

Document DCO 7.4 / MCO 7.4

Applicants' Response to Hearing Action Points

APRIL 2026

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

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

**APPLICANTS' RESPONSE TO HEARING ACTION
POINTS**

(DOCUMENT DCO 7.4 / MCO 7.4)

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1 Introduction

- 1.1 This document relates to the applications for a second phase at East Midlands Gateway Logistics Park (EMG1), being an application for a Development Consent Order (DCO) made by SEGRO Properties Limited (DCO Applicant) and an application for a Material Change Order (MC) made by SEGRO (EMG) Limited (MCO Applicant). The DCO Applicant and the MCO Applicant are together the "Applicants".
- 1.2 This document has been prepared by the Applicants to set out their responses to the action points identified at the hearings that took place on 10, 11 and 12 March 2026.
- 1.3 The Applicants' response to the action points arising from the Compulsory Acquisition Hearing 1 (CAH1) on 10 March 2026 are set out in section 2 of this document.
- 1.4 The Applicants' response to the action points arising from the Issue Specific Hearing 1 (ISH1) on 11 March 2026 are set out in section 3 of this document.
- 1.5 The Applicants' response to the action points arising from the Issue Specific Hearing 2 (ISH2) on 12 March 2026 are set out in section 4 of this document.
- 1.6 Any terms used but not defined in this document shall have the same meaning as in the Glossary accompanying the DCO Application and the MCO Application [**APP-067**].

2 CAH1 - Applicants' Response to Action Points

2.1 The Applicants' response to the action points arising from the CAH1 are set out in the table below.

2.2 Table of responses:

AP No.	Action	Action By	Response Due By	Applicants' Response
1.	Set out the position on whether they consider the estimated total development cost of approximately £420 million, as stated in paragraph 4.3 of the Funding Statement, to be reasonable and accurate.	Prologis (Prologis UK Limited and/ or Prologis UK 121 Limited as appropriate) EMIA (East Midlands International Airport Limited and/ or East Midlands Airport Property Investments (Industrial) Limited as appropriate)	Deadline 1 Tuesday 7 April 2026 (D1)	N/A
2.	Provide an update explaining how they have considered the recent revocation decision relating to the A1 Morpeth to Ellingham scheme, particularly in the context of the discussion on the funding issue as to whether exceptional circumstances existed to	The Applicants Prologis EMIA	D1	The Applicants have reviewed the decision of the Secretary of State for Transport to revoke the A1 in Northumberland: Morpeth to Ellingham Development Consent Order 2024 by revocation order which came into force on 14 November 2025. The Applicants note the reasoning provided by the Secretary of State and the exceptional circumstances given for the

	justify revocation in that case. This should include any implications of that on this examination.			<p>revocation which centred on a fundamental change in deliverability. Public funding for the scheme was removed following government reassessment due to it representing poor value for money and providing limited economic benefits for the region. Linked to the removal of funding was the Secretary of State's acceptance that it would be desirable to prevent National Highways, the promoter, incurring blight claims which would burden the public purse. The revocation order removed planning blight from the safeguarded land and released it for alternative uses to be promoted by landowners.</p> <p>The Applicants recognise that each case will turn on its own facts but acknowledge how withdrawing public funding for the A1 Morpeth scheme rendered the previously consented scheme undeliverable. A key differentiator with the EMG2 DCO Application, is that it will be privately funded and deliver objectively verifiable economic benefits for the region.</p>
3.	Set out the "operational land" implications of the proposed compulsory acquisition, that is both whether any land is "operational land", and if so, explain what effects any compulsory acquisition or other land rights implications would have.	EMIA	D1	N/A
4.	Update the special category land information to correct the relevant subsections.	The Applicants	D1	The Statement of Reasons (DCO 4.1) [APP-019D] has been updated and submitted at Deadline 1.

3 ISH1 - Applicants' Response to Action Points

3.1 The Applicants' response to the action points arising from the ISH1 are set out in the table below.

3.2 Table of responses:

AP No.	Action	Action By	Response Due By	Applicants' Response
5.	To provide a written explanation setting out its justification for the view that the EMG1 development was 'substantially complete' in October 2024. This explanation should address: <ul style="list-style-type: none"> • how the concept of 'substantial completion' applies to a multi-phase development, including whether completion should be assessed building-by-building or at the point of overall site completion • whether the absence of the authorised lower gantry cranes affects the assessment of substantial completion, and if so, how. Interested parties are also invited to make comment 	The Applicants All Interested Parties (IPs)	D1	<p>The term 'substantially complete' operates as a long stop to the 4 year period during which an application for a change or revocation to an order granting development consent can be made. No express definition of substantially complete is provided in the Planning Act 2008 (the 'Act') at Schedule 6 or section 235 (interpretation).</p> <p>However, the precise wording at paragraph 5(2) of Schedule 6 stipulates that "<i>the power may not be exercised after the end of the period of 4 years beginning with the date on which the relevant development was substantially complete</i>". A definition of "relevant development" is provided at paragraph 5(7) of Schedule 6 as "<i>the development for which consent is granted by the development consent order</i>".</p> <p>In summary, Schedule 1 of the EMG1 DCO confirmed the authorised development comprised consent to construct a new rail terminal, rail served warehousing, a bus interchange and highways works to the A50, J24 of the M1 and a new bypass around Kegworth.</p> <p>The MCO Applicant contends that the definition of relevant development is directed at all development</p>

				permitted by a development consent order. It follows that substantial completion should be interpreted by reference to completion of the entirety of the development permitted by the DCO and not individual parts of elements thereof. It follows that the absence of the lower gantry cranes has no material effect on the interpretation of substantial completion because if the development was deemed not substantially complete due to the absence of the cranes this would only serve to reinforce the MCO Applicant's position that an application has been made well within the 4 year time period stipulated within the Act. For completeness the MCO Applicant has indicated that substantial completion occurred in October 2024 which was when the final building permitted by the EMG1 DCO was considered to be substantially completed.
6.	<p>To provide written submissions addressing the regulatory and policy framework relevant to the determination of the MCO application, including:</p> <ul style="list-style-type: none"> • whether the determination of the MCO should be undertaken against current legislative and policy standards (including environmental and aerodrome safety standards), and whether doing so may require consequential updates to elements of the original DCO 	The Applicants	D1	<p>Section 4 of the Planning Statement (DCO 5.4 / MCO 5.4) [AS-018] provides details of the current policy framework applicable to the MCO. The MCO Applicant's position is that the MCO should be determined against current legislative and policy standards applicable to new development, where relevant and appropriate. The ES [AS-020 to AS-079] has, for example, completed an assessment of the new development proposed by the MCO against the current 2017 EIA Regulations and a summary of the changes to the previous 2009 regulations which prevailed when the EMG1 DCO was made is included at Table 1.9 of ES Chapter 1 [AS-020].</p> <p>The MCO Applicant is waiting a copy of the updated aerodrome safety standards from East Midlands Airport. Upon receipt the MCO Applicant will compare</p>

				the updated standards against those already included in the EMG1 DCO. The MCO Applicant observes that the development proposed is to be located further away from the airport than all of the buildings already constructed, except in the rail terminal, and will comment upon the updated standards once received.
7.	<p>To provide a written note in relation to the highway works (Part 2 of Schedule 1 of the draft Development Consent Order (dDCO)), including whether those works are:</p> <p>a. necessary as a consequence of the commercial and business development in Part 1</p> <p>b. required in their own right due to existing and/ or future traffic conditions in the area absent the proposed development in part 1</p> <p>c. necessitated by any planning permission that may be forthcoming on the northern part of the site</p> <p>d. required in relation to other forthcoming developments</p> <p>e. in combination, whole of part, of the any of above or f. for any other identified reason.</p>	<p>The Applicants</p> <p>National Highways (NH)</p> <p>Leicestershire County Council (LCC)</p>	D1	A copy of the Applicants' highways note provided in response to action point 7 is attached at Appendix 1.

8.	<p>To provide written submissions addressing the following:</p> <ol style="list-style-type: none"> 1. For the EMG2 project as a whole, whether it should be considered under section 104, section 105, or a 'split' approach; and, if a split approach is considered appropriate, where and how the dividing line should properly be drawn. 2. Whether the distinction between s104 and s105 materially affects the SoS's decision-making in this case. 3. How associated development should be treated. 4. What the implications are of the Environmental Statement's structure when compared with the structure of the draft DCO, and how these two should be reconciled. 5. If necessary, submission of revised draft DCO, draft EM and relevant and applicable ES documents. 	<p>The Applicants</p> <p>All IPs</p>	<p>D1</p> <p>Deadline 2 Tuesday 21 April 2026 (D2) (Only for '5th subpoint')</p>	<p>Expanding upon the Applicants' oral submission made at ISH1 item 3, we have responded to the specific points raised:</p> <ol style="list-style-type: none"> 1. The Applicant has submitted its post hearing submission in document DCO 7.3/ MCO 7.3. In summary the Applicants contend that EMG2 DCO Application should be determined on the basis of a split approach. The Applicants contend that the split should be as follows: <ol style="list-style-type: none"> a. Part 1 of the dDCO relating to the business and commercial development should be determined under s105 of the Planning Act 2008 (PA 2008) because there is no corresponding National Policy Statement (NPS); b. Part 2 of the dDCO relating to the Highways Works should be determined under s104 PA 2008 because the works are encompassed within the National Networks NPS; c. Part 3 of the dDCO relating to associated development to support the business and commercial development should be determined under s105 PA 2008, although Works No.16, which relates to the Highways NSIP, should be determined by reference to s104. 2. The Applicants do not consider that the distinction between s104 and s105 will materially affect the SoS's decision making. Notwithstanding that position, the SoS can and is encouraged to set
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				<p>out its decision in the alternative which would be consistent with the decision of the High Court in <i>Net Zero Teesside</i>¹ and the decision of the SoS taken on 16 February 2024.</p> <p>3. As indicated at point 1 above, the Applicants are of the view that insofar as associated development is linked to the business and commercial development, it should be determined under s105 PA 2008, although Works No.16, which relates to the Highways NSIP, should be determined by reference to s104.</p> <p>4. The DCO Applicant clarified at ISH1 that it is only inviting the holistic determination of the EMG Project and all its constituent elements. The Infrastructure Planning (Environmental Impact Assessment) Regulations (SI 2017/572) (the "EIA Regulations") require an applicant to undertake an assessment of the proposed development, commonly referred to as the project. Established case law has held that projects should not be "salami-sliced" into a series of smaller projects to evade relevant thresholds². The DCO Applicant has complied with the EIA Regulations in full and produced an environmental statement (ES) for the EMG2 project holistically, which includes cumulative effects with the EMG1 MCO proposals and other relevant development. The DCO Applicant contends that this approach is to be preferred to salami-slicing the project into its component elements as identified in the dDCO or</p>
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¹ *R (Dr Boswell) v. (1) Secretary of State for Energy Security and Net Zero (2) Net Zero Teesside Power Ltd. (3) Net Zero North Sea Storage Ltd.* [2024] EWHC 2128 (Admin)

² *R (Larkfleet) v South Kesteven District Council and Lincolnshire County Council* [2015] EWCA Civ 887

				<p>by reference to NSIP thresholds in the Planning Act 2008, which may differ to EIA thresholds identified in schedules 1 and 2 of the EIA Regulations.</p> <p>5. The DCO Applicant respectfully considers the correct approach to the formulation of the ES has been adopted and it is not necessary to revise the documents identified by the ExP.</p>
9.	To explain the implications of EMG1 DCO article 5(2) on the DCO and MCO, to ensure that any planning permission under the Town and Country Planning Act 1990 (TCPA) would not result in either incompatibility with the EMG1 DCO	The Applicants North West Leicestershire District Council (NWLDC)	D1	<p>Article 5(2) of the EMG1 DCO operates to ensure that no breach of s161 PA 2008 occurred upon the implementation of planning permission under the TCPA.</p> <p>The question of incompatibility is one of fact and degree. A table listing all TCPA permissions granted on the EMG1 site is provided at Appendix 3 of the Applicants' Post Hearing Submissions April 2026 (DCO 7.3 / MCO 7.3). Six out of the seven TCPA permissions that have been implemented permitted increases in height. The remaining TCPA permission permitted an additional area of hardstanding. None of the changes were incompatible with the EMG1 DCO nor did they result in it being physically impossible to develop the remaining elements of development permitted by the EMG1 DCO.</p>
10.	To assess the Millbrook Gas Fired Generating Station Order 2019 and its provisions modifying the Rookery South (Resource Recovery Facility) Order 2011, particularly the cross-order protective provisions.	The Applicants	D1	<p>The Applicants have reviewed the Millbrook Gas Fired Generating Station Order 2019 and the approach to modifications to the Rookery South (Resource Recovery Facility) Order 2011 at Article 37 and Schedule 11.</p> <p>The Applicants note that a key differentiator is that EMG1 and EMG2 are being promoted by companies</p>

	To consider whether similar drafting may be necessary or appropriate in this case and, if so, provide such provisions within the draft DCO and MCO.			within the SEGRO Group. However, the Applicants see no disbenefit in including similar provisions with the dDCO and MCO at Deadline 2.
11.	To ensure the updated MCO transport assessment is reflected across the ES particularly in relation to the air quality and lighting etc. Furthermore, each chapter of the ES should be reviewed and updated to ensure each application within the EMG2 project (the DCO application and the MCO application) is assessed discretely and not just collectively as part of the EMG2 project as a whole.	The Applicants	D1	<p>The MCO Note (MCO 7.10) submitted at Deadline 1 provides a further assessment of the impact of the EMG1 MCO proposals in isolation.</p> <p>The Applicants have reviewed all ES Chapters, including Chapter 8: Air Quality and Chapter 11: Lighting, and can confirm that each ES Chapter has assessed the impacts arising from the DCO Application and MCO Application separately (at Sections 5 and 6 respectively of each chapter) and then together as the EMG2 Project (at Section 7 of each chapter). The only exceptions to the above standardised approach are Chapters 6 (Traffic and Transportation) and 15 (Agriculture and Soils) as explained at Paragraph 1.3.3 in Chapter 1 of the ES [AS-022].</p> <p>Within Chapter 8: Air Quality [AS-037], the reasons for not undertaking a discrete assessment of the impacts of construction and operational traffic of the DCO and MCO Application separately in terms of air quality are:</p> <ul style="list-style-type: none"> • With regard to the construction phase, the EMG1 Works alone would not result in significant construction traffic and therefore would not exceed the EPUK & IAQM (2017) screening criteria. The impacts of construction phase traffic on air quality as a result of the

				<p>EMG1 Works are considered to be temporary, negligible and not significant.</p> <ul style="list-style-type: none"> • With regard to the operational phase, traffic impacts solely attributable to the EMG1 Works are set out for the studied road network in Table 6.12 and Table 6.13 of Chapter 6: Traffic and Transportation. As set out in these tables, the only routes expected to exceed the less stringent EPUK & IAQM (2017) criteria, relevant to highways outside an AQMA, are: <ul style="list-style-type: none"> • the site access route (“Wilders Way”) – anticipated to experience an increase of 698 LDVs and 247 HGVs • A453 (north of EMG1) – anticipated to experience an increase of 180 LDVs and 111 HGVs; and • A453 (south of EMG1) – anticipated to experience an increase of 448 LDVs and 127 HGVs <p>Since there are no human receptors relevant to these highway routes, no further assessment of highways and associated receptors outside of an AQMA is considered to be required.</p> <p>A review of the impacts of AQMAs has also been undertaken. Subsequent to the revocation of the Copt Oak AQMA, no highways within any AQMAs are projected to experience an increase in traffic exceeding the more stringent EPUK & IAQM (2017)</p>
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				criteria, therefore no further assessment is deemed necessary.
12.	To provide a written note on Freeport designation, with regards to how the proposed development meets the criteria to ensure the benefits are realised.	The Applicants	D1	<p><u>Designation of the EMAGIC Tax Site</u></p> <p>The Applicants note that the ExP has issued a separate request to HM Treasury Freeports Policy Team for further information under rule 17 of the Infrastructure Planning Examination Procedure) Rules 2010. Utilising the information that is available publicly, the Applicants can confirm that the EMG2 Main Site forms part of the East Midlands Airport and Gateway Industrial Cluster (EMAGIC), which is one of the designated Special Tax Sites within the East Midlands Freeport. The East Midlands Freeport Tax Sites were formally designated on 22 March 2022 under the Designation of Freeport Tax Sites (East Midlands Freeport) Regulations 2022. This designation confers Freeport tax status on EMAGIC and enables occupiers within the site to access the suite of Freeport tax incentives.</p> <p>Through the development at East Midlands Gateway (EMG1) and the proposed EMG2 expansion, the Applicants (SEGRO) play a central role in the delivery of the EMAGIC tax site and the wider Freeport strategy. A number of the Applicants' customers at EMG1 occupy warehouses developed, within the East Midlands Freeport, including CEVA Logistics, MAERSK, DHL and Maritime Transport. The business rates generated by these operational units, which are currently the only buildings delivered within the Freeport tax sites, have enabled the East Midlands</p>

				<p>Freeport to become financially self-sufficient through the retained business rates these buildings generate.</p> <p><u>Qualifying Criteria for Occupiers</u></p> <p>In practical terms, in order for occupiers to benefit fully from the Freeport tax incentives, units must be located wholly within the designated Special Tax boundary and will need to be constructed, completed and occupied by 30 September 2031, so that qualifying expenditure is incurred, and reliefs are validly claimed within the statutory window.</p> <p>Further information on qualifying criteria for occupiers can be found on the East Midlands Freeport website: https://www.emfreeport.com</p>
13.	To provide a note on detailing the construction programme and whether it is realistic and information about the EMG1 construction programme in its use as a proxy indicator.	The Applicants	D1	<p>The Applicants have provided a note at Appendix 2. The note details the proposed construction programme for EMG2 and provides appropriate justification by reference to the actual construction programme achieved at EMG1 and other developments with development consent promoted by the Applicants.</p> <p>Please note that the EMG2 construction programme set out at Appendix 2 aligns with the revised CEMP to be submitted by the Applicants at Deadline 2.</p>
14.	To provide a written note detailing the operational dependencies between the proposed development and existing rail freight interchange and the East Midlands Airport.	The Applicants	D1	<p>The relationship between EMG1 and EMG 2 will have strong operational connections (rather than dependency) which optimise the benefits of both developments as a result of the synergy between them. It is not confined to the availability of the rail terminal at EMG1. The other synergies between EMG1 and 2 are:</p>

				<ul style="list-style-type: none"> • the connection between the two primary substations (one on EMG1 and one on EMG2) will enable them to operate as part of an integrated power network providing electricity capacity of approximately 50MVA across both developments. This will provide flexibility across both sites and will support the transition to lower carbon freight and logistics operations including the transition to zero emission freight fleets. • the creation of a Skills, Employment and Supply Chain Task Force bringing together representatives of the Freeport, EMCCA, local authorities and existing key employers with the aim of: <ul style="list-style-type: none"> ○ designing and delivering an inclusive Skills & Employment Plan for EMG2 ○ supporting the growth and competitiveness of existing operators at EMG1; and ○ building skills capacity across North West Leicestershire and the wider East Midlands Labour force • the ability to build upon the success of the sustainable transport at EMG1 which is governed by the Sustainable Transport Working Group (STWG). The scope of the existing STWG, which is administered by SEGRO, will be widened to include EMG2 thus providing EMG2 with a wide network of
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				<p>sustainable transport modelled on, and integrated with, EMG1 including the provision of a shuttle bus within both the EMG1 site and the EMG2 site. There will be the ability to coordinate agile/reactive bus services and other initiatives to promote car sharing and active travel across both EMG1 and EMG2 impacting and benefitting circa 11,500 employees.</p> <ul style="list-style-type: none"> • The Community Liaison Group, again administered by SEGRO, which includes local authorities, highway authorities, local MP and local villages. The group will be extended to include the local villages relevant to EMG2. <p>Whilst there would be no similar relationship between EMG2 and the Airport it is the case that some operators on EMG1 utilise the air freight facilities at the Airport and this could reasonably be expected to be the case at EMG2.</p>
15.	<p>Note on the positioning and function of the carbon neutral campus which was part of SoS's s35 direction for the proposed development and how it would be secured within the dDCO and if not, why.</p> <p>More generally, the note should also explain the extent to which the contended benefits are likely to materialise in a free market economy,</p>	The Applicants	D1	<p>In its request for a Section 35 Direction, the DCO Applicant confirmed its proposal "<i>to build upon the success of its flagship EMG1 by bringing forward the Freeport land lying to the south of East Midlands Airport which is the majority of the land remaining undeveloped in the UK's only inland Freeport. The proposal is for a logistics and manufacturing hub including a very substantial carbon neutral campus/headquarters required by Maersk</i>". The project accordingly consisted primarily of a logistics</p>

	<p>and whether the draft DCO and draft MCO need to contain requirements to secure such benefits and mitigate any market uncertainty.</p>		<p>and manufacturing hub and, only if required by Maersk, a carbon neutral campus/headquarters.</p> <p>At the time of the Section 35 Direction, Maersk had expressed an ambition to create a carbon neutral inland port with access to rail, road and air, which would create a national centre of operations. Maersk continues to be supportive of the DCO Scheme and remains keen to invest in its UK operations through further substantial warehousing and co-located office facilities, creating a carbon neutral inland port. It has identified EMG2 as the only location that would enable them to achieve this ambition. See Appendix 3 of the Planning Statement [APP- 222 / AS-018]. However, unless and until the DCO is made, there is insufficient certainty to commit to EMG2. In the absence of a commitment from Maersk, it would be premature for the DCO Applicant to commit as part of the DCO Application to a carbon neutral campus/headquarters for Maersk.</p> <p>It should further be noted that, whilst the Section 35 Direction refers to a carbon neutral campus/headquarters for Maersk, this merely mirrors the proposal as put forward by the DCO Applicant. The Secretary of State, in granting the Section 35 Direction, did not single it out as being key to his decision that the DCO Scheme is nationally significant. Rather, his reasons for granting the Section 35 Direction were that <i>"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; the substantial physical size and scale of the project; would contribute to delivering the outcomes of the Freeport; and in addition, the</i></p>
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			<p><i>Secretary of State also considers that the Proposed Project would benefit from the application being determined through a single, unified consenting process provided by the Planning Act and removing the need to apply and the uncertainty of applying for separate powers and consents".</i></p> <p>For the above reasons, it is not considered appropriate for the dDCO to secure the provision of a carbon neutral campus/headquarters for Maersk.</p> <p>Notwithstanding the above, and as indicated in its application, the DCO Applicant is committed to delivering the DCO Scheme in a way that enables occupiers to run net zero operations, and the development would be an industry leader in sustainability. In delivering one of its Strategic Priorities - "Championing Low Carbon Growth" – SEGRO is committed to reducing operational carbon emissions, including occupier emissions, by 42% of 2020 levels by 2030. The DCO Applicant will engage with its future tenants to reduce unregulated building energy use and maximise the use of renewable energy. It will also purchase certified renewable electricity for its own use and for tenants for whom the DCO Applicant will procure energy on their behalf. Where tenants procure their own energy, the DCO Applicant will encourage tenants to procure certified renewable electricity and track uptake through 'green lease' clauses in tenancy agreements. Further information on the DCO Applicant's approach to reducing operational emissions is provided by the Carbon Management Plan [APP-196]. The DCO Applicant's approach is consistent with strategies adopted by other businesses</p>
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				<p>and accordingly reflects market demand for more sustainable development.</p> <p>The DCO Applicant has no objection therefore to a requirement that, if Maersk or any other occupier of the DCO Scheme, does propose a campus/headquarters at EMG2 then it should come forward with a view to achieving carbon neutral status. The suggested form of requirement is as follows:</p> <p><i>Carbon neutral construction and operation</i></p> <p>(1) <i>Any part of the authorised development which comprises a campus / headquarters including co-located head office functions shall be carried out in accordance with a scheme submitted to and approved by the local planning authority setting out the measures to be taken with a view to achieving carbon neutral construction of that part of the authorised development.</i></p> <p>(2) <i>No part of the authorised development which comprises a campus / headquarters including co-located head office functions shall be occupied until a scheme has been submitted to and approved by the local planning authority setting out measures to achieve carbon neutral operational use of that part of the authorised development. The approved scheme must thereafter be implemented for the duration of the operational use of that part of the authorised development.</i></p>
16.	To provide a technical analysis as to whether the highway works would be strategically important and support	The Applicants	D1	The Applicants have prepared a note, attached at Appendix 3 to this document, providing technical analysis regarding the highways mitigation works and the extent to which those works would be strategically

	wider cumulative economic growth at other strategic/ additional sites.			important and support wider cumulative economic growth.
17.	To provide contextual information about the relationship between plot 16 and High Speed 2 (HS2) and why it was effectively left as 'white land' within the EMG1 DCO (plans would be useful to illustrate this).	The Applicants	D1	An explanation of the relationship between Plot 16 and HS2 is provided at Appendix 4 of this document and includes copies of plans issued by HS2.
18.	To provide clarification on whether the development of the EMG2 site would affect the modelled and/ or surveyed traffic results for the EMG1 site, including how traffic flows between the rail freight interchange and EMG2 have been accounted for, and confirmation that no double-counting of traffic into the wider network occurs.	The Applicants LCC	D1	<p>The PRTM 2019 and 2023 models include EMG1 as a zone which results in a proportion of HGVs being assigned between EMG2 and the EMG1 rail freight terminal. The majority of development traffic from EMG2 is however assigned further afield across the highway network.</p> <p>It was agreed with the Transport Working Group that a higher proportion of HGVs could travel between EMG2 and the EMG1 rail freight terminal. Therefore, a sensitivity test has been carried out that adopts the same methodology undertaken in the EMG1 DCO Transport Assessment to assign 40 HGVs in the morning peak hour and 44 HGVs in the evening peak hour between EMG2 and the EMG1 rail freight terminal (equating to approximately one third of the total HGVs).</p> <p>This change was tested in the VISSIM model, which demonstrated there would be no material impacts, nor any changes required to the proposed mitigation scheme.</p> <p>The development of the EMG2 site would have no impact on the surveyed flows from EMG1.</p>

19.	To clarify, with reference to paragraph 8.11 of the Highways Design Approach document [APP-221], what is meant by the statement that the A6 Kegworth bypass / A453 junction capacity improvement would 'cater for the additional development within the EMG1 site', and to explain how this relates to the MCO proposal.	The Applicants	D1	<p>The Applicant has undertaken further assessment work of this junction found in the MCO Note (MCO 7.10) submitted at Deadline 1 which has confirmed that capacity improvements are not required as a result of the impact of the EMG1 MCO traffic in isolation. Following this work the Applicant proposes to amend the wording of para 8.11 the Highways DAD to read as follows:</p> <p><i>“The capacity improvement to the A6 Kegworth bypass / A453 junction is required as mitigation for traffic generated by the EMG2 main site. As discussed further below a signalised pedestrian crossing at the EMG1 exit road of Wilders Way is also proposed at this junction. These two elements of highway works are independent of each other.”</i></p> <p>An updated Highways DAD (DCO 5.3A) [APP-221] will be submitted at Deadline 2.</p>
20.	To confirm the position regarding the use of the EMGP1 zone as the most appropriate proxy for the EMFM Construction Traffic Forecasting assessment, given paragraph 2.3.4 of Appendix 74 of the Transport Assessment (TA) [APP-083] states that there is no EMFM zone in the immediate vicinity of M1 Junction 24.	The Applicants LCC NH	D1	<p>Zones in PRTM represent the origin/destination points of construction related vehicular traffic, the most representative ones being at EMGP1 and EMGP2.</p> <p>All traffic associated with the construction of the EMG2 Main Site has been assigned to the EMG2 zone, whilst traffic associated with the construction of the EMG1 Works (Plot 16) and the highway works have been assigned to the EMG1 zone.</p> <p>These are the closest zones to each respective part of the EMG2 Project and are therefore reasonable locations to assign the construction traffic forecasts. There is no requirement for a EMFM zone in the</p>

				<p>model. The zones have been agreed with the Transport Working Group.</p> <p>The PRTM modelling of construction traffic shows there would be a negligible impact and no further analysis and/or mitigation is required as a result.</p>
21.	Current position and future implications for the proposed development in the context of dualling of the section of road north of the EMG2 site including mechanisms for delivery.	<p>The Applicants</p> <p>LCC</p> <p>Prologis</p> <p>EMIA</p>	<p>For Prologis and LCC: D1</p> <p>For Applicants: D1 for explanation and D2 for inclusion of new requirement in dDCO</p>	<p>Although the Transport Assessment supporting the EMG2 DCO Application does not trigger the need for dualling of the A453, a copy of the safeguarding plan which has been agreed with LCC in respect of potential future dualling is included at DCO 2.17 submitted at Deadline 1. The plan depicts how land can be safeguarded to accommodate future dualling should that become necessary in the future.</p> <p>A corresponding safeguarding requirement which has been agreed with LCC will be included in the updated draft DCO to be submitted by the Applicants at Deadline 2.</p>
22.	To provide the road safety audits and responses with necessary amended drawings.	The Applicants	D1	<p>The road safety audit response report, signed by BWB on behalf of the Applicant, NH and LCC is issued at Deadline 1 (DCO 7.7A / MCO 7.7A) . The agreed actions arising from the audit required several minor amendments to the highway design and the Applicants have issued updated Highway Plans at Deadline 1 along with updated Transport Assessment Appendices 26 and 27 which contain more detailed highway design drawings. The updated versions of all documents are recorded in the Application Document Tracker (DCO 1.8and MCO 1.7)</p>
23.	In table 3 of the TA [APP-080] it is noted that percentage of employees	The Applicants	D1	The Applicants have provided a note on car sharing together with the requested 2025 figures and details

	<p>driving alone to the EMG1 site has increased in 2023 and 2024 and the percentage of employees sharing cars has reduced.</p> <p>Provide 2025 figures, and analysis of why the 2023/ 2024 change occurred, what measures have been introduced to reverse this, and any implications for the operation of the Sustainable Transport Strategy for EMG2.</p>			<p>of the operation of the Sustainable Transport Strategy for EMG2 at Appendix 5 of this document.</p>
24.	<p>To provide an update on the Framework Travel Plan, including clarification on the intended duration of travel plans for individual units, how 'lifetime of the development' is to be interpreted, and how travel plan obligations would operate when building occupier changes one or more times.</p>	The Applicants	D1	<p>A note on the EMG2 Framework Travel Plan is provided at Appendix 6 of this document.</p>
25.	<p>Submit new evidence to address the contended gaps as set out in relevant representations, including:</p> <ul style="list-style-type: none"> • viability and funding evidence justifying the case for compulsory acquisition • socio-economic evidence assessing the likely significant environmental effects of preventing the delivery of the joint application 	The Applicants	D1	<p>The Applicants have responded to each bullet point below:</p> <ul style="list-style-type: none"> • Viability and funding evidence in support of the DCO Applicant's case for compulsory acquisition has been provided at Deadline 1 (DCO 4.5) • Socio-economic – The Applicants have provided a response to the relevant representation submitted by Prologis [RR-024D and 028D] at Appendix 6 to the DCO Applicant's Response to Relevant

	<ul style="list-style-type: none"> • transport modelling evidence based on the latest PRTM model 			<p>Representations (DCO7.2) submitted at Deadline 1 (internal response to Issue 2 in the response to Prologis refers). The Applicants also made oral submissions on this point during the Preliminary Meeting and a written summary of those representations is included at Item 6 (Any other matters) in Section 2 of The Applicants' Post Hearing Submissions (DCO 7.3 / MCO 7.3) submitted at Deadline 1. It is the Applicants position that there will be no adverse impacts of the joint application not coming forward because the benefits of the EMG2 scheme far outweigh the alternative proposals. No new evidence is submitted or required.</p> <ul style="list-style-type: none"> • PRTM 2023 modelling has been undertaken in line with an agreed methodology and the results confirm that the proposed mitigation scheme continues to provide the correct strategic solution to ensure the EMG2 Project has no unacceptable impacts. This has been agreed with National Highways and is set out in the supplementary PRTM 2023 Sensitivity Test Technical Note submitted at Deadline 1 (DCO 7.8 / MCO 7.8)
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4 ISH2 - Applicants' Response to Action Points

4.1 The Applicants' response to the action points arising from the ISH2 are set out in the table below.

4.2 Table of responses:

AP No.	Action	Action By	Response Due By	Applicants' Response
26.	<p>Due to the number and nature of the points discussed during Issue Specific Hearing 2, all parties including the applicants, local planning authority, Leicestershire County Council (LCC), and National Highways (NH) are requested to refer to their notes and/ or the recording of the hearing on and provide written submissions addressing the matters raised in relation to the articles and schedules of the draft DCO and/ or draft MCO.</p> <p>The applicant is expected to respond to all relevant points raised by the Examining Panel and to the queries of LCC, North West Leicestershire District Council (NWLDC) and NH where appropriate.</p>	<p>The Applicants</p> <p>LCC</p> <p>NWLDC</p> <p>All IPs</p>	<p>D1</p> <p>And D2 where appropriate</p>	<p>The Applicants' response to this action point is set out in the Applicants' Post Hearing Submissions (Document DCO 7.4 / MCO 7.4).</p> <p>An updated draft DCO (Document DCO 3.1), Explanatory Memorandum to the draft DCO (Document DCO 3.2), draft MCO (Document MCO 3.1) and Explanatory Memorandum to the draft MCO (Document MCO 3.2) will be submitted at D2.</p>

Appendix 1 – ISH1 Action Point 7 – Highways Note

Provide a written note in relation to the highway works (Part 2 of Schedule 1 of the draft Development Consent Order (dDCO)), including whether those works are:

- a. necessary as a consequence of the commercial and business development in Part 1*
- b. required in their own right due to existing and/ or future traffic conditions in the area absent the proposed development in part 1*

In identifying the appropriate mitigation to deal with the traffic impacts arising from the development of the EMG2 Main Site two important factors were taken into consideration. The first was that issues at Junction 24 were anticipated to be a constraint to any further significant development in the area. The second was that any mitigation ought to avoid being the first of a piecemeal sequence of incompatible mitigation which might be required for the other, planned, development in the area resulting in mitigation having to be amended/removed/replaced as each scheme mitigated its impact in isolation.

Initially mitigation for the EMG2 Main Site was focused on the A453/A42 Finger Farm roundabout and the A453 along the northern frontage of the Main Site however it became apparent relatively early that such mitigation would not address problems on the M1 mainline (including the M1 junction 24 northbound exit slip road). When EMG2 development traffic was added, delays, queues and journey times increased further across several key junctions, confirming that a different approach to mitigation measures was required.

Accordingly, iterative testing was undertaken to determine whether mitigation measures at M1 Junction 24 could alleviate the queues. This indicated that smaller scale schemes, such as additional flares at the junction primarily provided extra stacking capacity, but significant queues remained on both the A453 and the M1 northbound. Initial iterative testing did not therefore provide a robust solution, as they would primarily rebalance traffic flows between the M1 and the A453 towards M1 Junction 24, further impacting all junctions along the A453 corridor.

As well as this being a suboptimal piecemeal approach to improvements at M1 Junction 24, it would be unlikely to improve road safety on the Strategic Road Network (SRN). As a result, the focus was on achieving an increase in capacity at M1 Junction 24. A package of improvements was identified which include a new free-flow link from the M1 northbound to the A50 westbound, widening and lane reallocation on the Junction 24 roundabout, revised signing and road markings, and upgrades at the A6/A453 Kegworth Bypass/EMG1 gyratory. Together, these improvements aim to enhance traffic flow and enable the network to operate more efficiently and they create capacity on the A453 corridor to accommodate the EMG2 development traffic.

The package of improvements were identified in tandem with a wider solution being progressed for M1 Junction 24 by a consortium which will enable the wider planned growth in the area to come forward. This is referred to in the Joint Position Statement between the Applicant and National Highways

(Doc 8.1) The highway improvement package for EMG2 is consistent with (but not reliant upon) a wider scheme and therefore respects the two factors identified at the outset.

The second stage of traffic modelling (Stage 2A and 2B), which included the proposed mitigation package³ was tested in the strategic transport model and subsequently in the VISSIM microsimulation model. The results show improved journey times across many routes, particularly in the northbound direction from both the M1 and the A453. This is largely due to the new link road diverting a significant volume of traffic directly from the M1 onto the A50, bypassing M1 Junction 24 and relieving the extensive queues on the motorway.

The modelling also indicates that a greater number of vehicles will be able to enter and move through the network, demonstrating that the proposed improvements increase overall capacity, improve safety on the SRN and enable safe, unfettered access to the EMG2 Main Site.

In summary, the proposed development and associated mitigation would result in the following improvements in terms of the operation of the SRN in the vicinity of the EMG2 development in the future 2038 year assessment worst case AM peak hour:

2038 AM	Stage 2A	Stage 2B
Reduction in Average Delay	34s	71s
Increase in Speed	2.4mph	7.1mph
Additional Vehicles able to Enter Network	765	1656
Reduction in Queue M1 NB at J24	Without development: 3.4km reduced to 371m with EMG2 including mitigation	Without development 3.6km reduced to 93m with EMG2 including mitigation

³ Stage 2A = committed development plus local plan proposed allocations, plus Ratcliffe Power Station plus EMG2 mitigation, but no other mitigation apart from that known for committed sites

Stage 2B = committed development plus EMG2 and EMG2 mitigation

Overall, the modelling demonstrates that while the EMG2 development adds traffic to an already constrained network, the proposed mitigation measures more than offset these impacts. This level of improvement was required to adequately address the effects of the scheme; smaller-scale improvements would have provided only additional stacking capacity at M1 Junction 24 without fully mitigating the impact of traffic from EMG2.

c. necessitated by any planning permission that may be forthcoming on the northern part of the site

This has not been considered by the EMG2 DCO because it considers the site in its entirety. Highway mitigation will be required for the Joint Application, but it is understood that the extent of it is subject to ongoing traffic modelling, the timing and outcome of which is uncertain. .

d. required in relation to other forthcoming developments

See the response to a and b above. The TWG requested that the core assessment for the Transport Assessment included for all committed developments together with draft Local Plan allocation sites (i.e. forthcoming developments) in the future baseline, which was considered in the scenario A modelling. These were however stripped out in scenario B to provide an understanding of what mitigation was directly related to EMG2. In either case, capacity issues are forecast to be occurring on the SRN in particular in the vicinity of M1 Junction 24 and the EMG2 Main Site.

The proposed highway works are required to mitigate the impact of EMG2. They do however not resolve all future capacity issues of all other forthcoming developments. Further significant mitigation is required to support these developments, as currently being explored in the East Midlands Growth Point (EMGP) project and by EMCCA. See also Joint Position Statement between the Applicant and National Highways (Doc 8.1)

e. in combination, whole of part, of the any of above

The level of mitigation proposed reflects a combination of the factors outlined above and is required to ensure that the EMG2 development can operate effectively on opening. The surrounding highway network is forecast to experience significant capacity constraints in the future baseline without EMG2, and the addition of EMG2 traffic would further worsen this condition. The proposed highway works therefore provide the level of capacity necessary to enable development traffic to safely access and egress the site without being subject to excessive queuing on the surrounding network.

Initial iterative testing indicated that smaller scale schemes would not provide a robust solution, as they would primarily rebalance traffic flows between the M1 and the A453 towards M1 Junction 24, further impacting all junctions along the A453 corridor.

f. or, for any other identified reason.

The highway works proposed, and the new link from the M1 northbound to A50 westbound in particular, would be required to allow for growth within the area and mitigate the impact of forthcoming developments, whether that included EMG2 or not. However, they have been specifically identified as being entirely appropriate to mitigate EMG2, and would not prejudice wider proposals being considered by EMGP or EMCCA which are required over and above that proposed by EMG2 to unlock all future capacity issues within the vicinity of M1 J23A, 24 and 24A.

Appendix 2 – ISH1 Action Point 13 – Note on the EMG2 construction programme

The Applicant has been asked “to provide a note on detailing the construction programme and whether it is realistic and information about the EMG1 construction programme in its use as a proxy indicator”

- 1.1. The DCO is set up to enable swift delivery and SEGRO take full advantage of this by the inclusion of the equivalent of, such as, s.278 agreements and footpath orders within the DCO.
- 1.2. Also included within the DCO are all the compulsory acquisition powers required to take swift ownership of the land so that lack of land control is not an impediment. The process of exercising compulsory purchase powers is factored into the SEGRO programme.
- 1.3. Details of the SEGRO programme are contained in the Appendix to the CEMP (**APP-074**). The headline points are:

DCO made	Q1 2027
Land vesting	Q2 2027
Start on site	Beginning Q4 2027
Commencement of Off site Highway works	Beginning Q4 2027
Commencement of Units	Q2 2028
Completion of highway works	Q2 2029
Unit build out by	Q3 2031

- 1.4. SEGRO has confidence in the above programme based on its own experience of developing large DCO schemes, including a scheme in this area working with the same relevant stakeholders. However, to sense check the EMG2 programme a comparison has been made with the delivery of EMG1.
- 1.5. The EMG1 DCO was made in January 2016. It authorised approximately double the floorspace proposed by this DCO and had very substantially more highway works associated with it, including extensive works to J24 and the construction of the Kegworth bypass. The extent of highway works carried out for EMG1 are broadly proportionate to that proposed for EMG2 and therefore the extent of the EMG2 Highway Works is significantly less.
- 1.6. The table below compares the delivery timetable for EMG1 with that anticipated for the EMG2 Main Site bearing in mind the different scale of EMG1. The Gantt chart appended to this note refers.

Works	EMG1 Actual	EMG2 Anticipated	Commentary
Land vesting and Pre-commencement discharge requirements, technical approvals and site preparation to start on site	11 months 3 weeks from DCO being made	6 months 3 weeks from DCO being made	EMG 1 has a longer lead in time due to the more complex and extensive on site infrastructure. Experience and use of the same design engineer for EMG2 and the difference in scale gives SEGRO confidence in the timescale
Earthworks	Just over 2.5 years to move over 6mil m ³ of material	1.5 years – to move 1.5mil m ³	EMG2 programme is a conservative estimate in comparison
Estate Roads	2.5 years to construct 2.2km of estate road	1.5 years to construct circa 1/15km	EMG2 programme is a conservative estimate by comparison
Landscaping	Completed 3.5 months after completion of EMG1 earthworks	To be completed 4.5 months after completion of EMG2 earthworks	EMG2 programme is a conservative estimate by comparison
Duration of construction of off-site highway works	Took 1 year 10 months to complete	Approximately 1 year nine months	Given the different scale and complexity of the EMG1 highway works (see paras 3.38 – 3.30

			below) the EMG2 programme is a conservative estimate by comparison
Commencement on first building	12 months after the start of the on site infrastructure	7 months after the start of the on site infrastructure	An earlier start on buildings will be achievable at EMG2 because of the less extensive quantity of earthworks and estate road required to release the first plot.
Build period	3,337,550 sq ft of floorspace (ground floor) was constructed over a period of 3 years and 5 months	Full 3.23 mil sq ft anticipated to be built out in the period of 3years 5 months i.e. by the end of Q3 2031	Direct comparison with EMG1 demonstrates a robust estimate

- 1.7. In terms of the vesting of land, the minimum period in which that can be achieved due to the process is three months and one week following the making of the DCO. SEGRO has experience at Northampton Gateway of vesting land rapidly and land required for the highway works at Northampton Gateway. The land vesting process took three months which was the minimum period at that time (before there was a rule change). The ownership of the land at Northampton Gateway was complex and so there is no reason to believe that the minimum period cannot be achieved here. If the DCO is made early/mid March 2027 then vesting would be by end of July 2027. If it is not made until the end of March then this could slip into Q3 2027, still well in advance of the programmed start on site.
- 1.8. There is a significant difference in the scale and complexity of the highway works required for EMG1 when compared with that for the EMG2 Main Site. The table below explains the complexities of the EMG1 highway works along with their start of construction and when they were open to traffic:
- 1.9. The major elements of the EMG 1 highway works are described below along with the dates for start of construction and opening to traffic.

Highway works	Description of works	Start of construction	Open to traffic
A453 EMG1 access junction	<p>Widening and realignment (vertically and horizontally) of the A453 to create the signalised junction at the EMG1 access and A6 Kegworth Bypass.</p> <p>This required significant regrading of the A453 (which was raised by up to 5m) to form a suitably level junction area for connection with the estate roads within the EMG1 Main Site and the A6 Kegworth bypass bridge over the M1, yet at the same time being low enough for road lighting columns to be installed below the East Midlands Airport (EMA) Obstacle Limitation Surface (OLS). Construction of these complex works, keeping traffic open, was further constrained by the safeguarding requirements of EMA notably in relation to undertaking utility works close to the end of the runway.</p>	January 2017	December 2017
M1 J24 & 24A improvements	<p>Construction of an interchange link from the A50 eastbound to M1 southbound to remove this traffic from M1 J24 with corresponding changes to the links from the M1 southbound and A50 eastbound to the M1 J24 roundabout</p> <p>Further widening and upgrading of the M1 J24 signalised roundabout</p> <p>Repurposing of the former A50 eastbound carriageway to provide local access to Lockington and the Hotel.</p> <p>Aside from the construction sequence of these works being challenging to keep traffic flowing at M1 J24 and maintain access to Kegworth, Lockington and the hotel, there were two notable challenges.</p> <p>The first of these being the interaction with the Severn Trent Water Derwent Valley Aqueduct (DVA). This is a high</p>	April 2017	<p>New A50-M1 SB / J24 links: July 2018</p> <p>Remainder of work to J24: October 2018</p>

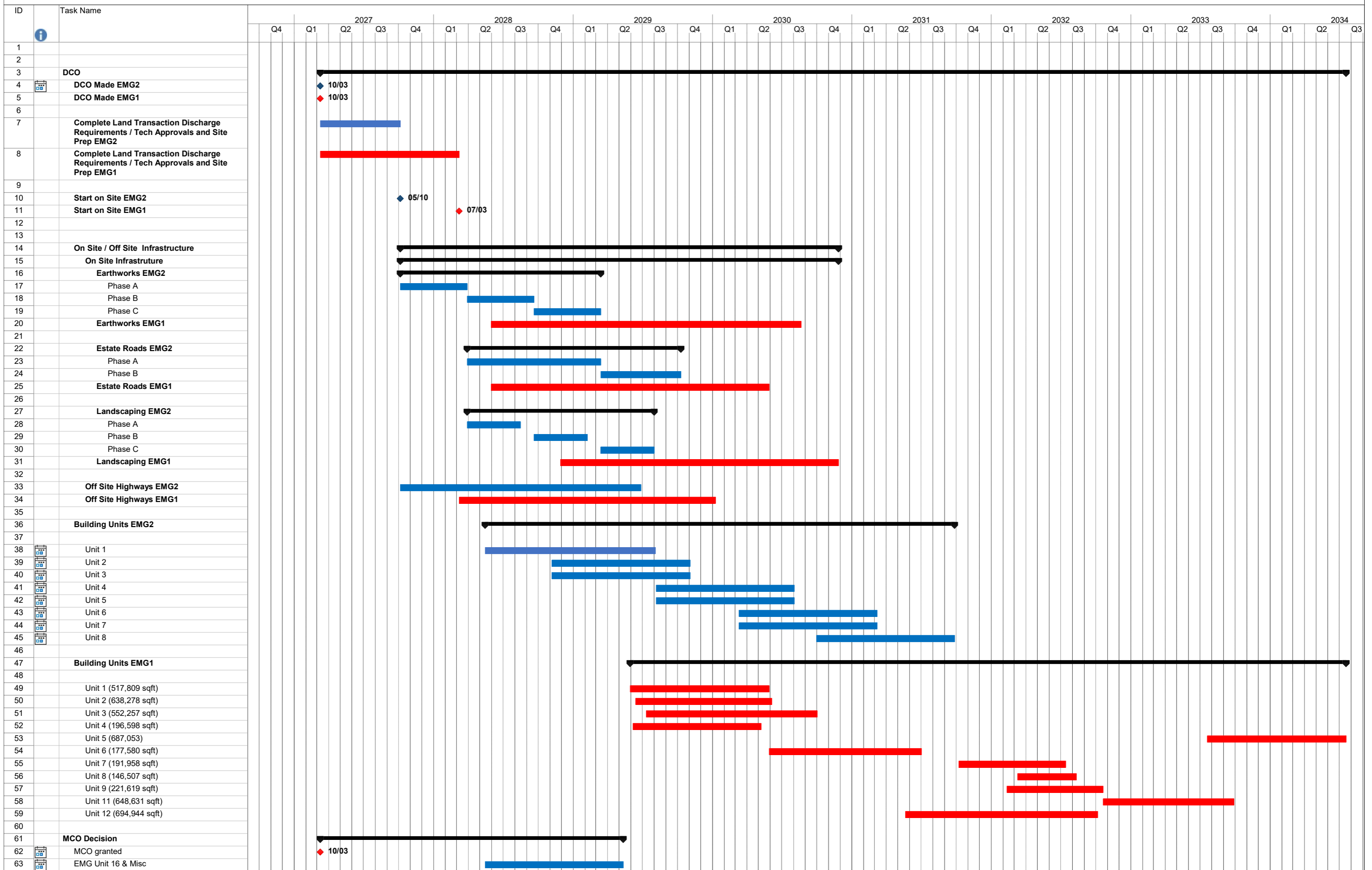
	<p>pressure trunk water main from the Peak District that supplies the city of Leicester. In co-ordination with STW, the DVA was diverted to enable the construction of the A50 eastbound to M1 southbound and J24 interchange links. This was by itself was a complex construction contract with extensive licensing requirements due to the involvement of landfill.</p> <p>At the same time as the EMG1 highway works being undertaken National Highways constructed the M1 J23A to 25 smart motorway project (SMP). Both the design and construction of the two schemes had to be co-ordinated on many levels from motorway signalling and ducting to regular co-ordination of traffic management especially where one or other scheme required a road closure. This was a highly successful strategy avoiding otherwise sequential works and to the travelling public it appeared as a single project</p>		
A6 Kegworth Bypass	<p>Construction of the Kegworth Bypass connecting the A453 at the EMG1 access junction to the A6 south of Kegworth</p> <p>Whilst much of the A6 Kegworth Bypass was built off-line of existing highways the notable exception to this was the bridge that takes the bypass over the M1 motorway. Options for how to construct the bridge were limited by three key constraints:</p> <ul style="list-style-type: none"> -Limitations on height due to the EMA OLS and other safeguarding requirements of EMA - The need to keep the M1 open throughout the scheme except for specific works - The need to integrate the works with the M1 J23A-25 SMP 	September 2017	November 2018

	<p>These constraints were addressed by designing a bridge that was built to the side of the motorway and then slid into place over a weekend.</p>		
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1.10. In summary it can be seen that for the EMG1 highway works, despite a considerable number of challenges that had to be overcome, all of the major elements of highway works were open to traffic around 2 years and 10 months following the making of the EMG1 DCO.

1.11. By comparison the EMG2 highway works are smaller in scale and are less challenging as there is:

- limited work within the highly constrained area of the EMA OLS;
- no concurrent major National Highways project to co-ordinate with;
- no new bridge needed over the M1 mainline motorway; and
- no work required in the vicinity of the DVA Severn Trent Water Derwent Valley Aqueduct; and
- no work required to licenced landfill.



Appendix 3 – ISH1 Action Point 16 – Note on the Highway Works and the need for a strategic solution to support economic growth

THE NEED FOR A STRATEGIC APPROACH TO MITIGATION AT M1 JUNCTIONS 23a AND 24

1. Background and issues with piecemeal development

- 1.1 From its work promoting and delivering the EMG1 SRFI scheme, the Applicant and its professional team have developed a comprehensive understanding of the operation of the strategic and local road network on and around M1 Junctions 23a and 24. The team understand that the M1 motorway and Junction network in the area is at times operating over capacity and that, without significant highway interventions, traffic on the network will encounter increased difficulty as natural traffic growth occurs.
- 1.2 Through the early engagement with the Local Planning Authority and Local and National Highway Authorities, the Applicant became aware of other planned and proposed development in the area which could have an effect on the operation of the strategic road network. It became clear that a piecemeal approach to highway improvements would be sub-optimal given the form and function of the strategic road network and scale of growth being proposed. It was established that a strategic solution to the capacity issues would be required.
- 1.3 Importantly, concerns were expressed that a piecemeal approach would be likely to prejudice the delivery of future growth in the area, in effect burdening future growth plans with delivering a strategic solution and rendering those schemes unviable. The issue being that piecemeal improvements would, given the form of the junctions, simply need to be 'dug up' and replaced.

2 Committed and Planned Growth in the Area

- 2.1 The EMG2 Context Analysis Plan Appendix One to this Note (also found at Appendix 4 of the Planning Statement Doc ref 5.4) helps to show the extent of existing and planned growth in the immediate area around EMG2. As well as the EMG2 Main site, the following sites are proposed to be allocated in the emerging North West Leicestershire Local Plan:
 - Isley Woodhouse – A 4250 home new settlement, west of Diseworth Village – draft Local Plan allocation (Policy IW1)
 - Land West of Castle Donington – around 1000 homes – draft Local Plan allocation (Policy CD10)

- Land north of Derby Road, Kegworth & Land north of Remembrance Way, Kegworth (known locally as Coaker Land) – commercial development – draft Local Plan allocation (Policy EMP73).
- 2.2 In addition to these proposals there is the Ratcliffe on Soar Power Station (Uniper) site which lies in Rushcliffe, and is one of the Freeport sites. It has approval under a Local Development Order (LDO) for significant commercial development, with the potential to create 8000 new jobs. Importantly, however, conditions attached to the Order restrict the amount of development on the site until improvements to M1 Junction 24 are secured.
- 2.3 In response to the constraint caused by Junctions 23a and 24, a consortium of developers (including the applicant, the owner of the Power Station, the proposed developers of the new village and other landowners) has been working on a strategic solution to J24. To this end a significant amount of work has been done, in conjunction with National Highways, Leicestershire County Council Highways Authority, the East Midlands Freeport and other bodies.
- 2.4 The consortium has identified a combination of highway upgrades which the consortium considers together provide a solution to the capacity issues at Junction 23a and 24. That solution is the subject of detailed discussion with National Highways and others. The general arrangement of that solution is shown on the plan at Appendix Two of this Note.

3 A Strategic Approach to Mitigation

- 3.1 The works proposed by the Applicant in the DCO are based on one of those upgrades – known as “the green package” which comprises Works No 8-10 in Schedule 1 of the draft DCO, being a new freeflow link from the M1 Northbound to the A50 Westbound.
- 3.2 The Applicant has included this package as part of its highway mitigation and has assessed it as mitigation in the Environmental Assessment and Transport Assessment. Importantly, whilst the mitigation put forward by the DCO Applicant is consistent with the remainder of the highway upgrades proposed by the consortium, it is not reliant upon it.

4 The Agreed Position Statement with National Highways

- 4.1 A Joint Position Statement (doc ref DCO 8.1) has been agreed with National Highways. It outlines the need for and the agreements reached on, the approach to a strategic solution at M1 J24. Whilst the consortium's work is ongoing in relation to modelling work to demonstrate the suitability of the proposed solution to mitigate the impacts of all planned growth in the area, National Highways recognise that 'the green package' addresses forecast capacity constraints on the western side of Junction 24 and that this can be augmented by intervention on the eastern side of the Junction. They agree that the early delivery of 'the green package', provided such delivery is secured, will be beneficial to the future operation of the SRN and can be expected to enable the junction – in conjunction with improvements to the eastern side of the gyratory – to accommodate transformational growth in the region.
- 4.2 The Joint Position Statement identifies some of the benefits of the mitigation proposed as part of the DCO Application. It notes that the modelling work, validated by National Highways, demonstrates that the proposed highway mitigation works provide wider benefits than simply mitigating the impact of the EMG2 development. They also eliminate forecast mainline congestion on the M1 northbound mainline on the approach to J24 and remove substantial traffic from J23a Finger farm roundabout and the A453, enabling additional capacity to accommodate the traffic arising from the planned growth / development. Without these works being implemented, safety and congestion concerns will persist on the M1 mainline and at J24.

5 Discounting Other (piecemeal) Mitigation Options

- 5.1 The early delivery of the 'green package' is particularly important given these known issues at M1 Junction 24. The traffic modelling that has been undertaken assesses how the road network around M1 Junction 24, A453/A42 Finger Farm Roundabout and the EMG1/EMG2 area is expected to perform in future years, both with and without the proposed EMG2 development. The first stage of modelling (Stage 1A), which does not include for EMG2 but includes traffic from committed developments and draft Local Plan allocated sites (without any associated mitigation), indicates that traffic conditions are forecast to worsen significantly by 2028 and further by 2038. In particular, the M1 Junction 24 northbound exit slip road is predicted to experience severe congestion, with queues extending beyond M1 Junction 23A, approximately 3 km upstream.
- 5.2 In the very initial stages of the development of the EMG2 project, consideration was given to the potential for mitigation focused on the A453/A42 Finger Farm

roundabout and the A453 along the northern frontage of the Main Site. However, it quickly became apparent (aside from the issues set out above associated with piecemeal improvements) that such mitigation would not address problems on the M1 mainline (including the M1 junction 24 northbound exit slip road). When EMG2 development traffic was added, delays, queues and journey times increased further across several key junctions, confirming that a different approach to mitigation measures was required.

5.3 Accordingly, iterative testing was undertaken to determine whether mitigation measures at M1 Junction 24 could alleviate the queues. This indicated that smaller scale schemes, such as additional flares at the junction primarily provided extra stacking capacity, but significant queues remained on both the A453 and the M1 northbound. Initial iterative testing did not therefore provide a robust solution, as they would primarily rebalance traffic flows between the M1 and the A453 towards M1 Junction 24, further impacting all junctions along the A453 corridor.

6 The Wider Benefits of the Mitigation Package

6.1 The proposed development and associated strategic mitigation would result in the following improvements in terms of the operation of the SRN in the vicinity of the EMG2 development in the future 2038 year assessment worst case AM peak hour. The Table below presents the benefits based on the second stage of traffic modelling (Stage 2A and 2B), which included the proposed mitigation package¹ :

2038 AM	Stage 2A	Stage 2B
Reduction in Average Delay	34s	71s
Increase in Speed	2.4mph	7.1mph
Additional Vehicles able to Enter Network	765	1656
Reduction in Queue M1 NB at J24	Without development: 3.4km reduced to 371m with EMG2 including mitigation	Without development 3.6km reduced to 93m with EMG2 including mitigation

¹ Stage 2A = committed development plus local plan proposed allocations, plus Ratcliffe Power Station plus EMG2 mitigation, but no other mitigation apart from that known for committed sites
 Stage 2B = committed development plus EMG2 and EMG2 mitigation

7 Conclusions

- 7.1 Having regard to the above it is the Applicant's view that the mitigation included in the DCO Application is an essential element in any solution for Junction 24 and its early delivery as part of the DCO works will be beneficial to the operation and safety of the SRN and support transformational growth in the region.

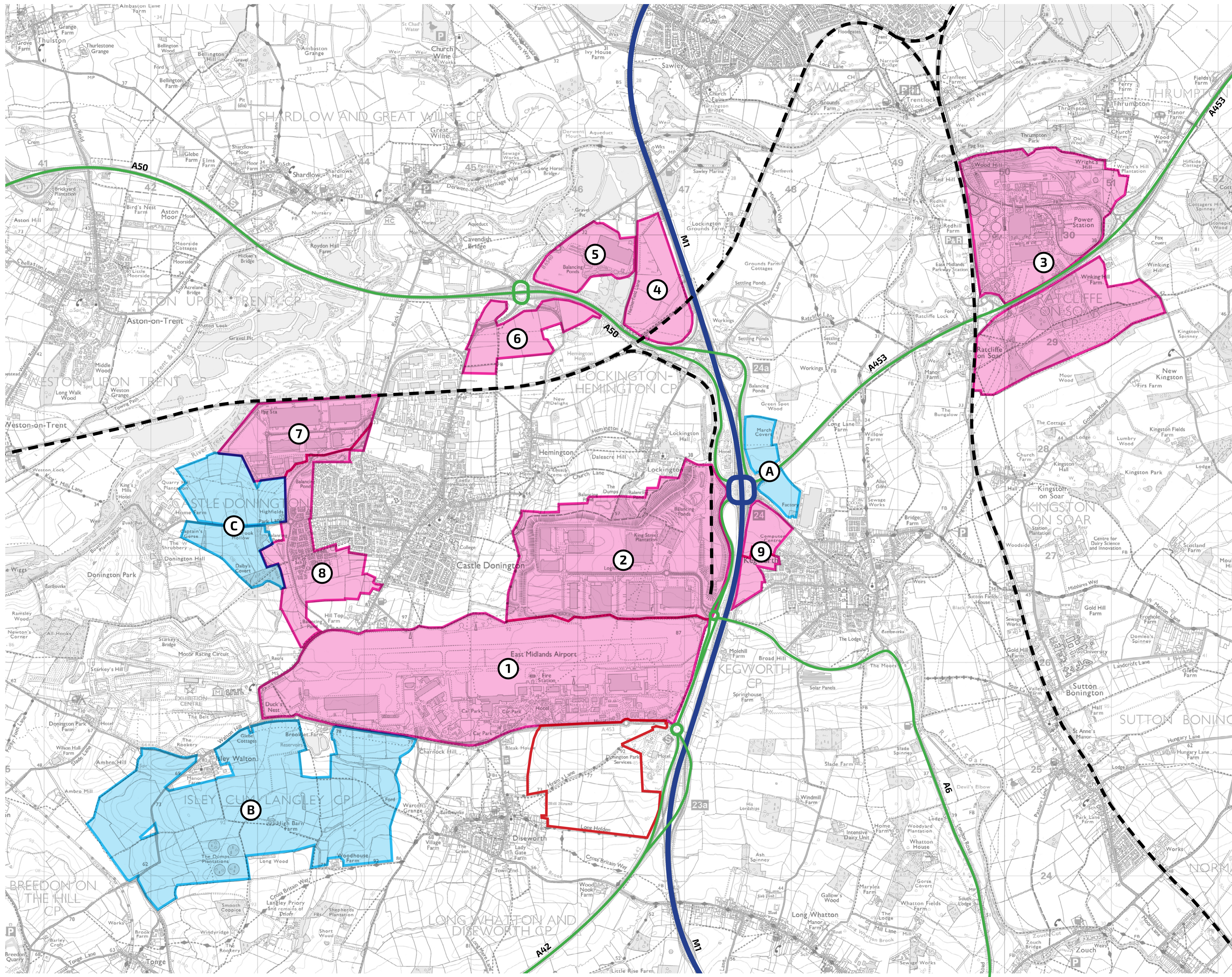
Appendix One: EMG2 Context Analysis Plan

Appendix Two: General Arrangement Drawing – M1 Junctions 23A & 24 Improvements

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Appendix One
EMG2 Context Analysis Plan

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- KEY**
- East Midlands Gateway Phase 2
 - Committed Schemes

- Employment**
- ① East Midlands Airport (Continued growth proposed)
 - ② East Midlands Gateway (Substantial complete)
 - ③ Ratcliffe Power Station (LDO in place for comprehensive redevelopment)
 - ④ Netherfield Lane (Consent for regional logistics)
 - ⑤ Aldi Distribution Centre (Consent for additional major logistics unit)
 - ⑥ Land South of Junction 1, A50 (Consent for regional logistics)
 - ⑦ Castle Donington Power Station (logistics scheme largely complete)

- Housing**
- ⑧ Housing West of Castle Donington (largely complete)
 - ⑨ Housing West of Kegworth (consent for housing)

- Proposed Schemes**
- A** Land at Northwest Kegworth (proposed allocation for logistics)
 - B** Isley Woodhouse (proposed allocation for a new settlement)
 - C** Land North and South of Park Lane, Castle Donington (proposed allocation for housing)

- M1 Motorway
- A-Roads (A453, A50, A42, A6)
- Strategic Rail Network

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 11/08/2025
 status rev
 10666-FPCR-XX-XX-DR-L-0008 S3 PO2
 0 500m 1000m

client
SEGRO
 project
East Midlands Gateway Phase 2

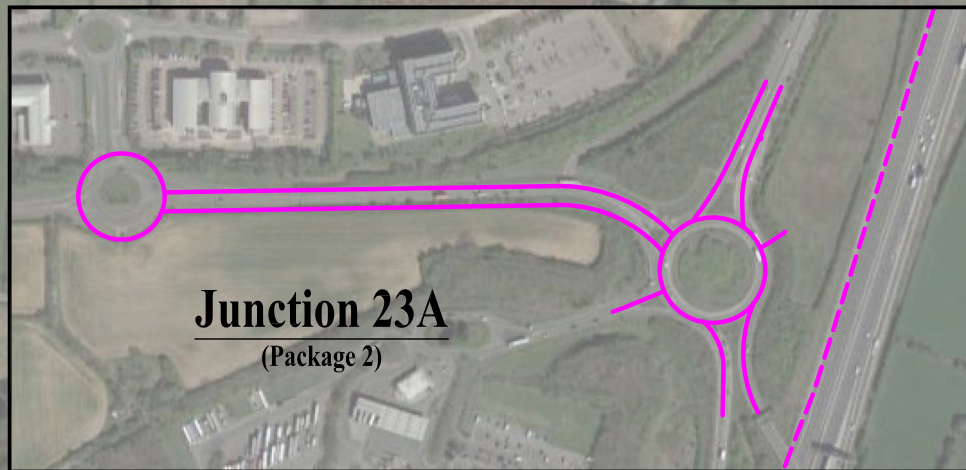
title
EMG2 CONTEXT ANALYSIS PLAN

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 t: 01509 672772 e: mail@fpcr.co.uk w: www.fpcr.co.uk

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Appendix Two
General Arrangement Drawing – M1
Junctions 23A & 24 Improvements

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Junction 23A
(Package 2)

Package 2 - Finger Farm Roundabout & N/B M1 Management
(See Junction 23A Inset Above for Details)
At-Grade Signalisation & Enlargement of Roundabout
Dualing of A453 to Pegasus Business Park Roundabout
Installation of M1 N/B "Smart" Weaving Monitoring System



Package 3 - M1/A50 North to A453 East DLT
Construction of A453 Underbridge
Diversion of Quarry Signalled Site Exit Road
Provision of Additional M1/A50 to A453 Lane
Connection to Derby Road Roundabout or Housing Access

Junction 24
(Packages 1, 3 & 4)

Package 1 - M1 South to A50 West Slip Road
Construction of New A50 Slip Road & Underbridge
Retention of Existing A50 DLT at Junction 24 Roundabout
Provisions for Extension of A50 DLT at Underbridge
Weaving Alterations to M1 S/B Exit Slip

Note
HS2 Safeguarding Requires
Canceling in order to Build
Improvement Packages 3 & 4

Package 4 - A453 East to M1 South DLT
Construction of Kegworth Link Road & Overbridge
Closure of Derby Road & S/B Entry Slip at M1 Junction 24
Provision of A453 Dedicated Left-Turn onto M1
Extension of Existing A50 DLT to Junction 24 Roundabout

Lawrence Walker Ltd
Church Farm
Leamington Hastings
Warks CV23 8DZ

Key

- Proposed Package 1 Improvement Scheme
- Proposed Package 2 Improvement Scheme
- Proposed Package 3 Improvement Scheme
- Proposed Package 4 Improvement Scheme
- Site Access Works (Consented Housing Development)
- Rationalisation Works to M1 Junction 24 Roundabout
- XXX Existing Road Closed within Each Respective Phase

Project
East Midlands Growth Area
Caesarea / SEGRO / Harworth / Uniper

Drn. SPJ	Chkd.	App.	Date 21/11/24
Scales As Noted			

Title
M1 Junction 23A & 24 Improvements
Improvement Packages 1 to 4

Drng. No.	CAD Ref	Plot	Rev
Figure 1			P17

Appendix 4 – ISH1 Action Point 17 – Note on the relationship between plot 16 and High Speed 2 (HS2)

Project	East Midlands Gateway: EMG1 MCO		
Document Number	EMG2-BWB-GEN-XX-RP-CH-0022	BWB Ref	220500
Author	██████████	Status	S2
Checked	██████████	Revision	P02
Approved	██████████	Date	24.03.2026

1 INTRODUCTION

- 1.1 The area for Plot 16 as proposed within in the draft EMG Material Change Order (MCO) was not developed within the original EMG scheme (termed EMG1 in this document).
- 1.2 This document should be read in conjunction with the Design Approach Document (DAD) Document MCO 5.3 (APP-220), specifically paragraphs 2.14 & 2.15 and Figures 2.5 & 2.6.
- 1.3 The purpose of this short document is to provide more details on the HS2 proposals and temporary use of this land during the EMG1 construction period.

2 HS2

- 2.1 As shown on Figure 2.5 of the DAD the original EMG1 masterplan proposed a screening bund broadly in the location of Plot 16.
- 2.2 In January 2013 HS2 launched a consultation into the then proposed HS2 Phase 2B eastern leg between the West Midlands and Leeds. This included a series of plans and profile maps showing the overall line of route and the relevant plan for the area of EMG1 is found at **Appendix 1**.
- 2.3 The plan for the area at EMG1 showed a proposal for HS2 to be in tunnel under East Midlands Airport (EMA), with a tunnel portal north of EMA in the centre of the EMG1 site, and then an elevated route across the A50 and M1, including through the Hilton East Midlands Airport hotel. As this was a consultation only, formal safeguarding directions were not made by HS2 on this alignment.
- 2.4 As noted in the DAD, discussions with HS2 resulted in an agreement between the EMG1 applicant being reached which relocated the tunnel portal to the north of the EMG1 development plots. From an EMG1 design perspective this required the relocation of the screening bund, and the revised masterplan is shown at Figure 2.6 of the DAD. This created the area within EMG1 that was not developed. The EMG1 DCO was subsequently made in January 2016.
- 2.5 In November 2016, following the consultation, the proposed HS2 alignment was relocated to the south of the A42 and immediate east of the M1 in the vicinity of EMG1. Safeguarding directions were made on this alignment and the revised alignment and safeguarded route are shown on the drawings found at **Appendix 2**. Note the more detailed alignment plan was issued in July 2017.
- 2.6 In July 2025, following major revisions to the scope of HS2 Phase 2B including cancellation of the eastern leg, safeguarding directions were lifted.

3 TEMPORARY USE OF LAND

- 3.1 During the construction of EMG1 there was a need for a series of settlement ponds on a temporary basis to treat the surface water from the ongoing development prior to the water entering the downstream watercourse. They are shown indicatively on **Figure 1** below.
- 3.2 These ponds were only needed during the construction period and were required when significant areas of the underlying mudstone were exposed to rainfall. Following the construction of all of the

EMG1 development plots, road infrastructure rail terminals and soft landscaping, all of the surface water was directed into the permanent drainage network and the temporary settlement ponds were obsolete. They were removed during 2024.

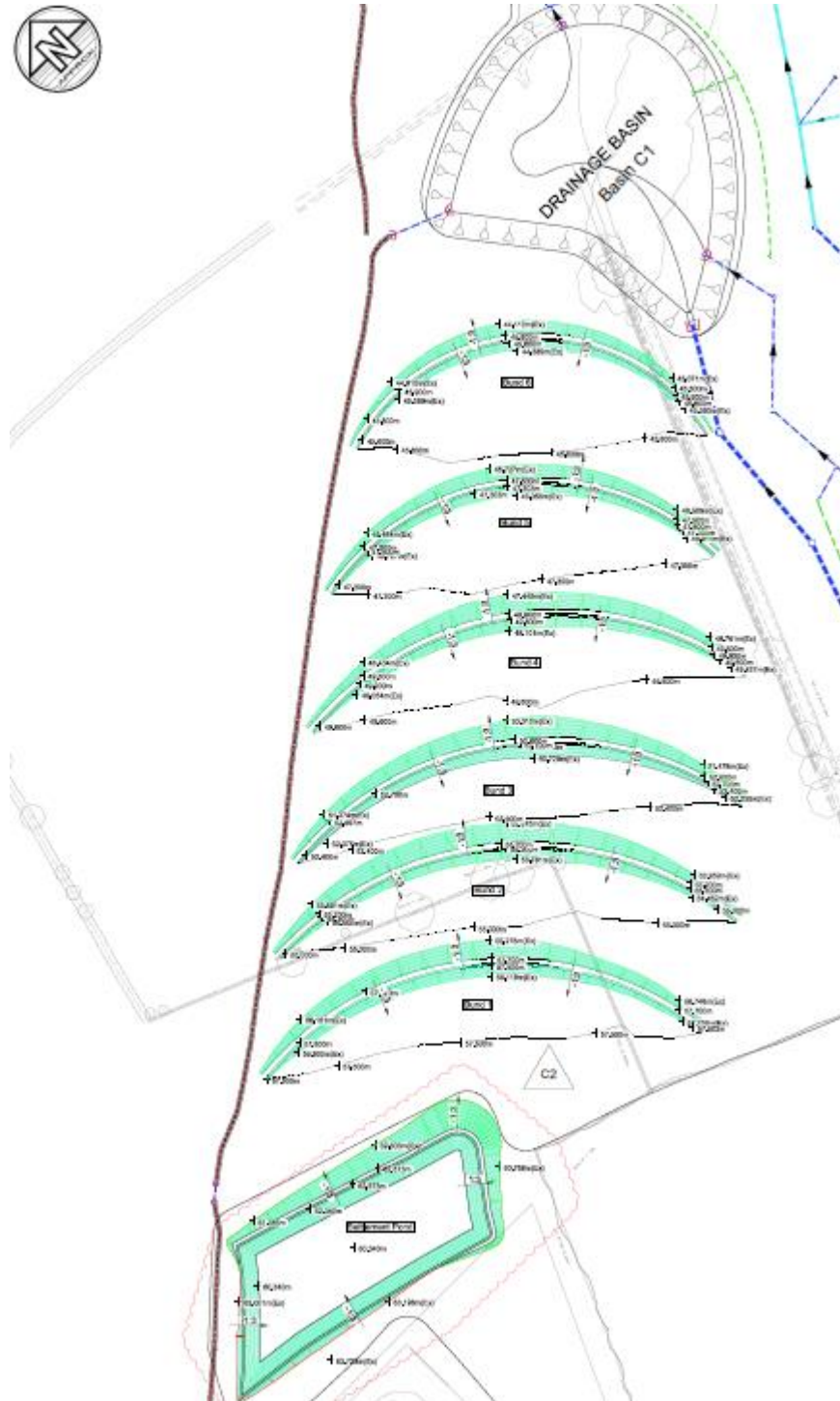
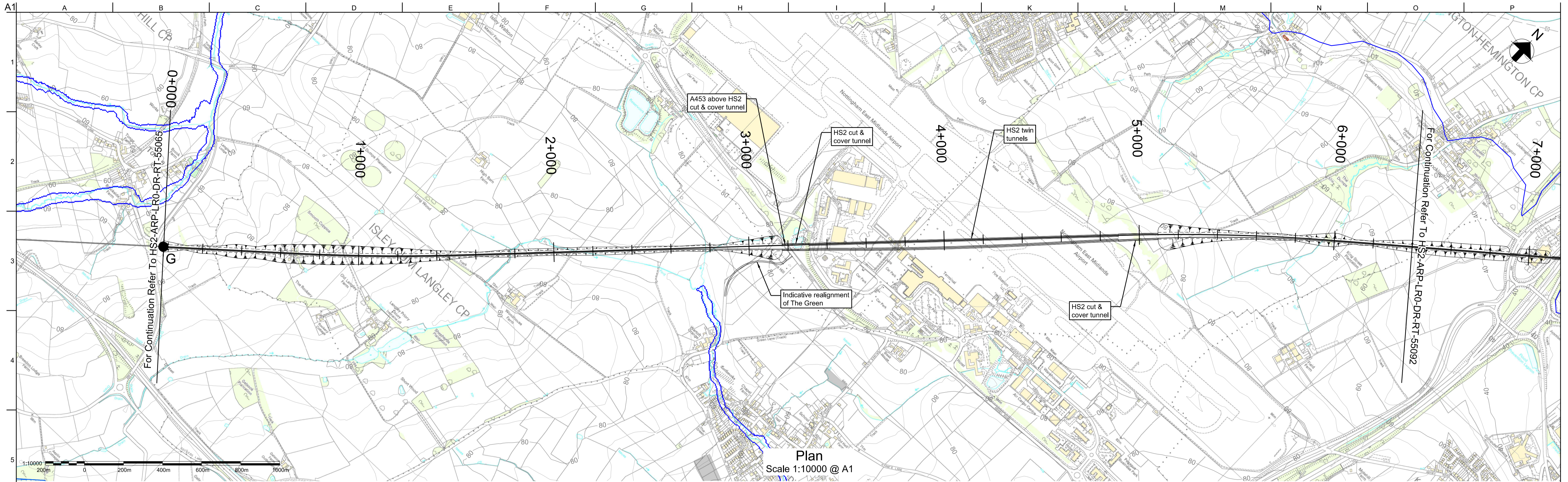


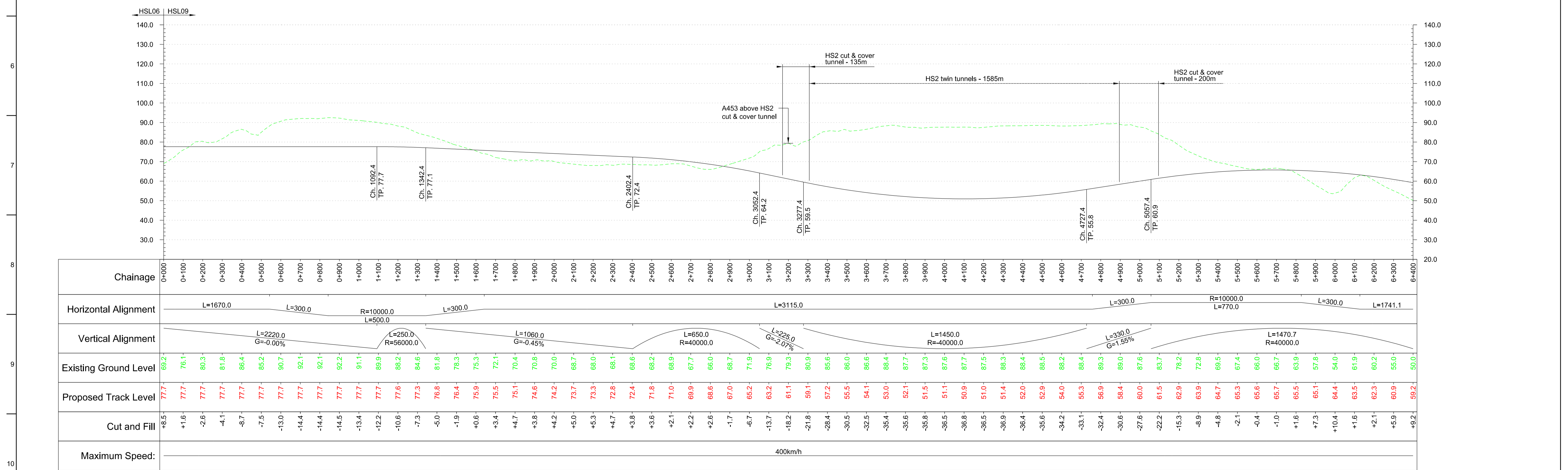
Figure 1 Indicative layout of the settlement ponds

APPENDIX 1

January 2013 HS2 plan and profile map



Plan
Scale 1:10000 @ A1



Profile
Scale H 1:10000 V 1:1000 @ A1

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- Key Environmental Features Legend**
- World Heritage Site
 - Ramsar
 - Special Areas of Conservation
 - Special Protection Areas
 - SSSI
 - National Nature Reserve
 - Area of Outstanding Natural Beauty
 - National Park
 - Scheduled Monument
 - Registered Parks and Gardens
 - Historical Battlefields
 - Active and/or Authorised Landfill
 - Historic Landfill
 - Flood Risk Zones

- Legend**
- Alignment Centreline
 - Viaduct / Tunnel / Retained Structure
 - Major Contour
 - Minor Contour
 - Node
 - Railway Cutting
 - Railway Embankment
 - Highway Cutting
 - Highway Embankment

3.0	- /12/12	LK	MP	CL
2.0	- /12/12	LK	MP	CL
Issue	Date	By	Chkd	Appd



Client
Job Title
HS2 West Midlands to Leeds
Initial Preferred Route
December 2012
Scale at A1 1:10000
Discipline Rail



Drawing Title
Route HSL09
Plan and Profile
Sheet 1 of 3
Drawing Status
Job No
214866-00
Drawing No
HS2-ARP-LR0-DR-RT-55091
Issue
3.0

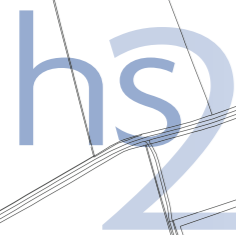
APPENDIX 2

November 2016 safeguarding plan and July 2017 plan and profile map



FOR CONTINUATION REFER TO SG-02-212

FOR CONTINUATION REFER TO SG-02-214



Legend

- Limits of Land Subject to Safeguarding Direction
- Safeguarded Area: Surface
- Safeguarded Area: Sub-surface
- Local Authority boundary
- Major Development Sites
- Additional Development Sites

Map Number	SG-02-213
Map Name	High Speed Two Phase 2b: West Midlands to Leeds Safeguarding Directions
Date of Issue	NOVEMBER 2016

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Doc Number: PH2-HS2-PL-MAP-100-000013

Scale at A1: 1:5,000
Scale at A3: 1:10,000

Date: 02/11/16

Appendix 5 – ISH1 Action Point 23 – Note on car sharing and operation of the Sustainable Transport Strategy for EMG2

The Applicant would initially note that monitoring data collected through the EMG1 annual employee travel surveys over the past seven years (set out in Table 3 of the Transport Assessment, (APP-080)) demonstrates the site is consistently meeting the single occupancy vehicle (SOV) target of no more than 68% of employees driving alone to work. Notably, Table 3 of the Transport Assessment (APP-080) demonstrates that, when the data collected during the pandemic is excluded (2021), the average SOV mode share across 2022, 2023 and 2024 was 48% - which is 20%-points ahead of the 10-year Site Wide Travel Plan targets.

With regards to the noted fluctuations in mode share, the Applicant would advise that it is typical that mode share will fluctuate year to year. These fluctuations are typical and do not inherently point to an emerging issue with the travel plan, rather there are multiple external factors that can influence mode share, such as changing workforce demographics and changing recruitment patterns by the end-occupiers. Notably, the latest data for 2025 (summarised below) shows that the SOV mode share has fallen to 47% (i.e. below the four-year average and significantly below the 68% mode share target).

Table 1: EMG1 Mode Share from Annual Employee Travel Survey

Travel Plan Year	Calendar Year	Mode Share from Annual Employee Travel Survey				
		Car alone	Car share	Public Transport	Active Travel	Other
Year 3*	2021	43%	26%	28%	1%	2%
Year 4	2022	42%	38%	14%	3%	3%
Year 5	2023	51%	25%	18%	2%	4%
Year 6	2024	56%	22%	16%	2%	4%
Average. excl 2021		48%				
Year 7	2025	47%	33%	15%	2%	3%

The Applicant also notes that the EMG1 Sustainable Transport Working Group members, including Leicestershire County Council, review the employee travel survey data annually, alongside corroborative data such as vehicle counts, public transport satisfaction surveys and employee focus groups, to determine if further interventions are needed. Whilst fluctuations in SOV were identified in 2023 and 2024, the Applicant would reiterate that in these years the site was still ahead of target and no further interventions were requested by the Sustainable Transport Working Group.

Notwithstanding, the success of the travel plan in meeting its objectives, the Applicant would note that during 2023 and 2024 refinements continued to be made to the travel plan strategy. These refinements formed part of SEGRO's ESG aspirations, rather than being directly linked

to the changing mode share. Throughout the year the Applicant provided structured support to the Occupier Travel Plan Coordinators, including one-to-one meetings to review travel survey findings, assessed progress against the Occupier Travel Plan targets and agreed employee-focused activities to support more sustainable transport use. Ongoing support included bi-monthly meetings to monitor delivery of occupier-specific activities and providing target assistance where needed, such as tailored transport campaign materials and on-site employee travel advice. These factors have resulted in greater collaboration between the Site Wide Travel Plan Coordinator and Occupier Travel Plan Coordinators to further support sustainable commuting.

Implications for the operation of the EMG2 Sustainable Transport Strategy and Framework Travel Plan are that the approach being implemented at EMG1 has been, and continues to be effective, achieving mode share significantly beyond the targets. Given this evidence, the Applicant sees no reason why a similar strategy and high mode share would not be achieved at EMG2.

Appendix 6 – ISH1 Action Point 24 – Note on the EMG2 Framework Travel Plan

Section 8.1 of the EMG2 Framework Travel Plan (APP-085) outlines that:

“The FTP monitoring period will be from first occupation until five years following full occupation of EMG2”

This approach aligns with Leicestershire County Council's (LCC) 2013 Workplace Travel Plan guidance, which notes:

‘monitoring could be in perpetuity, more realistically, the ‘life’ of a travel plan is defined as from first occupation to at least 5 years, following full occupation of a site’.

This approach to monitoring the travel plan was also applied at EMG1.

Prior to the submission of the Framework Travel Plan (APP-085), drafts were shared with National Highways, Leicestershire County Council and the wider EMG2 Transport Working Group (TWG) and no concerns have been raised regarding the monitoring periods, providing the mode share targets are met. Furthermore, no concerns regarding monitoring periods have been raised by either EMG2 TWG members as part of their Written Representation. The Statement of Common Ground on sustainable transport matters are being progressed with EMG TWG members.

The Applicant would note that at EMG1, the site took five years to reach full occupation (Years 1-5), and the subsequent five years (Years 6-10) formed the final monitoring period, meaning the EMG1 Site Wide Travel Plan is being delivered over a 10-year period (2019–2028). EMG1 has achieved its mode share targets. A similar rate of buildout and occupation is expected for EMG2 meaning that the FTP would likely be expected to be monitored for a total of 10 years.

With regard to the question on occupier changes, the Applicant would initially note that it is anticipated that there will be limited, if any, change of tenants during the Occupier Travel Plan monitoring period, as units are typically built to occupier specification and let on long-term leases. Notwithstanding this, as set out within the Framework Travel Plan (APP-085), responsibility for the overall implementation, management and monitoring of the travel plan will sit with the Site-Wide Travel Plan Coordinator (SWTPC). In the event that an occupier does change before the end of the monitoring period (for example, three years after first occupation of the unit), the SWTPC will work with the new tenant to make them aware of their responsibilities to prepare an Occupier Specific Travel Plan and deliver, manage and monitor it for the remainder of the monitoring period applicable from the date the unit was first occupied.