

ExQ1	Question to:	Question:
<b>1. General and cross-topic questions</b>		
<b>1.0 Planning and Infrastructure Act 2025</b>		
Q1.0.1	All IPs	<p><b>Planning and Infrastructure Act 2025</b></p> <p>The Planning and Infrastructure Act received Royal Assent on Thursday 18 December 2025. All IPs, including the applicants, are invited to submit comments on the new Act in relation to any implications for the examination of this application.</p>
<b>1.1 Development plan</b>		
Q1.1.1	North West Leicestershire District Council (NWLDC) Leicestershire County Council (LCC) Neighbourhood plan bodies	<p><b>Development plan</b></p> <p>Could the identified interested parties please provide copies of the development plan for which they are responsible along with any associated policy maps. Where a development plan is under review, could the identified interested party, also provide information as to the stage of review that the plan has reached, along with a timetable through to adoption/ making. This should be updated throughout the examination should it change. Where a draft development plan document exists, please could a copy also be provided (along with any associated maps). Again, this should be updated throughout the examination.</p> <p><b>Protect Diseworth (PD) Response:</b> In addition to the development plan, PD notes that NWLDC (working with the LPAs of South Derbyshire and Rushcliffe Borough Council) have published for consultation a Draft SPD on the Freeport. <a href="#">east-midlands-freeport-strategic-infrastructure-and-contributions-spd-consultation-draft.pdf</a> As such, whilst it is currently subject to consultation, upon its adoption, it would become a relevant 'material consideration' The draft SPD includes a number of assumptions around both strategic infrastructure and site specific infrastructure, including funding mechanisms, to support the development of the EMG2 site. PD consider the Applicant and NWLDC should be invited to comment on how the DCO scheme will deliver against these requirements deemed necessary by the draft SPD. This is particularly important as a 'Framework' Section 106 Agreement is defined within the draft SPD as the means to which financial contributions towards the necessary infrastructure will be secured, but the ExP will be aware that a S106 cannot be enshrined within DCO and must be subject to separate agreement between an Applicant and the LPA.</p>
Q1.1.2	NWLDC	<p><b>Development plan</b></p> <p>In paragraphs 4.64 to 4.77 of Planning Statement [<a href="#">AS-018</a>] the applicants set out various policies they consider important and relevant in the consideration of the proposed development. Does NWLDC agree with this? If not, could NWLDC please set out those policies it considers to be important and relevant along with a reasoning as to their (non-) applicability where a difference occurs.</p>
<b>1.2 Consideration of application – general matters</b>		
Q1.2.1	The applicants NWLDC	<p><b>Planning Statement</b></p> <p>In paragraphs 4.48 and 6.6 of the Planning Statement [<a href="#">AS-018</a>] the applicants set out the effect of paragraph 11 of the Framework. However, it is not clear whether the applicants consider:</p> <ul style="list-style-type: none"> <li>the proposed development accords with an up-to-date development plan.</li> </ul> <p><b>PD Response:</b> PD note that the current development plan for NWLDC is the Northwest Leicestershire Local Plan, adopted in 2017. As a document for guiding strategic growth, it is nearly 10 years old, PD consider that it does little to anticipate the significance of the growth now proposed as part of the DCO application(s). PD consider it should be afforded limited weight in this respect. PD also note that the emerging plan is currently being prepared and the proposed draft allocation of part of the DCO site is a contested matter. The emerging local plan still has some way to go, and the evidence has not yet been tested and scrutinised at an Examination in Public (EIP). Accordingly, PD also consider the emerging local plan should be afforded no weight as a material consideration in the DCO application, based on its current status and on the basis that the examination of the DCO will be complete by the time the EIP commences.</p> <ul style="list-style-type: none"> <li>the so-called 'tilted balance' should apply to this proposed development, or</li> </ul> <p><b>PD Response:</b> PD note that the current 'tilted balance' as contained within the current version of the NPPF as Paragraph 11 (and the associated footnotes) typically relates to housing and not commercial development. Whilst the Applicant refers to the consultation draft NPPF, which includes a new 'tilted balance' for assessing developments outside of settlements that document is not current policy and it is unclear if and when a revised version of the NPPF will be published and to what extent it will reflect the consultation draft, once consultation comments have been taken into account. As such, PD consider it can be afforded no weight at this stage.</p>

		<ul style="list-style-type: none"> <li>any other position.</li> </ul> <p>The applicants are asked to clearly set out their position and explain their reasoning. NWLDC is also asked to give its views on this topic.</p>
Q1.2.2	The applicants	<p><b>Planning Statement</b></p> <p>The Planning Statement [AS-018] appears to be missing a detailed planning history of the site and surrounding area. Please can the applicants provide an updated statement accordingly. In doing so, please include the planning history in relation to the EMG1 DCO, the freeport designation and the joint planning application by Prologis and EMIA, and any other relevant planning history, in one coherent section.</p>
Q1.2.3	The applicants	<p><b>Non-technical summary - MCO</b></p> <p>In respect of the MCO application, the non-technical summary [APP-205] sets out the effects of the proposed development. However, it doesn't set out how this compares/ contrasts with those set out in the original ES, and should be done on a cumulative basis with the EMG1 development. While there may be new information or legal requirements, could the applicants please undertake this exercise.</p>
Q1.2.4	The applicants	<p><b>Consenting regime for cables</b></p> <p>The applicants are requested to provide information as to the consenting regime for the installation of the cables from the sub-station to the main EMG2 site. It is noted that there is no route within the EMG2 site to allow for this.</p> <p>A similar request is made in respect of the route from the Toton supply point to the substation.</p>
Q1.2.5	The applicants	<p><b>Approved EMG1 scheme</b></p> <p>Could the applicants please provide a copy of the original parameters plan as considered in the EMG1 scheme and identify what the areas of Plot 16 and the proposed sub-station extension were to be used for under that consent.</p>

ExQ1	Question to:	Question:
		The ExP would like to understand what the effects the non-development of those areas in the consented scheme, whatever it was for, would be. The ExP is particularly concerned to understand whether either or both were to be used as mitigation for any part of the EMG1 scheme, and thus whether 'replacement mitigation' would need to be secured.
Q1.2.6	NWLDC	<p><b>Plot 16</b></p> <p>Could NWLDC please confirm that any safeguarding direction for High Speed 2 has been withdrawn providing a copy of that withdrawal. If a direction remains in place, could NWLDC please provide a copy and set out any implications that may flow from it.</p>
Q1.2.7	NWLDC	<p><b>Planning permission relating to heights of stacked containers</b></p> <p>Could NWLDC please provide a copy of the planning permission which purportedly permits the raising of the height of the container stacks to 15m. This should include the decision notice and all associated documents to allow the ExP to understand it properly.</p>
Q1.2.8	The applicants NWLDC LCC National Highways (NH)	<p><b>20% advanced manufacturing floorspace</b></p> <p>Paragraph 3.2.7 of chapter 3 of the ES [AS-025] states that the development would primarily comprise logistics buildings with up to 20% of the floorspace capable of being used for 'advanced manufacturing'. Please can the applicants clarify how this 20% limitation is secured in the dDCO and explain the environmental effects in the event this 20% limitation is exceeded. For example, why is the limitation important, does advanced manufacturing generate different environmental effects in relation to traffic, noise and disturbance compared to storage and distribution?</p>
Q1.2.9	The applicants	<p><b>Permitted development rights</b></p> <p>Are there permitted development rights that would allow a change of use from logistics or advanced manufacturing to another use that might give rise to other environmental effects to those assessed that would not be compatible with existing neighbouring development? Consequently, should the dDCO include a provision limiting specific permitted development rights?</p>

Q1.2.10	The applicants	<p><b>Construction working hours</b></p> <p>Paragraph 3.2.54 of chapter 3 of the ES [AS-025] states that hours of work on Saturdays would be 07:00 to 16:00. Please justify these working hours with reference to any relevant guidance and clarify whether there is any deviation from established standards. <b>PD Response:</b> particularly given the proximity of the site to Diseworth and the articulated issues in relation to noise, PD argues that there should be no Saturday working at all. In any event, PD notes that it would be unusual to have working hours that start so early on a Saturday and finish later in the afternoon. This would compound the construction-related impacts to the local community beyond the normal working week. PD understands that it would typically be the case (if Saturday working was deemed necessary and justified) such hours would typically be 8am – 1pm, so as to protect the community. PD suggest that the Environmental Health Officer (EHO) at NWLDC also be asked to comment on this issue.</p>
Q1.2.11	The applicants	<p><b>Community Investment Plan and fund</b></p> <p>Paragraph 3.4.16 of chapter 3 of the ES [AS-025] states SEGRO is committed to a community investment plan. However, this is not secured in the dDCO and there is no certainty about its delivery. Therefore, should the employment scheme provisions in the dDCO be amended to codify and secure the objectives of a community investment plan?</p> <p><b>PD Response:</b> On the evidence currently available and in the absence of the community investment plan being secured with the dDCO, the Applicant cannot be compelled to deliver such an initiative. If it remains that there is no formal trigger, PD considers no weight should be given to it in the decision-making process, as it would be a voluntary obligation by the Applicant only and such an offer could be withdrawn at any time.</p> <p>Castle Donington Parish Council [RR-047M] refer to a community fund associated with EMG1. Please can the applicants clarify to what extent the community investment plan for EMG2 would include a community fund?</p>
Q1.2.12	The applicants	<p><b>Hyperlinks</b></p> <p>Please can the applicants check all hyperlinks submitted within the application documents and ensure they are working as intended.</p>
<b>1.3 Other planning applications in vicinity</b>		
Q1.3.1	NWLDC Prologis EMIA (East Midlands International Airport Limited and/ or East Midlands Airport Property Investments (Industrial) Limited as appropriate)	<p><b>Planning application on northern part of EMG2 site</b></p> <p>Could NWLDC provide a copy of the 24/00727/OUTM application. This should consist of the application form, drawings showing any land proposed for development and (indicative) layouts and/ or parameters plans, together with details of any off-site infrastructure which it is intended to secure as part of that development.</p> <p>In addition, could NWLDC provide information, so far as it has it, as to the timetable for consideration of the application and for any subsequent legal agreements, if necessary, to be completed.</p> <p>Could Prologis/ EMIA please set out its intentions for the consideration of the application.</p> <p>If the application is amended so that any of the above details change, can we please be provided with that information.</p>
Q1.3.2	The applicants Prologis/ EMIA	<p><b>Planning application on northern part of EMG2 site</b></p> <p>Could the applicants and Prologis/ EMIA please provide details, including a plan, showing compatibility/ non-compatibility of the proposed development and that subject to application 24/00727/OUTM. They should set out why they hold this position. The ExP is particularly interested where any proposals would mean that the two developments would not physically be able to be provided.</p>

ExQ1	Question to:	Question:
Q1.3.3	NWLDC	<p><b>Isley Woodhouse development</b></p> <p>Could NWLDC advise as to the current situation on the planning application for Isley Woodhouse, and provide details of the proposal, a location plan and details of any off-site works, particularly highway works, which it is intended to secure as part of that development, or any triggers that would prevent implementation or occupation unless a particular piece of infrastructure had been provided?</p> <p>Does NWLDC have any date for its determination?</p> <p>Could NWLDC please ensure that the examination is kept updated in this regard.</p>
<b>1.4 Community matters</b>		
Q1.4.1	The applicants	<p><b>Community Liaison Group</b></p> <p>Paragraph 3.4.15 of chapter 3 of the ES [AS-025] refers to the existing community liaison group set up under a planning obligation under section 106 of the TCPA. Can the applicants provide a copy of the planning obligation?</p>



Q1.4.2	The applicants	<p><b>Community Park</b></p> <p>The ExP is seeking to understand how attractive the community park would be as an amenity. Therefore, can the applicants provide the following information:</p> <ul style="list-style-type: none"> <li>• isophones (sound levels) across the whole of the park with the proposed development in operation based on the worst-case analysis assessed in the ES</li> <li>• the areas of the site where gradients would be greater than 8% (1 in 12) – contours across the whole area should be shown (this may need to be on a separate drawing if it would result in the drawing being too cluttered) – or which could only be accessed by travelling through such areas</li> <li>• whether the surface water storage areas would be fenced</li> <li>• the months and proportion of the year the surface water storage areas are unlikely to be accessible due to wetness, including boggy ground conditions</li> <li>• those areas where it would not be desirable for the public to visit for ecological and biodiversity reasons (that is, buffer zones), giving any temporal or other restrictions</li> <li>• what assessment has been undertaken of increased human activity in the proximity of the badger setts during the operational phase, and how has this been quantified?</li> </ul> <p>This information should also be provided graphically on a plan of the community park. Where areas are identified, the area in square metres, should also be provided; a table setting out the different areas of the proposed park should be submitted.</p> <p>If the applicants wish to provide a commentary to this information they may do so.</p> <p>The applicants should prepare a separate confidential report for answers relating to badgers. The ExP would ask the applicants send a copy of the confidential report direct to NWLDC and NE for their consideration.</p> <p><b>PD Response:</b> PD welcomes the fact that there are a number of questions from the ExP on the community park as many of these coincide with its own areas of concern to PD and/or require clarification.</p> <p>Whilst PD cautiously welcomes the concept of a buffer area that provides separation from the development envelope, it seems likely that the concept of a community park stems from the Applicant’s need for essential mitigation and that the area will form a critical part of flood/water control measures and to that extent is driven by commercial need rather than altruism. This is evident from the domination of wet grassland and other ecological features across the site that will likely place active constraint on usage. If there are unresolved questions regarding noise intrusion, then the tranquility value of the site is also called into question. Nevertheless, PD confirms that irrespective of its intention, the community park serves as an important buffer area, free of development and in that regard alone, it serves a function.</p>
Q1.4.3	The applicants NWLDC	<p><b>Community Park</b></p> <p>Is the size of the community park sufficient to create a meaningful buffer between the EMG2 main site and neighbouring residential development, whilst delivering the multitude of proposed functions (recreation, landscape and ecological mitigation etc.)? To this end, could the community park be made bigger, at the expense of industrial and logistics floorspace, if it was determined that its current size would place unworkable constraints on its intended functions?</p> <p>The ExP also invites comments from NWLDC on this matter.</p> <p><b>PD Response:</b> Whilst maintaining its fundamental “in principle” objection to the proposed development, as above, PD welcomes any increased separation between the development envelope areas and Diseworth. However, PD notes that the park area trespasses over the boundary of the “EMP90” land and that any development-linked construction should be within that boundary at the absolute minimum and, as noted above, there are a number of points that require further clarification so that it can be actively used and if so, maintained and made available in perpetuity.</p>
Q1.4.4	The applicants	<p><b>Community Park</b></p> <p>Could the applicants please explain how public access to the Community Park would be secured in perpetuity?</p>
<b>1.5 Affected road network/ biodiversity effects</b>		
Q1.5.1	The applicants	<p><b>Affected road network</b></p> <p>In their RR’s both NH [<a href="#">RR-022</a>] and NE [<a href="#">RR-023D</a> and <a href="#">RR-050M</a>] comment about potential changes to air quality on the affected road network, as so described.</p>

ExQ1	Question to:	Question:
		<p>Could the applicants please identify the affected road network, which should also be shown on a plan, and undertake an assessment of the effects on biodiversity, human health and other potentially affected receptors. For the effect on ecological receptors the applicants should use the approach advocated by NE in appendix A to its RR.</p> <p>Should this assessment indicate that mitigation is required, could the applicants please set out a proposal ensuring that it is secured and shown in the commitments register.</p>
<b>2. Design, parameters and other details of the proposed development</b>		
Q2.0.1	The applicants	<p><b>Section 51 advice</b></p> <p>The applicants responded to s51 advice [PD-003D] and provided a summary [AS-079]. The applicants' updated table 3.5 of chapter 3 of the ES [AS-025] includes an additional column identifying where each parameter associated with the DCO application is secured in the dDCO. Please can the applicants also update the table so that the details provided for the DCO application are also provided for the MCO application.</p>
Q2.0.2	The applicants	<p><b>EMG1 handling capacity increases</b></p> <p>Paragraph 3.3.8 of chapter 3 of the ES [AS-025] clarifies that the MCO application would not increase EMG1 capacity in terms of train movements. However, would the increase in gantry crane heights facilitate increased container throughput and therefore require greater handling capacity elsewhere in the operational chain? For example, additional HGV trips, worker trips, etc. to deal with a higher volume of containers coming through EMG1 than is currently the case? If yes, has this been reflected in the relevant ES chapters?</p>
Q2.0.3	The applicants	<p><b>MCO parameters plan</b></p> <p>Article 2(10) in the dMCO states "In Schedule 1 (authorised development), Part 1, replace Works No. 2(a)(iii) with "gantry cranes and reach stackers up to a height of 24 metres as shown on the additional parameters plan". The Parameters Plan [AS-007M] only makes reference to gantry cranes. Does it also need to make reference to reach stackers? If yes, please update the plan accordingly.</p>
Q2.0.4	The applicants NWLDC	<p><b>Design</b></p> <p>In section 7 of the Design Approach Document [APP-220] dealing with the Design Code sets out the Key Design Objectives. One of these is "creating places with a strong sense of identity". Could the applicants please explain why this does not include an aspect relating to the external appearance of the buildings to provide signposting and place-making within the proposed development.</p> <p>NWLDC is also asked to comment.</p>
Q2.0.5	The applicants	<p><b>Good design</b></p> <ul style="list-style-type: none"> <li>• Could the applicants please explain how good aesthetic design will be secured. In other words, in the definition of architecture, 'firmness, commodity and delight', how 'delight' is to be delivered?</li> <li>• Could the applicants explain whether there would be Design Review as part of the implementation phase. The answer to this question should relate to all elements of the proposed development, including buildings and road structures. If appropriate, could the applicants please ensure that this is secured.</li> <li>• The applicants explain in Table 3.2 and paragraph 3.2.10 in chapter 3 of the ES [AS-025] that the heights of the buildings may vary due to the potential for the finished floor level to vary by plus or minus (+/-) 1.5 metres. Could the applicants explain how these different heights have been considered in respect of short distance views and the visual effects of the proposed development? <b>PD COMMENT: PD assumes that the red dashed line are maximum heights, the actual photomontages should do so similarly. PD does not know why this has not been the case unless it is to "downplay" the effects of the development.</b> PD requests the ExP direct that both the actual photo montages and the LVIA assessments reflect the worst-case scenario.</li> </ul>

Q2.0.6 PD	The applicants	<p><b>Fence on northern edge of EMG2 site</b></p> <p>Paragraph 7.5.52 and Tables 7.21 and 7.22 in chapter 7 of the ES <a href="#">[AS-035]</a> undertake an analysis of the effect of a 3m high acoustic fence “along the northern boundary of the unit”. Could the applicants confirm the minimum width of the landscape buffer along the northern edge of the EMG2 site adjacent to the A453 and where in this buffer the fence would be located. This should be secured. The ExP is concerned to ensure that were a fence to be utilised, that the landscape strip would be of sufficient effect to mitigate the effects of the fence. Please also see question ExQ1Q19.0.6. The response should also take into account the discussions at ISH1 relating to land along the northern part of the site which could be used for dualling of the A453.</p>
Q2.0.7	The applicants	<p><b>MCO Parameters Plan</b></p> <p>On the MCO Parameters Plan <a href="#">[AS-007M]</a> the key legend overlaps with the bottom of the text box above. Could this be amended so the whole is legible?</p>

ExQ1	Question to:	Question:
Q2.0.8	The applicants NWLDC LCC	<p><b>Parking space size</b></p> <p>Paragraph 6.31 of the TA <a href="#">[APP-080]</a> sets out parking sizes. The ExP is aware that many local planning authorities are seeking larger spaces (generally to the width) to accommodate the larger cars that are being produced compared to those when the standards were originally drawn up. Does the applicant, NWLDC or LCC have any comment as to whether larger spaces should be included within the parking areas?</p>
Q2.0.9	The applicants	<p><b>Landscaping in parking areas</b></p> <p>In the s51 advice issued on 30 September 2025, in point 40 it was noted “Page 67 of the Design Statement shows how car park landscaping strips may look. However, the Illustrative Landscape Masterplan and other similar plans shows parking without such landscaping. The principle of car parking of being in a green area is also referred to on page 70”. The Design Approach Document <a href="#">[APP-220]</a> applies to both the DCO application and the MCO application. In the Illustrative Landscape Masterplan EMG2 Works <a href="#">[APP-040D]</a> drawing landscaping is shown in the car parking areas for the units in the EMG2 site. However, landscaping is not shown in the Illustrative Landscape Masterplan EMG1 Works <a href="#">[APP-064M]</a> drawing. Could the applicants please address this issue demonstrating that, as set out in the s51 advice, sufficient landscaping and parking can be made available.</p>
<b>3. Agriculture and soils</b>		
Q3.0.1	The applicants Natural England (NE)	<p><b>Best and Most Versatile (BMV) agricultural land methodology</b></p> <p>In tables 15.3 and 15.4 of chapter 15 of the ES <a href="#">[AS-061]</a>, NE raises concerns regarding the methodology used to assess effects on BMV agricultural land. The applicants state that chapter 15 has been reviewed in response to these comments.</p> <p>Please explain:</p> <ul style="list-style-type: none"> <li>• what changes, if any, have been made to the assessment methodology as a result of NE’s comments</li> <li>• where these changes are documented in the ES chapter 15</li> <li>• the current position of the applicants and NE on whether the revised methodology adequately addresses concerns raised by NE</li> </ul>
Q3.0.2	The applicants	<p><b>BMV agricultural land permanent loss and temporary effects</b></p> <p>ES chapter 15 <a href="#">[AS-061]</a> identifies that the Order limits comprise BMV agricultural land, with areas of Grade 1, Grade 2, Subgrade 3a and 3b land reported in table 15.8, supported by the ALC survey in appendix 15A <a href="#">[APP-175]</a>.</p> <p>Please provide a clear table which, for Grade 1, Grade 2, Subgrade 3a and Subgrade 3b land, distinguishes:</p> <ol style="list-style-type: none"> <li>the area of BMV land that would be permanently lost as a result of the authorised development</li> <li>the area of BMV land that would be temporarily affected during construction and is proposed to be restored to agricultural use, together with a brief explanation of the restoration approach and signposting to the Soil Resource Management Plan where relevant</li> </ol> <p>For each of (a) and (b), please identify where the relevant areas are shown on the certified plans and/ or ALC mapping (including the relevant Works Plan sheet(s) and Land Plan plot(s)). <b>PD COMMENT:</b> PD submits its own analysis of lost BMV land alongside these comments</p>



Q3.0.3	The applicants NE	<p><b>BMV significance threshold</b></p> <p>ES chapter 15 <a href="#">[AS-061]</a> explains at paragraph 15.2.3 that a loss of 20 ha or more of BMV agricultural land is treated as the critical threshold for significance, with reference to schedule 4, paragraph (y) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 and published guidance.</p> <p>Please confirm:</p> <ul style="list-style-type: none"> <li>• whether the “20 ha” criterion in paragraph 15.2.3 has been applied to permanent loss only, or to permanent and temporary effects combined, and where this is evidenced in ES chapter 15 (by paragraph/ table reference)</li> <li>• whether the assessment has appropriately taken account of the grade composition of BMV land affected (Grades 1, 2 and Subgrade 3a, 3b) in reaching the overall significance conclusion</li> <li>• whether NE agrees with the applicant’s application of the approach in this case and the resulting significance conclusions for effects on BMV agricultural land</li> </ul>
Q3.0.4	The applicants	<p><b>Soil Resource Management Plan (SRMP)</b></p> <p>Paragraphs 15.5.15 and 15.7.2 of the ES chapter 15 <a href="#">[AS-061]</a> states that a site-specific SRMP has been prepared and is provided as appendix 15C <a href="#">[APP-177]</a>, and that adherence to the SRMP is relied upon as mitigation to protect soil resources.</p>

ExQ1	Question to:	Question:
		<p>The CEMP <a href="#">[AS-027D]</a> paragraph 7.1 states that each relevant P-CEMP should incorporate a Soil Management Plan in accordance with requirement 12 and in accordance with the Construction Code of Practice for Sustainable Use of Soils on Construction Sites, the measures set out in appendix 15A <a href="#">[APP-175]</a> and the SRMP <a href="#">[APP-177]</a>.</p> <p>The dDCO <a href="#">[PDA-004D]</a> requires each P-CEMP to include a soil management plan (requirement 11) and requires earthworks details (including an earthworks strategy including management and protection of soils) to be substantially in accordance with the soil management plan approved as part of the relevant P-CEMP (requirement 12).</p> <ul style="list-style-type: none"> <li>• please confirm whether the SRMP <a href="#">[APP-177]</a> is intended to be the “soil management plan” to be submitted and approved as part of each relevant P-CEMP under requirement 11, or whether a separate soil management plan document will be produced</li> <li>• explain how the SRMP will be carried through into the earthworks strategy and other earthworks details required by requirement 12 (including how “substantially in accordance” will be interpreted in practice)</li> <li>• please confirm what mechanism will ensure that the SRMP measures relied upon in ES chapter 15 remain consistent with the approved P-CEMPs/ earthworks details (including how any updates to the SRMP would be controlled)</li> <li>• if the SRMP is not intended to be the approved soil management plan, identify any amendment(s) required to the CEMP and/ or dDCO to ensure the mitigation relied upon in ES chapter 15 is clearly secured and enforceable</li> </ul>



Q3.0.5	The applicants NE	<p><b>Cumulative effects on BMV land</b></p> <p>ES chapter 15 <a href="#">[AS-061]</a> states at paragraph 15.6.1 that an agreed methodology for cumulative effects of BMV land loss has not yet been established and refers to IEMA guidance proposing comparison of BMV land loss against changes in national and regional average land loss over a set period. Paragraph 15.6.1 further explains that a 3-year change in land use (2019–2022) has been used in tables 15.9 and 15.10, and notes that the guidance proposes that contribution to more than 1% of the average five-year national land loss would be significant.</p> <p>Paragraph 15.6.2 concludes that the EMG2 Works would have a significant cumulative effect on regional BMV land loss (table 15.9, 37%), but would not have a significant cumulative effect on the national stock of BMV land (table 15.10, 0.32%).</p> <p>Please could the applicants:</p> <ul style="list-style-type: none"> <li>• explain the basis for using a 3-year average (2019–2022) for the cumulative comparison, and how this has been applied consistently with the five-year benchmark referred to in paragraph 15.6.1</li> <li>• confirm the data sources and assumptions used to derive the regional and national BMV baseline figures in tables 15.9 and 15.10 and explain how uncertainty in those assumptions has been addressed</li> <li>• explain how the conclusion of a significant regional cumulative effect but not a significant national cumulative effect has been taken into account in the overall assessment of effects on BMV land (including the conclusions at section 15.7)</li> <li>• confirm whether NE agrees with the applicant’s cumulative assessment approach and conclusions for BMV land in section 15.6 of the ES chapter 15</li> </ul> <p>NE is also given the opportunity to comment on the above.</p>
Q3.0.6	The applicants	<p><b>Effects on agricultural land users</b></p> <p>ES chapter 15 <a href="#">[AS-061]</a> describes effects on agricultural land users and land management arising from the proposed development at paragraphs 15.5.11 and 15.5.12.</p> <p>Please could the applicants:</p> <ul style="list-style-type: none"> <li>• identify the agricultural holdings/ land parcels to which paragraphs 15.5.11 and 15.5.12 relate, by reference to the certified plans and the Land Ownership Plan at appendix 15B <a href="#">[APP-176]</a></li> <li>• explain the likely nature and duration of effects on agricultural operations (including severance, disruption to field access, and any temporary loss of land use during construction), and how these have been considered in the assessment of effects in ES chapter 15</li> <li>• describe the mitigation measures proposed to reduce effects on agricultural operations (including any measures to maintain/ replace access, manage construction routing across farmland, and reinstate land), and identify precisely how and where these measures are secured</li> </ul>

ExQ1	Question to:	Question:
4.	Air quality and emissions	
Q4.0.1	The applicants	<p><b>Pollutants</b></p> <p>Paragraph 8.1.3 of chapter 8 of the ES <a href="#">[AS-037]</a> states the impact assessments of vehicular emissions focuses on air pollutants that are likely to arise from the construction and occupation of the EMG2 project. These pollutants are oxides of nitrogen (NO<sub>x</sub>), nitrogen dioxide (NO<sub>2</sub>), particulate matter in the 10 micrometre (µm) and 2.5µm size fractions (PM<sub>10</sub> and PM<sub>2.5</sub>) and dust for human and ecological receptors and nitrogen and acid deposition for ecological receptors.</p> <p>However, the ExP notes this is slightly at odds with the pollutant impacts actually assessed in the relevant appendices. For example, appendix 8G <a href="#">[APP-144]</a> does not contain NO<sub>x</sub> impacts. Furthermore, appendix 8H <a href="#">[APP-105]</a> does not contain NO<sub>2</sub> impacts or particulate matter impacts. For clarity, please can the applicants explain the approach to assessing pollutants, and how the pollutants assessed might vary depending on the receptor in question.</p>

Q4.0.2	The applicants NWLDC	<p><b>Monitoring data</b></p> <p>Paragraph 8.2.8 of chapter 8 of the ES <a href="#">[AS-037]</a> states that as of June 2025, the 2024 monitoring data had not been verified by the Department for Environment, Food and Rural Affairs (DEFRA). Please can the applicants and NWLDC confirm whether the latest verified monitoring data is now available and whether the air quality assessment needs to be updated accordingly?</p>
Q4.0.3	The applicants NWLDC LCC NH	<p><b>Reasonable worst case scenario complexity</b></p> <p>Paragraph 8.2.58 of chapter 8 of the ES <a href="#">[AS-037]</a> establishes four scenarios considered as part of the traffic modelling that underpins the air quality assessment. These modelling scenarios were broken down into sub scenarios in paragraph 8.2.55. What is the rationale for conducting such a multitude of scenarios? Does it present an overly complex approach, and could it be streamlined by adopting one definitive reasonable worst case scenario for each of the following:</p> <ol style="list-style-type: none"> <li>1) Baseline traffic</li> <li>2) EMG2 project traffic (with DCO and MCO assessed discretely)</li> <li>3) EMG2 project traffic (with DCO and MCO assessed discretely) + mitigation</li> <li>4) EMG2 project traffic (with DCO and MCO assessed discretely) + mitigation + cumulative project traffic</li> </ol>
Q4.0.4	The applicants	<p><b>Consistently describing modelling stages/ scenarios and using plain English</b></p> <p>Chapter 8 of the ES <a href="#">[AS-037]</a> refers to stages/ scenarios 1a, 1b, 2a, 2b etc. It also uses technical terms like 'demand flow' and 'green package' etc. These naming conventions are not intuitive and it would be helpful if the applicants could consider updating them, both in the ES and associated appendices, to provide plain English descriptions that are more easily understood.</p> <p>In addition, chapter 8 of the ES <a href="#">[AS-037]</a> refers to stages/ scenarios in an inconsistent and hard to understand manner.</p> <p>For instance, paragraph 8.2.55 identifies stage 1b modelling, which includes 4 sub-categories of modelling. Paragraph 8.7.22 then refers to the 2028 scenario 1b vs 1b with construction traffic but it is not clear which of the 4 sub-categories are being used because it does not use the naming conventions established under paragraph 8.2.55.</p> <p>Using the naming conventions set out in paragraph 8.2.55, please can the applicants clarify whether the 2028 scenario 1b in paragraph 8.7.22 is meant to refer to the 2028/2038 forecast year without the EMG2 project (without local plan sites), the 2028/2038 forecast year with the EMG2 project (without local plan sites), the 2028 forecast year (demand flow) (without local plan sites) or the 2028 forecast year (demand flow) with construction traffic?</p> <p>Please can the applicants review all stage/ scenario references of chapter 8 of the ES <a href="#">[AS-037]</a> and associated appendices to ensure they are using consistent naming conventions that are easily understood.</p>
Q4.0.5	The applicants	<p><b>Baseline pollutant concentrations</b></p> <p>Please can the applicants ensure that each table in chapter 8 of the ES <a href="#">[AS-037]</a> showing the baseline pollutant concentrations (table 8.8 to table 8.12) consistently indicates whether values are within relevant standards or targets. For example, table 8.8 is clear about exceedances due to associated notes and bold type. However, table 8.12 does not indicate how the values correspond to relevant standards or targets.</p>
Q4.0.6	The applicants	<p><b>Dust risk buffers</b></p> <p>Please can the applicants produce an additional appendix mapping the dust risk buffers in appendix 8B <a href="#">[APP-099]</a> over the receptor locations in appendix 8C <a href="#">[APP-100]</a> for clarity about the scope of potential impacts and quantum of human receptors affected.</p>

ExQ1	Question to:	Question:
Q4.0.7	NWLDC	<p><b>Mitigation</b></p> <p>NWLDC in its RR <a href="#">[RR-003]</a> states that mitigation measures identified within appendix 8I <a href="#">[APP-106]</a> would need to be appropriately secured within the dDCO. Please can NWLDC confirm whether it thinks the identified mitigation measures have been appropriately secured or not. If not, please suggest a draft requirement for the Exp's consideration.</p>
Q4.0.8	The applicants	<p><b>Non-Road mobile machinery</b></p> <p>Paragraph 8.6.35 of chapter 8 of the ES <a href="#">[AS-037]</a> relates to NRMM. Please can the applicants clarify where the NRMM limits are secured in the dDCO and dMCO, and whether they are specifically included within the CEMP?</p>

Q4.0.9	The applicants NWLDC	<p><b>Statutory targets</b></p> <p>In relation to paragraph 8.7.106 of chapter 8 of the ES <a href="#">[AS-037]</a>, is the PM<sub>2.5</sub> target to be achieved in 2028 statutory? Is the SoS under a statutory duty to ensure that is met? Furthermore, please can the applicants elaborate on the potential implications of exceeding this target at Castle Donington. If the PM<sub>2.5</sub> target is exceeded without the EMG2 project, how much does the EMG2 project add to this exceedance in percentage terms?</p> <p>More generally, it would be helpful if the applicants could provide a summary note or table outlining the SoS's statutory obligations regarding air quality targets and whether these would be met in the event the SoS took the decision to make the DCO.</p> <p>The ExP also invites comments from NWLDC on this matter.</p>
Q4.0.10	The applicants NH NWLDC	<p><b>Modelling</b></p> <p>NH <a href="#">[RR-022]</a> raised concern about the large magnitude of some of the modelling adjustment factors. On the other hand, NWLDC <a href="#">[RR-003]</a> confirm that a range of matters in relation to the modelling have been agreed. For clarity, and subject to any PRTM 2023 updates, please can NH and NWLDC, in conjunction with the applicants, work together and coordinate a response on whether the modelling and subsequent conclusions are acceptable.</p>
Q4.0.11	The applicants Other IPs	<p><b>PRTM updates</b></p> <p>The ExP acknowledges that the air quality modelling and assessment are reliant on the PRTM and that as per the applicants' submission <a href="#">[PDA-001]</a>, the PRTM assessment is currently in the process of being updated to the 2023 version. Whilst it would be helpful for the applicants and other IPs to answer questions relating to air quality modelling and assessment at this juncture (ExQ1), if more informative answers can only be given after the PRTM assessment has been updated, or answers would otherwise quickly become out of date, then please highlight this to the ExP accordingly.</p>
Q4.0.12	The applicants	<p><b>CEMP dust mitigation</b></p> <p>Should the CEMP <a href="#">[AS-027D]</a> cross refer to the relevant appendix <a href="#">[APP-106]</a> of chapter 8 of the ES <a href="#">[AS-037]</a> to ensure a comprehensive approach to dust mitigation? Does the dMCO also need to include provisions cross referring to the relevant appendix <a href="#">[APP-106]</a> of chapter 8 of the ES <a href="#">[AS-037]</a> in the same context?</p>
Q4.0.13	The applicants	<p><b>Model verification pollutants</b></p> <p>Appendix 8A <a href="#">[APP-098]</a> only addresses NO<sub>x</sub> and NO<sub>2</sub>. Please can the applicants clarify why particulate matter or other pollutants such as NH<sub>3</sub> etc. have not been modelled and verified in the same way as NO<sub>x</sub> and NO<sub>2</sub>?</p>
Q4.0.14	The applicants	<p><b>Model verification NO<sub>x</sub></b></p> <p>Appendix 8A <a href="#">[APP-098]</a> states that it is NO<sub>x</sub> that is primarily modelled, not NO<sub>2</sub>. In this context, please can the applicants clarify why table 8a.2 monitors and models NO<sub>2</sub> rather than NO<sub>x</sub>? It is not clear why the approach does not start with comparing monitored NO<sub>x</sub> with modelled NO<sub>x</sub> concentrations to establish an adjustment factor, before applying the adjustment factor to the NO<sub>x</sub> concentrations and then converting into NO<sub>2</sub> as a final step.</p>
Q4.0.15	The applicants	<p><b>Model verification diffusion tube monitoring</b></p> <p>With regard to table 8a.3 of appendix 8A <a href="#">[APP-098]</a>, where have the monitored road NO<sub>x</sub> figures been derived from? For example, appendix 8E <a href="#">[APP-102]</a> only deals with the monitoring of NO<sub>2</sub> and as such it is not clear what NO<sub>x</sub> monitoring has been used to inform the model verification.</p>
Q4.0.16	The applicants	<p><b>Model verification preamble</b></p> <p>Please can the applicants update the preamble text of appendix 8A <a href="#">[APP-098]</a> to clarify what data has been input into the model as part of the verification process and whether it is the most up to date data available at this present time.</p>

ExQ1	Question to:	Question:
Q4.0.17	The applicants	<p><b>Air quality management areas</b></p> <p>Can the applicants check that appendix 8G <a href="#">[APP-104]</a> references and illustrates all of the AQMA's cited in chapter 8 of the ES <a href="#">[AS-037]</a>. For example, Castle Donnington AQMA is illustrated on some but not all of the figures. Furthermore, it is not clear whether Copt Oak or Derby AQMAs have been appropriately referenced and illustrated at all.</p>

Q4.0.18	The applicants	<p><b>Appendices preamble and summary tables</b></p> <p>Appendix 8H [APP-105] provides a very useful preamble explaining its content. It also identifies the worst case scenario and summarises the results in tables. Please can the applicants update appendix 8G [APP-104] to include similar preamble and summary tables of the worst case scenario for each receptor.</p>
Q4.0.19	The applicants	<p><b>Typographic errors</b></p> <p>Paragraph 8.2.55 of chapter 8 of the ES [AS-037] refers to the “Private Rapid Transit Model” when it should be “Pan Regional Traffic Model”. This is repeated five times within this document.</p>
Q4.0.20	The applicants	<p><b>Monitored Nitrogen Dioxide Levels</b></p> <p>Table 8.8 of chapter 8 of the ES [AS-037] sets out monitored NWLDC annual mean NO<sub>2</sub> concentrations locations. Can the ExP please be provided with a plan showing these locations?</p>
Q4.0.21	NWLDC	<p><b>Air Quality in Castle Donington</b></p> <p>Could NWLDC please comment on the air quality issues, and particularly whether it agrees with the applicants’ assessment in relation to the Castle Donington area. That is, whether conclusions need to be considered in relation to the localised dispersion/ previous monitored NO<sub>2</sub> concentrations at receptors within this location?</p>

## 5. Biodiversity, ecology and natural environment (including Habitats Regulations Assessment)

### 5.0 Non-Habitats Regulations matters

Q5.0.1	The applicants	<p><b>Veteran tree mitigation</b></p> <p>The LEMP [APP-117] sets out veteran tree mitigation involving deadwood monoliths. In light of the RR [RR-003] submitted by NWLDC, please can the applicants confirm that such mitigation would not create a material risk of furthering the spread of ash dieback disease and how the prevention of such spread would be secured? <b>PD COMMENT: PD submits its own assessment of the ecological implications of this development alongside this document.</b></p>
Q5.0.2	The applicants	<p><b>Biodiversity net gain on the SRN</b></p> <p>NH [RR-022] set out that 10% BNG is required on the SRN. Can the applicants please clarify whether this has been achieved? If it has not been achieved, please can the applicants provide amended proposals to ensure it is achieved or justify why it is not necessary to achieve in this particular case.</p>
Q5.0.3	The applicants NWLDC NE	<p><b>Skylarks</b></p> <p>Prologis [RR-024D] raised concerns about the delivery of key mitigation, especially for skylarks displaced by the DCO scheme. Please can the applicants provide more details about any mitigation for skylark. The ExP are particularly interested how any such mitigation located on the community park would be effective in the context of the park’s multifunctional use. For example, among other things, would recreational users of the community park have the potential to disturb skylarks and diminish the effectiveness of skylark mitigation (see ExQ1.4.2)? Please can NWLDC and NE provide an updated position in relation to protected species and in doing so comment on the issue of skylark mitigation, and farmland bird species more generally.</p>
Q5.0.4	Forestry Commission NE NWLDC	<p><b>Veteran trees</b></p> <p>Please can the Forestry Commission, NE and NWLDC clarify whether they are satisfied with the applicant’s assessment of veteran trees, including their role as irreplaceable habitats, as set out in the LEMP [APP-117], and whether there is compliance with paragraph 5.63 of the NNNPS?</p>
Q5.0.5	The applicants	<p><b>Important hedgerows</b></p> <p>Table 9.10 of chapter 9 of the ES [AS-039] sets out that 12 hedgerows (H7, H11b-c, H12, H18a-c, H22, H26a, H35, H36 and H39) were considered to be of importance under The Hedgerow Regulations 1997. Please can the applicants clarify how these will be impacted as part of the proposed development, and explain any requirements or constraints derived from their importance under the regulations.</p>

ExQ1	Question to:	Question:
Q5.0.6	The applicants	<p><b>Hall Brook</b></p> <p>Please can the applicants clarify whether chapter 9 of the ES [AS-039] considers the baseline ecological value of Hall Brook and the effect of redirecting surface water flows away from it?</p>

Q5.0.7	NE NWLDC	<p><b>Badgers</b></p> <p>Table 9.12 of chapter 9 of the ES [AS-039] states while badger welfare is protected under legislation they are common and widespread, and for planning purposes are not ascribed a particular conservation value and are considered to be of negligible importance. However, <a href="#">standing advice</a> is clear that badgers should be protected for planning purposes. Are NE and NWLDC satisfied with the applicants' approach to badgers and that they are of 'negligible' importance?</p>
Q5.0.8	The applicants	<p><b>Diseworth Brook tributary</b></p> <p>Paragraph 9.5.47 of chapter 9 of the ES [AS-039] describes the Diseworth Brook tributary, but should it instead refer to the Hall Brook, which is directly adjacent to the western boundary of the EMG2 works as per the Surface Water Bodies Figure [APP-143]?</p>
Q5.0.9	The applicants	<p><b>Biodiversity net gain</b></p> <p>The Biodiversity Net Gain Report [APP-116] provides figures for baseline habitat and proposed habitat, among other things. Can additional figures be provided on a larger scale (a more detailed zoomed-in view) similar to the figures presented in the Preliminary Ecological Appraisal [APP-108]. This will make it easier to examine the detail of the proposed changes.</p>
Q5.0.10	NWLDC NE	<p><b>Hedgerow loss</b></p> <p>Please can NWLDC and NE advise whether they are satisfied with the extent of hedgerow loss as part of the proposed development and that it is consistent with the mitigation hierarchy? For example, would the detailed design on the EMG2 main site provide opportunities to retain some of the hedgerows that are currently identified to be lost?</p>
Q5.0.11	NE NWLDC The applicants	<p><b>Pre-Construction species surveys</b></p> <p>Are pre-construction species surveys necessary as a general measure, or are they only necessary in relation to specific species? In either case, have they been suitably secured in the dDCO and dMCO?</p>
Q5.0.12	NE NWLDC	<p><b>Securing ecological mitigation</b></p> <p>Ecological mitigation is contained in a number of documents, including the ES, LEMP, CEMP, the BNG Report and individual protected species reports. Are NE and NWLDC satisfied that these documents and the mitigation within them are suitably secured in the dDCO and dMCO? For example, is it clear that the habitat creation identified in the BNG Report [APP-116] is secured by the dDCO for the EMG2 works and the highway works, and by the dMCO for the EMG1 works?</p>
Q5.0.13	The applicants NE NWLDC	<p><b>Ecological traffic mitigation</b></p> <p>Paragraph 9.5.171 of chapter 9 of the ES [AS-039] discusses general mitigation to address traffic related harm. Is there scope within the detailed design to provide wildlife underpasses or wildlife crossings within the site, particularly for any protected species? If yes, how might this best be secured so that it is proportionate?</p>
Q5.0.14	The applicants	<p><b>Residual effects</b></p> <p>Table 9.18 of chapter 9 of the ES [AS-039] provides a summary of residual impacts. Should the additional mitigation summaries include reference to the BNG Report [APP-116]?</p>
Q5.0.15	The applicants	<p><b>Period of habitat management</b></p> <p>Paragraph 9.5.52 of chapter 9 of the ES [AS-039] refers to habitat management over a period of 30 years. However, requirement 10(2) of the dDCO provisions for ongoing management and maintenance of green infrastructure for the life of the authorised development. Does the ES need to be updated accordingly, particularly because it provides the control document for the dMCO when securing ecological mitigation for the MCO scheme under article 2(22) of the dMCO?</p>
Q5.0.16	The applicants	<p><b>Works no. 10 hedgerow loss</b></p> <p>Figure 3 of the BNG Report [APP-116] shows what looks to be a significant length of hedgerow loss associated with Works No. 10 (A50 westbound merge). Can the applicants please explain the importance of this length of hedgerow for protected species, including as a foraging or commuting route for bats present in the area? If it is important, please can the applicants provide more detail on how its loss would be mitigated?</p>



Q5.0.17	The applicants	<p><b>East-west green corridor for MCO scheme</b></p> <p>With regards paragraph 9.6.35 of chapter 9 of the ES <a href="#">[AS-039]</a>, please can the applicants explain more about the nature of the east-west green corridor and direct the ExP to the relevant figures in the wider application that illustrate it?</p>
Q5.0.18	The applicants	<p><b>Retained hedgerows</b></p> <p>Should paragraph 9.6.70 of chapter 9 of the ES <a href="#">[AS-039]</a> also include retained hedgerows?</p>
Q5.0.19	The applicants	<p><b>Consistency between species effects and mitigation</b></p> <p>Paragraphs 9.6.74 to 9.6.87 of chapter 9 of the ES <a href="#">[AS-039]</a> include mitigation for species where there have been no reported effects as part of the MCO scheme assessment, summarised in tables 9.23 and 9.25. In this context, is such mitigation necessary?</p>
Q5.0.20	NE NWLDC	<p><b>Age of surveys</b></p> <p>Are NE and NWLDC satisfied with the age of habitat and species surveys? If updates would be required prior to commencing development, have such updates been secured in the dMCO and dDCO?</p>
Q5.0.21	The applicants NE NWLDC EMIA	<p><b>Farmland bird habitat</b></p> <p>Please can the applicants calculate the percentage of existing farmland bird habitat that would be lost as a result of the cumulative projects within the region and indicate what proportion of that loss would be generated by the EMG2 project itself.</p> <p>Does NE or NWLDC have any concerns about the cumulative effects on farmland bird habitat? For example, would farmland birds displaced by the EMG2 project have sufficient habitat elsewhere in the region?</p> <p>Does EMIA have any concerns about the displacement of farmland birds in the immediate area surrounding the airport in regards bird strike risk?</p>
Q5.0.22	NE NWLDC	<p><b>Ecological zone of influence</b></p> <p>Are NE and NWLDC satisfied that Isley Woodhouse, and other such significant projects within the region, are outside the ecological zone of influence and would not have any impact pathways that would need to be considered cumulatively with the EMG2 project? Are the distances cited for the respective projects (2km - 5km) in table 9.34 of chapter 9 of the ES <a href="#">[AS-039]</a> sufficient to draw such a conclusion in the context of the ecological receptors present within the region?</p>
Q5.0.23	The applicants	<p><b>Red line site boundaries of cumulative projects</b></p> <p>Please can the applicants submit a figure illustrating the order limits of the EMG2 project and the red line site boundaries for each project identified in table 9.34 of chapter 9 of the ES <a href="#">[AS-039]</a>.</p>
Q5.0.24	The applicants NE NWLDC	<p><b>Badger setts</b></p> <p>Please can the applicants clarify whether the mitigation hierarchy has been followed in relation to the loss of any badger setts, in accordance with paragraph 5.48 of the NNNPS? For example, have opportunities been taken to minimise the footprint of the development to avoid any badger setts currently identified for closure, and could the illustrative layout be reduced in extent during detailed design. Is there sufficient evidence demonstrating that such avoidance is not possible, and is NE and NWLDC satisfied with the applicants' approach in this regard?</p> <p>The applicants should submit their answer to this question in a confidential report. The ExP would ask that the applicants send a copy of the confidential report direct to NE and NWLDC for their consideration.</p>
Q5.0.25	The applicants	<p><b>Securing compliance with protected species reports</b></p> <p>The applications include protected species reports, which among other things, relate to mitigation for badgers and otters. Please can the applicants clarify where the dDCO and dMCO secure compliance with the mitigation set out in the relevant protected species reports. For example, requirement 7(2) and requirement 9(1) of the dDCO secure the submission of details for ecological mitigation but it is not clear that the details to be submitted for approval must comply with the mitigation set out in the relevant protected species reports.</p>
Q5.0.26	NWLDC	<p><b>Approval of final LEMP</b></p> <p>Is NWLDC satisfied with the drafting of requirement 10 in the dDCO? Should requirement 10 make provision for the submission and approval of a final LEMP to ensure the measures within it are commensurate with the detailed design of the DCO scheme that would be approved under requirements 5, 7, 8 and 9? Indeed, paragraph 3.3 of the LEMP <a href="#">[APP-117]</a> states it should be treated as a draft, and consequently does this further support the need for the submission and approval of a final LEMP?</p>



ExQ1	Question to:	Question:
Q5.0.27	The applicants	<p><b>Detailed design and delivery of ecological mitigation outside of the EMG2 main site</b></p> <p>Detailed design and the delivery of ecological mitigation are secured by requirements 7(2) and 9(1) in the dDCO but these requirements only relate to components on the main site. Please can the applicants explain where ecological mitigation outside of the main site would be secured in the dDCO?</p> <p>For example, should “detailed design information” within paragraph 2(2) of part 1 of schedule 13 include ecological mitigation and biodiversity net gain, to ensure such details are submitted to and approved by NH under paragraph 7(1)(c)? Should similar inclusions be made under paragraph 2(2) of part 2 of schedule 13 so that such details are submitted to and approved by the local highway authority under paragraph 3(1)?</p> <p>Furthermore, it is the ExP’s understanding that the main site as defined in the dDCO does not include the community park. Consequently, please can the applicants clarify how the dDCO would secure the detailed design and delivery of ecological mitigation on the site of the community park?</p>
Q5.0.28	The applicants	<p><b>LEMP and BNG Report consistency</b></p> <p>Please can the applicants review the LEMP <a href="#">[APP-117]</a> and ensure it is comprehensive and consistent with the habitat creation proposed in the BNG Report <a href="#">[APP-116]</a>. For example, table 3 in the LEMP <a href="#">[APP-117]</a> lists habitats to be created within the EMG2 main site and community park. However, it does not list habitats that would seemingly be created in and around the highway works as illustrated on figure 2 of the BNG Report <a href="#">[APP-116]</a>.</p>
Q5.0.29	The applicants	<p><b>Potential typographic error</b></p> <p>In table 9.11 of chapter 9 of the ES <a href="#">[APP-107]</a> in relation to ‘individual trees’ there is a reference to the A53. Is this correct?</p>
Q5.0.30	The applicants LCC as Local Lead Flood Authority (LLFA) Environment Agency (EA)	<p><b>Potential contamination</b></p> <p>Paragraph 9.5.65 in chapter 9 of the ES <a href="#">[AS-039]</a> indicates that pollution would be “limited to potential flood events large enough to extend back upstream into the SSSI from the river Soar”. However, the River Soar is downstream of Lockington Marsh SSSI and therefore any pollution from the proposed development would reach Lockington Marsh SSSI before it reaches the River Soar.</p> <p>Could the effects of pollution from the application site on the Lockington Marsh SSSI and River Soar please be confirmed.</p>
Q5.0.31	The applicants	<p><b>Baseline</b></p> <p>In paragraphs 9.5.103 and 9.5.57 of chapter 9 of the ES <a href="#">[AS-039]</a> there is reference to fly-tipping. In each case this is followed up by an assertion that the proposed development would make this fly-tipping less likely due to the presence of people in the vicinity.</p> <p>Given that the fly-tipping should not occur, it should not be part of the baseline.</p> <p>Could this be reconsidered using an appropriate baseline.</p>
Q5.0.32	NE	<p><b>Ancient woodland and ancient/ veteran trees</b></p> <p>In its RR <a href="#">[RR-023D]</a> at paragraph 1.2.21, NE states that there would be no loss of ancient woodland or ancient/ veteran trees. However, table 9.13 of chapter 9 of the ES <a href="#">[AS-039]</a> notes “Nine veteran trees defined under the Biodiversity Gain regulations are to be lost” and table 9.15 notes one retained on-site and 7 off-site veteran trees are “modelled to be exposed to increased levels of airborne pollutants exceeding 1% PC of critical levels” in respect of the DCO works.</p> <p>Appendix B of the Arboricultural Assessment (appendix 10C of the main ES chapter <a href="#">[APP-123]</a>) sets out the rationale for designation, and the main ES chapter sets out the reasoning for removal where this is proposed.</p> <p>NE is asked to review these documents and update the ExP with its position.</p>
<b>5.1 Habitats Regulations Assessment</b>		
Q5.1.1	NE	<p><b>Whether Appropriate Assessment Required</b></p> <p>In paragraph 1.2.4 of NE’s RR <a href="#">[RR-023D]</a> it is indicated that the proposed development is “unlikely to result in adverse effects on the integrity of the River Mease Special Area of Conservation , subject always to any appropriate mitigation/ compensation outlined in the application documents being secured adequately”.</p> <p>However, the applicants’ Shadow Habitats Regulations Assessment <a href="#">[APP-115]</a> concludes (paragraph 5.1) that “there are no viable pathways by which the project could give rise to Likely Significant Effects (LSE) on the SAC or its qualifying features”.</p> <p>Considering regulation 63(1) of the Conservation of Habitats and Species Regulations 2017, could NE please confirm:</p> <p>(a) whether NE considers there is potential for likely significant effects (LSE) to occur on a European site; or</p> <p>(b) if NE therefore agrees with the applicant that there are no pathways by which an LSE could occur, meaning there is no requirement for an Appropriate Assessment?</p>

ExQ1	Question to:	Question:
		In giving its response, NE is requested to explain its reasoning.
<b>6. Climate change and energy</b>		
Q6.0.1	The applicants	<p><b>Sustainable energy systems</b></p> <p>Table 10 of appendix 19D [APP-195] indicates that ground source heat pumps, while initially considered, were not taken forward due to ground works costs. However, given the extent of the ground works that would need to be undertaken to deliver the plateaux for the buildings (see figures 5 and 8 of appendix 14M [APP-173]), could the applicants explain why this was not considered further?</p>
Q6.0.2	The applicants	<p><b>Sustainable energy systems</b></p> <p>Paragraph 3.6.8 of appendix 19D [APP-195] states “sustainable power even when the panels don’t produce energy due to the lack of solar energy (overcast periods etc)”. Given that photovoltaic panels will produce energy in any level of daylight, please could this analysis be reconsidered.</p>
Q6.0.3	The applicants	<p><b>Benefits of using EMG1 SRFI to reduce greenhouse gas emissions</b></p> <p>Please can the applicants clarify the extent to which the DCO scheme would use the EMG1 SRFI as the principal means of moving goods and the effects this would have on reducing greenhouse gas emissions.</p> <p>Furthermore, if market forces dictated it, could the end users of the DCO scheme decide to move goods via HGVs instead? If yes, to what extent would this undermine the decarbonisation benefits that might otherwise occur if the DCO scheme used the EMG1 SRFI as the principal means of moving goods?</p> <p>To this end, given the difficulty in predicting market forces, would it be justified to include a requirement in the dDCO requiring that the movement of goods should principally be achieved via the SRFI rather than via HGVs?</p> <p>If such a requirement would not be justified, perhaps for reasons associated with the complexities of enforcement, and given the market uncertainties about the use of the SRFI, should the ExP give the potential decarbonisation benefits less weight in the planning balance?</p>
Q6.0.4	The applicants	<p><b>Mitigating greenhouse gas emissions</b></p> <p>Please can the applicants clarify where the mitigation measures in chapter 19 of the ES [AS-069], Carbon Management Plan [APP-196], Greenhouse Gas Assessment [APP-193] and Energy Report [APP-195] are secured in the dDCO and dMCO?</p>
Q6.0.5	The applicants	<p><b>Operational life</b></p> <p>Please can the applicants explain how many years have been assumed for the proposed development’s operational life when calculating the operational greenhouse gas emissions in chapter 19 of the ES [AS-069] and associated appendices? For example, table 19.14 of chapter 19 of the ES [AS-069] only includes dates up to 2033 - 2037, and the ExP would expect the operational life of the proposed development to far exceed such dates.</p> <p>In answering, please justify why the assumptions represent the reasonable worst case scenario for the proposed development’s operation life, in the context of greenhouse gas emissions.</p>
Q6.0.6	NWLDC	<p><b>Net zero carbon building standards</b></p> <p>In relation to paragraph 19.5.65 of chapter 19 of the ES [AS-069] is NWLDC satisfied with the applicants’ reasoning about compliance with the Net Zero Carbon Building Standard? Does NWLDC have any views on whether additional requirements within the dDCO and dMCO could be used to create more certainty about building operational intensity and reduce operational emissions as far as possible?</p>
Q6.0.7	The applicants	<p><b>Mezzanine floorspace</b></p> <p>Tables 1.2 and 1.8 of the Greenhouse Gas Assessment [APP-193] do not include the mezzanine floorspace in the total floorspace when calculating embodied carbon. Please can the applicants clarify why this is the case?</p>
<b>7. Compulsory acquisition, temporary possession and other land rights considerations</b>		
Q7.0.1	The applicants	<p><b>Funding</b></p> <p>If further accounts of SEGRO Properties Limited or SEGRO plc later than those submitted to date [APP-020D] have been to date or are published during the examination, these should be submitted at the next deadline.</p> <p>Should the company structure change or there be some other material change in ownership, then details should be submitted, along with an appropriate new funding statement, at the next deadline.</p>

ExQ1	Question to:	Question:
Q7.0.2	The applicants	<p><b>Plots 2/17, 2/18, 2/20, 2/23 and 2/35</b></p> <p>Could the applicants explain why they would need to CA the land on the L57 Footpath upgrade (Work No. 19, Plots 2/17, 2/18, 2/20, 2/23 and 2/25) rather than just seeking rights to permit the delivery of the route?</p>
Q7.0.3	The applicants	<p><b>Plot 2/6</b></p> <p>Could the applicants explain why they would need to CA the land on the Active Travel Link (Work No. 14, Plot 2/6) rather than just seeking rights to permit the delivery of the route?</p>
Q7.0.4	NH	<p><b>Plots in which NH has an interest</b></p> <p>In its RR <a href="#">[RR-022]</a> NH indicates that it had not completed its review of the Book of Reference. NH is requested to fully review the Book of Reference and submit a table setting out by plot the plots in which it has an interest and then indicating:</p> <ul style="list-style-type: none"> <li>• whether the land is held as operational land, as defined the TPCA, or for some other purpose, and if so, what is that purpose</li> <li>• where land is held as operational land, NH should explain why it holds that view, and how the proposed development, if permitted, would specifically cause serious detriment to the carrying out of the undertaking. This should be done on an individual plot basis but could be on a cumulative basis of individual plots. In this scenario it should fully explained why each plot is required as part of the cumulative effect.</li> </ul>
Q7.0.5	The applicants	<p><b>Delivery of highway works</b></p> <p>In its RR <a href="#">[RR-028D]</a> Prologis UK 121 Limited indicate off-site highway works could be delivered through agreements under either the TCPA or Highways Act 1980. Could the applicants set out a schedule of those plots on the Lands Plans which currently do not constitute highways land which would require, absent compulsory acquisition/ purchase powers, third party land owner/ interest consent to deliver the Work Nos. 8 to 12 (together with any associated development to those works).</p>
Q7.0.6	The applicants	<p><b>Book of Reference</b></p> <p>The Book of Reference contains entries describing “no acquisition of” and it is not clear what powers are actually being sought for the plots of land in question or why they are included in the Book of Reference. If no powers are being sought the ExP’s understanding is that regulation 7(1)(a) and (c) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 would not be engaged and therefore the aforementioned entries should not be in the Book of Reference. Please can the applicants justify their approach accordingly.</p>
Q7.0.7	The applicants Prologis EMIA	<p><b>Land north of Hyams Lane</b></p> <p>Could the applicants, Prologis and EMIA set out their understanding as to how the land north of Hyams Lane was sold by the previous owners. That is, was it offered for private sale, by tender, by ‘best and final offers’ or any other process such as the parties direct approach to the owner? The ExP would appreciate information as to whether the marketing, if any, related to potential options agreements or only for outright sale. The ExP would also appreciate the parties understandings of the timeframes for any such sale. The parties should also submit any documents they may have to support their positions.</p>
<b>8. The draft Development Consent Order (dDCO) <a href="#">[PDA-004D]</a></b>		
Q8.0.1	All IPs	<p><b>Updated DCO at Procedural Deadline A</b></p> <p>At Procedural Deadline A, the applicant updated the dDCO <a href="#">[PDA-004D]</a> with an explanation for those changes in the Schedule of Changes document <a href="#">[PDA-008]</a>. All IPs are asked to review these changes and the justifications for them and submit any comments that they may have into the examination.</p>
Q8.0.2	Highway authorities EA LCC as LLFA	<p><b>Deemed approvals</b></p> <p>All bodies which would approve approvals are asked to review the time periods set out and to comment as to whether they consider these periods appropriate. If a different period were to be sought, then the body should justify this revised period. Individual periods should be set out by provision. The ExP understands that the provisions are:</p> <ul style="list-style-type: none"> <li>• Articles 9, 11, 13, 17, 19, 20.</li> <li>• Schedule 13, part 1, paragraph 2</li> <li>• Schedule 13, part 2, paragraphs 4, 13</li> </ul> <p>However, this should not be considered comprehensive, and parties are requested to consider the whole dDCO.</p>

ExQ1	Question to:	Question:
<b>8.1 Articles</b>		
Q8.1.1	NH	<p><b>Article 9 – Power to alter layout, etc., of streets</b></p> <p>In its RR [RR-022] NH indicates refers to paragraph 7.27 of the EM [AS-015D]. This reference does not exist nor does the quote cited. Could the NH review this comment.</p>
Q8.1.2	Highway authorities	<p><b>Article 13 – Accesses</b></p> <p>The Exp's reading of this provision would allow new accesses to the SRN. In its RR [RR-022] NH states that it understands that these are not being proposed. However, in its Schedule of Changes to the Draft DCO submitted at Procedural Deadline A [PDA-008D] the applicants indicate that temporary access will be required to facilitate highway works on the SRN.</p> <p>Could NH please further comment on this matter and whether there should be a specific restriction included within the requirement.</p> <p>Could LCC confirm that it is content with this provision for the local road network.</p>
Q8.1.3	EA LCC as LLFA Severn Trent Water (STW)	<p><b>Article 19 – Discharge of water</b></p> <p>Could the EA, LCC as local lead flood authority and STW comment as to whether article 19 should prevent the discharging of surface water into any foul or combined drain or sewer?</p>
Q8.1.4	NWLDC Highway authorities NE Affected persons Interested parties with land ownerships within 25m of the application site	<p><b>Article 38 – Felling or lopping of trees and removal of hedgerows</b></p> <p>Could the identified parties please comment on the distance from the Order limits of 25 metres set out to allow works to trees and hedgerows. The Exp notes that general advice from NE is that 15m is sufficient buffer to ensure ancient woodland is not affected. Given there is no such resource here, any distance will need to be fully justified both in response to this question and in the EM.</p> <p>Could NWLDC confirm whether presently there are any trees protected by tree preservation orders within 25m of the Order limits? Should this situation change, could NWLDC ensure this information is submitted into the examination.</p> <p>Is any party aware of any hedgerow within 25m of the Order limits which would be defined as "important" for the purposes of The Hedgerows Regulations 1997 or an "important hedgerow" for the purposes of The Management of Hedgerows (England) Regulations 2024? If so, could this please be identified on a plan, along with the reasoning behind why the party holds that view.</p>
<b>8.2 Schedule 1 – Authorised development</b>		
Q8.2.1	The applicants NWLDC	<p><b>Prior notification and approval of further works</b></p> <p>The dDCO would grant development consent for further works under part 3 of schedule 1 provided that such works were not likely to give rise to any materially new or materially different significant effects on the environment that have not been assessed in the environmental statement or in any updated environmental information supplied under the 2017 EIA Regulations.</p> <p>Please can the applicants explain how this would work in practice. Would the undertaker self-determine what constitutes materially new or materially different significant effects on the environment? Consequently, would it be self-enforcing, and would such an approach be reasonable?</p> <p>To ensure the objective assessment of materially new or materially different significant effects, should the dDCO include provisions requiring the undertaker to notify the local planning authority prior to undertaking further works so that they can consider this question and whether prior approval should be granted?</p>
<b>8.3 Schedule 2 - Requirements</b>		
Q8.3.1	NE NH EA Highway authorities LLC as LLFA Any person who is an approving body under schedule 3 of the Flood and Water Management Act	<p><b>Consultee in requirements</b></p> <p>In various requirements there is a requirement for consultation with a statutory body prior to the decision maker deciding whether to approve details pursuant to requirements. Could all statutory parties review the requirements and confirm whether consider that the current arrangements are appropriate. Should they wish to amend this, could they please set out where such a change should be made, and if requesting additional consultation explain why it is considered necessary.</p>

ExQ1	Question to:	Question:
Q8.3.2	The applicants NE NWLDC	<b>Requirement 1</b> The parties are asked for their comments as to whether the definition of “ecological mitigation works” is sufficiently and precisely defined?
Q8.3.3	The applicants NWLDC NH LCC	<b>Requirement 4</b> Could the applicants explain why the sustainable transport working group should only continue its duties for five years rather than in perpetuity, given the traffic generation figures for the life-time of the development are based on an effective travel plan? Furthermore, what arrangements should there be in place for a second and subsequent occupier of the buildings to ensure sustainable transport arrangements are continued? NWLDC, NH and LCC are all asked for their views on this.
Q8.3.4	EA LCC as LLFA Any person who is an approving body under schedule 3 of the Flood and Water Management Act	<b>Requirement 17</b> Could the EA, LCC as local lead flood authority, and any person who is an approving body under schedule 3 of the Flood and Water Management Act confirm whether they are satisfied with the climate change allowance within this requirement. If not, could they set out what allowance each would seek and justify the quantum.
Q8.3.5	EA	<b>Requirement 18</b> The EA is asked to comment as to whether the term “foul water strategy” should be defined as regards its purpose.
Q8.3.6	NWLDC Highway authorities The applicants	<b>Schedule 2 – Part 2</b> <ul style="list-style-type: none"> <li>• Are NWLDC and the highway authorities content with the eight-week period for determination of all matters as set out in paragraph 1(2)(a)? If not, what period would they consider appropriate? Should different periods apply to different works? Any answer should be justified.</li> <li>• Could the parties please give their views as to whether the phrase “before the end of the period in paragraph (a) or (b)” in paragraph 1(2)(c) is justified?</li> <li>• Are NWLDC and the highway authorities content with the fee arrangement set out in paragraph 3? If not, what arrangements should be put in place?</li> <li>• In paragraphs 4(8) and 4(9) should “must” be replaced with “may” in case of an outside event so as to ensure natural justice?</li> <li>• In paragraph 4(13) should the appointed person be able to award costs under their volition?</li> <li>• In the definition of “discharging authority” should this be referred to as a “body” as any party can be a discharging authority; they do not need to be created by statute?</li> </ul>
<b>8.4 Schedule 13 – Protective provisions</b>		
Q8.4.1	NH	<b>Part 1</b> NH has referred in its RR <a href="#">[RR-022]</a> on numerous occasions to ‘precedented’ provisions. NH is requested to provide these precedents, setting out the precise reference to paragraph number level.
Q8.4.2	All those with a benefit of protective provisions	<b>All parts</b> All those who would benefit from the protective provision in the dDCO are requested to fully review them. Should the protective provisions not be agreed, then the party is to provide their own set of protective provisions both in ‘clean’ and ‘tracked change’ from that submitted by the applicant. Furthermore, the party needs to explain on a provision-by-provision basis why the drafting provided by the applicants is unacceptable and why its drafting is to be preferred.
<b>8.5 Schedule 14 – Miscellaneous controls</b>		
Q8.5.1	Highway authorities NWLDC	<b>Miscellaneous controls</b> In the EM submitted as an additional submission <a href="#">[AS-015D]</a> in response to the s51 advice issued at acceptance, the applicants have set out the reasoning for various disapplications of legislation. Would those who would otherwise be responsible for the issuing of appropriate approvals under the would be disappplied provisions comment as to whether they are content? If not, could they explain why they hold that view. If an ‘alternative’ position, for example one which may apply in certain areas but not others were to be acceptable, the party is asked to set that out, explaining their position.

ExQ1	Question to:	Question:
<b>9.</b>	<b>The draft Material Consent Order (dMCO) [<a href="#">PDA-006M</a>]</b>	
Q9.0.1	All IPs	<b>Updated MCO at Procedural Deadline A</b> At Procedural Deadline A, the applicant updated the dMCO [ <a href="#">PDA-006M</a> ] with an explanation for those changes in the Schedule of Changes document [ <a href="#">PDA-008</a> ]. All IPs are asked to review these changes and the justifications for them and submit any comments that they may have into the examination.
Q9.0.2	The applicants NWLDC NH	<b>Article 2(18), (19) and (20)</b> In order to avoid ambiguity, could the applicant. NWLDC and NH consider whether their agreements should be in writing, and if so, could the drafting be amended to provide for this.
Q9.0.3	The applicants NWLDC NH LCC	<b>Article 2(26)</b> Could the applicants explain why any occupier should only comply with the travel plan for five years rather than in perpetuity, given the traffic generation figures are based on an effective travel plan for the lifetime of the development? Furthermore, what arrangements should there be in place for a second and subsequent occupier of the buildings to ensure sustainable transport arrangements are continued? NWLDC, NH and LCC are all asked for their views on this.
Q9.0.4	NWLDC	<b>Container heights</b> NWLDC is asked to provide a copy of the planning permission relating to the increase in height of the containers at the rail freight terminal along with all documents necessary for its interpretation into the examination.
Q9.0.5	The applicants	<b>Potential bird strike</b> Could the applicants please explain what specific analysis has been undertaken in relation to the risk of bird strike from the creation of “basins for surface water attenuation” in Work 6A.
Q9.0.6	The applicants NH	<b>Reasonable endeavours</b> Article 2(18) inserts a new requirement stating, “The undertaker must use reasonable endeavours to complete the highway works identified as Works No. 8A in schedule 1 (authorised development) prior to occupation of plot 16 or such alternative trigger as may be agreed by Highways England.” Please can the applicants clarify whether the use of the phrase reasonable endeavours is sufficiently precise and enforceable. For example, if the undertaker uses reasonable endeavours but fails to complete the highway works prior to occupation, what would be the environmental effects? Would the environmental effects be such that it would be reasonable to require that highway works must be delivered prior to occupation? Given that reasonable endeavours could be open to interpretation, is it too ambiguous for the purposes of enforcement? In terms of drafting, should ‘Highways England’ be ‘National Highways’? Comment from NH is also invited in respect of the above.
Q9.0.7	The applicants	<b>Rail served warehousing</b> The phrase rail served warehousing is used in article 2(11) and (12). What is the definition of rail served warehousing, and does such a phrase exclude the servicing of the warehousing by HGVs? If yes, has the environmental effects of such an exclusion been assessed in the ES and otherwise secured in the dMCO?
<b>10.</b>	<b>Ground Conditions</b>	
Q10.0.1	The applicants	<b>Foundation Works Risk Assessment (FWRA)</b> Paragraphs 14.5.83 and 14.5.97 of chapter 14 of the ES [ <a href="#">AS-059</a> ] states that a FWRA will be produced at a later stage in relation to piled foundations for the Junction 24 Improvements. Please explain: <ul style="list-style-type: none"> <li>• how and at what stage the FWRA will be secured through the dDCO</li> <li>• whether it is intended to be approved prior to commencement of the relevant works</li> <li>• who the intended approving/ discharging authority would be for the FWRA (and on what basis) and how any required consultation would be undertaken</li> </ul>
Q10.0.2	The applicants EA	<b>Reference to Environment Agency</b> Paragraph 14.5.104 of chapter 14 of the ES [ <a href="#">AS-059</a> ] refers to remediation measures being “agreed with the Environment Agency”. However, requirements 22 and 23 of the dDCO provide for submission to and approval in writing by the local planning authority. Could the applicants:

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>clarify whether these references are intended to describe consultation or formal agreement/ approval</li> <li>set out the intended discharge process for requirement 22 and 23, identifying: <ul style="list-style-type: none"> <li>the approving body</li> <li>any consultees (including the EA)</li> <li>how consultation would be secured</li> <li>any other drafting relied upon (e.g. protective provisions)</li> </ul> </li> <li>if formal approval by the EA is intended, provide the precise drafting change(s) required to secure that role and explain why this is necessary</li> </ul>
Q10.0.3	The applicants	<p><b>Requirement numbering and DCO/ MCO distinction</b></p> <p>ES chapter 14 [AS-059] refers to both requirement 22 of the dDCO and requirement 24 of the EMG1 DCO in relation to the investigation and remediation of unexpected contamination (for example paragraphs 14.5.97 and 14.6.36).</p> <p>Please could the applicants clarify which requirement applies to each component of the proposed development and confirm that the ES correctly reflects the consent regime under which each set of mitigation measures would be secured.</p> <p>In doing so, please provide a short schedule/ table which, for each of the following:</p> <ul style="list-style-type: none"> <li>the EMG2 Works and Highway Works (DCO application)</li> <li>the EMG1 works (MCO application),</li> </ul> <p>identifies:</p> <ul style="list-style-type: none"> <li>the relevant requirement/ provision relied upon to secure investigation, remediation and verification in the event of unexpected contamination</li> <li>the relevant ES paragraph references where that mechanism is relied upon (and, where necessary, any proposed corrections to ES cross-references)</li> </ul>
Q10.0.4	The applicants	<p><b>Specifically identified localised areas</b></p> <p>Requirement 22(1) of the dDCO [PDA-004D] refers to “specifically identified localised areas of land within the Order limits potentially affected by contamination as identified within the desk study contained within chapter 14 of the environment statement...”.</p> <p>Please could the applicants provide:</p> <ul style="list-style-type: none"> <li>a plan clearly identifying these “specifically identified localised areas”, cross-referenced to the ES chapter 14</li> <li>confirmation whether any highway works parcels (including J24 improvements) fall within these areas and, if so, which parts</li> </ul>
Q10.0.5	The applicants	<p><b>PFAS (Per- and Polyfluoroalkyl Substances)</b></p> <p>Paragraph 14.5.7 of ES chapter 14 [AS-059] identifies PFAS as a potential off-site source associated with East Midlands Airport and states that PFAS has not been taken further than desk study stage, relying on testing and monitoring being undertaken at the Airport (and referring to a “Regulation 61 Notice”).</p> <p>Appendix 14A [APP-153] also identifies PFAS as a potential contaminant from “Historical firefighting at East Midlands Airport (approximately 160m north)” (table 6) and states that PFAS testing is not required for a proportional assessment of the site’s suitability, on the basis of Airport testing/ monitoring (section 5.1). Can the applicants:</p> <ul style="list-style-type: none"> <li>explain and justify the basis on which PFAS has been scoped out beyond desk study stage for the EMG2 Works, including the evidence relied upon (and any assumptions regarding likely source locations and groundwater/ surface water flow directions)</li> <li>clarify what is meant by the “Regulation 61 Notice” referenced in the ES and appendix 14A, and explain how the applicants have relied upon that process in reaching its conclusions (including whether any information from that process has been reviewed)</li> <li>confirm what mitigation/ remediation and verification approach would apply if PFAS is encountered unexpectedly during earthworks or piling, and explain how this would be secured through the dDCO requirements and/ or the CEMP</li> </ul>
Q10.0.6	The applicants	<p><b>Pollution prevention guidance</b></p> <p>ES chapter 14 [AS-059] states that the EA’s Pollution Prevention Guidance series has informed the assessment, while noting the guidance series was withdrawn in 2015.</p> <p>Please could the applicants confirm:</p> <ul style="list-style-type: none"> <li>the current guidance and standards that will be applied for pollution prevention and incident response during construction and operation</li> </ul>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>how that guidance will be secured through the DCO controls (including the CEMP/ P-CEMP and relevant requirements), confirming whether any update is needed to ES chapter 14 (and/ or the CEMP) to reflect the current guidance basis and whether any such update would change the assessment conclusions</li> </ul>
Q10.0.7	The applicants	<p><b>Re-use of Made Ground – consistency between ES chapter 14, chapter 18 and the CEMP</b></p> <p>ES chapter 14 <a href="#">[AS-059]</a> table 14.3 states that “Made Ground may be re-used as part of the earthworks, subject to appropriate sorting, segregation and classification testing and controlled placement in accordance with an earthworks specification and associated Materials Management Plan or environmental permit as appropriate (subject to chapter 18: Materials and Waste)”.</p> <p>However, the mitigation text currently set out in ES chapter 14 at paragraphs 14.5.108 to 14.5.110 refers to re-use of Made Ground in accordance with an earthworks specification but does not include the referenced Materials Management Plan or environmental permit wording. The Summary of Effects and Conclusions (paragraph 14.9.3) signposts ES chapter 18.</p> <p>Further, paragraph 10.4 of the CEMP <a href="#">[AS-027D]</a> states that, if unknown Made Ground deposits are encountered, a Materials Management Plan (MMP) will be prepared in accordance with the Contaminated Land: Applications in Real Environments (CL:AIRE) Definition of Waste: Development Industry Code of Practice (DoWCoP) and reviewed/ agreed by an independent CL:AIRE registered Qualified Person.</p> <p>Could the applicants:</p> <ul style="list-style-type: none"> <li>please confirm the applicant’s intended mitigation approach for re-use of Made Ground (including whether re-use is contingent upon an MMP and/ or an environmental permit, as appropriate) and explain how ES chapter 14 will be made consistent (table 14.3, paragraphs 14.5.108 – 14.5.110, and paragraph 14.9.3)</li> <li>explain the relationship between: (i) any MMP prepared under CL:AIRE DoWCoP, (ii) the Site Waste Management and Materials Plan, and (iii) any earthworks specification/ Earthworks Strategy, including which document would take precedence where requirements overlap</li> <li>identify precisely how the intended approach to re-use of Made Ground (including any requirement for an MMP and/ or an environmental permit, as applicable) would be secured through the dDCO requirements and/ or the CEMP/ P-CEMP</li> </ul>
Q10.0.8	The applicants EA	<p><b>Waste transfer station record</b></p> <p>ES chapter 14 <a href="#">[AS-059]</a> table 14.3 states that the EA accepted data supporting the position that the recorded Waste Transfer Station on the EMG2 Works is a geo-referencing error, and records an acceptance date of 21 April 2025.</p> <p>Appendix 14A <a href="#">[APP-153]</a> similarly states that correspondence between Fairhurst and the EA confirms that the EA regard the Waste Transfer Station as a geo-referencing error, but records that the data supporting this was accepted by the EA on 22 April 2025.</p> <p>Can the applicants and the EA:</p> <ul style="list-style-type: none"> <li>provide the correspondence/ evidence relied upon to support the conclusion that the Waste Transfer Station record is a geo-referencing error, and confirm the correct date on which the EA accepted the supporting data</li> <li>confirm that the Waste Transfer Station record has been treated consistently across ES chapter 14 and appendix 14A (including that it has been discounted as a potential source of contamination) and identify any required correction(s) to ensure consistency</li> </ul>
<b>11. Historic environment</b>		
Q11.0.1	Historic England (HE) NWLDC	<p><b>Heritage assessment - intervisibility</b></p> <p>The assessment of significance in section 4 of appendix 12A <a href="#">[AS-053]</a> excludes effects on the settings of various designated and non-designated heritage assets on that basis that there is no current intervisibility between the site and the various assets.</p> <p>Considering the history of the area, as demonstrated in the various maps submitted, and historic and contextual connections, could HE and NWLDC</p> <ul style="list-style-type: none"> <li>confirm whether they agree with the applicants’ assessment in this regard</li> <li>whether any different conclusion arises in respect of the MCO application, having regard to the increase in permitted crane height</li> <li>if either HE or NWLDC does not agree, identify the heritage asset(s) (or categories of assets) for which setting effects should be reconsidered, including where setting contribution is derived from historic/ contextual connections beyond intervisibility</li> </ul>
Q11.0.2	The applicants	<p><b>Ecclesiastical heritage</b></p> <p>ES chapter 12 <a href="#">[AS-051]</a> and appendix 12A <a href="#">[AS-053]</a> consider a range of designated heritage assets including, ecclesiastical heritage assets with the proposed development. ES chapter 12 at paragraph 12.5.36 states that there is no evidence of any direct historical association between the Church and the EMG2 Works.</p>

ExQ1	Question to:	Question:
		<p>Could the applicants:</p> <ul style="list-style-type: none"> <li>• please confirm whether there are any records indicating that any part of the DCO application land and/ or the MCO application land historically comprised Glebe land (or otherwise formed part of ecclesiastical landholdings) associated with relevant parish churches</li> <li>• if so, whether that would alter the statement at ES chapter 12 paragraph 12.5.36 and whether any change is required to the heritage assessment of significance/ setting effects for the relevant ecclesiastical listed building(s)</li> </ul>
Q11.0.3	HE NWLDC	<p><b>Heritage assessment</b></p> <p>Does either HE or NWLDC consider that any of the archaeological features identified within the EMG2 site are of equivalent significance to scheduled monuments so that they should be treated as if they were designated heritage assets. If so, could you please identify the feature(s)/ area(s) and explain your reasoning.</p>
Q11.0.4	The applicants	<p><b>Preservation by record</b></p> <p>ES chapter 12 <a href="#">[AS-051]</a> paragraphs 12.5.84 and 12.6.36 state that “the physical loss of buried archaeological remains would be offset through their preservation by record”. The PPG, reference ID 18a-002-20190723, states that the ability to record evidence of the past should not be a factor in deciding whether such loss should be permitted. The SoS’s decision letter for the Five Estuaries Offshore Wind Farm, at paragraph 4.126, is also cited as relevant in this context.</p> <p>Please could the applicants reconcile the statements in ES chapter 12 <a href="#">[AS-051]</a> with the PPG and the Five Estuaries decision letter, including confirming whether any clarification/ updated wording is proposed in the ES to ensure the assessment narrative aligns with the PPG, or explain why you hold a different view, and confirming that any clarification does not change the assessment conclusions. If a different assessment conclusion results, then this should be set out.</p>
Q11.0.5	The applicant	<p><b>St Andrew’s Church, Kegworth</b></p> <p>Plate 11 of appendix 12A of the ES <a href="#">[AS-053]</a> gives a view of the tower and spire of St Andrew’s Church, Kegworth from the EMG1 site, with the M1 in the foreground. Appendix 12A at paragraph 4.67 indicates that the applicants hold the view that the proposed highway works forming part of the DCO application would not have any effect on the setting of this designated heritage asset. A similar position is set out at paragraph 12.6.30 of ES chapter 12 <a href="#">[AS-051]</a> in respect of the operational effects of the MCO application.</p> <p>Could the applicants please explain why they hold this position.</p> <p>Any analysis in respect of the DCO application should include both construction and operational effects, including effects from vehicles on the motorway network and the proposed link between the M1 and A50, and any analysis in respect of the MCO application should have regard to the increased height of the gantry cranes. That analysis should also consider the Church spire as a designed landmark element within the wider landscape (including its vertical prominence/ skyline role), and the extent to which proposed structures (including cranes) would compete with or diminish that landmark function. The in-combination and cumulative assessments should also be reconsidered.</p>
Q11.0.6	HE NWLDC	<p><b>Langley Priory</b></p> <p>Appendix 12A paragraph 4.4 <a href="#">[AS-053]</a> states that the Site does not form any part of the setting of Langley Priory, whilst acknowledging that parts of the Site had an ownership association with the former Priory up to the early twentieth century. HE’s guidance, referred to in paragraph 2.30 <a href="#">[AS-053]</a>, notes that “historical and cultural associations may also form part of the asset’s setting, which can inform or enhance the significance of a heritage asset”.</p> <p>In its RR Prologis UK 121 <a href="#">[RR-028D]</a> states that the Heritage Statement confirms the application site comprises part of the setting of the Grade II* listed Langley Priory and attached railings.</p> <p>Do HE and NWLDC agree with the applicants’ assessment that the proposed development would not affect the significance of Langley Priory as a designated heritage asset (Grade II*)?</p> <p>If either party disagrees with this assessment, could it please explain why it holds that view and how and to what extent would the significance of the asset be affected.</p>
Q11.0.7	LCC	<p><b>Effects on setting Diseworth Conservation Area</b></p> <p>In its RR <a href="#">[RR-002]</a> LCC indicates that it considers the ES “underestimates the construction and operational impact of the proposed development upon the setting and character of the Diseworth conservation area”.</p> <p>Could LCC please explain why it holds the view set out in <a href="#">[RR-002]</a>, identifying the aspects of the applicants’ approach and/ or conclusions with which it disagrees (including in respect of construction and operational effects). Any differences between the approach followed by the applicants and LCC should be fully explained.</p>

ExQ1	Question to:	Question:
Q11.0.8	NWLDC	<p><b>Non-designated heritage assets</b></p> <p>In paragraph 12.5.41 of chapter 12 of the ES <a href="#">[AS-051]</a> it is reported that the Diseworth conservation area appraisal noted as indicating that there are nearly 50 'Unlisted Buildings of Interest'.</p> <p>Could NWLDC please confirm whether any of these "Unlisted Buildings of Interest" have any additional designation status (for example, whether any are locally listed), and if so, identify which.</p> <p>Does NWLDC consider that the proposed development would have any effect on the significance of any of these heritage assets (using 'significance' as set out in the Glossary of the Framework in relation to heritage policy), and if so, please explain in brief which assets and why.</p>
Q11.0.9	The applicants	<p><b>Conservation areas</b></p> <p>ES chapter 12 <a href="#">[AS-051]</a> states at paragraph 12.3.6 that section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is not engaged because no part of the proposed development is on land within a conservation area. ES chapter 12 <a href="#">[AS-051]</a> nevertheless assesses effects on Diseworth conservation area. The Infrastructure Planning (Decisions) Regulations 2010 include the statutory duty applicable to development consent decisions in relation to conservation areas at regulation 3.</p> <p>Please could the applicants explain whether paragraph 12.3.6 of ES chapter 12 <a href="#">[AS-051]</a> requires updating/ clarification to reflect the statutory duty applicable to PA2008 applications, and confirm that any clarification does not change the assessment conclusions for Diseworth Conservation Area in ES. If a different assessment conclusion results, then this should be set out.</p>
Q11.0.10	The applicants	<p><b>Scheduled Monuments</b></p> <p>In paragraph 12.3.3 of the ES chapter 12 <a href="#">[AS-051]</a> states that "There are no Scheduled Monuments within or close to the EMG2 Project (a number of distant scheduled monuments were initially considered...)". ES chapter 12 nevertheless includes assessment of the Bulwarks Scheduled Monument (AR10), and RR <a href="#">[RR-003]</a> from NWLDC highlights the way designated assets at Breedon-on-the-Hill are treated within ES chapter 12.</p> <p>Could the applicants explain:</p> <ul style="list-style-type: none"> <li>• what is meant by "within or close to" in ES chapter 12 <a href="#">[AS-051]</a> paragraph 12.3.3</li> <li>• how scheduled monuments were screened into/ out of detailed assessment in ES chapter 12, including confirming whether any clarification to paragraph 12.3.3 is proposed so that the role of scheduled monuments assessed in ES chapter 12 (including AR10) is clear, and confirming that any clarification does not change the assessment conclusions. If a different assessment conclusion results, then this should be set out</li> </ul>
Q11.0.11	The applicants	<p><b>Preservation in situ</b></p> <p>Appendix 12B paragraphs 5.35–5.37 <a href="#">[AS-054]</a> states that archaeological remains were preserved in situ at EMG1 (Sites A and B), that a very small part of Site A beneath the north-west landscape bund would be encroached and should be archaeologically monitored/ recorded, and that Site B is not expected to be impacted and should be protected by fencing/ signage. Appendix 12B paragraph 6.10 <a href="#">[AS-054]</a> also states that a concentration of archaeological features has been identified adjacent to Junction 24 where the highway works extend into an area previously investigated and subsequently preserved in situ.</p> <p>ES chapter 12 table 12.6 <a href="#">[AS-051]</a> records the PIN's scoping request that the ES demonstrate how existing areas of preservation in situ will be retained or how their ongoing preservation would be secured. Appendix 12B paragraph 6.11 <a href="#">[AS-054]</a> states that the archaeological interest associated with EMG2 Project can be secured through targeted mitigation via discharge of DCO requirement 13, including approval of a Written Scheme of Investigation (WSI), and that existing areas of preservation in situ unaffected by the proposals will need to be fenced off from wider groundworks.</p> <p>The CEMP <a href="#">[APP-206D]</a> includes on-site protection measures for archaeological interests (for example, fencing and signage for archaeological receptor AR8), and the applicants are asked to confirm how comparable measures will apply to preserved-in-situ areas identified through the requirement 13 process.</p> <p>Can the applicants:</p> <ul style="list-style-type: none"> <li>• please explain which preserved-in-situ areas are proposed to remain unaffected and protected, and which (if any) are proposed to be encroached/ removed (with preservation by record) in connection with the proposed development</li> <li>• where the preserved-in-situ areas and any areas proposed to be encroached/ removed are shown on plans/ figures within the application documents, and whether any additional plan/ schedule is proposed to present this clearly for examination</li> <li>• how the protection/ management measures (including exclusion zones, fencing/ signage, monitoring and supervision) will be secured through requirement 13 (WSI) and CEMP/ P-CEMP secured through requirement 11, confirming how compliance will be demonstrated</li> </ul>

ExQ1	Question to:	Question:
Q11.0.12	The applicants LCC	<p><b>Archaeological evaluation</b></p> <p>Appendix 12F [APP-139] states that the evaluation was originally designed to comprise 391 trial trenches but, following agreed changes, 388 trial trenches were excavated, with decisions regarding trenches made with the approval of LCC. Further paragraph 1.2.2 states that the results facilitate an informed decision regarding the requirement for, and methods of, any further archaeological mitigation.</p> <p>ES chapter 12 table 12.6 [AS-051] records LCC's scoping position that the assessment should consider the results of the previous archaeological evaluation at EMG1 and the EMG2 main site and that the need for any further archaeological evaluation should be identified.</p> <p>Could the applicants please explain/ confirm:</p> <ul style="list-style-type: none"> <li>whether the applicants consider the archaeological evidence base in the ES chapter 12 appendices is sufficient at this stage to define the mitigation approach</li> <li>whether any further pre-determination evaluation is required for any part of the authorised development (including Highway Works), and if not, why not</li> </ul> <p>If LCC considers further evaluation is required, please identify where and why.</p>
Q11.0.13	The applicants	<p><b>Diseworth Conservation Area – Community Park</b></p> <p>Having regard to the Diseworth Conservation Area assessment in appendix 12A [AS-053] and the points recorded in ES chapter 12 table 12.6 [AS-051] and [RR-003] regarding the Community Park acting as a buffer,</p> <ul style="list-style-type: none"> <li>please explain whether, and to what extent, the “no significant effect” conclusions for Diseworth Conservation Area in ES chapter 12/ appendix 12A rely upon delivery of the Community Park/ buffer measures</li> <li>whether ‘significant’ is used in the terms defined in the Glossary to the Framework for heritage policy or in EIA terms, explaining the relationship in terms of the other as well</li> <li>where within the submitted heritage assessment the role of the Community Park/ buffer is clearly set out as part of the basis for the Diseworth Conservation Area conclusions (including which specific measures are relied upon)</li> <li>noting that the securing/ deliverability of the Community Park is addressed under ExQ1.4.2, ExQ1.4.3 and ExQ17.0.1, confirm that the heritage conclusions for Diseworth Conservation Area remain robust</li> </ul>
Q11.0.14	The applicants	<p><b>Isley Woodhouse</b></p> <p>Please confirm the evidence basis for the assumption in ES chapter 12 paragraph 12.8.4 [AS-051] that Isley Woodhouse construction is anticipated to be concurrent with EMG2, and whether any sensitivity check has been undertaken (for example, if construction periods do not overlap).</p>
Q11.0.15	The applicants	<p><b>Heritage impact assessment schedule</b></p> <p>ES chapter 12 [AS-051] reports construction and operational effects for cultural heritage receptors, including residual effects tables and summaries. Please provide a single heritage impact assessment schedule (with Excel version) for the designated heritage assets assessed in ES chapter 12 and its associated appendices. The schedule should, for each asset:</p> <ul style="list-style-type: none"> <li>identify the asset, relevant list entry number (where applicable) and the category of designation (Grade I/ II*/ II, conservation area, etc.) and for construction and operation as applicable:</li> <li>identify the relevant scheme component (DCO Scheme / MCO Scheme / EMG2 Project / in-combination / cumulative)</li> <li>set out the magnitude, significance and residual effect reported in the ES (with paragraph/ table cross-references)</li> <li>state the policy (that is the NNNPS/ Framework) effect relied upon in the assessment narrative</li> <li>identify the mitigation relied upon and the specific draft DCO/ MCO securing mechanism(s) (requirements/ certified plans/ management plans)</li> </ul> <p>This should be a consolidation/ signposting exercise and should not introduce new assessment conclusions. The applicants are invited to provide updated version at subsequent deadlines as necessary and submit a final version at deadline 7, with a short change log identifying what has changed since the previous version and why.</p>

ExQ1	Question to:	Question:
12.	Landscape and visual	
Q12.0.1	The applicants	<p><b>Landscape Character Areas</b></p> <p>Paragraphs 10.5.10 onwards and 10.6.8 onwards of ES chapter 10 [AS-041] set out details of the Landscape Character Types in the East Midlands Landscape Character Assessment. However, these are not shown on figure 4 in appendix 10B [AS-044], which is titled “Landscape Character (National and County)”.</p> <p>Could the applicants please set out the geographic extent of the relevant East Midlands Landscape Character Assessment Landscape Character Types on figure 4 (or provide an additional figure showing their extent within the LVIA study area).</p>
Q12.0.2	The applicants	<p><b>Landscape and visual effects of traffic</b></p> <p>Could the applicants please confirm, and signpost where if appropriate, whether the consideration of the visual effects of the highway works during the operational phase include the presence of vehicles including HGVs upon the highway, or the assessment is limited to the physical highway works alone. If the latter, could the applicants please undertake a sensitivity analysis based on the effects on landscape and visual receptors of traffic travelling on the highway. This analysis should also take into account night-time effects.</p>
Q12.0.3	The applicants NWLDC	<p><b>Landscape and Ecological Management Plan (LEMP) [APP-117]</b></p> <p>NWLDC is asked to critically evaluate the LEMP and provide specific comments in relation to its drafting.</p> <p>Given the long-term nature of the LEMP could both the applicants and NWLDC comment as to whether should this include replanting regimes in relation to failed landscaping, and if so, what changes are proposed.</p> <p>In its RR NWLDC [RR-003] states that the draft requirements provide for replacement planting for 5 years (requirement 10(4)) and requests this be increased (stating a minimum of 15 years), noting the importance of landscaping for screening and NWLDC’s experience of establishing planting at EMG1.</p> <p>Please reconcile the heritage assessment’s reference to effect reduction following landscape establishment over a 15-year period, including the use of “with 15 years growth” in the residual effects table in ES chapter 12 [AS-051], Could the applicants and NWLDC please explain whether the LEMP (and/ or the relevant dDCO requirement(s)) should secure replacement planting and maintenance over a period consistent with the mitigation relied upon in the ES, and if so what change is proposed.”</p>
Q12.0.4	The applicants Protect Diseworth Long Whatton and Diseworth Parish Council	<p><b>Landscape report associated with neighbourhood plan</b></p> <p>ES chapter 10 [AS-041] refers at paragraphs 10.5.44 - 10.5.46 to a document titled “Landscape Sensitivity Report: Diseworth and Long Whatton (Diseworth and Long Whatton Neighbourhood Plan Steering Group) (January 2024)”. In its RR Protect Diseworth [RR-025D] refers to a “Landscape and Sensitivity Report” authored by Influence Design, dated 30 January 2024 and NWLDC [RR-010D] refers to its own study commissioned in 2023.</p> <p>Could IPs and the applicant please confirm whether these references relate to the same report or different reports and liaise between themselves and submit one copy of the relevant document(s) into the examination. <b>PD Comment PD understands that this issue has been/will be confirmed directly by LWDPC</b></p>
Q12.0.5	The applicants	<p><b>Photomontages/ viewpoint survey control</b></p> <p>ES chapter 10 [AS-041] presents representative viewpoints and visualisations in appendix 10B and signposts the visualisation methodology to appendix 10A. Appendix 10B includes notes for certain viewpoints (for example EMG1 e) stating that the viewpoint location has not been surveyed.</p> <p>Please explain which appendix 10B viewpoint locations (daytime and night-time) were not surveyed; and how positional accuracy has been assured for those viewpoints (having regard to appendix 10A), and whether any clarification is proposed so the evidential basis is clear on the face of the submitted documents.</p>



Q12.0.6	The applicants	<p><b>Sequential views</b></p> <p>ES chapter 10 table 10.2 [AS-041] records that a consultation response on behalf of Protect Diseworth sought further viewpoints including sequential views, and records the applicant response that additional viewpoints sought have not been added and that a representative set of viewpoints agreed with the local planning authority are included in appendix 10B Figures 8–10. In its RR Protect Diseworth [RR-025D] continues to seek sequential views for Hyams Lane and an additional approach route from the A42/ Gelscoe Lane direction.</p> <p>Please explain where the LVIA provides assessment of sequential views for users travelling along Hyams Lane and other approach routes to Diseworth, and if sequential views have not been provided, why the applicant considers the representative viewpoints/ visualisations submitted are sufficient to address the concern recorded in table 10.2 and [RR-025D].</p>
---------	----------------	--

ExQ1	Question to:	Question:
Q12.0.7	The applicants	<p><b>Night-time visual effects</b></p> <p>ES chapter 10 [AS-041] includes “Night-time Visual Impacts” for the DCO Scheme and MCO Scheme and states that night-time photomontages are provided at appendix 10B figures 14 and 15. In its RR NWLDC [RR-003] seeks clarification that night-time effects should be set out in more detail in the Visual Effects Table and seeks confirmation whether there is a commitment not to light building façades facing Diseworth to full height.</p> <p>Please explain whether appendix 10F is intended to present night-time visual effects (and if so, where), and if not; and where the applicant has set out the position on lighting of building façades facing Diseworth (including whether there is a commitment not to light such façades to full height), and how this is secured.</p>
Q12.0.8	The applicants	<p><b>Cross sections (Hyams Lane/ Long Holden/ Cross Britain Way)</b></p> <p>ES chapter 10 table 10.2 [AS-041] records a request for cross sections for receptors along Hyams Lane and Cross Britain Way, and the applicant response states that additional cross sections have been included at appendix 10D [AS-048].</p> <p>Could the applicants please identify which specific drawings/ pages within appendix 10D relate to Hyams Lane and Cross Britain Way/ Long Holden, and explain how those cross sections have been used to inform the LVIA judgements for receptors along those routes (including whether they confirm or change any of the reported significance conclusions).</p>
Q12.0.9	The applicants	<p><b>Year 15 planting height</b></p> <p>ES chapter 10 table 10.2 [AS-041] records a scoping request to present assumptions for heights of mitigation planting as depicted in the visualisations, and the applicant response states that at Year 15 the maximum height of proposed tree and woodland planting is depicted at 7–9m.</p> <p>Please explain the basis for the Year 15 planting height assumption of 7–9m used in the photomontages/ visualisations; and whether the applicant considers the Year 15 visualisations to represent a realistic screening scenario for the “15 years post completion” residual LVIA conclusions. <b>PD COMMENT: acknowledging that this question is directed to the applicants, this remains an issue of considerable concern to PD. In short, the landscape plans are not sufficiently detailed.</b></p> <p>In such a sensitive location, where impact on landscape character and the sensitivity of Diseworth in securing landscape mitigation are key issues, the information provided is unacceptably weak. There is no information about species, with woodland scrub and tree mix shown on the parameters plan and native woodland in LVIA 10.5.221 but no detail of the species (which appear to be conifers) on the visuals. There is no commitment to any planting height at “day 1”, species mixes etc.</p> <p>Generally, PD’s position is that there will be no reduction in visual effects over time. There is no ability to mitigate the introduction of the buildings as they will simply destroy landscape character and visual amenity and whilst planting may soften the exterior of the façades, PD still considers the impacts are “Major Adverse”</p>



Q12.0.10	The applicants	<p><b>Securing LVIA mitigation</b></p> <p>ES chapter 10 paragraph 10.5.221 [AS-041] describes landscape and green infrastructure mitigation as an integral (“embedded”) part of the DCO Scheme and states that the Parameters Plan fixes and defines the landscaping buffers and their relationship with the proposed built development and also states at paragraphs 10.5.109 and 10.5.226 that the residual operational effects assessment considers the proposed development 15 years after completion and takes into account the growth and management of proposed and conserved planting and habitats over this time.</p> <p>Could the applicants please identify the specific dDCO requirements and/ or certified documents relied upon to secure the delivery, implementation and long-term management of the key LVIA mitigation measures described in ES chapter 10 [AS-041] (including perimeter mitigation mounding, woodland/ structural planting and the Community Park landscape), and confirm whether any changes are proposed to ensure these measures are fully secured on the face of the dDCO.</p>
Q12.0.11	The applicants	<p><b>Lighting assessment</b></p> <p>The ExP is seeking to understand why the assessment of some receptors in ES chapter 11 [AS-049] reports the results that it does for the DCO Scheme only, compared with the MCO Scheme and the in-combination EMG2 Project. For example, table 11.23, which relates to the DCO only, reports an operational maximum calculated vertical illuminance of 0.79 lux for receptor PSER 004.</p> <p>Could the applicants please explain why this effect occurs from the DCO proposals alone, including identifying the DCO light sources contributing to the result and why the DCO-only outcome differs from the MCO and in-combination assessment (this request applies to all receptors in the DCO-only results); and how the DCO-only conclusion is reached where table 11.23 reports values above the stated GN08:2023 recommendation for a receptor (including PSER 004), including signposting the relevant appendix 11D outputs and any embedded design/ mitigation relied upon.</p> <p>If the inclusion of any receptors within the DCO-only assessment is considered to be in error, could the assessment be revisited as a whole.</p>
Q12.0.12	The applicants	<p><b>Lighting of highways</b></p> <p>Could the applicants please set out where consideration of the effects of necessary lighting associated with the highway works has been assessed, for example lighting associated with crossing facilities such as a toucan crossing, and signpost to the relevant parts of ES chapter 11 and appendices.</p> <p>Confirm whether any permanent highway lighting is likely to be required in addition to what is shown in appendix 11E as a result of detailed design/ safety requirements, and if so, explain how the applicant will ensure any such lighting remains within the assessed worst-case scenario;</p> <p>If the effects of such highway lighting (including any additional lighting) have not been assessed to date, undertake an assessment of those effects, including the cumulative effects of other proposed lighting, and explain how those effects have been considered both in the context of Lighting and in relation to landscape and visual receptors (including any relevant night-time LVIA outputs).</p>

ExQ1	Question to:	Question:
Q12.0.13	The applicants	<p><b>Visualisation type terminology</b></p> <p>Please reconcile the “Type 3/ Type 4” terminology used across the ES chapter 10 appendices 10A and 10B (including confirming which visualisations are Type 4 and whether EMG1 e is the only Type 3), and whether any clarification to the submitted documents is necessary.</p>
Q12.0.14	The applicants	<p><b>Appendix 10B photomontage metadata</b></p> <p>Appendix 10B includes photomontage plate metadata which states “Distance to proposed building: 380km”. Please confirm whether this is a typographical/ formatting error and provide the correct distance (and units), and whether any correction to appendix 10B is proposed to avoid confusion during examination.</p>
<b>13. Major accidents and disasters and other safety risks</b>		
Q13.0.1	The applicants	<p><b>As low as reasonably practicable</b></p> <p>For clarity and understanding, please can the applicants expand on the use of ALARP, including where it is derived from in planning policy, and how it is used in chapter 20 of the ES [AS-071] and relationship with significant effects?</p>

Q13.0.2	The applicants	<p><b>Methodology</b></p> <p>Paragraph 20.2.5 of chapter 20 of the ES <a href="#">[AS-071]</a> explains the methodology for determining significant environmental adverse effects derived from MAD. Can the applicants please explain why they have deviated from the methodology and format of assessment established in section 1.9 of chapter 1 of the ES <a href="#">[AS-020]</a>? For example, why has the assessment of significant environmental effects associated with MAD not been determined based on the sensitivity of receptor and the magnitude of impact?</p> <p>Paragraph 20.2.22 of chapter 20 of the ES <a href="#">[AS-071]</a> states for those risk events which are not screened out during the three-step process, the following assessment methodology has been used. However, it is not clear what methodology is being referred to. Please can the applicants clarify the risk assessment methodology being used for those risks screened into chapter 20 of the ES <a href="#">[AS-071]</a>?</p>
Q13.0.3	NWLDC LCC Civil Aviation Authority (CAA) EMIA	<p><b>Scoping and assessment of risks</b></p> <p>Are you satisfied with the scoping and assessment of MAD in chapter 20 of the ES <a href="#">[AS-071]</a> and appendix 20A <a href="#">[APP-198]</a>?</p>
Q13.0.4	The applicants	<p><b>Scoping and screening of risks</b></p> <p>Please can the applicants review chapter 20 the ES <a href="#">[AS-071]</a> and ensure the terms scoping and screening of risks are being used appropriately. Furthermore, the sections 'identifying risks' and 'screening risks' seem repetitive in terms of considering the screening criteria. Please can the applicants review and consider streamlining as appropriate, to improve readability and understanding.</p>
Q13.0.5	The applicants	<p><b>Safety risks and regulatory frameworks</b></p> <p>Paragraph 20.2.25 of chapter 20 of the ES <a href="#">[AS-071]</a> refers to safety risk control via regulatory frameworks. Please can the applicants clarify what these regulatory frameworks are and how compliance with them would be secured?</p>
Q13.0.6	The applicants	<p><b>Impact assessment</b></p> <p>Paragraphs 20.2.23 to 20.2.32 of chapter 20 of the ES <a href="#">[AS-071]</a> seem to conflate mitigation methodology and impact assessment methodology. Please can the applicants reformat using separate headings for assessment methodology and impact assessment methodology to improve clarity.</p>
Q13.0.7	The applicants	<p><b>Risk record</b></p> <p>With reference to paragraphs 20.2.28 to 20.2.32 of chapter 20 of the ES <a href="#">[AS-071]</a> please can the applicants clarify how likelihood has been incorporated into the risk assessment in the ES Risk Record <a href="#">[APP-199]</a>.</p>
Q13.0.8	The applicants	<p><b>MAD guidance</b></p> <p>Paragraph 20.2.12 of chapter 20 of the ES <a href="#">[AS-071]</a> states low consequence events, whatever their likelihood, do not meet the definition of MAD as defined in the IEMA (now Institute of Sustainability and Environmental Professionals, ISEP) guidance. Can this guidance be provided by the applicants?</p>
Q13.0.9	The applicants	<p><b>High likelihood and high consequence events</b></p> <p>Paragraph 20.2.13 of chapter 20 of the ES <a href="#">[AS-071]</a> states high likelihood and high consequence events also do not meet the definition of MAD as the risk assessment and design process will identify and avoid or design out such risks. Please can the applicants provide some examples?</p>

ExQ1	Question to:	Question:
Q13.0.10	The applicants	<p><b>Commensurate mitigation</b></p> <p>Paragraph 20.2.32 of chapter 20 of the ES <a href="#">[AS-071]</a> states that where likely significant adverse effects are identified, mitigation measures must be in place, commensurate with the likelihood of the event occurring. Please can the applicants explain why mitigation must be commensurate with likelihood, and not the consequence of the event to ensure ALARP and that effects are not significant in EIA terms?</p>
Q13.0.11	The applicants	<p><b>MAD definition</b></p> <p>Please can the applicants clarify the definition of a MAD. For example, why would a road accident constitute a MAD in this particular case? Please identify supporting guidance as necessary and confirm that all risks screened into the assessment meet the relevant definition.</p>
Q13.0.12	The applicants	<p><b>Securing mitigation</b></p> <p>Table 20.6 of chapter 20 of the ES <a href="#">[AS-071]</a> states that operational design standards would be included within the management of the EMG2 works. Can the applicants please clarify where these would be secured in the dDCO?</p>

Q13.0.13	The applicants	<p><b>Commitment register</b></p> <p>Table 20.6 and table 20.7 of chapter 20 of the ES <a href="#">[AS-071]</a> include mitigation measures. Please can the applicants update these tables so that they include the reference numbers from the commitment registers <a href="#">[APP-226D]</a> and <a href="#">[APP-227M]</a>.</p> <p>Furthermore, please can the applicants check and confirm that table 20.6 and table 20.7 of chapter 20 of the ES <a href="#">[AS-071]</a>, the ES Risk Record <a href="#">[APP-199]</a> and the commitment registers <a href="#">[APP-226D]</a> and <a href="#">[APP-227M]</a> are all consistent in terms of the mitigation identified, providing updates as necessary.</p>
Q13.0.14	The applicants	<p><b>Internal versus external factor</b></p> <p>Please can the applicants review the ES Risk Record <a href="#">[APP-199]</a> and the risk description column, and improve the clarity of what is an external factor and what is an internal factor. For example, risk record entry number two of the ES Risk Record <a href="#">[APP-199]</a> describes the risk without actually confirming one way or another what kind of factor it is.</p> <p>Furthermore, please can the applicants review external factor risks ensuring they are comprehensive. For example, risk record entry number two of the ES Risk Record <a href="#">[APP-199]</a> states that the EMG2 project would be vulnerable to accidents at the East Midlands Airport. However, plainly the EMG2 project could also impact the operations of East Midlands Airport, increasing the risk of an accident, which could make other environmental receptors outside of the EMG2 project more vulnerable.</p>
Q13.0.15	The applicants	<p><b>Aerodrome safeguarding standards</b></p> <p>EMIA <a href="#">[RR-013D]</a> and <a href="#">[RR-049M]</a> sets out that aerodrome safeguarding standards have been updated since the EMG1 DCO was made. Please can the applicants explain how they intend to address these updates in the dDCO and dMCO?</p>
Q13.0.16	NWLDC EMIA CAA	<p><b>East Midlands Airport public safety zone</b></p> <p>Paragraph 4.4.18 of chapter 4 of the ES <a href="#">[AS-028]</a> refers to the East Midlands Airport Public Safety Zone. Can the ExP please be provided with a copy of this by NWLDC, including any associated maps.</p> <p>NWLDC, EMIA and the CAA are all asked to comment on the relationship between this and the proposed development in the context of policy Ec6 of the NWLLP, setting out whether the presumption against new development should apply in this particular case, and any limitations or restrictions that would need to be secured to make the proposed development acceptable.</p>
Q13.0.17	The applicants EMIA CAA	<p><b>Glint and glare</b></p> <p>Page 60 of the Design Approach Document <a href="#">[APP-220]</a> states that there would be significant glazing as part of a design requirement for distinctive buildings. Is this consistent with aerodrome safeguarding standards in relation to glint and glare? If not, please can the applicants amend the design requirement accordingly or come to an agreement with EMIA regarding appropriate protective provisions.</p>
Q13.0.18	The applicants EMIA CAA	<p><b>Electromagnetic interference</b></p> <p>The proposed development would include advanced manufacturing floorspace. Could some advanced manufacturing operations generate electromagnetic fields? Consequently, would there be safeguarding implications for East Midlands Airport relating to electromagnetic interference? If yes, how could such interference be mitigated by provisions in the dDCO?</p>
Q13.0.19	The applicant NWLDC LCC	<p><b>Major Hazard Site H4798</b></p> <p>In relation to the Major Hazard Site H4798 does the EMG2 project require evacuation procedures to be secured in the dDCO and dMCO in the event of an impending MAD?</p>

ExQ1	Question to:	Question:
Q13.0.20	The applicants NWLDC LCC EMIA	<p><b>Cumulative assessment of MAD risk</b></p> <p>Has chapter 20 of the ES <a href="#">[AS-071]</a> assessed the cumulative risk associated with the East Midlands Freeport projects and other large scale projects in the locality? For example, could there be cumulative effects on aerodrome safeguarding through lighting or glint and glare from building materials etc.? Furthermore, has the cumulative displacement of farmland bird species and surface water drainage attenuation been considered in the context of bird strike risk?</p> <p>Does NWLDC, LCC or EMIA have any comments to make in this regard?</p>
<b>14.</b>	<b>Materials and waste</b>	



<p>Q14.0.1</p>	<p>The applicants LCC</p>	<p><b>Waste Data Interrogator</b> ES chapter 18 paragraph 18.2.52 [AS-067] states within Limitations and Assumptions that the assessment is based on “the most recent publicly available information which is up to and including 2023” and cites the 2023 Waste Data Interrogator in the references. In its RR LCC [RR-002] requests that the ES chapter be updated to use the latest Waste Data Interrogator (noting that 2024 data is available). Could the applicants and LCC:</p> <ul style="list-style-type: none"> <li>• please confirm whether more recent Waste Data Interrogator data (2024 or post-2023) is available and, if so, whether it has been considered</li> <li>• explain whether use of post-2023 data would materially change the waste capacity/ void capacity baseline, the significance conclusions and/ or the mitigation set out in ES chapter 18</li> <li>• if an update is required, provide an updated schedule/ table identifying which paragraphs/ tables would change and confirm whether any updated assessment would alter the conclusions in sections 18.5 to 18.9</li> </ul>
<p>Q14.0.2</p>	<p>The applicants LCC</p>	<p><b>Expansive Study Area</b> ES chapter 18 paragraphs 18.2.15 and 18.2.16 [AS-067] defines the Expansive Study Area as a “radius of 30 miles” and also states that “an isochrone 30-mile radius from the EMG2 Project has been proposed with justification in appendix 18C [APP-188]. Appendix 18D [APP-189] presents the Expansive Study Area as a set of 10/20/30 mile buffers. The LCC Contact Log [APP-186] records that LCC requested clarity on whether the agreed boundary is based on vehicle miles or an isochrone approach.</p> <ul style="list-style-type: none"> <li>• confirm precisely what boundary was applied in ES when identifying and assessing waste and materials infrastructure capacity (whether circular 30-mile buffer, travel-time isochrone, or other), and confirm how this aligns with appendix 18D</li> <li>• explain how the subsequent “Refined Study Area” approach (paragraphs 18.2.18–18.2.19) ensures that relevant facilities/ void capacity is not omitted from the assessment, particularly in authorities that fall within the 30-mile buffer but are excluded from the refined assessment</li> </ul>
<p>Q14.0.3</p>	<p>The applicants LCC EA</p>	<p><b>Site Waste and Materials Management Plan (SWMMP)</b> ES chapter 18 paragraph 18.5.84 [AS-067] states that the principal mitigation measure is implementation of the CEMP and phase-specific P-CEMPs submitted pursuant to dDCO requirement 11, and further in paragraph 18.5.85 states that, although not required by regulations, a Site Waste and Materials Management Plan (SWMMP) will be regularly updated during the lifetime of the DCO Scheme and is provided as appendix 18E [APP-190]. The CEMP paragraph 10.1 [AS-027D] states that each P-CEMP shall set out details of construction waste management in accordance with the SWMMP. Appendix 18E [APP-190] refers to the SWMMP “submitted with the DCO application” being “approved” and then reviewed/ updated (including refinement “in consultation with the local planning authority”) and also contains reliance/ disclaimer wording limiting third-party reliance. The Commitment Register [APP-226D] links the SWMMP to a waste management commitment (MW1) secured via dDCO requirement 24. Could the applicants, LCC and the EA:</p> <ul style="list-style-type: none"> <li>• confirm whether the SWMMP (appendix 18E) is relied upon to secure the mitigation identified in ES chapter 18 and, if so, at what stage it is intended to be “approved” and by whom</li> <li>• explain how updates to the SWMMP will be controlled and enforced through the DCO (including the relationship between the CEMP/ P-CEMPs, requirement 24, and any operational waste management arrangements)</li> <li>• confirm whether any amendment is required to the dDCO and/ or the CEMP/ SWMMP wording to ensure the SWMMP is clearly secured, enforceable and capable of being relied upon for the purposes of the Examination</li> <li>• confirm whether, and if so how, the EA and relevant waste planning authorities will be engaged during discharge/ implementation where the SWMMP relies on regulatory compliance processes (including Duty of Care and any permitting/ exemption requirements)</li> </ul>

<p>ExQ1</p>	<p>Question to:</p>	<p>Question:</p>
-------------	---------------------	------------------

Q14.0.4	The applicants EA	<p><b>Re-use of excavated materials</b></p> <p>ES chapter 18 appendix 18E [APP-190] states that excavated materials may be managed through the CL:AIRE Definition of Waste: Development Industry Code of Practice (DoWCoP), including preparation of a Materials Management Plan and review by a Qualified Person.</p> <p>ES chapter 18 paragraph 18.5.103 [AS-067] refers to certain material movements (including surplus soils/ topsoil) being managed “without classifying the material as waste”.</p> <p>In its RR [RR-016D] the EA highlights the need for correct waste classification (including potentially hazardous streams) and appropriate regulatory controls depending on circumstances.</p> <p>Could the applicants and the EA clarify:</p> <ul style="list-style-type: none"> <li>• what is meant by “without classifying the material as waste”, including how any proposed donor site movements would be managed and evidenced</li> <li>• what process/ controls will apply if excavated materials are classified as hazardous or otherwise unsuitable for reuse, and signpost where this is set out in the SWMMP and how it is secured through the CEMP/ P-CEMP and/ or any relevant requirement</li> </ul>
Q14.0.5	The applicants LCC EA	<p><b>Hazardous waste</b></p> <p>The paragraphs 18.9.5 and 18.9.12 of the ES chapter 18 [AS-067] states for both the DCO Scheme and the MCO Scheme that potential arising of hazardous waste has not yet been quantified, but that the worst-case scenario does not anticipate hazardous waste arisings greater than 0.35% of the regional hazardous landfill void capacity.</p> <p>Please could the applicants provide:</p> <ul style="list-style-type: none"> <li>• a worst-case quantified estimate of hazardous waste arisings for the DCO application and the MCO application, separately for construction and operation, identifying the hazardous waste streams assumed for operation with reference to the ES chapter 18 paragraph 18.6.32</li> <li>• the calculation and inputs showing how the 0.35% figure has been derived</li> <li>• the assumed management route(s) for hazardous waste, including how the absence of hazardous landfill capacity within the Refined Study Area has been addressed in the assessment assumptions</li> </ul> <p>LCC and the EA are also asked to comment on this matter.</p>
Q14.0.6	The applicants	<p><b>Development Sequencing Plan</b></p> <p>ES chapter 18 appendix 18A [APP-186] records LCC’s query regarding the “Development Sequencing Plan” and the applicants’ response that the Development Sequencing Plan is intended to be a standalone document.</p> <p>In particular, could the applicants please clarify:</p> <ul style="list-style-type: none"> <li>• whether a standalone Development Sequencing Plan exists as part of the submitted application/ examination library and, if so, provide the correct title and document reference</li> <li>• if no standalone plan exists, confirm whether appendix 18E is intended to be the sole sequencing/ programme document and whether any wording elsewhere requires correction to avoid reliance on a non-existent document</li> <li>• explain how sequencing/ programme assumptions that are relied upon for materials and waste mitigation will be secured through the dDCO</li> </ul>
<b>15. Need and alternatives</b>		
Q15.0.1	NWLDC	<p><b>Local need</b></p> <p>Could NWLDC please comment on the need for the proposed development. Specifically, whether it agrees with the applicants’ analysis of need in the NWLDC area, in terms of the quantum of I&amp;L floorspace that is required.</p>
Q15.0.2	The applicants	<p><b>Market area</b></p> <p>Given the location of the application site in the north of the northwest part of the Functional Economic Market Area, could the applicants please explain why the areas to the north in the immediate areas of Derbyshire and Nottinghamshire were not considered to be part of this area, and set out what analysis has been undertaken of the effect of the proposed development in these areas?</p>
Q15.0.3	The applicants	<p><b>Needs assessment</b></p> <p>Could the applicants please confirm whether the floorspace within the EMG1 development has been included within the figures of assessment as I&amp;L development or under a different category given its designation as strategic rail freight interchange. This should be confirmed in relation to each of the studies and strategies/ plans identified in section 5.3 of chapter 5 of the ES [AS-030].</p>

ExQ1	Question to:	Question:
Q15.0.4	The applicants	<b>Calculation errors</b> Could the calculation in paragraph 5.5.80 of chapter 5 of the ES <a href="#">[AS-030]</a> and footnote 13 please be checked as they do not appear to be consistent.
Q15.0.5	East Midlands Freeport	<b>East Midlands Freeport Designation</b> Could East Midlands Freeport please provide the ExP with any documentation about the geographic designation of the East Midlands Freeport. This is not a question about the policy of freeports, rather is to how the extent of the Freeport was arrived at, what, if any, assessment of any environmental factors was undertaken, and whether any other extents were considered and rejected. If so, why were they rejected. Can we please be provided with all documents setting out the decision-making processes (please also see separate Rule 17 letter to HM Treasury and the Ministry of Housing, Communities and Local Government). <b>PD COMMENT:</b> PD welcomes this question (and the corresponding Rule 17 letter) and looks forward to transparency on this issue generally, and specifically to detail of the consideration given to Diseworth in any such assessment.
Q15.0.6	East Midlands Freeport	<b>East Midlands Freeport Advanced Manufacturing Floorspace</b> Could East Midlands Freeport please explain the importance of delivering advanced manufacturing floorspace as part of the proposed development in meeting the freeport's objectives and whether the dDCO should include requirements to secure its delivery, rather than rely on market forces alone. If it does need to be secured, how should advanced manufacturing be defined in the dDCO?
Q15.0.7	NWLDC	<b>East Midlands Freeport Rates Relief</b> Could NWLDC confirm whether it has set up a local business rates relief scheme under section 47 of the Local Government Finance Act 1988 for the application sites, or whether it would intend to do so in the event that consent was granted and implemented. Could NWLDC also confirm whether it has, is or would be seeking reimbursement from central government under section 31 of the Local Government Act 2003.
Q15.0.8	The applicants	<b>Use of strategic rail freight interchange</b> Could the applicants please set out a table showing the use of the SRFI over time (quarterly figures since it opened). This should include the number of trains per day, number of containers both received and exported, the non-port destination/ origin of the containers travelling through the SRFI based on geography, such as by county or if available specific site, specifically including the number associated with the EMG1 site and other land in the freeport. The table should also set out the floorspace in the EMG1 site which has been occupied by date.
<b>16. Noise and vibration</b>		
Q16.0.1	The applicants	<b>Consultation response</b> The Consultation Report <a href="#">[APP-208]</a> mentions that Protect Diseworth's consultation response considered draft ES chapter 7. Table 7.3 in chapter 7 of the ES <a href="#">[AS-035]</a> does not refer to this stating that this deals with representations from statutory bodies. In its RR <a href="#">[RR-025D]</a> Protect Diseworth indicates that two independent technical reviews were prepared (one submitted during statutory consultation, and one prepared in response to the submitted application). <ul style="list-style-type: none"> <li>• Could the applicants please confirm whether they received this representation as this is not clear in the Consultation Report <a href="#">[APP-208]</a> or its appendices <a href="#">[APP-209 to APP-218]</a></li> <li>• If it was received, could the applicants please either signpost where the response has been made or set out a response to that submission highlighting any changes or other responses that were made in light of those comments</li> </ul> Please note the response to this question does not mean that the applicants should not respond to the RR as set out in the examination timetable. <b>PD Comment – PD obtained two reports as set out at the start of this question</b>
Q16.0.2	The applicants	<b>Operational noise assessment</b> Tables 7.27 to 7.30 of chapter 7 of the ES <a href="#">[AS-035]</a> set out various predications of operational noise for the MCO application. Could the applicants please: <ul style="list-style-type: none"> <li>• provide those MCO operational noise results on a comparative basis to the corresponding operational noise assessment undertaken for the original EMG1 DCO</li> <li>• confirm whether any differences affect the ES chapter 7 conclusions for the MCO Scheme and the EMG2 Project as a whole</li> </ul>

Q16.0.3	The applicants	<p><b>Noise assessment</b></p> <p>Paragraph 7.5.35 of chapter 7 of the ES [AS-035] assumes that the Radisson Blu hotel is “highly likely to be mechanically ventilated to achieve acceptable indoor ambient noise levels without opening the façade window”.</p> <p>Could the applicants please:</p>
<b>ExQ1</b>	<b>Question to:</b>	<b>Question:</b>
		<ul style="list-style-type: none"> <li>confirm the evidential basis for these assumptions (e.g. site survey/ confirmation with operator, or other evidence), and whether the assumptions are valid for day and night</li> <li>explain whether the conclusions at paragraph 7.5.35 (and related conclusions in the EMG2 Project assessment) would change if those assumptions were not correct, and if so what mitigation/ controls would be relied upon</li> </ul> <p>Similarly, could the applicants check the assumption set out in paragraphs 7.5.40 and 7.7.28 in relation to the Leonardo Hotel.</p>
Q16.0.4	The applicants	<p><b>Noise effects at 14 Grimes Gate</b></p> <p>ES chapter 7 paragraph 7.5.35 [AS-035] refers to effects at receptor R11 (14 Grimes Gate) in the scenario with local plan allocations included, and indicates effects would not be significant.</p> <p>Could the applicants:</p> <ul style="list-style-type: none"> <li>please explain clearly the reasoning for why inclusion of local plan allocations results in effects at R11 (14 Grimes Gate) being not significant (including the assumptions about how those allocations change traffic flows/ noise levels at the receptor)</li> <li>confirm whether the conclusion depends on assumptions that mitigation for those allocations would be secured through separate consents, and if so whether this is an appropriate assumption for the purposes of this assessment</li> </ul>
Q16.0.5	The applicants	<p><b>Operational noise</b></p> <p>ES chapter 7 [AS-035] states that the operational activity noise assessment is based on HGV activities within service yards/ internal roads, including an assumption that 10% of HGV sources have chiller units, as set out at paragraph 7.2.27, 7.2.28 and appendix 7C. ES chapter 7 further states at paragraphs 7.2.40–7.2.42 that fixed plant noise cannot be assessed at this stage and is intended to be controlled through discharge of requirement 21, including assessment using BS 4142. Protect Diseworth’s RR [RR-025D] raises concern that other potential operational noise sources associated with logistics sites are not explicitly described or assessed within ES chapter 7.</p> <p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>explain whether the operational assessment scenario assumes that external operational activities are limited to those assessed (HGV movements/ yard activity as described and the assessed chiller-unit assumption), and if not, what additional external operational sources are anticipated</li> <li>how any such additional external operational sources would be controlled through the DCO, including whether they fall within the scope of requirement 21, and if not, what additional control (if any) is proposed to ensure operational noise remains within the envelope assessed</li> </ul>
Q16.0.6	The applicants	<p><b>Refrigerated HGVs</b></p> <p>RR [RR-003] from NWLDC raises concern that refrigerated HGV chillers are referenced in the noise assessment, but it is not clear whether electric hook-ups have been assumed or embedded as mitigation, and NWLDC reserves its position.</p> <p>ES chapter 7 [AS-035] states at paragraph 7.2.27 that the operational activity noise assessment includes refrigerated HGVs, and the detailed assumption is set out in appendix 7C. RR [RR-025D] from Protect Diseworth challenges the chiller assumptions and related operational noise implications.</p> <p>Could the applicants:</p> <ul style="list-style-type: none"> <li>explain whether the operational activity noise assessment described in ES chapter 7 assumes provision and use of electric hook-ups for refrigerated HGVs (including where, when, and whether day and night)</li> <li>if electric hook-ups are assumed, how that assumption is secured through the DCO; and if hook-ups are not assumed, whether conclusions would change if chillers ran on diesel for longer than assumed</li> <li>how this point would be revisited if transport modelling changes require updates to traffic inputs, noting the reserved position in RR [RR-003]</li> </ul>



Q16.0.7	The applicants	<p><b>Construction noise</b></p> <p>RR [RR-025D] from Protect Diseworth asserts that ES chapter 7 [AS-035] misapplies BS 5228 annex E duration/ frequency tests, including where earthworks extend beyond six months, and that this may suppress significance findings given the duration of the proposed development. ES chapter 7 [AS-035] relies on construction input assumptions set out in appendix 7B.</p> <p>Could the applicants explain:</p> <ul style="list-style-type: none"> <li>• how BS 5228 annex E duration/ frequency criteria have been applied in ES chapter 7 [AS-035] to the construction programme assumed, using the construction inputs in appendix 7B [APP-091]</li> <li>• whether the long-duration earthworks approach referred to in RR [RR-025D] has been considered, and if not, why not</li> </ul>
---------	----------------	--

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>• whether construction significance conclusions would change if the annex E duration/ frequency criteria were applied as stated in RR [RR-025D]</li> </ul>
Q16.0.8	The applicants	<p><b>LOAEL/ SOAEL terminology and thresholds</b></p> <p>Protect Diseworth's RR [RR-025D] states that ES chapter 7 [AS-035] applies LOAEL/ SOAEL terminology and additional margins above BS 5228 thresholds for construction noise, and argues this has no basis in BS 5228 and suppresses significance.</p> <p>Could the applicants:</p> <ul style="list-style-type: none"> <li>• explain how LOAEL/ SOAEL concepts have been derived and applied in ES chapter 7 for construction noise significance in the BS 5228 context</li> <li>• whether any additional margin above BS 5228 criteria has been applied in determining significant effects and, if so, the justification</li> <li>• whether this affects the conclusions in ES on likely significant effects</li> </ul>
Q16.0.9	The applicants	<p><b>Construction noise consequences</b></p> <p>RR [RR-025D] from Protect Diseworth mentions that where BS 5228 annex E criteria are exceeded for specified durations, response measures such as offers of insulation and, in some circumstances, temporary rehousing/ costs should apply, and that ES chapter 7 [AS-035] does not clearly address whether any such measures are proposed or secured. ES chapter 7 [AS-035] describes construction mitigation and refers to construction noise monitoring/ trigger levels as something that may be implemented.</p> <p>Could the applicants explain what response measures (if any) the applicant proposes where construction noise levels meet the BS 5228 annex E significant-effect criteria for the relevant durations, and how affected properties would be identified and managed; and where any such response measures are secured through the CEMP/ P-CEMP framework (or other DCO controls), or if no such measures are proposed, why not.</p>
Q16.0.10	The applicants	<p><b>Piling</b></p> <p>Protect Diseworth's RR [RR-025D] raises concern regarding the potential for piling and requests clarity on piling activities beyond those explicitly described. ES chapter 7 [AS-035] already refers to piling in the context of the bridge works as part of the J24 improvements, including in paragraph 7.2.10 and paragraph 7.5.27, and appendix 7B provides construction assumptions. Could the applicants:</p> <ul style="list-style-type: none"> <li>• confirm whether piling is proposed only for the bridge works as part of the J24 improvements (as described in ES chapter 7 [AS-035] paragraphs 7.2.10 and 7.5.27 and ES chapter 3 paragraph 3.2.32), or whether any other piling methods/ activities could occur within this proposed development, and</li> <li>• if any piling could occur beyond the J24 bridge works, explain how this remains within the assessment envelope presented in ES chapter 7 [AS-035], including what further controls/ commitments (if any) are relied upon to ensure significant effects would not arise.</li> </ul>



Q16.0.11	The applicants	<p><b>Baseline monitoring locations and receptors</b></p> <p>NWLDC in its RR [RR-003] indicated agreement in principle with the baseline monitoring locations/ coverage, while RR from Protect Diseworth [RR-025D] raises concern about the representativeness/ coverage of the baseline monitoring and receptor set relied upon in ES chapter 7 [AS-035].</p> <p>ES chapter 7 sets out receptor selection at paragraphs 7.2.45–7.2.50 and refers to receptor plans (appendix 7D [APP-093]) and monitoring plans and results (appendices 7E–7G).</p> <p>Could the applicants provide:</p> <ul style="list-style-type: none"> <li>• a short table mapping each baseline monitoring location in appendix 7E to the receptor(s) in appendix 7D/ ES chapter 7 table 7.12 that it is intended to represent</li> <li>• the applicant’s response to the representativeness/ coverage concern raised in RR [RR-025D], including whether any additional monitoring locations or sensitivity checks are proposed</li> <li>• confirmation that the monitoring equipment/ calibration information in appendix 7F and the results/ weather dataset in appendix 7G are those relied upon for the baseline used in ES chapter 7 [AS-035]</li> </ul>
Q16.0.12	The applicants	<p><b>Sound propagation methodology</b></p> <p>RR from Protect Diseworth [RR-025D] states that appendix 7C [APP-092] does not clearly identify the sound propagation methodology used for the operational acoustic model. ES chapter 7 [AS-035] states at paragraph 7.2.53 that construction and on-site operational activity noise predictions are undertaken using ISO 9613-2:2024, and refers to the same standard at paragraphs 7.2.9 and 7.2.27. Could the applicants:</p> <ul style="list-style-type: none"> <li>• please confirm that ISO 9613-2:2024 is the sound propagation methodology used within the IMMI model for the construction noise and on-site operational activity noise predictions described in ES chapter 7 [AS-035] paragraphs 7.2.9, 7.2.27 and 7.2.53</li> </ul>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>• if a different sound propagation methodology has been used for either construction or operational activity noise predictions, explain why ES chapter 7 [AS-035] cites ISO 9613-2:2024 and confirm whether appendix 7B and/ or appendix 7C should be updated/ clarified so the modelling basis and evidence relied upon is clear on the face of the application documents</li> </ul>
Q16.0.13	The applicants	<p><b>Operational reversing alarms</b></p> <p>RR from Protect Diseworth [RR-025D] raises concern that ES chapter 7 [AS-035] proposes use of “white noise” reversing warnings “unless there are specific health and safety implications”, and argues that tonal reversing beepers should be prohibited and reversing alarms should be explicitly addressed in the operational noise assessment.</p> <p>ES chapter 7 [AS-035] states at paragraph 7.2.27 that operational HGV activity modelling includes “reversing (inc. use of a reversing alarm)” and proposes at paragraphs 7.5.51 and 7.7.26 that occupiers will be required to use “white noise” reversing warnings unless there are health and safety implications.</p> <p>The dDCO [PDA-004D] requirement 21(4) states that, where prevented by health and safety requirements, broadband or white noise reversing alarms must be employed on mobile plant.</p> <ul style="list-style-type: none"> <li>• explain whether the operational activity noise predictions described in ES chapter 7 [AS-035] paragraph 7.2.27 assumed broadband (“white noise”) reversing alarms, tonal reversing alarms, or did not differentiate between alarm types; and whether the assessment conclusions would change if tonal alarms were used instead</li> <li>• how the “where prevented by health and safety requirements” caveat in dDCO [PDA-004D] requirement 21(4), and the equivalent caveat in ES chapter 7 [AS-035] paragraphs 7.5.51 and 7.7.26, will operate in practice and how that would be evidenced and controlled, and</li> <li>• whether any further clarification is required in ES chapter 7 [AS-035] and/ or the dDCO to ensure the reversing alarm assumption relied upon for the operational noise envelope is clear and enforceable.</li> </ul>

Q16.0.14	The applicants	<p><b>Acoustic fencing</b></p> <p>RR from Protect Diseworth [RR-025D] states that a request was made for acoustic fencing along the western boundary of the site and argues that ES chapter 7 [AS-035] only references acoustic fencing in relation to the northern boundary of Zone 5. ES chapter 7 paragraph 7.5.20 states that embedded mitigation includes buffers and landscape bunds around the perimeter, “particularly on the western side”, providing attenuation through distance and screening. ES chapter 7 [AS-035] paragraph 7.5.52 models a 3m acoustic fence along the northern boundary of the unit in a Zone 5 worst-case scenario, and paragraph 7.9.6 describes this as mitigation that will need to be allowed for in final detailed design.</p> <ul style="list-style-type: none"> <li>• explain whether acoustic fencing/ barriers along the western boundary were considered as mitigation within the assessment in ES chapter 7 [AS-035], and if so what the outcome was; and if not considered, why not</li> <li>• whether the Zone 5 barrier scenario described in ES chapter 7 [AS-035] paragraphs 7.5.52 and 7.9.6 is the only acoustic fencing/ barrier mitigation relied upon, and if so how the applicant considers the western boundary receptors are protected without additional barrier mitigation, and</li> <li>• how the final detailed design will ensure that any mitigation relied upon (including bunding/ buffers and any acoustic fencing/ barriers) is deliverable and consistent with the “no significant effects” conclusion in ES chapter 7 [AS-035] paragraph 7.9.7</li> </ul>
Q16.0.15	The applicants	<p><b>Cumulative noise</b></p> <p>RR from Protect Diseworth [RR-025D] argues that ES chapter 7 [AS-035] section 7.8 dismisses cumulative effects without proper justification, including for (i) construction of the adjacent consented solar farm and (ii) airport-related growth. ES chapter 7 [AS-035] paragraph 7.8.4 states that the solar farm application noise assessment contains no reference to construction noise/ vibration and concludes it is “unlikely” solar farm construction would result in significant noise/ vibration; further paragraph 7.8.8 also considers the East Midlands Airport and Gateway (EMAGIC) and concludes no cumulative operational activity noise effects.</p> <p>Could the applicants:</p> <ul style="list-style-type: none"> <li>• explain the evidence basis for the conclusion in ES chapter 7 [AS-035] paragraph 7.8.4 that solar farm construction is unlikely to result in significant noise/ vibration, given that no construction noise/ vibration data is cited, and whether any sensitivity check has been undertaken</li> <li>• whether the airport-related cumulative consideration in ES chapter 7 [AS-035] paragraph 7.8.8 is intended to capture any airport growth scenario, and if so what assumptions have been used</li> <li>• whether any change to the cumulative conclusions in ES chapter 7 [AS-035] section 7.8 would arise if either (i) solar farm construction noise/ vibration was higher than assumed, or (ii) airport-related activity assumptions differ from those used.</li> </ul>

ExQ1	Question to:	Question:
Q16.0.16	The applicants	<p><b>Operational vibration</b></p> <p>RR from Protect Diseworth [RR-025D] raises concerns regarding the scoping out of operational vibration, noting that advanced manufacturing processes are not defined and that traffic-induced vibration may still occur despite road maintenance. ExQ1.2.8 asks how the “up to 20% advanced manufacturing floorspace” parameter described in ES chapter 3 paragraph 3.2.7 [AS-025] is secured in the dDCO [PDA-004D] and what the environmental implications would be if it were exceeded. ES chapter 7 [AS-035] scopes out operational groundborne vibration at paragraphs 7.2.4 and 7.2.5, noting at paragraph 7.2.4 that up to 20% of floorspace may be advanced manufacturing and relying on receptor separation distances, and noting at paragraph 7.2.5 that vehicle-induced vibration is linked to road irregularities and therefore is not expected given new surfacing and maintenance. Could the applicants explain:</p> <ul style="list-style-type: none"> <li>• how the scoping out of operational groundborne vibration at ES chapter 7 [AS-035] takes account of the “up to 20% advanced manufacturing” parameter described in ES chapter 3</li> <li>• how the position at ES chapter 7 [AS-035] paragraph 7.2.5 addresses the possibility of traffic-induced vibration raised in RR [RR-025D]</li> <li>• if the “up to 20% advanced manufacturing” is not secured (as addressed under ExQ1.2.8), whether the applicant considers the operational vibration scoping position at ES chapter 7 [AS-035] paragraphs 7.2.4–7.2.5 remains robust, and</li> <li>• if reliance is placed on dDCO article 4(2) [PDA-004D] for materially new or materially different significant effects, explain how that would operate in practice for any change in the proportion or nature of advanced manufacturing uses which could affect operational groundborne vibration</li> </ul>



Q16.0.17	The applicants	<p><b>Road traffic noise</b></p> <p>RR from Protect Diseworth [RR-025D] raises concern about potential night-time disturbance from through traffic on sensitive village streets, naming Grimes Gate, Lady Gate and Hall Gate.</p> <ul style="list-style-type: none"> <li>explain whether the road traffic noise assessment in ES chapter 7 [AS-035] explicitly considers night-time road traffic noise effects for the sensitive routes identified in [RR-025D], and if so where those effects are reported in ES chapter 7</li> <li>if night-time road traffic noise effects on these routes are not explicitly reported, explain why the applicant considers the selected ES chapter 7 [AS-035] road traffic noise receptor set and results to be sufficient to address the RR concern</li> <li>whether any assumptions about routing or management of night-time traffic are relied upon in the ES chapter 7 [AS-035] road traffic noise conclusions for Diseworth, and if so where those assumptions are evidenced and secured</li> </ul>
Q16.0.18	The applicants	<p><b>Placeholder on road traffic noise receptor selection</b></p> <p>ES chapter 7 [AS-035] table 7.12 includes the note: “Selection of receptors for the assessment of changes in road traffic noise to be completed on receipt of traffic data”. Further paragraph 7.2.49 states that the receptors selected for the assessments are listed in table 7.12.</p> <p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>confirm whether the note in table 7.12 is a residual placeholder, and whether the road traffic noise receptor selection has now been finalised for the ES chapter 7 road traffic noise assessment, and</li> <li>if the road traffic noise receptor selection has been finalised, confirm what the final receptor selection is for road traffic noise (and whether it differs from table 7.12), and whether any such clarification affects the road traffic noise assessment conclusions reported in ES chapter 7 [AS-035] and appendix 7C</li> </ul>
Q16.0.19	The applicants NH	<p><b>Design Manual for Roads and Bridges (DMRB) LA111</b></p> <p>ES chapter 7 [AS-035] table 7.3 records NH’s request to identify where the “few places” with increases up to 1.6dB occur and the duration of those increases. In the same table, the applicant response states that the receptors with the highest magnitude of change are R04 (Radisson Blu, +2.1dB) and R11 (Grimes Gate, +3.4dB), that only R04 is on the SRN, and that the “up to 1.6dB” point relates to construction traffic noise assessed using DMRB LA111. Prologis’s RR [RR-028D] reproduces NH’s consultation response raising the same request.</p> <p>Could the identified parties please:</p> <ul style="list-style-type: none"> <li>explain which locations/ receptors are referred to as the “few places” where increases up to 1.6 dB occur</li> <li>whether any of these locations/ receptors are alongside the SRN</li> <li>the duration/ time period(s) over which those increases are expected to occur</li> </ul>

ExQ1 17.	Question to: Population and Human Health	Question:
Q17.0.1	The applicants	<p><b>Community Park</b></p> <p>Paragraphs 17.5.96 to 17.5.100 of the ES chapter 17 [AS-065] concludes that provision of the Community Park and associated PRow improvements will deliver long-term beneficial health effects through improved access to open space and opportunities for physical activity, leisure/ play and recreation.</p> <p>Paragraphs 3.2.16 and 3.2.17 of ES chapter 3 [AS-025] states that the Community Park will be available and open for use by the public before occupation of any authorised buildings and will be available in perpetuity.</p> <p>Please confirm that the deliverability and securing of the Community Park (including the meaning of “substantially” in requirement 28(1), any completion timescale, and how compliance will be demonstrated when requirement 28 is discharged) are addressed in the applicant’s response to the cross-cutting Community Park ExQ1.4.2 and ExQ1.4.3 and that the response to these should be taken as the applicant’s response for these matters for the purposes of ES chapter 17 [AS-065] paragraphs 17.5.96 to 17.5.100. <b>PD COMMENT:</b> Whilst PD recognizes that detailed discussion as to availability etc are more the provenance of LWDPC, understands that no such discussions have yet taken place.</p>



Q17.0.2	The applicants	<p><b>Complaints monitoring</b></p> <p>The RR from NWLDC [RR-003] notes that the EMG1 DCO included a requirement relating to monitoring complaints and requests justification for why a similar requirement is not included for EMG2 DCO application.</p> <p>ES chapter 17 paragraphs 17.5.106 – 17.5.108 and 17.7.81–17.7.83 [AS-065] states that inherent mitigation measures relevant to population and human health are described within the chapter and that, on the basis that no significant adverse population and human health effects are reported, no additional health-specific mitigation measures are proposed.</p> <p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>• explain whether the applicants propose a formal complaint recording, monitoring and response mechanism for EMG2 DCO application (construction and, where relevant, operation), and if so, describe the mechanism (including how complaints are logged, investigated, responded to, and how trends are reviewed)</li> <li>• where this mechanism is secured in the EMG2 consent regime (for example within the CEMP and the phase P-CEMPs approved under dDCO requirement 11), and whether any additional drafting/ controls are required to ensure it is enforceable, and</li> <li>• if no complaints monitoring mechanism is proposed, provide the justification, including how community concerns arising during construction would be captured and addressed to avoid materially worse human health outcomes than those assessed in ES chapter 17</li> </ul>
Q17.0.3	The applicants	<p><b>Cumulative effects</b></p> <p>The section 17.8 of the ES chapter 17 [AS-065] states that cumulative effects are assessed using the shortlisted cumulative developments identified in ES chapter 21 and refers to the list of projects identified in appendix 21B [APP-202]</p> <p>In paragraphs 17.8.2 and 17.8.3, the ES scopes out some developments on the basis that the distance from the Order limits is too far for interaction between environmental health determinants, scopes in remaining developments largely on the basis of contribution to socio-economic determinants of health as detailed in paragraph 17.8.4 and table 17.18, and concludes an overall moderate beneficial (significant) cumulative effect in paragraph 17.8.6 driven by socio-economic determinants.</p> <p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>• explain how table 17.18 has been derived from the shortlisted cumulative developments identified in chapter 21/ appendix 21B, including confirmation that the scope-in/ out decisions in paragraphs 17.8.2–17.8.4 are consistent with the chapter 21 shortlist</li> <li>• whether any cumulative effects on environmental health determinants (e.g. noise, air quality, transport/ access and severance) have been considered within the cumulative health assessment, and if so signpost where those pathways are addressed within section 17.8, and</li> <li>• if the cumulative health conclusion is driven primarily by socio-economic determinants, explain how uncertainty (e.g. labour availability, distribution of benefits, and reliance on other topic chapters for adverse cumulative determinants) has been reflected in the final cumulative health judgement at paragraph 17.8.6</li> </ul>
Q17.0.4	The applicants	<p><b>Gypsy/ Traveller sites</b></p> <p>ES chapter 17 table 17.2 [AS-065] records LCC’s request that nearby Gypsy/ Traveller sites be scoped into the population and human health assessment, and the applicants response states this is addressed through the Equality Statement (appendix 17C) with the sites identified as receptors LCC1–LCC3.</p> <p>Appendix 17C [APP-183] identifies receptors LCC1–LCC3 in table 5 and presents project-specific evidence of effects, including the assumption that some receptors experience “background levels” for local air quality due to distance from the nearest affected road.</p>

ExQ1	Question to:	Question:
		<p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>• explain what assumption is being relied upon in appendix 17C when stating that some Gypsy/ Traveller receptors experience “background levels” for local air quality, and how that assumption has been carried through consistently into the Population and Human Health assessment conclusions in ES chapter 17</li> <li>• whether any in-combination effects for receptors LCC1–LCC3 (for example noise together with access/ severance and amenity) have been considered within the ES chapter 17 assessment approach, and where this is set out</li> </ul>

Q17.0.5	The applicants	<p><b>Diet/ nutrition and community safety</b></p> <p>ES chapter 17 <a href="#">[AS-065]</a> mentions that LCC advised that potential impacts on diet and nutrition, and on community safety, should be assessed for both construction and operation and that this approach was agreed.</p> <p>ES chapter 17 then explains that the diet/ nutrition assessment relates to severance impacts on accessing food banks in paragraph 17.5.24, with the operational phase assessment set out at paragraphs 17.5.82 – 17.5.84 and sets out construction-phase community safety measures at paragraphs 17.5.25 – 17.5.31 and operational community safety measures at paragraphs 17.5.85 – 17.5.88.</p> <p>Could the applicants please set out:</p> <ul style="list-style-type: none"> <li>• how the diet/ nutrition conclusions in paragraphs 17.5.82 – 17.5.84 have been derived from the severance/ access assessment (including how access to food banks has been considered for construction and operation)</li> <li>• PD</li> <li>• whether any clarification is required in ES chapter 17 to make the link between these determinants and the final significance conclusions explicit for decision-making, confirming whether any update would affect the reported conclusions</li> </ul> <p>The applicants are also referred to ExQ19.0.7.</p>
Q17.0.6	The applicants LCC	<p><b>Reliance on transport modelling</b></p> <p>ES chapter 17 table 17.3 <a href="#">[AS-065]</a> states LCC's concern that the Population and Human Health assessment and Equality Statement rely on transport modelling that was not complete/ agreed at the time of consultation, and the applicants response states that the assessment has been reviewed using the latest modelling assumptions.</p> <p>Could the applicants please explain:</p> <ul style="list-style-type: none"> <li>• what transport evidence base has been relied upon to inform the Population and Human Health assessment conclusions in ES chapter 17, including whether the assessment relies on modelling outputs for severance/ access, active travel, road safety or community safety pathways</li> <li>• whether any subsequent changes to transport modelling assumptions or outputs during Examination would require a re-check of ES chapter 17 conclusions (including equality appraisal conclusions), and if so, what process the applicants propose for that re-check and reporting and</li> <li>• whether the applicants consider that any such re-check could result in materially different health conclusions, and if not, explain why not</li> </ul> <p>LCC is also invited to comment on this matter.</p>
Q17.0.7	The applicants LCC	<p><b>Health Impact Assessment (HIA)</b></p> <p>ES chapter 17 table 17.3 <a href="#">[AS-065]</a> records that, following engagement with LCC, HIA principles are fully embedded within ES chapter 17 and the standalone HIA appendix is no longer required.</p> <p>Could the applicants please explain:</p> <ul style="list-style-type: none"> <li>• where, within ES chapter 17, the key HIA components are now presented (including determinants/ pathways, baseline vulnerability, assessment of effects, and mitigation), and how appendix 17C <a href="#">[APP-183]</a> is relied upon for equality considerations</li> <li>• whether removal of the standalone HIA appendix resulted in any changes to the scope or content of the assessment compared to the position discussed with LCC, and if so, what those changes are, and</li> <li>• whether any additional signposting or clarification is required in ES chapter 17 to ensure the embedded HIA approach is transparent for examination, confirming whether any update would affect the reported conclusions</li> </ul> <p>LCC is also invited to comment on this matter.</p>

Q17.0.8	The applicants LCC	<p><b>Study area and baseline health data</b></p> <p>ES chapter 17 explains at paragraph 17.2.3 [AS-065] that baseline health data relevant to environmental health determinants is focussed on administrative wards within 500m of the EMG2 Project, and at paragraph 17.2.4 that ward-level trend data is not readily available and therefore baseline data presented primarily relates to NWLDC, which is considered representative of the wards; it further states that data at the lowest geographic level possible is used for quantitative assessment. ES chapter 17 paragraph 17.2.23 repeats this as a limitation/ uncertainty.</p> <p>Appendix 17B [APP-182] presents the population and health baseline, explaining that the district study area comprises North West Leicestershire district and that the ward study area is used where possible.</p> <p>Could the applicant please how:</p> <ul style="list-style-type: none"> <li>• they have satisfied themselves that the district-level baseline health outcome data referenced at paragraph 17.2.4 is sufficiently representative for the populations most likely to experience effects within the ward study area defined at paragraph 17.2.3,</li> <li>• how the assessment has addressed the possibility that health inequalities or pockets of vulnerability within/ adjacent to the 500m ward study area could be masked by use of broader-area baseline indicators, noting the approach described at paragraphs 17.2.4 and 17.2.23, and</li> <li>• where, in ES chapter 17 and/ or appendix 17B, explicitly linked the baseline geography used for health outcomes (district level) to the localised determinants assessment (ward/ receptor outputs), so that the reasoning chain from paragraphs 17.2.3–17.2.4 into the effect conclusions is clear.</li> </ul> <p>LCC is also invited to comment on this matter.</p>
<b>18. Socio-economic effects</b>		
Q18.0.1	The applicants	<p><b>Regional connectivity</b></p> <p>Charnwood Borough Council [RR-006D] and South Derbyshire District Council [RR-005] comment on the importance of facilitating regional connectivity to improve employment opportunities. Please can the applicants explain what regional connectivity enhancements would be implemented as part of the proposed development to maximise regional employment opportunities?</p>
Q18.0.2	The applicants	<p><b>Duration of impacts</b></p> <p>Table 5.6 of chapter 5 of the ES [AS-030] sets out the duration of impact. Long term is defined as 15 years or more. Please can the applicants explain how these durations were arrived at. For example, if the proposed development would operate indefinitely it could operate for 80 years or more. Would an impact lasting 80 years be more significant than an impact lasting 15 years? Consequently, does the duration of long term impacts need to be more granular and/ or be mapped so that it is consistent with the temporal scope of the proposed development?</p>
Q18.0.3	The applicants	<p><b>Cumulative assessment</b></p> <p>Paragraph 5.2.27 of chapter 5 of the ES [AS-030] states that the assessment of cumulative effects should be proportionate in accordance with PINS Advice Note 17. Please can the applicants expand on why they feel a 5km search area is proportionate (why not 2km or 10km)? Furthermore, the non-cumulative assessments within the chapter are based on the study area and functional economic market area identified in figures 5.1 and 5.2 respectively. Why have these areas not been used for the cumulative assessment search area? Similarly, regarding paragraph 5.2.28, what is the justification for the chosen thresholds, are they derived from established guidance?</p>
Q18.0.4	The applicants NWLDC	<p><b>Sectoral reliance and socio-economic resilience of North West Leicestershire</b></p> <p>With reference to figure 5.7 of chapter 5 of the ES [AS-030], is there a risk of North West Leicestershire becoming over reliant on the transport and storage sector? Consequently, is there a socio-economic resilience issue that needs to be explored? For example, nearly a quarter of employment in North West Leicestershire is in the transport and storage sector. If there was a downturn in this sector, would socio-economic receptors in North West Leicestershire be disproportionately affected compared to other areas of the UK?</p>
Q18.0.5	The applicants	<p><b>UK competitiveness index</b></p> <p>Paragraph 5.5.17 of chapter 5 of the ES [AS-030] indicates a disparity in economic competitiveness in the study area. Please can the applicants highlight any evidence demonstrating that the proposed development would have an impact beyond North West Leicestershire and benefit the wider study area as a whole and would not deepen disparities in economic competitiveness.</p>
Q18.0.6	The applicants	<p><b>Employment containment</b></p> <p>With reference to Paragraphs 5.5.38 and 5.5.39 of chapter 5 of the ES [AS-030], commuting patterns suggest there is a high level of employment containment. Consequently, outside of Derby and Leicester, is there an argument that proposed development's impact on the economic activity of the wider</p>

ExQ1	Question to:	Question:
		study area, particularly as a source of employment, would be relatively limited? If yes, could the employment scheme secured in the dDCO have specific terms of reference to mitigate this and improve the geographical spread of employment opportunities within the study area?
Q18.0.7	The applicants	<p><b>Net absorption and supply</b></p> <p>Paragraph 5.5.61 of chapter 5 of the ES [AS-030] states when using the 2014 - 2023 trend for net absorption, NWL and its FEMA have just 1.1 years and 3.1 years of supply available respectively. How many years additional supply would be created by the proposed development?</p>
Q18.0.8	The applicants	<p><b>Study area skills</b></p> <p>Paragraph 5.5.63 of chapter 5 of the ES [AS-030] states overall, across the study area, there is a pool of highly qualified and skilled residents who could staff the DCO scheme once it is operational. However, is this actually the case given that commuting patterns are highly contained to Derby and Leicester? If it is not the case how would the proposed development mitigate the highly contained commuting patterns in order to access the skills pool?</p>
Q18.0.9	The applicants	<p><b>Reasonable worst case scenario</b></p> <p>Paragraph 5.5.88 of chapter 5 of the ES [AS-030] uses a worst case scenario that the totality of the proposed floorspace would be delivered for B8 use, which in turn influences the mid-point reasonable worst case scenario. However, is this realistic given that the s35 Direction was based on a component of manufacturing floorspace and that the freeport was designated with the delivery of advanced manufacturing floorspace as a component?</p>
Q18.0.10	The applicants	<p><b>JSA claimants as part of the labour pool</b></p> <p>Paragraph 5.5.110 of chapter 5 of the ES [AS-030] assumes that all JSA claimants would be willing and able to work within industrial and logistics activities but concedes this is unlikely to be the case. Consequently, does the worst case scenario for impacts on skilling and training the local labour force need to be reconsidered? For instance, should a lack of JSA labour pool be assumed, as this would be the reasonable worst case scenario for the proposed development in terms of the supply of potential employees to meet its operational demands?</p>
Q18.0.11	The applicants	<p><b>Labour pool shortages</b></p> <p>Table 5.24 of chapter 5 of the ES [AS-030] illustrates that there would be a substantial shortfall in the labour pool for process, plant and machine operatives, with only around 25% labour availability. What impact would this have on operations and how would it be mitigated?</p>
Q18.0.12	The applicants	<p><b>Reasonable worst case scenario</b></p> <p>Paragraph 5.5.123 of chapter 5 of the ES [AS-030] talks about GVA in the context of transport and storage. However, referring back to paragraph 5.5.96, the mid-point scenario (the reasonable worst case) could include B2 uses. Consequently, does the GVA analysis need to factor in B2 uses?</p> <p>There are a number of questions about the reasonable worst case scenario. Therefore, as a general point of clarity and robustness, please can the applicants sense check the whole chapter to ensure the mid-point scenario (the reasonable worst case) is suitably described in terms of floorspace, mezzanine space and use class combinations, and that this is consistently and accurately reflected in each of the chapter's impact assessments.</p>
Q18.0.13	The applicants	<p><b>Cumulative labour pool availability</b></p> <p>Please can the applicants add columns to table 5.37 of chapter 5 of the ES [AS-030] to show the differences in demand and supply of labour as percentages and also populate the total for the final two columns, which appear to be missing from the final row of the table.</p>
Q18.0.14	The applicants	<p><b>Cumulative skills shortage</b></p> <p>Please can the applicants provide more detail on how the employment scheme would mitigate the substantial cumulative skills shortage identified in table 5.37 of chapter 5 of the ES [AS-030]. For example, the applicants should submit further evidence demonstrating that the scale and scope of the employment scheme is capable of upskilling and reskilling the local labour force to the extent required. Furthermore, that there would not be an unacceptable risk of employment leakage outside of the study area that would call into question the local and regional employment benefits of the proposed development.</p>
<b>19. Traffic and Transport</b>		
Q19.0.1	The applicants NH LCC	<p><b>AECOM</b></p> <p>It is noted the AECOM has been commissioned by the applicants, NH and LCC in relation to the proposed development to support their individual positions. Could the parties set out their individual relationships (non-financial) with the company, along with what arrangements are in place to ensure that there has been no conflict of interests within AECOM?</p>
Q19.0.2	The applicants	<p><b>Potential Typographic error</b></p> <p>Could the applicants confirm which links are referred to in paragraph 6.6.44 of chapter 6 of the ES [AS-032], and amend the ES if necessary?</p>

ExQ1	Question to:	Question:
Q19.0.3	The applicants	<p><b>Trip generation rates</b></p> <p>Could the applicants please check the calculations in Table 15 of the TA <a href="#">[APP-080]</a> for the both the totals and percentages of 'Difference versus Agreed Traffic Generation – Vehicle Trips' for HGVs in the AM Peak arrivals. Does this have any consequence for the following analysis?</p>
Q19.0.4	The applicants	<p><b>Directional Sign Strategy</b></p> <p>The drawings in appendix 28 of the TA <a href="#">[APP-082]</a> are not displaying properly. Could they please be reformatted and resubmitted.</p>
Q19.0.5	LCC The applicants	<p><b>Signage in Castle Donington area</b></p> <p>In paragraph 8.37 of the TA <a href="#">[APP-080]</a>, in discussing traffic around Castle Donington, it is noted that LCC might seek additional signage to route traffic around the bypass rather than along High Street.</p> <p>Could LCC confirm whether it would seek such signage?</p> <p>If so, could the applicants please indicate how such signage would be secured?</p>
Q19.0.6	The applicants LCC Prologis EMIA	<p><b>Dualling of A453 west of Finger Farm Roundabout</b></p> <p>At ISH1 there was discussion about the potential dualling of the A453 west of Finger Farm roundabout.</p> <p>Could LCC please set out:</p> <ul style="list-style-type: none"> <li>• what, if any, proposals have been drawn up for this section of road, providing drawings if necessary</li> <li>• any timetable for potential works or triggers for a requirement, and how land would be secured and funding for the works themselves provided</li> </ul> <p>The applicants are asked:</p> <ul style="list-style-type: none"> <li>• does the response have any implications in relation to your response to ExQ1Q2.0.6?</li> </ul> <p>Prologis and EMIA are asked to set out their understandings of this matter, along with any matters within the joint application which would impinge on that.</p>
Q19.0.7	The applicants	<p><b>Cumulative effects</b></p> <p>In paragraph 2.7 traffic and transport section of the Protect Diseworth RR <a href="#">[RR-025D]</a>, Protect Diseworth have set out a list of projects which it considers should be considered on a cumulative basis.</p> <p>Could the applicants please set out a response to each of these, whether they have been included as part of the baseline, a potential project which has been assessed or not considered. In each case, the applicants should reference where this information can be found in either the ES or its appendices using precise references, or if a project has not been considered explain why that is the case.</p>
Q19.0.8	The applicants	<p><b>Proposed bridleway</b></p> <p>Could the applicants explain why the proposed public right of way between points 8 and 12 on Access and Rights of Way Sheet 1 of 2 <a href="#">[APP-037D]</a> would be a bridleway given that other public rights of way in the vicinity are footpaths and the proposed right of way is therefore unlikely to be used by equestrians?</p>
Q19.0.9	NH LCC	<p><b>Departures from highway standards</b></p> <p>The applicants have set out various departures from standards for the highways to be provided (see appendices 26 and 27 of the TA <a href="#">[APP-082]</a>). Could NH and LCC please formally consider whether there are likely to be any issues in approving details post-consent?</p> <p>The ExP notes that once in principle consent has been granted the Courts have indicated that it would not be possible to refuse consent at the detailed design stage.</p>
Q19.0.10	The applicants	<p><b>Junctions in vicinity of Diseworth</b></p> <p>Paragraph 10.22 of the TA <a href="#">[APP-080]</a> sets out “feedback was received from local residents who asked that capacity improvements not be proposed at junctions leading towards Diseworth so as not to encourage higher traffic flows in the vicinity of the village”. Could the applicants please either signpost within the examination library or provide this evidence.</p>
Q19.0.11	The applicants LCC NH NWLDC	<p><b>Isley Woodhouse development</b></p> <p>LCC is concerned to ensure that none of the proposed development would prejudice the delivery of any of the proposed allocations in the emerging local plan. Could the applicants please explain:</p> <ul style="list-style-type: none"> <li>• what measures it has undertaken to ensure that this does not occur; and</li> <li>• provide us with evidence to support any response?</li> </ul>

ExQ1	Question to:	Question:
		LCC, NH and NWLDC are all asked for comments in relation to the proposed Isley Woodhouse development.
Q19.0.12	The applicants	<p><b>Traffic modelling</b></p> <p>Paragraph 6.8.3 of Chapter 6 of the ES <a href="#">[AS-032]</a> states “proposed Highway Works would have a number of beneficial impacts in terms of reducing traffic flows on the A453 corridor between the Hunter Road roundabout (EMG2 Main Site access) and M1 Junction 24”. Could the applicants explain why they believes this would occur. The response to this needs to be more than “the model says so”, rather it needs to set out the reasoning behind the modelled results.</p> <p>What changes to traffic signage would be made to encourage such behaviour, and, if any, how would this be secured?</p>
Q19.0.13	The applicants	<p><b>Traffic modelling</b></p> <p>Paragraph 6.8.4 of Chapter 6 of the ES <a href="#">[AS-032]</a> states “The proposed active travel works along the A453 between EMG2 Main Site and EMG1, including the introduction of a new Toucan crossing at the A453 and uncontrolled crossing at East Midlands Airport, will have permanent beneficial impacts on severance, non-motorised user delay, non-motorised user amenity, fear and intimidation and road user/ pedestrian safety along a number of links” and 6.8.5 “The improvements to existing Public Rights of Way, including Hyam’s Lane and Long Holden, will result in permanent beneficial impacts to non-motorised user delay, non-motorised user amenity, fear and intimidation and road user and pedestrian safety for people travelling on these links”.</p> <p>Could the applicants explain why they believes this would occur.</p> <p>What changes to traffic signage would be made to encourage such behaviour, and, if any, how would this be secured?</p>
Q19.0.14	The applicants	<p><b>Traffic modelling</b></p> <p>The applicants’ analysis has been undertaken based on AADT figures. Could a sensitivity analysis be undertaken on a AAWT base, with comparison between the two, so that the effects at the weekend can be understood. The ExP is seeking to understand this on the basis that there may be greater amenity effects at the weekend from changes in traffic flow?</p>
Q19.0.15	NH LCC	<p><b>Traffic modelling</b></p> <p>Paragraph 14.27 of the TA <a href="#">[APP-080]</a> indicates that there would be an increase of queuing on the Bostocks Lane arm of Junction 79 (M1 J25) of some 11.2%, that is from 133.8 PCUs to 148.8 PCUs. The applicants have described this increase as ‘negligible’ and would not affect the operation of the arm.</p> <p>NH and LCC are asked for their views as to the analysis and whether they consider any mitigation works are required at this junction from the effects of the proposed development taking into account paragraphs 5.281 and 5.282 of the NPSNN.</p>
Q19.0.16	The applicants NH LCC	<p><b>Road Safety Audits</b></p> <p>There was discussion at ISH1 as to road safety audits. Could the applicants please ensure that any further road safety audits or iterations of those completed to date are submitted as they become available.</p>
Q19.0.17	The applicants NH LCC	<p><b>Traffic signals</b></p> <p>What analysis has been undertaken of ensuring the phasing between the various traffic lights in the vicinity of the EMG1 and EMG2 sites are co-ordinated to ensure the maximum free-flowing of traffic?</p> <p>If none has been done to date, what analysis could be undertaken, and should this recommend particular solutions, how would these be secured?</p>
Q19.0.18	The applicants	<p><b>Relationship to national cycle route</b></p> <p>There are various references to extensions to the national cycle route through the delivery of the proposed development. Could the applicants please explain how these would be secured? This question does not relate to the physical infrastructure, rather to the incorporation within the national cycle network.</p>
Q19.0.19	LCC	<p><b>Relationship of the Pan Regional Traffic Model and the East Midlands Freight Model</b></p> <p>Paragraph 6.4.10 of chapter 6 of the ES <a href="#">[AS-032]</a> refers to both the PRTM, and the EMFM. While it is appreciated that the EMFM is a part of the PRTM, could LCC confirm whether it is content with the use of the EMFM, and its view as to the base date of the model to be used.</p>
Q19.0.20	The applicants LCC NWLDC	<p><b>Work No 19</b></p> <p>In paragraph 6.7.1 of chapter 6 of the ES <a href="#">[AS-032]</a>, fifth bullet, tenth sub-bullet, reference is made up upgrading footpath L57 between Diseworth Lane and Castle Donnington. This indicates that payment was made to LCC until the Planning Obligation for EMG1, but the works have never been carried out and the ExP was</p> <ul style="list-style-type: none"> <li>• Could LCC explain its understanding on this matter.</li> </ul>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>• Could the applicants please provide us with a copy of the s106 Planning Obligation.</li> <li>• Could the applicants please explain why this link is justified in relation to the current application of which it forms part?</li> </ul>
Q19.0.21	The applicants LCC NH	<p><b>TA Appendices 45 and 46 [APP-082]</b></p> <p>Appendix 46 to the TA VISSIM Local Model Validation Report indicates in paragraph 2.10 that surveys have identified the network peak hours as 0730 to 0830 and 1700 to 1800. However, other documents, such as Appendix 45 EMFM Stage 1B Modelling Forecasting Report Addendum have identified the peak hours as 0800 to 0900 and 1700 to 1800.</p> <p>Could the applicants, NH and LCC comment as to whether the difference in the morning peak have any implications for the modelling and the analysis thereafter?</p>
Q19.0.22	The applicants	<p><b>TA Appendix 50 – VISSIM Forecast Modelling Report [APP-082]</b></p> <ul style="list-style-type: none"> <li>• Remembrance Way has been mis-spelt throughout the document. Could it please be amended.</li> <li>• Could the applicants please confirm the descriptor of Route 13, which is stated to be M1 South to M1 North, which would indicate that someone travelling on it would go back from whence they came, or clarify the extent of the route in some other way. Figure 4 is not clear.</li> <li>• Tables 1 and would appear to have an error in the headings for the AM period, and that the fourth column is 'WD – WD'. Could the applicants please confirm whether this is an error and, if so, please correct this.</li> <li>• Tables 1 and 2 – The data for Route 10 in the PM peak would appear to be incorrect, as it gives a nil return. Could this please be checked, given it is unlikely that this would not be used in the PM when used in the AM. The same also applies in Tables 17 and 18 for the WD+Mit figure for Route 15 in the PM peak.</li> <li>• The analysis that flows from these figures, when corrected, should also be reviewed.</li> </ul>
Q19.0.23	The applicants	<p><b>Appendices 57, 58, 59, 66, 67 and 68 to the TA [APP-082]</b></p> <p>In appendices 57, 58, 59, 66, 67 and 68 to the TA – M1 J23. A50 J1, M1 J25 and some of the diagrams have not displayed correctly (effectively not including the bottom part of the junction on the drawing). Could this please be rectified.</p>
Q19.0.24	The applicants	<p><b>Sustainable Transport Strategy [APP-084]</b></p> <p>The applicants are asked:</p> <ul style="list-style-type: none"> <li>• to confirm that the data is not invalid due to the 'self-selecting' nature of the respondents, could the applicants ascertain how many employees were based at the EMG1 site when the 2024 data was collected. In other words, what proportion of employees responded to the survey, noting the 1,203 employees who completed the survey. The applicants should also explain why the survey can be considered statistically robust.</li> <li>• In paragraph 9.10 a calculation for bus usage by employees at the site. This is based on "253 working days per year". However, it is anticipated that the site will operate on a 24/7 basis (see paragraph 2.5). Could either the number of working days be justified, or the calculation revisited.</li> <li>• In the East Midlands Freeport RR [RR-014] it is noted that "the DCO Applicant has proposed providing for the shuttle bus to stop close to Diseworth which would allow the general public to use the shuttle bus free of charge to get to the interchange to use local services". Could the applicants please confirm their latest position on this, and if it is in agreement indicating how this would be secured in perpetuity.</li> </ul>
Q19.0.25	NWLDC LCC NH	<p><b>Sustainable Transport Strategy [APP-084]</b></p> <p>Could NWLDC, LCC and NH comment on whether they consider that the one week taster bus tickets would be sufficient to provide an incentive? If they consider a different period would be more appropriate, could they provide that timeframe, providing a justification.</p>
Q19.0.26	The applicants LCC NWLDC	<p><b>Work No. 15</b></p> <ul style="list-style-type: none"> <li>• Could the applicant's explain why the pedestrian access across the A453 would be an uncontrolled crossing rather than integrated into the existing junction as a controlled crossing?</li> <li>• Could LCC and NWLDC comment on the proposition that this should be so integrated.</li> <li>• Would this have any implications for the traffic modelling.</li> </ul>
Q19.0.27	The applicants LCC NH	<p><b>Severance and non-motorised user delay</b></p> <p>Paragraph numbers in this question related to Chapter 6 of the ES [AS-032].</p>



ExQ1	Question to:	Question:
		<p>Paragraphs 6.8.10 to 6.8.18 deal with the issue of severance, and paragraphs 6.8.24 to 6.8.27 relates to non-motorised user delay which is stated to be “closely related to severance”.</p> <p>Both paragraphs 6.8.10 and 6.8.24 refer to a list of links where it is said that there would be an increase of 30% in AADT flows or HGVs.</p> <ul style="list-style-type: none"> <li>Looking at Table 6.9 there would appear to be a number of other links where AADT or HGVs would increase greater than 30% which have not been discussed. Could the applicants please explain why this has not occurred, since not all would not have non-motorised traffic excluded.</li> <li>Paragraph 6.8.10 notes those links where there would be a 30% increase in AADT figures. However, for links 18 and 19 it is stated that there would be “a reduction in traffic”. This is not shown in Table 6.9 where both show increases in total traffic. For Link 18 there is a small, -2/-5.4%, decrease in HGV traffic and no change in HGV traffic for link 19. Could the applicants therefore please justify the statement that there would be a beneficial effect from the proposed development on the links? This also relates to the comment in paragraph 6.8.25.</li> <li>Paragraph 6.8.14 refers to Links 21 and 48, and the changes in traffic. While the percentage given of increase in AADT for link 21 is as given, (114%, that is a greater than doubling) that for link 48 is some 260% (that is over a three and a half times increase). Could the applicants please comment whether using the figure for link 48 makes a difference to the analysis?</li> <li>Paragraph 6.8.17 refers to Links 26, 100 and 126 and refers to areas in Hemington. However, links 100 and 126 are linked with link 68 and link 26 refers to the M1 southbound on-slip at Junction 23A. Furthermore, the plan does not show link 126 in this area, rather it shows link 150, although it is stated that this is a duplicate of link 100 in Appendix 4 of the applicants’ response to s51 advice <a href="#">[AS-079]</a>. Could the applicants confirm what paragraph 6.8.17 should refer to and amend the text appropriately. In addition, the text refers to a reduction in overall traffic numbers, which is not reflected in table 6.9. Could the applicants therefore please justify their statement that there would be a beneficial effect from the proposed development on the links? This also relates to the comment in paragraph 6.8.25</li> <li>Paragraph 6.8.31, in discussing non-motorised user amenity, sets out information in relation to link 158 in Kegworth. It states, in relation to peak hour movements that “EMFM shows there could be up to 420 movements, or one vehicle every 7 minutes in either direction. ... The impacts of one additional vehicle every 7 minutes will have a <i>negligible</i> impact” (italics in original). 420 movements in an hour equates to 7 movements every minute. Using the correct analysis, could the applicants and other IPs comment on the data provided.</li> </ul>
Q19.0.28	The applicants	<p><b>Construction Traffic Management Plan</b></p> <p>The ExP has the following queries on the Construction Traffic Management Plan, appendix 03 of the Construction Environment Management Plan <a href="#">[APP-206D]</a>:</p> <ul style="list-style-type: none"> <li>in section 3, the description of the A42 has incorrect lengths for it. It reads metres rather than kilometres.</li> <li>in section 4.1 there has been the use of “principle”, when it should be “principal”, and it is not clear why there is a question mark after ‘Long Holden’.</li> <li>in section 4.4 it is indicated that construction traffic levels will be capped at the levels set out in table. What occurs should the actuality exceed that anticipated? What mitigations would be put in place, and how would they be secured and enforced, or how would the capping work?</li> <li>it is noted that the proposed construction compound could be either side of the entrance from the A453. Could the applicants explain what considerations would inform the final choice, and what alternative provision would be in place should the eastern side be used to ensure that ‘fly’ HGV parking does not take place off site until the permanent provision is provided? If this is the case, then this would need to be secured.</li> <li>the Construction Traffic Calculations in paragraph 2.6 of Appendix 2 of the CTMP are based on 49 weeks x 5 days. However, it is proposed that construction will take place on 6 days per week. The ExP assumes that 2 of the 3 shut down weeks are in the Christmas and New Year period which have 3 of public and bank holidays, so there are only five others which means that the calculation does not compute. Could the applicants please either justify further the use of 5 days per week, amend the calculation to take account the currently proposed days of working or reduce the days of working in the application, including the dDCO to 5. The Excel spreadsheet mentioned in paragraph 2.7, once amended, should be provided.</li> <li>paragraphs 2.8 and 2.9 are based on the assumption that there is an even spread of traffic over the construction period. Could the applicants please justify the assumption or, alternatively, consider a ‘worst-case’ whereby there are peaks and troughs based on the anticipated construction schedule and the necessary components. If this results in a different result, then the whole assessment should be reconsidered based on this worst-case figure.</li> </ul>
<b>20. Utilities</b>		
Q20.0.1	The applicants	<p><b>NNPS interpretation/ securing protection of statutory undertakers’ apparatus</b></p> <p>Paragraph 16.3.4 of ES chapter 16 <a href="#">[AS-063]</a> states that the National Networks National Policy Statement has “no regard” to the protection of utility assets and statutory undertakers.</p> <p>Please could the applicants:</p>

ExQ1	Question to:	Question:
		<ul style="list-style-type: none"> <li>set out their interpretation in this respect and explain how the approach taken in ES chapter 16 aligns with the relevant statutory and policy framework for protecting statutory undertakers' apparatus and rights</li> <li>explain the reliance placed on the PA2008 provisions cited in the ES (including sections 127 and 138) and the protective provisions referred at paragraph 16.9.3 of ES chapter 16 (schedule 13 to the dDCO)</li> </ul>
Q20.0.2	The applicants	<p><b>Cumulative effects on utilities</b></p> <p>Paragraph 16.8.3 of ES chapter 16 <a href="#">[AS-063]</a> concludes that cumulative effects on utilities are unlikely to be significant, noting that some future developments have not yet been consented and may require significant reinforcement.</p> <p>Please could the applicants explain how uncertainty regarding future development has been considered in reaching this conclusion, including:</p> <ul style="list-style-type: none"> <li>what assumptions (if any) have been made regarding the timing or scale of network reinforcement</li> <li>how cumulative effects have been scoped where reinforcement works could be required on shared corridors or shared points of connection</li> </ul>
Q20.0.3	The applicants Cadent Gas Networks	<p><b>Gas supply capacity and reinforcement</b></p> <p>ES chapter 16 <a href="#">[AS-063]</a> states that Cadent Gas Networks have confirmed that the EMG2 Works can be supplied from existing capacity within the local network (paragraph 16.5.26) and that the point(s) of connection would be from the existing 315mm PE and 250mm PE medium pressure gas mains within the verge of the A453 Ashby Road, with sufficient capacity to support the connection (paragraph 16.5.27).</p> <p>However, appendix 16A <a href="#">[APP-179]</a> states in the section 1.1 (Connection Constraints) that the anticipated connection is from an existing 250mm PE MP main, but that "the 250mm MP main does not have sufficient capacity ... and reinforcement works will be required", and that a Cadent Gas Detailed Analysis Study (DAS) is required to identify reinforcement and confirm costs.</p> <p>Further, appendix 16A section 6.5 (Gas Point of Connection) states that the supply will be from the existing 315mm PE and 250mm PE medium pressure gas mains within the A453 Ashby Road verge and appears to describe the connection as being capable of supporting the development, which is inconsistent with the Executive Summary statement that reinforcement will be required.</p> <p>Please clarify which position is correct and, if reinforcement is required:</p> <ul style="list-style-type: none"> <li>identify the likely nature and location of any reinforcement works (to the extent known at this stage) and confirm whether such works would be within the Order limits or delivered separately</li> <li>explain the status and expected timing of the Cadent Gas DAS, and whether its outcome could materially change the assessment of effects presented in ES chapter 16, and</li> <li>confirm whether any update is required to ES chapter 16 and/ or appendix 16A to ensure internal consistency in the assessment and conclusions.</li> </ul>
Q20.0.4	The applicants	<p><b>Electricity reinforcement works – authorisation, Order limits and securing mechanism</b></p> <p>Paragraphs 16.5.22 to 16.5.24 of the ES chapter 16 <a href="#">[AS-063]</a> identifies a requirement for electricity network reinforcement, including works at Toton BSP and works within/ associated with the EMG1 primary substation compound.</p> <p>The paragraph 3.4.79 and table 3.6 of the ES chapter 3 identifies Works No. 20 as the upgrade of the existing EMG1 substation, including a new switch room/ switchgear and increased capacity, with reference to the Works Plans.</p> <p>Appendix 16A <a href="#">[APP-179]</a> describes reinforcement works including a new 33kV circuit from Toton BSP to a new 33kV switchboard within the EMG1 primary substation compound, and onward 33kV circuits to serve the proposed EMG2 primary substation.</p> <p>Can the applicants please:</p> <ul style="list-style-type: none"> <li>confirm which elements of the identified electricity reinforcement works (including any works at Toton BSP, any new 33kV circuit(s), and Works No. 20) form part of the proposed development and are within the Order limits,</li> <li>identify the relevant Works Plan sheet(s) and Land Plan plot(s) which cover these works and any required land rights/ easements, and provide the relevant Book of Reference entries,</li> <li>explain how the applicants rely upon and intends to operate the statutory undertaker protections and approvals in the dDCO (including schedule 13 protective provisions) to secure delivery and protection of electricity apparatus, and</li> <li>explain what mechanism provides assurance that the reinforcement required for the EMG2 connection will be deliverable in principle within the authorised development</li> </ul>

ExQ1	Question to:	Question:
Q20.0.5	The applicants Joint Radio Company National Grid Electricity Distribution	<p><b>Microwave/ radio link infrastructure</b></p> <p>ES chapter 16 [AS-063] Table 16.4 states that Joint Radio Company (JRC) and the applicants have previously agreed mitigation measures to reduce impacts on radio link infrastructure operated by local energy networks (NGED), and that JRC do not object provided those mitigation measures are implemented.</p> <p>Appendix 16A [APP-179] states in the Executive Summary that NGED have confirmed existing microwave links cross the EMG2 site and will be affected by the proposed development, and that enquiries have been made to ensure an alternative microwave arrangement can be implemented.</p> <p>Can the identified parties please:</p> <ul style="list-style-type: none"> <li>describe the agreed mitigation measures (including any safeguarding easements, design parameters, or timing constraints),</li> <li>confirm whether the mitigation measures are fully agreed with the relevant operator(s) and identify any outstanding matters,</li> <li>identify precisely where and how the mitigation measures are secured (for example through schedule 13 protective provisions, requirements, a commitment, or other certified documents), and</li> <li>confirm the point in the programme by which the mitigation must be implemented in order to avoid interruption to radio link services during construction</li> </ul>
Q20.0.6	The applicants	<p><b>Utility diversions within highway works</b></p> <p>ES chapter 16 [AS-063] identifies that diversion enquiries will be progressed for utilities apparatus within the highway to accommodate the EMG2 Access Works and the Highway Works, including:</p> <ul style="list-style-type: none"> <li>electricity diversions (paragraph 16.5.21)</li> <li>gas diversions (paragraph 16.5.25)</li> <li>potable water diversions (paragraph 16.5.28)</li> <li>telecommunications duct diversions (paragraph 16.5.31)</li> </ul> <p>Appendix 16A [APP-179] section 1.1 similarly identifies that, as part of the S278 works along Ashby Road, diversion works may be required for electricity, water, gas and telecoms.</p> <p>The dDCO [PDA-004D] schedule 13 part 2 paragraph 4(2) includes provisions for the carrying out of the county highway works, including compliance with the local highway authority's road space booking procedures prior to and during the carrying out of each phase.</p> <p>Please can the applicants explain:</p> <ul style="list-style-type: none"> <li>what assumptions have been made regarding the likely scale, duration and sequencing of utilities diversion works within the highway in concluding that residual effects are negligible</li> <li>how utilities diversion scheduling and road space booking will be coordinated with the detailed design and phasing of the Highway Works (including any critical interfaces for Junction 24 Improvements and other highway works areas)</li> <li>whether any additional commitments, controls or drafting (for example within the detailed design approval process for county highway works) are required to ensure that diversion works do not result in materially different effects from those assessed</li> <li>confirm how the applicants will ensure continuity of supply to existing customers during diversion works, consistent with the statements in ES chapter 16, and</li> <li>whether, and how, the design and positioning of utility works within/ adjacent to the A453 have been 'future-proofed' to avoid conflict with any future dualling of the A453 section, including whether the applicant has considered positioning diverted apparatus so that it would not need to be re-diverted should dualling require land-take on one side of the A453 corridor (for example the north side), and what engagement has taken place with LCC on this point</li> </ul>
<b>21.</b>	<b>Water Environment</b>	
Q21.0.1	The applicants STW	<p><b>Foul drainage capacity</b></p> <p>Several of the RRs comment on foul drainage capacity within the locality. Chapter 13 of the ES [AS-056] states that following any necessary upgrades, the impact of the proposed development on the existing network would be negligible. However, it is not clear to the ExP what the necessary upgrades would comprise, and whether they would be feasible in terms of timescale, cost and extent. Please can the applicants and STW provide more information in this context and evidence that such upgrades would be deliverable in principle, even if the full details are not yet available. <b>PD COMMENT: A further submission</b></p>



		on the wider issue of flooding and water management is included with this filing.
--	--	---

ExQ1	Question to:	Question:
Q21.0.2	EA The applicants NWLDC LCC	<p><b>Operational Environmental Management Plan</b></p> <p>The EA [RR-016] notes that the applicants should commit to producing an OEMP in order to secure appropriate operational mitigation related to pollution of the water environment. Please can the EA advise if there are any other areas where an OEMP could help mitigate the proposed development's environmental impacts. For example, could an OEMP help mitigate potential operational emissions and air pollution etc. and are there any precedents for such an approach in other made DCOs?</p> <p>Please can the applicants comment whether an OEMP would be necessary to help mitigate operational environmental impacts. If the applicants are of the view that an OEMP would not be necessary, please identify existing provisions within the dDCO and dMCO that would secure the necessary mitigation measures for the operational phase of the proposed development.</p> <p>Does NWLDC and LCC have a view on whether an OEMP would be necessary in the context of the above?</p>
Q21.0.3	The applicants LCC EA	<p><b>Performance of EMG1 drainage systems</b></p> <p>A number of RRs [RR-030D and others] raised significant concern about flooding in Kegworth, particularly in relation to the construction of EMG1 and Kegworth Bypass. Please can the applicants, LCC and the EA advise whether there is any ongoing monitoring of EMG1's drainage systems and whether it can be determined that such systems are performing in line with the modelling conducted as part of the EMG1 application?</p> <p>Furthermore, the ExP are particularly interested in whether LCC or the EA have any evidence that might corroborate the concerns raised in the RRs, that there has been an increase in local flooding since EMG1 was constructed. If there has been an increase, please can LCC and the EA advise whether there is any potential that this could be objectively attributed to EMG1, including Kegworth Bypass, and whether a more precautionary approach to modelling should be required for the proposed development?</p>
Q21.0.4	The applicants	<p><b>National Highways surface water drainage connection for EMG2 works</b></p> <p>NH [RR-022] states their drainage system is not a public drain and connection to it is not permitted, whereas the applicants seem to fundamentally rely on a connection to the NH drainage system via the A42 culvert. Please can both parties clarify their positions for the ExP in relation to the principle of using the A42 culvert to drain the surface water from the EMG2 main site.</p> <p>In particular, the ExP is interested in understanding more about the EMG2 main site's existing agricultural use and connection to the A42 culvert and whether this gives the applicants a right to maintain a connection as part of the proposed development in accordance with DfT Circular 01/ 2022. Or, whether the wording of the circular means any connection is still discretionary on the part of NH insofar as the right for any existing connection 'may' be allowed to continue.</p>
Q21.0.5	The applicants EA NH LCC	<p><b>Greenfield runoff rates</b></p> <p>Protect Diseworth [RR-025D] raised a significant number of concerns in relation to flood risk, including greenfield runoff rates. Please can the applicants clarify the greenfield runoff rate associated with existing surface water on the northern part of the EMG2 main site and community park that currently drains into Hall Brook?</p> <p>If it is lower than the greenfield runoff rate associated with existing surface water on the southern part of the EMG2 main site and community park that currently drains into Diseworth Brook, via the A42 culvert, would the proposed strategy within the Sustainable Drainage Statement [APP-149] inadvertently increase the rate of surface water entering the Long Whatton Brook catchment as a whole?</p> <p>For example, would the EMG2 works take surface water currently being discharged at a lower rate into Hall Brook, and instead discharge it at a higher rate into Diseworth Brook, via the A42 culvert? Consequently, would this increase the rate of some of the surface water entering the Long Whatton Brook catchment compared to baseline? As such, would there be an increase in flood risk elsewhere as a result of the proposed development?</p> <p>Does the EA, NH or LCC have any comments to make on this matter?</p>

Q21.0.6	The applicants	<p><b>EMG2 works Sustainable Drainage Statement</b></p> <p>Appendix 6 of the Sustainable Drainage Statement [APP-149] illustrates the concept drainage strategy and that surface water would mainly flow east to west before flowing south and east towards the A42 culvert connection. Please can the applicants explain how the surface water flows would be encouraged in these directions given the intervening bunds and other topographical changes between the EMG2 main site and the community park's attenuation/ detention features?</p>
Q21.0.7	The applicants	<p><b>Exceedance flows</b></p> <p>In relation to the Sustainable Drainage Statement [APP-149] please can the applicants clarify how exceedance flows beyond the design and sensitivity testing would be dealt with? For example, can the applicants provide a figure demonstrating that exceedance flows would be suitably contained and directed away from any nearby sensitive receptors?</p>

ExQ1	Question to:	Question:
Q21.0.8	EA The applicants NH	<p><b>1 in 1000 year credible maximum climate change floodplain</b></p> <p>Paragraphs 13.5.18 and 13.5.19 of chapter 13 of the ES [AS-056] identify that some of the highway works could encroach into the 1 in 1000-year credible maximum climate change floodplain, but such extreme flood events are above the design standard and do not require floodplain compensation. Does the EA agree with this statement, or should compensation be provided?</p> <p>For the avoidance of doubt, can the applicants clarify whether any part of the highway works, work no. 10 in particular, would flood during the 1 in 1000-year credible maximum climate change floodplain scenario? If yes, how would this be mitigated to ensure any residual risks are safely managed and that the SRN remained operational over the proposed development's lifetime in accordance with paragraph 5.133 of the NNNPS, and that it could adapt to climate change in accordance with paragraphs 4.33 to 4.44 of the NNNPS.</p> <p>The ExP would also invite comments from NH on these matters.</p>
Q21.0.9	The applicants EA LCC	<p><b>Climate change scenario</b></p> <p>Paragraph 13.5.92 of chapter 13 of the ES [AS-056] states in accordance with best practice and local and national requirements, the drainage infrastructure will be designed to manage the design storm (the 1 in 100-year+25% storm) as well as the resilience check storm (the 1 in 100-year+40% event). Does Requirement 17(1)(a) in the dDCO need to be amended to state that the drainage infrastructure would be designed to manage the 1 in 100-year+40% event?</p>
Q21.0.10	The applicants	<p><b>Operational surface water bodies</b></p> <p>Paragraphs 13.5.113 to 13.5.115 of chapter 13 of the ES [AS-056] discuss water quality impacts on the Operational Surface Water Body: Hemington Brook Catchment (trib of the Soar) during the construction phase but only in the context of the L57 footpath. Would the highway works also discharge into this catchment and need to be assessed for construction impacts? Similarly, paragraphs 13.5.129 to 13.5.130 discuss water quality impacts during the operational phase, but again only in the context of the L57 footpath. Would the highway works also discharge into this catchment and need to be assessed for operational impacts?</p>
Q21.0.11	The applicants	<p><b>Foundation works risk assessment</b></p> <p>Paragraph 13.5.153 of chapter 13 of the ES [AS-056] refers to a foundation works risk assessment that would be undertaken to identify any necessary measures required to mitigate any potential contaminative risks to the groundwater body, in accordance with relevant guidance. Has the provision for this been secured in the dDCO?</p>
Q21.0.12	The applicants	<p><b>EMG1 surface water drainage</b></p> <p>Can the applicants please clarify whether plot 16 contains any EMG1 surface water drainage infrastructure that would be lost as a result of the EMG1 works? If yes, please explain how any loss would be mitigated.</p>
Q21.0.13	The applicants	<p><b>Unattenuated flows on plot 16</b></p> <p>The concept drainage strategy in the Sustainable Drainage Statement [APP-151] for the EMG1 works illustrates an area anticipated to bypass on-plot attenuation and drain freely into the plot 16 detention basin. How would this unattenuated surface water impact the existing EMG1 drainage infrastructure (both in terms of quantity and quality of flows), given the sensitivities of additional unregulated flows from impermeable areas as set out in paragraph 13.6.5 of chapter 13 of the ES [AS-056]?</p>

Q21.0.14	EA	<p><b>Water Framework Directive screening</b></p> <p>The applicants submitted a Water Framework Directive WFD Screening [APP-147]. Is the EA satisfied that a full assessment can be screened out, that the conclusions of the report generally are acceptable and that the mitigation measures identified are secured in the dDCO and dMCO?</p>
<b>22. Construction Environmental Management Plan (CEMP) [AS-027D]</b>		
Q22.0.1	The applicants	<p><b>CEMP – Communication</b></p> <p>The way paragraph 3.6 of the CEMP is drafted implies that the responsibility for communication with the public lies with the local authority. Could this please be drafted so that the main responsibility lies with the developer and its team and that relevant parties will include the local authority, highway authorities and the public.</p>
Q22.0.2	The applicants NWLDC	<p><b>CEMP – Comprehensive approach</b></p> <p>Paragraph 4.2 indicates that a P-CEMP would be prepared for each component of development and indicates that more than one P-CEMP may be required for a particular component. Apart from any inefficiencies, how does the applicants consider it will be possible to ensure a comprehensive and</p>

ExQ1	Question to:	Question:
		co-ordinated approach for across a single phase of the development without leaving the onus on the approving body? Is the comment in paragraph 8.1 that “it is assumed that only one contractor shall be working on any part of the development at any one time” credible?
Q22.0.3	The applicants	<p><b>CEMP – Working hours</b></p> <p>Paragraph 6.14 of the CEMP indicates that any changes to working hours will also be agreed with the local planning authority. Could the applicants please legally justify how such a change can be made?</p>
Q22.0.4	The applicants	<p><b>CEMP – Effect on watercourses</b></p> <p>Under the proposed development, there would be substantial reprofiling of the application site. This would result in the existing watercourses and pathways for water being removed. Could the applicants please point to the relevant sections of the CEMP where the implications of this are considered. If this does not exist, could the CEMP please be amended to set out the appropriate measures to avoid flooding and adverse ecological effects, and that the existing CEMP will be amended, for example paragraph 16.11, so as to acknowledge this.</p>
Q22.0.5	The applicants EA LCC as LLFA	<p><b>CEMP – Surface water storage</b></p> <p>Paragraph 19.2 of the CEMP indicates that any onsite surface water storage during construction will be to the 1 in 100 year storm event “with an appropriate uplift for climate change applied will be provided (to align with the consenting authorities [sic] requirements)”. Is it possible to include the relevant percentage at this time? If not, could an explanation be included as to how the percentage would be derived.</p>
Q22.0.6	The applicants STW	<p><b>CEMP – Wheel washing residue</b></p> <p>In its RR [RR-016] the EA notes that “Section 19.3 of the CEMP says surplus water from wheel washing facilities will be disposed of via the foul water system or treated prior to discharge”.</p> <ul style="list-style-type: none"> <li>• Could the applicants please confirm whether this would be to the existing foul water system in proximity to the application site, or whether it would be tankered to a disposal facility?</li> <li>• Could STW please confirm whether there would sufficient capacity at the relevant sewage treatment works were the disposal be to the existing foul water system in proximity to the application site? If there was not sufficient capacity, could STW please set out what restrictions, if any, should apply.</li> </ul>
Q22.0.7	The applicants	<p><b>CEMP – Storage of fuel, oil and other chemicals</b></p> <p>Paragraph 11.2 of the CEMP [AS-027D] states that fuel, oil and chemicals (and any tanks) shall be stored in accordance with “PPG7 (above ground oil storage tanks) and PPG2 dealing with spills; or subsequent amendments or replacements thereof”.</p> <p>The EA has withdrawn the former “Pollution Prevention Guidance” series from use and alternative current guidance is available (for example the “Guidance for Pollution Prevention (GPP)” series, including GPP2: above ground oil storage tanks).</p> <p>Could the applicants please:</p> <ul style="list-style-type: none"> <li>• explain the current guidance that will be followed for (i) above-ground oil storage tanks and (ii) spill prevention and response during construction, and</li> <li>• explain whether any update is required to the CEMP and/ or for the P-CEMPs to ensure the referenced guidance is current, clear and enforceable</li> </ul>