derby Road and London Road route through Kegworth does not	Agreed	01/09/2026

			the conclusions as presented in Chapter 8 of the ES would not be altered and therefore no updates to the assessment would be required. An identified impact along High Street, Castle Donington is to be mitigated by improved signage to direct drivers to the bypass. This is to be secured by Requirement 27.	contain any traffic calming measurements and therefore the argument presented for Castle Donington does not hold as well. It is the view of NWLDC that the updating of signage (as proposed by Requirement 27) is unlikely to influence (i.e. deter) the vehicle numbers through Castle Donington and Kegworth given that peak time traffic is likely to rely either on 'local knowledge' to avoid congestion or rely on satellite navigations 'fastest route.' That being said, the increases predicted are relatively small and do not contain heavy goods vehicles ("HGVs"), and whereby weight restrictions are in place through the centre of both Castle Donington and Kegworth, In these circumstances NWLDC are satisfied that the modelling of the air quality impacts would not be significantly affected by the results of the PRTM 2023 modelling and that the conclusions of Chapter 8 of the ES remain robust.		
4.8	Matters of Disagreement	n/a	There are no matters of disagreement between the Applicant and NWLDC.	There are no matters of disagreement between the Applicant and NWLDC.	Agreed	01/09/2026
4.9	Matters Under Discussion	n/a	There are no matters still under discussion between the Applicants and NWLDC	There are no matters still under discussion between the Applicants and NWLDC	Agreed	01/09/2026

Reference Number	Matter	Application Document	Applicants' Position	Interested Party's Position	Status	Date
Air Quality						
5.1	Diffusion Tube Monitoring Locations	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012)	The baseline nitrogen dioxide (NO ₂) diffusion tube monitoring locations and programme located in the vicinity of the Scheme are appropriate for the purposes of this assessment.	The baseline nitrogen dioxide (NO ₂) diffusion tube monitoring locations and programme located in the vicinity of the Scheme are appropriate for the purposes of this assessment.	Agreed	07/04/2026
5.2	Traffic Screening Methodology	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012)	The methodology traffic screening criterion to define the study area (including AQMAs for the air quality impact assessments for both the construction and operation phases is appropriate for the purposes of this assessment.	The methodology traffic screening criterion to define the study area (including AQMAs for the air quality impact assessments for both the construction and operation phases is appropriate for the purposes of this assessment.	Agreed	07/04/2026
5.3	Prediction Methodologies	ES Chapter 8: Air Quality, Section 8.2 (Reference. REP3-012)	The air quality prediction methodologies adopted for the assessment are appropriate.	The air quality prediction methodologies adopted for the assessment are appropriate.	Agreed	07/04/2026
5.4	Consideration of Traffic Effects	ES Chapter 8: Air Quality, Section 8.6 (Reference. REP3-012)	The traffic effects have been considered in their entirety, using data from the strategic model outputs, and the results of the traffic impacts arising from the Scheme will be set out in the ES Chapter.	The traffic effects have been considered in their entirety, using data from the strategic model outputs, and the results of the traffic impacts arising from the Scheme will be set out in the ES Chapter.	Agreed	07/04/2026
5.5	Site Suitability Assessment	ES Chapter 8: Air Quality, Section 8.7	A Site suitability assessment has been carried out and the results	A Site suitability assessment has been carried out and the results summarised in	Agreed	07/04/2026

		(Reference. REP3-012) ES Chapter 8: Air Quality, Appendix 8G (Reference. APP-104)	summarised in the Chapter, with the full results set out in an appendix.	the Chapter, with the full results set out in an appendix.		
5.6	Cumulative Impacts	ES Chapter 8: Air Quality, Section 8.8 (Reference. REP3-012)	The cumulative impacts have been considered in their entirety, and the results set out in the ES Chapter.	The cumulative impacts have been considered in their entirety, and the results set out in the ES Chapter.	Agreed	07/04/2026
5.7	Matters of Disagreement	n/a	There are no matters of disagreement between the Applicants and NWLDC.	There are no matters of disagreement between the Applicants and NWLDC.	Agreed	07/04/2026
5.8	Matters Under Discussion	n/a	There are no matters still under discussion between the Applicants and NWLDC	There are no matters still under discussion between the Applicants and NWLDC	Agreed	07/04/2026

6 Conclusions

- 6.1 The Applicants and NWLDC confirm that all air quality matters under discussion in relation to the Scheme have been agreed as recorded in the tables in sections 4 and 5 above.

SIGNATURES:

On behalf of the Applicants:



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Signature

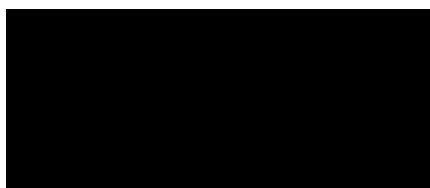


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Name

Associate – Vanguardia

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Position

On behalf of North West Leicestershire District Council:



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Signature



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Name

Head of Planning and Infrastructure

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Position

APPENDIX 1

RECORD OF ENGAGEMENT

Date	Form of engagement	Summary of matters dealt with
30/05/2022	Email to [REDACTED], Environmental Protection Officer, NWLDC	Provided details on air quality monitoring to feed into the air quality model verification process, including locations and time period of monitoring programme to be undertaken
31/05/2022	Email from [REDACTED], Environmental Protection Officer, NWLDC	Confirmed the monitoring locations and methodology was acceptable.
05/2022	Air Quality section of Scoping Report produced by Applicant (original scheme)	Provided overview of proposed scope and methodology, including proposed baseline survey locations (note that at this time, the Scheme was limited to the works taking place at the EMG2 Main Site).
08/2024	Air Quality section of Scoping Report produced by Applicant (revised scheme)	Provided overview of proposed scope and methodology, baseline conditions, potential impacts and baseline survey locations.
22/10/2024	Email to [REDACTED] [REDACTED], Environmental Protection Officer, NWLDC	Requested any further opinions on comments received by PINS, Leicestershire County Council, Highways England, Natural England, NWLDC and the UK Health Security Agency.

22/10/2024	Email from [REDACTED], Environmental Protection Officer, NWLDC	Confirmed that approach in email above was deemed satisfactory.
23/12/2025	Email to [REDACTED], Environmental Protection Officer, NWLDC	Requested confirmation that the Draft Air Quality SOCG was satisfactory.
27/01/2026	Email from [REDACTED], Environmental Protection Officer, NWLDC	Confirmed no concerns with the contents of the draft agreement and was satisfied that the contents could be agreed.
February to June 2026	Examination	Discussion has also continued during the examination by way of the ExP Questions, hearing sessions and responses to reach an agreement on all technical aspects.

Appendix 2 - Technical Note following additional traffic modelling

Project Note

Project	East Midlands Gateway Phase 2
Subject	NWLDC Relevant Representation: PRTM 2023 Traffic Modelling and Noise & Air Quality Assessments
Project no	0062108-0820
Date	23 April 2026

Revision	Description	Issued by	Date	Approved
02	Incorporating transport comments	CG	23/04/26	AT

1 Introduction

The North West Leicestershire District Council (NWLDC) Relevant Representation (RR) for the East Midlands Gateway Phase 2 (EMG2) project was issued on 9th January 2026. In the section providing comments on the noise and vibration assessment that was submitted as part of the EMG2 Development Consent Order (DCO) application, the RR includes the following paragraph:

Notwithstanding the above, it is understood that further transport modelling is being undertaken in accordance with Leicestershire County Council's 2023 Pan Regional Transport Model (PRTM) to account for a post-Covid highway situation and such further modelling may therefore require the relevant noise and vibration assessments to be updated. The above position is therefore reserved depending on the relevant conclusions which arise from such modelling work.

A similar paragraph is included in the section of the RR providing comments on the air quality (AQ) assessment submitted with the EMG2 DCO application, stating:

Notwithstanding the above, it is understood that further transport modelling is being undertaken in accordance with Leicestershire County Council's 2023 Pan Regional Transport Model (PRTM) to account for a post-Covid highway situation and such further modelling may therefore require the air quality assessment to be updated. The above position is therefore reserved depending on the relevant conclusions which arise from such modelling work.

Both the noise and AQ assessments of the corresponding impacts of changes in road traffic flows as a result of the EMG2 Project were based on traffic data provided by the project's transport consultant. This data was based on the core modelling outputs of Leicestershire County Council's 2019 East Midlands Freeport Model (EMFM), which is a cordoned part of the larger Pan Regional Transport Model (PRTM). The EMFM had a base year of 2019.

Following the production of the traffic data and the completion of the related noise and AQ assessments associated with the EMG2 DCO application, the larger PRTM model was updated with a base year of 2023. Following a request by the local highway authority, Leicestershire County

Council (LCC), the project's transport consultant has considered the changes that may occur from use of data produced by PRTM 2023 when compared to that produced by EMFM 2019 in terms of transport. It should be noted that this is considered to be a sensitivity test and does not replace the assessment produced for the EMG2 DCO application environmental impact assessment (EIA), based on the EMFM 2019 data.

This note provides an analysis of the potential changes that might occur when using data produced by PRTM 2023 in terms of the noise and AQ assessments included as part of the EIA.

2 Noise

Chapter 7 of the Environmental Statement (ES) [\[AS-035\]](#) included predictions and assessment of the changes in road traffic noise associated with the EMG2 Project. The predictions were based on traffic flow data using the annual average weekday traffic (AAWT) metric as used by the relevant UK methodology, CRTN¹, for the hours of 06:00-00:00 and 23:00-07:00 representing the day and night-time periods, respectively.

PRTM and EMFM both produce traffic flow data for the typical morning (AM) and evening (PM) peak one-hour periods, from which AAWT data can be derived. However, for the purpose of the transport PRTM 2023 sensitivity test, only AM and PM peak hour data incorporating operational traffic from EMG2 has been produced.

Following discussions with the project transport consultant, it is considered that a robust evaluation of the potential changes that may occur with respect to changes in operational road traffic noise can be undertaken by comparing the peak hour data as produced by EMFM 2019 (i.e., the basis of the data used for the assessment as submitted) and the peak hour data produced by PRTM 2023, as used for the transport sensitivity test. This is because both models apply a generic factor to scale the peak hour data to produce AAWT data (and AADT data, as used for AQ), and therefore any changes in peak hour flows should also be reflected in any changes in AAWT/AADT flows.

On this basis, the following has been undertaken:

- The individual road links (i.e., sections of road) adjacent to the key road traffic noise receptors have been identified. These are primarily around J24 of the M1 and in/around Diseworth;
- The AM and PM peak hour flows for these links have been extracted from the EMFM 2019 data and the PRTM 2023 data for the relevant operational scenarios (see Table 7.8 of the ES). Note that the versions of the scenarios that do not include the allocations from the Regulation 18 draft NWLDC local plan (see paragraph 7.2.22 of the ES) have not been produced using PRTM 2023 and therefore have not been considered;
- The 1-hour basic noise levels (BNL) for the AM and PM peak hour periods for both the EMFM 2019 and PRTM 2023 datasets have been calculated for each selected road link using the methodology from CRTN;
- The differences between the do-minimum (without development) and do-something (with development) scenarios have been calculated for both the EMFM 2019 and PRTM 2023 BNL results, which is a key element of the assessment process presented in Chapter 7 of the ES;
- The two sets of differences have been compared.

¹ Calculation of Road Traffic Noise, Department of Transport (1988)

Based on the comparison of the results from the selected road links, while there are some minor differences in terms of the predicted values, no differences are indicated in terms of predicted operational road traffic noise effects, i.e., there is only one result that indicates a potentially significant effect and it is present in both the EMFM 2019 and PRTM 2023 comparisons: this is the section of the A453 adjacent to the Radisson Blu Hotel for the 2028 scenario only, which is discussed in paragraphs 7.5.34 to 7.5.35 of the ES.

On the basis of this comparison, it can be concluded that while there may be some minor differences between the predicted road traffic noise levels calculated using data produced by EMFM 2019 and PRTM 2023, these are not expected to alter the conclusions as presented in Chapter 7 of the ES at the key receptor locations and therefore no updates to the assessment are required.

3 Air Quality

Chapter 8 of the Environmental Statement (ES) [\[AS-037\]](#) included predictions and assessment of the changes in air pollutant concentrations at sensitive receptors associated with traffic changes as a result of the EMG2 Project. The predictions were based on traffic flow data using the annual average daily traffic (AADT) metric as used by the relevant UK methodology.

PRTM and EMFM both produce traffic flow data for the typical morning (AM) and evening (PM) peak one-hour periods, from which AADT data can be derived. However, for the purpose of the transport PRTM 2023 sensitivity test, only AM and PM peak hour data incorporating operational traffic from EMG2 has been produced.

Generally, a similar methodology adopted in the noise and vibration has been used to understand potential differences between the EMFM 2019 and PRTM 2023 datasets. Due to the quantity of road links included in the air quality assessments, it was not considered practical or necessary to compare all road links between the datasets. Since the only non-negligible impacts were observed within the Castle Donington Air Quality Management Area (AQMA), this area was identified as the primary area for comparison. Moreover, only one highway-link, "Bondgate", was deemed relevant to receptors in the Castle Donington AQMA.

On this basis, the following has been undertaken:

- The AM and PM peak hour flows for these links have been extracted from the EMFM 2019 data and the PRTM 2023 data for the relevant operational scenarios (see paragraph 8.2.57 of the ES). Note that the versions of the scenarios that do not include the allocations from the Regulation 18 draft NWLDC local plan have not been produced using PRTM 2023 and therefore have not been considered;
- From an air quality point of view, if a traffic flow reduces, the overall air pollutant concentration at nearby receptors will also reduce, therefore no re-modelling would be required to quantify this change as the impacts would be less and hence the original modelling exercise would represent a worst-case scenario;
- The differences between the do-minimum (without development) and do-something (with development) scenarios have been calculated for both the EMFM 2019 and PRTM 2023, for the peak hours;
- The two sets of differences have been compared.

Based on the comparison between the peak hours for the EMFM 2019 and PRTM 2023 datasets, the following conclusions can be drawn:

- The overall quantity of traffic on "Bondgate" has reduced between the EMFM 2019 and PRTM 2023 datasets;
- There is no increase in development trips on "Bondgate" predicted in the PRTM 2023 compared to the EMFM 2019;
- The conclusions drawn from the EMFM 2019 dataset are a worst-case assessment of impacts on "Bondgate" in the Castle Donington AQMA.

On the basis of this comparison, it can be concluded that while there may be some minor differences between the predicted air pollutant concentrations calculated using data produced by EMFM 2019 and PRTM 2023, these are not expected to alter the conclusions as presented in Chapter 8 of the ES at the key receptor locations and therefore no updates to the assessment are required.