



Applications by

Segro Properties Limited and Segro (EMG) Limited (“Segro”)

Issue Specific Hearing 11 March 2026

Submission of Protect Diseworth (IP F3E6B1906)

1. Introduction

Protect Diseworth (“PD”) is a community group representing the interests of the village of Diseworth, the settlement immediately next to the DCO site.

This written representation for the ISH1 scheduled for 11 March 2026 is made as no appropriate member of the group could be available for most of the items in this hearing due to commitments made prior to notification of the hearing. Whilst PD had been hoped other professional representation could be available, prior commitments and resources prevented that occurring.

For these reasons, PD asks that the ExP takes due notice of these representations, accepting they are made ahead of statements to be made by the Applicant and other parties.

On the assumption that it will, to the extent relevant to the published agenda, PD refers the ExP to the relevant parts of its RRs filed 7 January 2026 (pp1-19) and will not repeat them here save for emphasis.

2. Reservation

Given that this submission is made prior to hearing the Applicant’s comments (and without explanation as to some of the points raised in the agenda) PD reserves the right to add to or amend any of the points it raises as these proceedings progress.

3 Items 3- Legal Basis for Determination

PD’s preliminary position is as follows:

- The planning statement seeks to assess the scheme as a whole in terms of the NPSNN, NPPF and local plan policy.
- Section 104 of PA2008 makes it clear that the SoS must have regard to a national policy statement that has effect in relation to the development of the description to which the application relates.
- In simple terms, irrespective of whether the EMG2 works are associated with highways works, the EMG2 works are a commercial development, and in this respect, they are not by themselves part of the national network/do not directly result in any improvements.
- In the circumstances, PD considers that Section 105 of the PA2008 is engaged in relation to the EMG2 works (decisions where no national policy statement has effect.)
- As such, PD consider that there is no relevant national policy statement in effect in relation to the EMG2 works and they consider as such that the NPSNN ***should be afforded no weight in relation to the EMG2 works.***

Subject to the comments above, PD cannot at this stage make any further contribution to the agenda item beyond emphasising the fact this application is grounded upon the Freeport (“EMF”) designation, a designation which appears to have led to the S35 decision in this matter. Additionally, NWLDC’s approach to the land (“EMP90” as defined in its updates to the Local Plan) is also an issue of considerable concern to PD.

4 Item 4. (Interoperability)

Again, it is difficult for PD to make detailed submissions upon the agenda point at this stage. It surmises that the item is focussed upon the conflict between Prologis’ application to NWLDC and the DCO.

PD is advised that a DCO normally includes powers that no incompatible planning permission can proceed in direct conflict with a ‘made’ DCO whereas article 42 of the draft DCO apparently offers an alternative approach. PD looks forward to considering the outcome of this discussion.

As a subsidiary point, PD argues that EMF’s failure to resolve the competing applications should be borne in mind when considering the extent to which, if at all, its role in supporting wider economic generation is a relevant factor in this application.

5 Item 5 (Relationship between the application for the DCO and that for the MCO)

Similar comments apply as above.

6 Item 6 (Need and Alternatives)

a) Policy and Regulatory Need

PD repeats its position that that there is no national basis of need in respect of the PA2008. The NPSNN does not apply to the EMG2 works and so Section 105 of the

PA2008 is engaged. As a result, the relevant policy context for EMG2 is the NPPF and local plan, noting PD continues to challenge the inclusion of the “EMP90” in the Regulation 18 stage draft plan.

b) EIA Alternatives

In Chapter 4 of the ES, the Applicant states:

“Given the strategic context set out in Section 4.2 of this Chapter, it is clear that only a site closely related to East Midlands Airport and EMG1 would genuinely offer a reasonable alternative. The Freeport designation of the EMG2 Main Site, limits the sites that can be considered to provide a realistic alternative.”

PD’s position is:

- Based on the above, the Applicant’s assessment of alternatives, is driven by commercial suitability rather than environmental considerations.
- Alternatives should be guided by seeking to consider whether there are other sites that may have less significant environmental effects.
- Whilst alternative sites in Kegworth consider flood risks constraints, the consideration of alternatives does little to consider other environmental topics such as ecology, landscape, noise, air quality etc.

As such the consideration of alternatives that avoid sensitive residential receptors (Diseworth) is extremely limited and subject to challenge.

c) Freeport dependence

PD refers to its RRs section headed “*East Midlands Freeport and other Economic Arguments*” (p4).

As Segro sets out (see above,) the designation of this site is used as a fundamental justification for this application and indeed that of its competitor, Prologis.

After the initial Freeport submission had been rejected in late 2021, there was a scramble to find a further site. In a meeting with PD in April 2022, EMF’s chair, whilst refusing to give detail, told PD that there had been a need for “additionality” after that refusal.

The lack of transparency/obfuscation relating to the incorporation of this site continues. Yet another Freedom of Information request (FOI2025/35921,) this time to MHCLG made in December 2025, focussed on this exact issue. Whilst, the Department has confirmed that it holds the relevant information, it has yet to be answered as it has twice claimed it requires further time to consider the public interest.

There was no subsequent local consultation, or at least no consultation that has been disclosed despite detailed requests.

This approach should be contrasted with the view expressed by James Arnold, strategic director of NWLDC. In an email dated as early as 4 December 2020 to the local LEP (“D2N2,”) which was at the time coordinating the Freeport bid) he said:

*“Essentially, the identification of potential sites has to be seen to go through due process if sites are to have any credibility and planning legitimacy. Finally, if such sites are not already identified for development in the council’s local plan, we as officers do not have the authority from our elected members to put forward site, irrespective of landowner support and **so there would be no planning legitimacy to any sites identified.**”* (PD’s emphasis) (Copy attached at “PD1”).

Self-evidently, this was 12 months prior to the incorporation of the subject site into EMF, and years prior to the EMP90 site appearing in any consultation documents for the purpose of local planning.

It is in these circumstances that the Applicant, relying upon the designation, appears to have made few, if any, attempts to identify alternative sites for its scheme, a scheme which on its own admission, is largely founded upon displacement of existing jobs, rather than creation of new, a fundamental justification for EMF’s existence.

Furthermore, to the extent relevant at this stage, PD points to the issue of job creation remaining a fundamental justification for EMF’s existence. This site is focused upon nothing more than B8 “sheds” (“strategic logistics” in EMF’s and Segro’s language.) Evidence exists to demonstrate that owners/occupiers of such properties throughout Europe are reducing reliance on human labour, making the case for economic “need” even more questionable.

No due process took place, and no planning legitimacy exists. In PD’s view, this amounts to a fundamental legal flaw in the Application.

d) Proximity to EMA, the rail terminal and highways works.

PD specifically reserves its position in relation to these matters pending the Applicant’s answers to the issues raised by the Exp.

However, noting the final bullet point (“consequences of not providing the highway works if only the Prologis and EMA application was delivered,”) Prologis’ representative has commented directly to PD that it “*only has an obligation to consume its own smoke*” in this context. The consequences are obvious.

7 Traffic and Transport

An individual who, if required, will be able to contribute to this issue on behalf of PD has registered to be present at the hearing.

Dated 9 March 2026



Exhibit "PD1" to written submissions for ISH 11 March 2026

Dear Colleagues

Following the launch of the Freeport prospectus I wanted to share an update on progressing the east midlands freeport bid in advance of the next working group meeting.

[REDACTED] attached is a current assessment of where we are against the requirements of the freeport prospectus.

A couple of specific points I'd like to update you on are:

- The D2N2 board met last Tuesday the 24th of November and endorsed the proposition developed to date built around east midlands airport as the primary customs site and the proposed tax sites at the airport and at the Ratcliffe power station.
- They formally endorsed the working group as the governance structure to oversee the work of the freeport bid reporting back to both LEP boards. I know that the LLEP board are also meeting today to similarly review the progress of the work to date;
- Given that the prospectus has clarified that a freeport can include up to 3 non-contiguous sites, the D2N2 Board have endorsed a formal call for sites through the local authorities for a third site that demonstrates a clear strategic and economic rationale to complement and not undermine the current sites in the proposed freeport area. The LLEP board will also be considering the same proposal.
- I've therefore attached the site selection form that we will be issuing tomorrow to all local authorities in the D2N2 and LLEP areas, (subject to any comments from the LLEP board) for sites to come forward by the 11th of December which will then be independently tested based on the criteria of the prospectus and complementarity to the existing proposal around the east midlands airport and Ratcliffe power station; This will have to be a very tight turnaround so that we can quickly build up the same level of knowledge of a third site;

[REDACTED] I have a meeting scheduled with the CEOs of the local authorities on the 7th of December to specifically discuss alignment with the [REDACTED] corporation, but it will also be an important opportunity to ensure we secure support of each of the local authorities by addressing any concerns such as the handling of sensitivities over the proposed sites in terms of planning;

- Separately, James and I had a very useful practical working session with the development corporation consultancy team to explore in more detail how we ensure alignment on issues such as how we capture economic impacts, governance and planning. There is more work to be done but a useful starting point to build on.
- Each of the landowners are continuing to feed in details on their sites and exploring their own respective governance requirements in relation to the bid;
- We have a session planned with all the universities in the region on the 17th of December to explore how we can maximise the innovation potential within the freeport proposal and align with the national ambition to create 'innovation hotbeds'
- We are continuing to keep the regions MPs informed and in particular will be seeking letters of support from the constituency MPs for the proposed sites;
- We are also planning more detailed business engagement to explore how existing businesses in the region can benefit from the proposed customs benefits by exploring options around additional custom subzones;
- By the time we have our next working group meeting we will develop a working document to bring together the draft bid against the prospectus criteria so we can start populating and agreeing the bid – recognising that areas of sensitivity including site specific details will be reflected accordingly;
- Finally, if you haven't already can you confirm who within your organisation is the point of contact in relation to communication.

If you have any further questions please come back to me directly.

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