

PLANNING ACT 2008

**THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE)
RULES 2010**

**APPLICATION BY SEGRO PROPERTIES LIMITED FOR A
DEVELOPMENT CONSENT ORDER IN RESPECT OF EAST MIDLANDS
GATEWAY PHASE 2**

DEADLINE 6 SUBMISSION

ON BEHALF OF

PROLOGIS UK LIMITED AND PROLOGIS UK 121 LIMITED

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1 Introduction

- 1.1 This submission is made on behalf of Prologis UK Limited and Prologis UK 121 Limited ("**Prologis**") in response to the material submitted by SEGRO Properties Limited ("**SEGRO**") at Deadline 5 of the Examination into the East Midlands Gateway Phase 2 DCO and the associated Material Change Order to the East Midlands Gateway Rail Freight Interchange and Highway Order 2016, in particular SEGRO's Deadline 5 covering letter, its updates to the Environmental Statement, its revised draft DCO, and its responses to the ExP's action points and second written questions. This submission should be read together with, and does not repeat, Prologis's earlier submissions, to which it cross-refers where relevant.
- 1.2 Through its Rule 17 requests and action points, the ExP has identified those matters on which it requires SEGRO's assistance. SEGRO's limited and grudging response to these requests at Deadline 5 (or lack thereof) has seriously undermined the efficacy of the Examination. It has continued to provide only limited material in answer to the substantive points raised by Prologis, many of which have already been squarely addressed in Prologis's earlier submissions, as this submission sets out where relevant. Where SEGRO has engaged, it has too often done so without properly considering the consequences, leaving important aspects of the DCO – and in particular the drafting of the draft Order – internally incoherent.
- 1.3 Many shortcomings of the application that have been highlighted during the examination, should and could have been addressed correctly at a much earlier stage and in many cases could have been addressed prior to application or commencement of the examination. The result is twofold: examination time and resources continue to be expended in identifying and correcting deficiencies that ought never to have arisen and, more fundamentally, as matters stand at Deadline 6 the application remains one that the ExP cannot lawfully recommend for approval, and for which the Secretary of State would have no power lawfully to grant consent.

2 Statement of Reasons and the Non-Delivery Scenario

- 2.1 SEGRO has effectively refused meaningfully to engage with the implications of the non-delivery and delivery scenarios for the compelling case in the public interest for compulsory acquisition by declining the ExP's request that it update its Statement of Reasons in light of those matters. This leaves the ExP without the analysis it plainly needs and thereby makes the ExP's task in examining the applicant's case and reporting to the Secretary of State substantially more difficult. Indeed, absent such an analysis from the applicant it is hard to see how the ExP could lawfully recommend approval of the application for powers of compulsory acquisition. To assist the ExP, Prologis has set out below references to where it identifies and addresses the implications of the delivery and non-delivery scenarios for the compelling case.
- 2.2 In its Rule 17 request of 19 June 2026, the ExP invited SEGRO to review its case for compulsory acquisition and to update its Statement of Reasons as appropriate, giving as an example of the updating that might be required that:

"the question of whether the non-delivery and delivery scenarios would change the public interest benefits or the balance of the compelling case in the public interest test is something that the applicants should explicitly address"

The request thus identified, with precision, the matters on which the ExP considered it required assistance.

- 2.3 SEGRO's response in its Deadline 5 covering letter dated 30 June 2026 ("**SEGRO's Covering Letter**") has been to supply a high-level and cursory version of the further environmental information sought, but to decline to make any consequential amendment to its Statement of Reasons or even to acknowledge any implications of these scenarios for the application of the compelling case test. That reticence is telling: why not update the Statement of Reasons if it is clear there are no adverse implications for the compelling case test? It also leaves the ExP with no proper analysis from the Applicant as to the implications for the compelling case test of what has been established as a real risk of non-delivery, partial delivery or delayed delivery of the DCO scheme. Prologis has set out

these implications in its earlier submissions, in particular: paragraphs 5.3-5.4 of its Deadline 2 Submission (the additive/attributable benefits distinction); paragraphs 4.3-4.5 of its Deadline 4 Submission (the section 122(3) test and delivery of benefits); and paragraphs 5.1-5.8 of its Deadline 5 Submission (the compelling case test). SEGRO has effectively declined to set out its own competing analysis on these matters.

- 2.4 The purported justification offered by SEGRO for its refusal is that it does not wish to 'blur the lines' between the assessment required for EIA purposes and the assessment relevant to the compelling case¹. That contention is misconceived and does not withstand scrutiny.
- 2.5 First, the suggestion that the assessment of socio-economic impacts for the purposes of informing the decision on development consent and the assessment of those impacts for the purpose of informing the decision whether to grant powers of compulsory acquisition are separate and self-contained inquiries is contradicted by the CA Guidance itself, which recognises at paragraph 15 that:

"there is likely to be some overlap between the factors that the Secretary of State must have regard to when considering whether to grant development consent, and the factors that must be taken into account when considering whether to authorise any proposed compulsory acquisition of land"

- 2.6 While there may be factors relevant only to compulsory acquisition, it is difficult to conceive of a factor relevant to the grant of development consent that would not also bear on the compelling case for the grant of compulsory powers. Socio-economic impacts are very obviously germane to both decisions, particularly in a case such as this where the public interest benefits relied upon to justify both the grant of development consent and the grant of powers of compulsory acquisition are mainly socio-economic benefits associated with economic growth and job creation. SEGRO's invitation to the ExP and the Secretary of State to treat the two inquiries comprised within this examination as entirely distinct is patently wrong both as a matter of principle and on the facts of this case. The ExP's determination that there is a reasonable prospect of the Joint Application development coming forward for the purposes of assessing the likely significant environmental effects of the scheme cannot simply be quarantined from the compelling case assessment. The likelihood of equivalent development coming forward, whether under the DCO or otherwise, goes directly to whether the public interest benefits SEGRO relies upon depend on the exercise of compulsory acquisition powers. It applies in the same way to the adverse public interest consequences if compulsory acquisition powers are granted but the DCO scheme is not implemented, or only partly implemented, or if implementation is delayed. These matters go to the heart of the section 122(3) test in this case.
- 2.7 Further, Prologis has already explained at CAH2 why the adverse socio-economic consequences of the granting of compulsory acquisition powers to facilitate the proposed development are matters properly relevant to EIA. These are captured within its written summary of oral submissions at CAH2 at paragraphs 24 and 28-47 and are not repeated here.
- 2.8 SEGRO's Covering Letter also advances a suggested comparison between what it terms "Scenario A" and "Scenario B". The distinction being (A) the benefits directly flowing from the DCO consent (implicitly including the compulsory acquisition of the Prologis/MAG Land), and (B) benefits which would still arise without the DCO/CA powers. Whilst Prologis does not accept SEGRO's characterisation of the differing benefits said to flow from each scenario (which it addresses below), the very fact that SEGRO advances this comparison necessarily reflects an acceptance – albeit not one that SEGRO makes explicit – of the logic in distinguishing between additive and attributable benefits for which Prologis has consistently contended when applying the compelling case test². Benefits which would arise in scenario B are not properly attributable to the exercise of compulsory acquisition.
- 2.9 Welcome though that acceptance is as a matter of principle, the suggested comparison is too simplistic in the way SEGRO deploys it. SEGRO advances the binary as if it were a complete

¹ Page 3, SEGRO's Covering Letter

² Please see paragraphs 5.3-5.4 of Prologis Deadline 2 Submissions and paragraphs 4.3-4.5 of Prologis Deadline 4 Submission

answer, when a proper assessment must embrace a wider range of matters that the comparison omits. This includes the risk of non-delivery, partial delivery or delayed delivery of some or all of the DCO scheme, which a static "Scenario A / Scenario B" comparison does not and cannot capture. No decision-maker, acting reasonably on the evidence available here, could apply the compelling case test without taking account of those considerations and their consequences for the public interest.

- 2.10 A striking feature of SEGRO's position revealed in SEGRO's Covering Letter concerns the Southern Land where it states that there is "*no material prospect*" that further development will come forward on the Southern Land absent the DCO. That is fairly characterised as an extreme position and cannot be reconciled with the evidence before the examination as to the very positive underlying commercial and policy cases for such development.³
- 2.11 SEGRO's position is, moreover, internally inconsistent. In its high-level assessment of the non-delivery scenario⁴, SEGRO treats the adverse effects of thwarting the development proposed in the Joint Application as no more than temporary on the rationale that the emerging local plan allocation for the Prologis/MAG Land (which also applies to the Southern Land) is such that development may accordingly be assumed to come forward quickly. In other words, the sole factor relied upon to support that conclusion in respect of the Prologis/MAG land is the strongly supportive policy position, and that same factor applies equally to the Southern land. SEGRO cannot simultaneously invite the Secretary of State to conclude on the one hand that nothing will come forward on the Southern Land if the DCO is not delivered, and on the other hand that equivalent development will come forward quickly on the Prologis/MAG land by reference to policy support that applies equally to both. Such a conclusion would be internally inconsistent and therefore unreasonable in the *Wednesbury* sense. That much should be obvious. SEGRO's decision nevertheless to present its case to the ExP and the Secretary of State in that way is symptomatic of a wider reluctance properly to acknowledge and assist the ExP in grappling with the issues raised by Prologis's objection. The ExP has not been provided with any satisfactory answer to Prologis's case.

3 Section 35 Direction

- 3.1 In its response to Prologis' Deadline 4 submissions, SEGRO seeks to downplay the significance of the description of development given in the Section 35 Direction.⁵ That SEGRO should find it necessary to make such an argument is itself indicative of a recognition that the project has changed materially when compared to the development to which the Section 35 direction applies.
- 3.2 Prologis refers back to, and relies upon, its detailed analysis of section 35ZA⁶, and in particular the requirement that a qualifying request must "*specify* the development to which it relates" and must explain why the statutory conditions are satisfied "in relation to the development" as specified in the qualifying request. These requirements demonstrate that the description of the development is not incidental but central to the decision to give a direction. It is the development as specified that the Secretary of State found to be nationally significant, and it is that development, and no other, to which the Section 35 Direction applies.
- 3.3 Rather than recognise and address the legal framework clearly established by the Planning Act 2008, SEGRO instead advances a suggested test of whether there is a "*fundamental*" difference between the development described in the Section 35 Direction and that applied for. It is contended that if the decision-maker is satisfied there is no "fundamental" difference then there is no jurisdictional issue.⁷ No authority is cited for that surprising proposition and nor is there any discernible legal analysis or identified legal principle which would (or even could) support that as the

³ Please see paragraph 3.8 of the Joint Response to the Rule 17 Letter submitted by Prologis at Deadline 4 for a summary of where these points have previously been made.

⁴ DCO 6.4B – Appendix 4B

⁵ Page 145, DCO 7.17, Applicants' Response to Deadline 4 Submissions

⁶ Prologis Deadline 2 Submission, paras 2.3–2.13

⁷ Page 146-148, DCO 7.17, Applicants' Response to Deadline 4 Submissions

correct legal approach. Equally unsupported is SEGRO's bare assertion that, provided the development is of the same "*broad character*" and of a "*substantial physical size*", it remains within the Section 35 Direction irrespective of whether it corresponds to the specified description.⁸ By contrast, Prologis's approach is grounded in the structure, language and logic of the legislation and provides an entirely clear, understandable and practicable approach.

- 3.4 Instead of seeking to justify its own assertions (and perhaps because they cannot) SEGRO seeks to mischaracterise Prologis's case as one that treats the Section 35 Direction as fixing "every parameter", or the precise disposition, number or form of buildings. The ExP is respectfully invited to refer back to Prologis's earlier submissions⁹, from which it will be apparent (a) that is not a fair or accurate encapsulation of Prologis's case, and (b) as a result, SEGRO has neither grappled with nor provided an answer to the analysis that Prologis has presented. For the reasons Prologis has consistently advanced, the correct question is simply whether the development as applied for accords with the description of development to which the Section 35 Direction applies, giving the words of the Direction their clear and ordinary meaning. If there is a material difference, the Secretary of State does not have jurisdiction to grant a DCO for that development. That is reflected both in the power to vary a Direction which the Planning Act 2008 provides, and the consistent advice given in Directions as to what should be done in the event the proposed development evolves before the application for a DCO is submitted. Prologis has already set out its reasons as to why the development as now proposed is not that to which the Section 35 Direction applies¹⁰ and the consequences this has for the Secretary of State's decision-making.
- 3.5 It is appropriate to reflect on the position in which SEGRO now finds itself. The issue of whether the DCO Application was one to which the Section 35 Direction applies was raised at the very outset of the examination¹¹. SEGRO has consistently failed to address this issue by adopting one of the only two solutions realistically available to it, namely seeking an amendment to the application or withdrawal of the application. Instead, it has pursued inconsistent and legally unsound arguments as to the interpretation of the Direction and suggested obviously flawed and unworkable requirements. The most recent of these flawed requirements is addressed below in section 7. For the reasons that Prologis has set out by reference to that proposed requirement, it does not provide an answer. As matters stand at Deadline 6, the ExP still does not have before it an application that it is lawfully able to recommend nor does the Secretary of State have jurisdiction to grant development consent for the proposed development in both cases because it does not sit within the jurisdiction of the Section 35 Direction.
- 3.6 SEGRO is again faced with a dilemma of its own making – either it maintains the line it has taken, in which case the DCO Application does not accord with the Section 35 Direction, or it seeks to amend the application so as to bring the scheme back in line with the Section 35 Direction, in which case it has not assessed the development as so altered. In light of the limited time left in the examination, and the substantive nature of the change that would be needed to align the proposed development with the Direction, the option of amending the application may now no longer be available

4 Compelling Case for Compulsory Acquisition

- 4.1 SEGRO's response on the compelling case test at Deadline 5 is limited. It does not disturb the position already established, whether in relation to the additive and attributable distinction (which, as above, it now seems to acknowledge) or the correct approach to the section 122(3) test submitted by Prologis as a matter of law. Prologis simply refers to its previous submissions in these regards¹² which have yet to be adequately rebutted – telling of the fact that, quite simply, they cannot be.

⁸ Page 148-151, DCO 7.17, Applicants' Response to Deadline 4 Submissions

⁹ Paragraph 3.6, Prologis Deadline 5 Submission

¹⁰ Paragraphs 3.24-3.28, Prologis Deadline 4 Submissions

¹¹ Please see paragraphs 3.1-3.9 of Prologis's Written Representation and paragraphs 6-7 of Prologis's Written Summary of Oral Submissions at ISH1

¹² Please see paragraphs 5.1-5.8 of Prologis's Written Representation, paragraphs 5.3-5.7 of Prologis's Deadline 2 Submissions, and paragraphs 4.1-4.5 of Prologis's Deadline 4 Submissions

5 Viability

- 5.1 SEGRO's comments on Action Point 35¹³ have already been addressed in Mr Robert's Second Response Report¹⁴ in particular the position on the exchange of Excel spreadsheets¹⁵ and the substantive analysis of the viability of development of the Southern Land¹⁶ – those points are not repeated here. The salient point, as Mr Roberts concludes at paragraph 8.12 of his Second Response Report is that Mr Cottage is no longer purporting to provide any evidence as to the viability of development of the Aldridge land, and the evidence provided relates to an entirely hypothetical scheme that does not reflect the provisions of SEGRO's dDCO and would not arise in the real world. SEGRO's comments on Action Point 35 concerning the development of the Southern Land are accordingly moot.

6 Applicant's Updates to the Environmental Statement

- 6.1 By its Rule 17 letter, the ExP required SEGRO to amend the baseline of the Environmental Statement to include the Joint Application and to assess both the "delivery" and "non-delivery" scenarios. In its subsequent letter of 19 June 2026 the ExP explained (at numbered paragraph 1) that whilst updating the ES in table form is a useful way of delivering information *"the applicants must ensure that there is sufficiently detailed assessment within the tables to support any conclusions drawn and that it is not treated as a summary exercise"*.
- 6.2 SEGRO's response has been to make only limited amendments to the main text of Chapter 4 (Alternatives) and has relegated what purports to be the substantive assessment to two new appendices (Appendices 4B and 4C). Those amendments to the main text do not go far and do little to assist the ExP in understanding the implications of the two scenarios. The reader is left to extract the substance from the appendices, so far as that is possible given the very high level and cursory analysis they contain, which does not grapple with the substantive issues the ExP's request was directed at and offers an inadequate level of assessment to support the conclusions drawn. The result is that, while SEGRO can point to having produced further material, it has still not provided the proper detailed assessment the ExP called for. The implications of these updates are considered below, and a detailed technical review of SEGRO's new Chapter 4 appendices (Appendices 4B and 4C), prepared on behalf of Prologis by Spawforths, is appended at Appendix 1 to this submission and should be read together with this section.
- 6.3 Appendix 4B, which addresses the non-delivery scenario, proceeds on the assumption that the socio-economic impacts of non-delivery would be temporary, on the footing that any sterilisation effect would cease upon the expiry of the compulsory acquisition powers (DCO 6.4B, Appendix B: "All effects are therefore considered to be temporary"). That assumption carries significant implications for the compelling case test, which Appendix 4B does not draw out:
- (a) The reasoning in Appendix 4B assumes that the compulsory acquisition powers simply sit unexercised and are then allowed to lapse, at which point development activity resumes. This brushes over the very lengthy likely period of delay to further development and its consequences. For so long as the land is understood to be undevelopable until the DCO is either implemented or the powers lapse, no party will incur the cost of working up, consenting and implementing an alternative scheme. Even once the shadow of compulsory acquisition is lifted, the process of working up and consenting a development scheme must begin afresh, pushing delivery back materially, including beyond the Freeport window. Appendix 4B does not identify any suggested timeline for or duration of the resulting delay. It is plainly not consistent for SEGRO to invite the Secretary of State to dismiss this adverse effect as insignificant on the basis that the relative timing of development is not important, while at the same time contending that the urgency of delivery, and delivery within the

¹³ Page 177, DCO 7.17 - Applicants' Response to Deadline 4 Submissions

¹⁴ Appendix 1 to Prologis' Deadline 5 Submission

¹⁵ Paragraphs 2.5-2.11 - Appendix 1 to Prologis' Deadline 5 Submission

¹⁶ Section 6 - Appendix 1 to Prologis' Deadline 5 Submission

Freeport window in particular, should be given significant weight for the purposes of applying the compelling case test. Either the timing of delivery in the public interest is important, or it is not. SEGRO cannot have it both ways.

- (b) Appendix 4B does not acknowledge that any planning permission granted for the Joint Application development would expire unimplemented within the lifetime of the compulsory acquisition powers, and it makes no reference to the Freeport window. The implication is that SEGRO does not regard delivery within that window as material to the significance of the socio-economic benefits (whether adverse or positive). That carries adverse implications for the compelling case. The Freeport benefits, and their delivery within the window, are among the principal public interest benefits on which SEGRO relies to justify compulsory acquisition. This can be seen from the way these Freeport benefits are expressed and relied upon in the Statement of Reasons (see paragraphs 5.16, 5.23, 5.24, 5.52, 5.53, 5.54, 5.55, 5.57 and 5.58). If, as Appendix 4B implies, delivery within the window does not make a material difference to the significance of the socio-economic benefits, then either the benefits said by SEGRO to flow from “fast-track delivery”¹⁷ within the Freeport window are overstated or the urgency said to attach to the delivery of development falls away, and with it a substantial part of the case for the compulsory powers sought. SEGRO cannot both invoke the Freeport window to press the urgency of delivery and disregard it when assessing the consequences of non-delivery. SEGRO’s case on this matter is currently both inconsistent and incoherent.
- (c) Appendix 4B assumes that a fresh planning permission on the Prologis/MAG Land would be granted and implemented quickly once the powers expire. If that assumption is robust, two consequences follow:
 - (i) SEGRO’s repeated attacks upon the prospects and timing of the Joint Application are an unnecessary distraction, for SEGRO cannot invite the ExP both to doubt that equivalent development will rapidly come forward in the absence of the DCO and to assume that it will.
 - (ii) The same logic applies to the Southern Land. In the non-delivery scenario, the Secretary of State would have made the DCO, and so would have concluded that development of the Southern Land as proposed was acceptable in land-use terms – a conclusion reinforced by the strongly supportive policy position. It follows that SEGRO’s insistence that there is “no material prospect” of development coming forward on the Southern Land absent the DCO cannot stand alongside its own non-delivery reasoning. Prologis’s evidence shows that there are no other obvious impediments to the delivery of such development. Furthermore, to the extent SEGRO relies on any dependency on the Prologis/MAG Land as an obstacle to delivery, SEGRO’s own suggestion that access to the Southern Land can be provided via the MSA – if correct – would remove that (unevidenced) obstacle and would, on SEGRO’s own case, increase the prospects of development of that land coming forward without the exercise of compulsory acquisition powers. The realistic prospect of development coming forward on the Southern Land without the powers directly diminishes the benefits that can properly be attributed to their exercise, which is central to the section 122(3) balance.

6.4 Turning to Appendix 4C, which addresses the delivery scenario, the difference in the scale of socio-economic benefits reported in favour of the DCO is unsurprising, resting as it does on the assumption that nothing would happen on the Southern Land absent the DCO. That assumption is not robust or reliable and is not justified by the rationale advanced in the assessments for the reasons already given in relation to the Southern Land. Beyond that, there appear to be inconsistencies between the approaches to assessment adopted in the two Environmental Statements – including in the treatment of landscape and visual effects – which render the reported “difference” between the scenarios unreliable and, in places, counter-intuitive, because the comparison is not a like-for-like one. These matters are addressed in greater detail in the Spawforths

¹⁷ Statement of Reasons paragraph 5.53

technical review of Appendices 4B and 4C at Appendix 1 to this submission. Accordingly, SEGRO has not answered the ExP's Rule 17 request in substance, and the ExP cannot safely rely upon Appendices 4B and 4C as a proper evidential basis for either the environmental comparison or the compulsory acquisition case.

7 dDCO

Article 5

- 7.1 Article 5 has now been amended to authorise the use of Works 1 to 5 for "co-located office functions", a term which is not defined. However, no corresponding change has been made to Schedule 1 (*Authorised Development*), which continues to describe only the construction of buildings for storage and distribution and advanced manufacturing use, including warehouses and ancillary buildings. The operational development authorised is therefore limited to that described in Schedule 1. This means that the construction of any separate, non-ancillary office building would be unauthorised, and the creation of office space within the permitted buildings would be confined to that which is ancillary to their B2/B8 use. SEGRO has not sought to articulate the rationale for amending Article 5 in this way whilst leaving Schedule 1 unchanged, or what legal effect this is intended to have in terms of what development would or would not be authorised.
- 7.2 It is notable that this addition does not seek to authorise co-located head office functions as specified in the Section 35 Direction and the qualifying request. The Section 35 Direction uses the formulation "a substantial carbon neutral campus/headquarters including co-located head office functions". Stripped of that context, there is now considerable ambiguity as to what "co-located" office functions is intended to mean. Were a headquarters or head office proposed alongside B2/B8 development (as articulated in the qualifying request), the concept of 'co-location' would be intelligible, denoting two distinct land uses brought together on a single site so as to secure the benefits of co-location. However, if what is proposed is merely ancillary office functions for individual B2/B8 units, it is unclear what (if anything) distinguishes a "co-located" office function from an ordinary ancillary office function. If the intention now is to authorise *non-ancillary* office use of the proposed B2/B8 floorspace, that is a change of position on the part of the Applicant which needs to be made clear and its full implications addressed.
- 7.3 If the proposed changes are intended to authorise non-ancillary office use of the proposed B2/B8 floorspace, no attempt appears to have been made to assess the implications (including traffic impacts) of that change. If that is not the intended effect of the proposed change, its purpose and effect are opaque. These matters are developed further below in respect of proposed Requirement 32, and by reference to Requirement 27.

Requirement 27 (Mezzanines)

- 7.4 The revised Requirement 27 strips out those elements of the drafting that National Highways had required in order to address its concerns, the problems associated with which Prologis drew to the ExP's attention at ISH3¹⁸. It is therefore important to understand whether National Highways is satisfied that the revised Requirement addresses its concerns and if so on what basis. To this end, SEGRO states that a separate VISSIM Additional Sensitivity Test Modelling Report "*is being prepared*" and expresses the hope that this will mean Requirement 27 is not needed.¹⁹ Prologis reserves its position to comment on that report as and when it becomes available. SEGRO does not say when the report will be provided, but if the ExP and interested parties are to have a fair opportunity to respond, it would need to be produced at Deadline 6. Without the opportunity to review and scrutinise this modelling, neither Prologis nor the ExP is able to test whether the underlying Transport Assessment problem that Requirement 27 was designed to address has in fact been resolved, and therefore whether the requirement can safely be dispensed with. If the report is produced late, there will be no proper opportunity to interrogate it within the examination timetable.

¹⁸ Please see paragraphs 11-12 of Prologis's Written Summary of Oral Submissions at ISH3

¹⁹ Row 5, page 39 – DCO 7.17 – Applicant's Response to Deadline 4 Submissions

- 7.5 Prologis does not intend to address the revised Requirement 27 in detail, having regard to the changes proposed by the ExP in its recent schedule of proposed changes to the dDCO and the need first to see the applicant's response to that schedule. Notwithstanding the amendments to Requirement 27, however, Prologis does not consider that the drafting appropriately addresses the issues that have been identified in relation to the control of uses in mezzanines within the proposed development.

Requirement 32 (Carbon Neutral Campus)

- 7.6 Requirement 32 is of particular significance in the context of the Section 35 Direction and, in Prologis's assessment, is incapable of achieving alignment with the development to which the Section 35 Direction applies.
- 7.7 Requirement 32(1) now requires a minimum of 10% of the total gross floorspace to "*comprise a campus*", but several difficulties attend that formulation.
- 7.8 All reference to a "headquarters" or to "co-located head office functions" has been removed from the previous version of this requirement. No explanation has been given for this change. As indicated above, the removal of the word "head" before the word "office" is a material change and makes it difficult to understand the significance and implications of the concept of "co-located" in this context. Furthermore, by stripping away the context provided by the words used by the Secretary of State in the Direction (reflecting the development specified in the qualifying request) Requirement 32 does not and cannot secure delivery of the "substantial carbon neutral campus/headquarters including co-located head office functions" that the Section 35 Direction requires.
- 7.9 The definitional difficulty is compounded by the terms of Requirement 32(4)(a), which defines "campus" as an area used for B2/B8 "together with co-located office functions", while leaving "co-located" undefined. If the expression means no more than ancillary office use (reflecting SEGRO's stated position on this issue prior to Deadline 5), the concept embodied in the requirement is indistinguishable from what is already contemplated and authorised for the site as a whole. That would make the requirement meaningless. If it means more than ancillary office use, then the concept would seem to be that the relevant units would be in a mixed use – B2/B8 together with non-ancillary E-class office – but that is not reflected in the operational development authorised by Schedule 1 or the assessments undertaken of traffic generation and environmental effects.
- 7.10 Further, there is no *minimum* proportion of the 10% that must serve co-located office functions, such that a token corner office in a large B2/B8 unit would seemingly be sufficient for that unit to satisfy the requirement. This could lawfully be a much smaller proportion/quantum of office floorspace than would be typical of ancillary office floorspace in a 'standard' B2/B8 unit. It is inconceivable that such a development would be accepted by the Secretary of State as reflecting what is set out in the Section 35 Direction and the qualifying request²⁰.
- 7.11 Nor is there a *maximum* proportion or amount of office floorspace which would be authorised within any of the units comprising the 'campus'. This needs to be considered alongside the fact that the requirement is framed by reference to a *minimum* portion of the development overall. The combined effect is that significant (and effectively uncapped) office floorspace could be provided within the campus units, the traffic implications of which would need to be (and have not presently been) tested.
- 7.12 In any event, and independently of the fundamental flaws identified above, the requirement of a minimum of 10% of the total gross floorspace to "comprise a campus" does not secure the "substantial" campus that the Section 35 Direction requires. The Direction calls for a "*substantial carbon neutral campus/headquarters including co-located head office functions*", reflecting the development specified in the qualifying request, yet Requirement 32(1) fixes only a floor of 10% of total gross floorspace and, as noted above, imposes no control over how much (if any) of that floorspace comprises genuine co-located office functions (whatever that may mean). A bare 10%

²⁰ See paragraphs 2.3 to 2.13 of Prologis's Deadline 2 Submission.

minimum, capable of being satisfied by no more than token ancillary office provision in any relevant unit, cannot properly be characterised as delivering the substantial campus specified in the Direction.

- 7.13 The lack of clarity is also problematic in practical terms. It is difficult to see how the requirement is to be discharged, how it links to the development consent, or how compliance is to be monitored and enforced, given that there is no identification of which units must deliver the “campus” or in what measure. Nor is it apparent how an occupier could take a lease of a unit with any confidence as to whether that unit is required to provide co-located office functions, which requirements apply to it, and which works order areas are engaged, and therefore whether it would be lawfully able to occupy the unit in accordance with the development consent. A requirement that cannot be understood or applied with that degree of certainty is unlikely to be effective in securing the campus that the Section 35 Direction requires.

8 Highways

- 8.1 As to bus provision, SEGRO's response to Prologis's Joint Position Statement with the Trent Barton bus operator confirms that it is in materially the same position as Prologis²¹. It points to positive and ongoing engagement with bus operators, but to no firm commitment to any actual service diversion. SEGRO's own DCO documentation contains no evidence of any agreed service diversion or arrangement with a bus operator, but only a general statement in its Sustainable Transport Strategy that discussions indicate a willingness to serve the development.²²
- 8.2 SEGRO's Deadline 5 submissions also comment at length on the Sustainable Transport Strategy for the Joint Application, in which SEGRO mischaracterises the provision at the transport hub and again seeks to compare the two schemes. Prologis welcomes scrutiny of the Joint Application as a deliverable alternative that can secure comparable benefits without the exercise of compulsory acquisition powers, and it is that deliverability, rather than the fine detail of design, that is relevant to the ExP's assessment of the compelling case.
- 8.3 The granular design and operational detail of the Joint Application's public transport arrangements is, by contrast, a matter for North West Leicestershire District Council as local planning authority in determining that application, and for continuing engagement with the relevant stakeholders and bus operators; it is properly settled at the reserved matters stage of that separate process rather than resolved by the ExP.
- 8.4 In any event, and so that SEGRO's mischaracterisation is not left unanswered, SEGRO's account of the transport hub and its comparison of the two schemes is misleading and, in several respects, factually incorrect. The public transport strategy for the Joint Application has been developed through regular and ongoing engagement with Trent Barton, a major operator with a long track record in the region, as well as other relevant stakeholders including CT4N, EMCCA, LCC and National Highways, and substantial weight should be attached to their views. As an overarching point, the Joint Application is an outline application, such that it is neither unusual nor inappropriate for the final detail of the public transport arrangements to remain to be confirmed at the reserved matters stage. Prologis responds to the specific points raised by SEGRO as follows:
- (a) **Beverley Road bus stops.** SEGRO suggests that use of the Beverley Road bus stops is unattractive because passengers would need to cross the A453. That has been carefully addressed through the design of the Joint Application, which includes a comprehensive package of pedestrian and cycling improvements to facilitate safe and convenient movement between the site and existing services, including both a signalised and a non-signalised crossing on the A453 at the Beverley Road/A453 site access junction, enhanced walking and cycling infrastructure, and an enhanced crossing of Beverley Road. The Beverley Road stops are served by all Skylink services; utilising them therefore gives site users access to the full range of buses serving the A453 corridor, whilst respecting operators' stated

²¹ Page 180 – DCO 7.17, Applicants' Response to Deadline 4 Submissions

²² Paragraph 7.33 – 7.34, DCO 6.6B, Appendix 6B – Sustainable Transport Strategy

reluctance to divert express Skylink services away from the A453 and thereby increase journey times to and from East Midlands Airport.

- (b) **Service diversions.** The Sustainable Transport Strategy does not depend on the diversion of any single bus service in isolation to achieve mode shift; it proposes a coordinated package of complementary walking, cycling and public transport measures, including connections to the range of high-frequency services serving Beverley Road. Whilst the diversion of Skylink services through the site has not been confirmed (reflecting current operator preferences), that option has not been ruled out and remains under discussion with bus operators. Given the outline nature of the application, it is not unusual that final service arrangements are yet to be agreed.
- (c) **Shuttle service routing.** Owing to site constraints, the internal shuttle bus cannot circulate between the Transport Hub and other buildings without using a short section of the external highway network, anticipated to be limited to the section between the new western roundabout on the A453 and the Beverley Road/A453/new access junction. This has been discussed with LCC and National Highways, and the on-site routing, frequency and hours of operation of the shuttle will be confirmed at reserved matters stage once the masterplan is finalised and occupiers are known. The EV shuttle bus is intended to serve on-site bus stops close to unit access points, facilitating movement around the site and integration with existing public transport services.
- (d) **Funding.** The Joint Application commits to both a Bus Fund and wider Travel Plan measures to support sustainable travel. Given the outline nature of the proposals, and that the precise public transport interventions remain to be confirmed with operators and the relevant authorities, it would not be appropriate to fix contribution values before the scope of those measures has been agreed. That approach ensures that any future funding package is proportionate and evidence-led.
- (e) **The transport hub.** SEGRO has incorrectly described the facilities proposed at the Joint Application Transport Hub, stating that the site provides only “a single bus bay for public services, a single bay for an internal shuttle service, and a bus layover space”. For the avoidance of doubt, the provision, as set out in the Joint Application Sustainable Transport Strategy, comprises: a passenger transport interchange building providing passenger shelter and travel information; one boarding and alighting bay for a 20-seater (12m) shuttle bus; one boarding and alighting bay for a 15m public service bus; one lay-by facility to allow a 20-seater (12m) shuttle bus to lay over; one shuttle bus electric charging facility; and a designated waiting area for one 15m public service bus for lay-over use. This has been developed in consultation with stakeholders, including bus operators, and, given the design of the site, there is flexibility in how the space will be used in practice. All of these facilities are capable of being used by future public bus services. The Transport Hub has therefore been designed with sufficient flexibility to accommodate public bus services in the future, should it be concluded that a change to bus routing into the site is required; the facility is not limited to the shuttle service, and the current strategy does not foreclose the greater use of the Hub by public services should operator preferences or circumstances change.
- (f) **Public transport capacity and environment.** SEGRO suggests that the EMG2 proposals provide materially greater public transport capacity and a superior passenger environment. That is not accepted. For the reasons set out above, the Joint Application's sustainable transport strategy is evidence-based, reflects operator preferences, and provides facilities comparable in function and benefit to those proposed by SEGRO. SEGRO's comparison of the two schemes on this basis is accordingly misconceived.

8.5 As to the comments made by SEGRO in relation to the Joint Application mitigation package²³, the detailed design and adequacy of the Joint Application's highway mitigation is likewise a matter for the local planning authority in determining that application; what is relevant to the ExP is whether the Joint Application is deliverable as a reasonable alternative, not the fine detail of its mitigation design.

²³ Page 191 – DCO 7.17, Applications Response to Deadline 4 Submissions

In any event, it is not appropriate to compare the Joint Application and DCO Scheme mitigation on a like-for-like basis, as SEGRO seeks to do. As Prologis has already submitted²⁴, the two are very different schemes – the Joint Application mitigation is focused on Finger Farm roundabout, whereas the EMG2 proposals address M1 Junction 24 – and each delivers strategic benefits in its own right. The proper question is not which package is the more significant, but whether each scheme's mitigation adequately addresses that scheme's own impacts.

9 Further Matters

- 9.1 In response to Action Point 34, SEGRO suggests that the Southern Land could be accessed via a reconfigured motorway service area. Notwithstanding Prologis's response to Action Point 34 (which explains why such access could not in fact be achieved), if SEGRO is right the consequences run directly against its own case:
- (a) An independent means of access to the Southern Land that does not depend on the Prologis/MAG Land²⁵ makes development of the Southern Land in a no-DCO and no-CA scenario more likely and correspondingly reduces the need for and the benefits that can be attributed to the exercise of compulsory acquisition powers.
 - (b) It removes SEGRO's argument that development could not come forward because Prologis would hold it to ransom or would decline to co-operate, since on SEGRO's own case SEGRO could take its own access.
 - (c) It undermines any suggestion that the access Prologis proposes from the Prologis/MAG Land into the Southern Land would predetermine what happens on the Southern Land, since an alternative access would exist.
- 9.2 Finally, SEGRO have submitted a further objection to the Joint Application to North West Leicestershire District Council dated 3 July 2026. Prologis does not consider that it contains any material new information beyond that to which Prologis has already responded, and it will provide a full response to the local planning authority in due course. However, Prologis draws one point of relevance to the ExP's attention now. In pressing its objection, SEGRO alleges that the grant of planning permission for the Joint Application would be likely to prejudice the delivery of the DCO Scheme. It is difficult to see how this could be the case, were the Secretary of State to accept the case for the DCO, the CA powers would enable SEGRO to take control of the Prologis/MAG Land, irrespective of any earlier planning permission. Conversely, if the Secretary of State does not accept the case for the DCO, there would be nothing left for the grant of planning permission to prejudice. In either scenario, SEGRO's contention that the grant of planning permission would impede the DCO Scheme does not withstand scrutiny. The ExP may wish to invite SEGRO to explain how, in the light of these points, it maintains its position that the grant of planning permission would be likely to jeopardise delivery of the DCO development, and to set out its implications of that suggested impediment to delivery for the advice to be given to the Secretary of State.

DLA Piper UK LLP

28 July 2026

²⁴ Please see Prologis's Response to ExQ2 19.0.18

²⁵ Note that Prologis does not accept that access across its land is an impediment to delivery of development on the Southern Land.

Appendix 1 – Spawforths Technical Review of the Applicant's Environmental Statement Appendices 4B and 4C

This Appendix contains the technical review carried out on behalf of Prologis by Spawforths of the two new appendices to the Applicant's Environmental Statement submitted at Deadline 5, namely Appendix 4B (Non-Delivery Scenario) (DCO 6.4B) and Appendix 4C (Delivery Scenario) (DCO 6.4C). In each case the review reproduces the Applicant's own assessment table and adds a further column setting out the Joint Applicant's comments and responses on the substance of the assessment.

Document DCO 6.4B/MCO 6.4B

ENVIRONMENTAL STATEMENT

Technical Appendices

Appendix 4B

Non Delivery Scenario

June 2026

04

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

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

**APPENDIX 4B – NON DELIVERY SCENARIO
(DOCUMENT DCO 6.4B/MCO 6.4B)**

Version	Date	Status of Version
0	June 2026	Deadline 5

APPENDIX 4B – Non Delivery Scenario

This appendix provides an assessment of the impacts of the non-delivery of the DCO scheme on a future baseline that the Examining Panel (ExP) consider might otherwise emerge as a result of development proposed by the Joint Application, should it be consented (i.e. assuming the DCO scheme is authorised but not delivered and its authorisation ‘sterilises’ and prevents delivery of the Joint Application and on the assumption that the Joint Application is approved).

It is considered that there is a high probability that the DCO scheme will be implemented if approved based on the track record of the Applicant and the investment already made. Accordingly, the probability of the effects of any non-delivery occurring is considered to be very low, as set out in the table below (marked with an *).

The land concerned is part of an emerging local plan allocation and any sterilisation effect would cease after the expiry of Compulsory Acquisition powers. All effects are therefore considered to be temporary as highlighted below (**).

The table below reports the findings of the Joint Application ES and specifically the likely significant effects identified at Section 16.3.1 of Chapter 16 for both the construction and completed development stages. It refers to a number of chapters and associated appendices submitted as part of the Joint Application ES. As requested, these documents have been provided by the Applicant to the ExP as a separate enclosure comprising:

- ES, Volume II, Chapter 7: Socio-Economics (October 2025)
- ES, Volume II, Chapter 8: Transport and Access (Addendum) (May 2026)
- ES, Volume II, Chapter 13: Built Heritage and Archaeology (October 2025)
- ES, Volume II, Chapter 16: Summary of Mitigation & Residual Effects (Addendum) (May 2026)
- ES, Volume III: Landscape & Visual impact Assessment (October 2025)
- ES, Volume III: Landscape & Visual impact Assessment – Appendices (October 2025)

With regard to the landscape and visual effects outlined below, it should be noted that in accordance with ES Volume III of the Joint Application, where moderate environmental effects have been identified, these can be either ‘significant’ or ‘not significant’ based on professional judgement and this is clearly stated below as per Chapter 13 of the Joint Application ES. The likely environmental effects are considered during construction, at completion, and after 15 years (residual effect). All effects listed at Section 16.3.1 are reported in the table below.

Joint Applicant Comments:

The Joint Applicant comments are added in blue below.

Below are over-arching comments on the approach taken in Appendix 4B – Non-Delivery Scenario.

1. The assessment provided by the SEGRO team in the tables below is very high level and cursory in nature. Conclusions are asserted, but not supported by evidence or analysis which demonstrates or even explains why the conclusion should be accepted by the decision-maker. The assessment is therefore not sufficiently detailed to support the conclusions drawn and is fairly characterized as a summary exercise, contrary to the ExP’s specific instructions in its Rule 17 request as to what was needed.
2. In the Non-Delivery Scenario assessment, it is noted that there is no clear consideration of the socio-economic importance of the access to tax incentives associated with the Freeport status which will end on 30th September 2031. In a DCO Non-Delivery scenario, the timescale to prepare and approve a new development scheme after the Compulsory Acquisition powers have expired means that these tax incentives would be lost (assuming Compulsory Acquisition powers are granted as part of the DCO, thereby sterilising the Joint Application site until the expiry of these powers).
3. In this Non-Delivery Scenario assessment, the likely significance (i.e. significant or not significant) is not specified for the impact of the non-delivery of the DCO development on the residual likely significant

environmental effects identified emanating from the Joint Application scheme. The SEGRO assessment indicates that it assumes that the Joint Application is approved as required by the Examining Panel but the SEGRO assessment then appears to underplay the significance of the expiry of the Joint Application (and its associated benefits) under this Non-Delivery Scenario.

4. SEGRO's categorization of the probability of impact under the Non-Delivery Scenario as 'very low' is neither justified nor reasonable. SEGRO simply asserts that this conclusion is appropriate on the basis "that there is a high probability that the DCO scheme will be implemented if approved based on the track record of the Applicant and the investment already made". That is a superficial and inadequate assessment that entirely fails to engage with the extensive and detailed evidence on the issues of viability and deliverability that is before the examination. Putting the point at its lowest, the evidence available demonstrates that substantial doubts have been raised by well-informed stakeholders as to whether the DCO scheme would ultimately be delivered if approved, either at all or in accordance with the timeline indicated (but not secured in the dDCO). In those circumstances, any credible independent assessment of this issue would engage with the evidence in order to provide a reliable and robust assessment of probability. Prologis does not agree with the conclusion reached and has provided detailed viability evidence which demonstrates that there is a high probability that the DCO development will not be implemented if approved. The SEGRO assessment therefore significantly underplays the impact in the Non-Delivery Scenario.

The assessment of whether the effects are 'permanent' or 'temporary' is unclear and insufficiently detailed for the purpose of informing decision-making in this case. Further definition of the terms should have been provided and is required to ensure that the assessment is transparent and robust, i.e. what length of time is considered to be 'temporary'? The effects are unlikely to be 'permanent' as the site forms part of an emerging local plan employment allocation and has excellent locational advantages where there is an acknowledged shortage of land. Nevertheless, in the context of the DCO application – and in particular the case advanced by SEGRO in seeking to justify Compulsory Acquisition (see Statement of Reasons at e.g. paragraphs 5.16, 5.23-5.24, 5.52-5.55, 5.57-5.58) – the likely timing of delivery is a significant issue with which the Secretary of State must grapple. It requires a much more granular and detailed assessment as a result. The 'temporary' period of time before development is delivered in the DCO Non-Delivery Scenario would be considerable. The SEGRO assessment should have assessed the likely steps necessary to deliver development in a DCO Non-Delivery Scenario and this should have been set out to provide the ExP and Secretary of State with a proper understanding of the likely duration (and hence consequences) of this 'temporary' frustration of valuable, growth and employment-generating development on the site. The issues that such an assessment needs to consider include:

- If Compulsory Acquisition powers are granted through the DCO, then they would blight any development scheme until such powers expire. Any such Compulsory Acquisition powers would expire after 5 years beginning on the day on which the order is made (unless the DCO provides for a different period).
- The Joint Application, if approved, would not be able to be implemented until after the Compulsory Acquisition powers had expired. Any such planning permission would have expired during that period (assuming that the standard timescale conditions would apply to it, whereby all reserved matters are to be submitted within 3 years of the date the outline application is approved).
- Even if the Joint Application permission were to be renewed, the preparation and submission of reserved matters on the Joint Applicant's site would be unlikely to occur while Compulsory Acquisition powers are in place. Furthermore, the outline planning permission would need to be implemented within 2 years of the approval of the final reserved matters, which will not be possible where reserved matters are not submitted/approved.
- A further outline application would therefore need to be prepared, having regard to the circumstances prevailing at the time, and submitted. The work needed to achieve that would be significant and would involve a considerable investment of time and financial resources. That is very unlikely to commence without certainty that the Compulsory Acquisition powers have expired. Even with a likely employment allocation in place through an adopted plan, the preparation, submission and determination of a planning application could take a further two years beyond the expiry of the Compulsory Acquisition powers. A new outline application would require up to date survey work to ensure an up to date baseline, along with updated agreements with key consultees and a new market facing employment scheme.
- Following a further outline planning permission, there would be the need for conditions to be discharged and reserved matters to be prepared and approved, as well as S278 Agreements prepared and agreed.
- A period of time would be required for mobilisation to commence development and preparatory / enabling works undertaken, before the delivery of the buildings themselves.
- In line with the considerations within the Joint Application Environmental Assessment, there could be a further 33 months for any new scheme to be delivered in full following an implementable planning permission.
- The period of time to prepare an application, secure permission and deliver the development could therefore equate to a further 5 years (beyond the expiry of Compulsory Acquisition powers) and therefore the delivery of the development on the site could be at least 10 years beyond the approval of the DCO in the Non-Delivery scenario.

The SEGRO assessment should have set out its own assessment of this timescale to reach an evidenced conclusion on what is meant by 'temporary' for both construction and operation, enabling an informed consideration of the public interest consequences of the Non-Delivery scenario for the purposes of decision-making. Whilst 10 years beyond the approval of the DCO is not 'permanent', it is also a considerable period of time for which the 'public interest benefits' of the development on the site proposed in the Joint Application would be delayed. The assessment should also have identified the fact that although some of these benefits would be

delayed others would be lost entirely i.e. the Freeport tax incentive would have expired by 2031 and therefore this benefit would no longer be available. The SEGRO assessment does not address these consequences at all and consequently provides the ExP and Secretary of State with no real (let alone reliable and robust) assessment that can be used for the purposes of reporting and decision-making.

If the DCO is not granted, or Compulsory Acquisition powers are not granted as part of a DCO, then the Joint Application scheme could be delivered within the timescale set out within the Joint Applicant’s ES, which is assumed as 33 months from the grant of planning permission.

The SEGRO assessment does not draw adequate or robust conclusions under the DCO Non-Delivery Scenario to consider the significance of such effects (both adverse and beneficial) nor does it adequately consider the balancing of such effects.

Within the context of the above comments, Prologis has also added a final column to the SEGRO assessment table with more detailed comments / responses on the table contents:

Table 4B.1: Assessment of Non-Delivery Scenario

Topic	Residual Likely Significant Effects arising from “future baseline” assuming the Joint Application is approved and delivered (as identified in Joint Application ES Chapter 16 Section 16.3.1)	Residual Effects of development pursuant to the Joint Application (as identified in Joint Application ES Chapter 16 Section 16.3.1)	Consequence of DCO non delivery/sterilisation effect	Impact of non-delivery of DCO development on residual likely significant environmental effects identified in Joint Application ES Adverse/Beneficial Impact?	Probability of Impact*	Permanent / Temporary**	Joint Applicant Response / Comment on assessment.
Construction							
Socio Economic							
Socio Economic 1	Effects on Local and Regional Economic Activity – Construction GVA As detailed at Table 7.6.1 of ES Chapter 7 of the Joint Application, the assessment is based on the Joint Applicant’s estimated construction costs for the minimum land use quantum scenario, which totals £174 million. The assessment estimates that the construction phase will support 94No. gross FTE construction employment opportunities annually or circa 186No. full-time construction opportunities over the course of the 33-month (2.75 years) construction programme. In the absence of GVA per filled job data for the construction sector in North West Leicestershire, the North West Leicestershire GVA per filled job of £64,728 (2023 value of £61,816 based on 2023 data, adjusted to 2025 values using GDP deflators) has been used to derive the estimated GVA arising from the gross construction costs based on the estimated number of FTE positions supported during the construction period. Based on the estimated gross direct construction employment, the estimated temporary gross construction GVA is circa £120 million during the course of the construction programme.	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: - Receptor: NWL which is considered to be of medium sensitivity - Magnitude of impact: medium as change in GVA p.a. of between £25 – 50m	The Joint Application Site remains in agricultural use. Section 7.3 of Chapter 7 of the Joint Application ES estimates that the economic benefits associated with the site’s agricultural land use comprises the production of small volumes (up to 90 tonnes) of arable crops, generating a gross margin of up to £10,000 per annum. These benefits are assessed to be small and set within the context of the UK being largely self-sufficient in grains, which are also grown for export. The significant effects on local and regional economic activity in terms of construction GVA identified within Chapter 7 of the Joint Application ES which would have arisen as a result of the Joint Application are not realised.	Adverse The moderate beneficial impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be adverse, but only for a temporary period.	Very low	Temporary	Methodological and detailed references from the Joint Applicant’s ES are accurately reflected in the assessment. The residual effects for the Joint Application are also accurately reflected in the assessment. Residual likely significant effects of the Non-Delivery of the DCO are identified as ‘adverse’ (rather than beneficial) which is correct, however, the significance of this adverse effect is not identified. As can be seen from the third column, the beneficial effect foregone is itself identified as significant. The assessment does not take issue with this categorization but only goes as far as to distinguish between ‘adverse’ and ‘beneficial’ effects. The significance of the adverse effect that is likely to occur is thereby left unstated and underplayed. Disagree with the ‘Very Low’ probability and ‘Temporary effect’ – see comments on behalf of Joint Application in opening page of report.

	Note – the DCO Applicant assumes that the £120m figures has been included in error. Based on the assumptions set out at Chapter 7 of the Joint Application ES, the figure would be £12m per annum or around £33.1m for the 33 month construction period.																							
Socio Economic 2	Regional Labour Force – construction employment Table 7.6.1.1 of ES Chapter 7 of the Joint Application provides an Additionality Assessment for annual construction employment over the construction duration. The table is replicated below. <table><tr><th>Additionality Steps</th><th>Additionality Application</th></tr><tr><td>Gross direct construction employment</td><td>186</td></tr><tr><td>Subtract deadweight (existing 5No. FTE supported by the existing agricultural business)</td><td>181</td></tr><tr><td>Estimated leakage (25%)</td><td>-45</td></tr><tr><td>Gross direct construction employment to target area</td><td>136</td></tr><tr><td>Less displacement (25%)</td><td>-34</td></tr><tr><td>Net direct construction employment to target area</td><td>102</td></tr><tr><td>Plus multiplier effects (1.5)</td><td>51</td></tr><tr><td>Net construction employment to target area</td><td>153</td></tr></table> The assessment concludes that the proposed development would support the equivalent of 153No. FTE net temporary construction jobs at the regional level throughout the duration of the construction period, or broadly equivalent to 77No. per year.	Additionality Steps	Additionality Application	Gross direct construction employment	186	Subtract deadweight (existing 5No. FTE supported by the existing agricultural business)	181	Estimated leakage (25%)	-45	Gross direct construction employment to target area	136	Less displacement (25%)	-34	Net direct construction employment to target area	102	Plus multiplier effects (1.5)	51	Net construction employment to target area	153	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: - Receptor: regional construction labour market which is considered to be of medium sensitivity - Magnitude of impact: medium as between 100 and 1,000 net FTE employment opportunities are generated	The Joint Application Site remains in agricultural use. No construction jobs are provided on the site and the indirect and induced economic benefits arising from construction projects of this nature are lost.	Adverse The moderate beneficial impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be adverse, but only for a temporary period.	Very low	Temporary The details in the table quoted for the Joint Application are from Table 7.6.1.2 of the Joint Application ES Chapter 7, not Table 7.6.1.1. The figures do however relate to the Regional Labour Force, albeit they are not presented as minus numbers within Chapter 7 of the Joint Application ES. Methodological and detailed references from the Joint Applicant’s ES are accurately reflected in the assessment. The residual effects for the Joint Application are also accurately reflected in the assessment. Effects on local labour force are not considered in this table. The Joint Applicant’s ES Chapter 7 considered Local Labour Force to be of medium sensitivity, low magnitude and therefore Minor-Moderate Beneficial, which is not significant. Residual likely significant effects of the Non-Delivery of the DCO are identified as ‘adverse’ (rather than beneficial) which is correct, however, the significance of this adverse effect is not identified. As can be seen from the third column, the beneficial effect foregone is itself identified as significant. The assessment does not take issue with this categorization but only goes as far as to distinguish between ‘adverse’ and ‘beneficial’ effects. The significance of the adverse effect that is likely to occur is thereby left unstated and underplayed. Disagree with the ‘Very Low’ probability and ‘Temporary effect’ – see comments on behalf of Joint
Additionality Steps	Additionality Application																							
Gross direct construction employment	186																							
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Net direct construction employment to target area	102																							
Plus multiplier effects (1.5)	51																							
Net construction employment to target area	153																							

							Application in opening page of report.
Transport							
Transport 1	Pedestrian Delay Section 8.3.1 of ES Chapter 8 of the Joint Application notes that PRow Footpath L45 passes through the northeastern part of the application site, providing pedestrian connectivity between the village of Diseworth and the A453 near Finger Farm roundabout. From Diseworth, Footpath L45 follows the route of Hyam's Lane. Footpath L45 will be temporarily closed during the construction phase with no diversion route to be provided as there are no viable alternative routes. The temporary closure of Footpath L45 will cause an increase in journey lengths as people divert to an alternate route.	Major Adverse (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 8.2.4 and Table 8.2.9 of Chapter 8 of the Joint Application: - Receptor: users of footpath L45 which are considered to be of low sensitivity - Magnitude of impact: high as there will be a large increase (>500m) in journey length	There is no need to temporary divert footpath L45. Footpath L45 remains open to users of this PRow who continue to use the route as currently.	Beneficial The major adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	Methodological and detailed references from the Joint Applicant's ES are accurately reflected in the assessment. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Archaeology							
Archaeology 1	Effects on local non-designated archaeological deposits At Section 13.3.1 of ES Chapter 13 of the Joint Application, it is noted that a geophysical survey was undertaken which identified possible enclosures and other linear and curvilinear features of possible Iron Age or Roman original. Agricultural features, including ploughing trends and former field boundaries, were also recorded. The geophysical survey was followed by a programme of trial trenching which indicated that the anomalies recorded on the geophysical survey related to Iron Age and Roman activity. Table 13.4.1 concludes that the construction of the proposed development will result in the complete removal of these archaeological remains.	Minor (not significant) to Moderate Adverse (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 13.2.3 and Table 13.2.4 of ES Chapter 13 of the Joint Application: - Receptor: previously unrecorded archaeological deposits of low-medium sensitivity - Magnitude of impact: removal of	The Joint Application Site remains in agricultural use. There is no effect on archaeological deposit.	Beneficial The moderate adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	ES Joint Application table 13.4.1 concludes that the construction of the proposed development 'could' lead to: - Total or partial loss/ damage of the above- and/ or below-ground archaeological remains; - Long-term burial of archaeological remains; - Severance or loss of features such that the physical or visual integrity of a site is compromised and the ability to understand and appreciate the remaining elements is diminished; and - Temporary alteration and/ or visual intrusion into the setting of a designated site or undesignated site of national or regional significance. Therefore, it is incorrect to conclude that it 'will result in the complete removal of these archaeological

		archaeological deposits resulting in a medium to high magnitude of impact The impact significance is given as a range at Table 13.4.1, but it is not clear which archaeological deposits will result in a minor adverse effect and which lead to a moderate adverse effect.					remains’ as referenced in this table. Apart from this, the details presented for the Joint Application’s ES are factually correct. Disagree with the ‘Very Low’ probability and ‘Temporary effect’ – see comments on behalf of Joint Application in opening page of report.
Landscape and Visual							
Landscape & Visual	Landscape and Visual Impacts Section 1.6.1 of ES Volume 3 of the Joint Application states that the construction works are likely to give rise to some landscape and visual effects. These effects would however be temporary and would mainly arise through the excavation and re-profiling of the site to form plateaus and the installation of the building frames. These effects would be localised in extent and of short duration and therefore subservient to the main longer-term effects which would arise during the operational phase of the proposed development. Effects would therefore range from Negligible to those identified for the completed development set out below.	Effects are considered further under ‘Completed development’	n/a	n/a	n/a	n/a	Details presented for the Joint Application’s ES are factually correct.
Completed Development							
Socio-Economic							
Socio-Economic 3	Effect on local labour force from operational employment Table 7.6.2.1 of ES Chapter 7 of the Joint Application sets out the Joint Applicants’ assessment of the number of direct jobs that will be created by the proposed development. It has been assumed that between 115,556 sq.m. to 135,000 sq.m. of employment floorspace including 20% B2 will be delivered at the site. The following employment densities have been applied: - B2 (industrial): 36 sq.m. per FTE job - B8 (warehousing): 97 sq.m. per FTE job Based on these assumptions, the proposed development would generate between 1,643 and 1,919 FTE jobs.	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: Receptor: local labour force which is considered to be of	The Joint Application Site remains in agricultural use. As set out at Section 7.3 of ES Chapter 7 of the Joint Application, circa 5No. full-time equivalent employees are currently supported by the existing agricultural use. The agricultural business will continue to operate and support these agricultural jobs, but the significant number of new job opportunities (estimated at between 1,643 and 1,919 FTE	Adverse	Very low	Temporary	The details presented for the Joint Application’s ES are factually correct. Residual likely significant effects of the Non-Delivery of the DCO are identified as ‘adverse’ (rather than beneficial) which is correct, however, the significance of this adverse effect is not identified. As can be seen from the third column, the beneficial effect foregone is itself identified as significant. The assessment does not take issue with this categorization but only goes as far as to distinguish between ‘adverse’ and ‘beneficial’ effects. The significance of the adverse effect that is likely to occur

	Table 7.6.2.2 provides an assessment of the potential additional (indirect and induced) employment generated by the proposed development at the local level. Accounting for the positive multiplier effects (1.1) and discounting for potential leakage (50%) and displacement (25%) effects results in an additional 676 to 790 job at the local level.	medium sensitivity • Magnitude of impact: medium	jobs from the Joint Application) will not be delivered.				is thereby left unstated and underplayed. Disagree with the ‘Very Low’ probability and ‘Temporary effect’ – see comments on behalf of Joint Application in opening page of report.
Socio-Economic 4	Effects on local and regional economic activity – GVA As detailed at Table 7.6.1 of ES Chapter 7 of the Joint Application, the assessment is based on the estimated <u>gross</u> direct employment associated with the minimum land use quantum scenario, which totals 1,643No. FTE. In the absence of GVA per filled job data for the manufacturing / transport and storage sectors in North West Leicestershire, the North West Leicestershire GVA per filled job of £64,728 (2023 value of £61,816 based on 2023 data, adjusted to 2025 values using GDP deflators) has been used to derive the estimated annual GVA contribution arising from the gross direct employment opportunities. The annual gross contribution to GVA from operational employment is estimated at approximately £106m per annum.	Major-Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: • Receptor: East Midlands which is considered to be of medium sensitivity • Magnitude of impact: large as change in GVA p.a. is over £50m	The Joint Application Site remains in agricultural use. Section 7.3 of ES Chapter 7 of the Joint Application ES estimates that the economic benefits associated with the site’s agricultural land use comprises the production of small volumes (up to 90 tonnes) of arable crops, generating a gross margin of up to £10,000 per annum. These benefits are assessed to be small and set within the context of the UK being largely self-sufficient in grains, which are also grown for export. The estimated annual gross contribution to GVA from operational employment that could have been generated by the commercial uses on the site will be temporarily lost.	Adverse The major-moderate beneficial impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be adverse, but only for a temporary period.	Very low	Temporary	The details in the table quoted for the Joint Application are from Table 7.6.2 (for the completed development stage) of the Joint Application ES Chapter 7, not Table 7.6.1, which relates to construction stage. The employment figures quoted are however correct and relate to the Local and Regional Labour Force. A range of employment figures are provided in the Joint Applicant ES which for gross new permanent operational employment opportunities would be 1,643 to 1,919 No. FTE. The GVA figures quoted here and within the Joint Applicant ES are for the minimum land use quantum local level only (this isn’t specified in this table). The regional level is not however provided in this table even though the assessment is identified as local and regional. Using the minimum land use quantum scenario, the Joint Applicant ES confirms that in the absence of GVA per filled job data for the manufacturing / transport and storage sectors in East Midlands, the East Midlands GVA per filled job of £58,906 (2023 value of £56,256 based on 2023 data, adjusted to 2025 values using GDP deflators) has been used to derive the estimated annual GVA contribution arising from the gross direct employment opportunities. As referenced in this table, the receptor is of medium sensitivity for

							East Midlands, but this is also the receptor level for the district level (North West Leicestershire Local authority District). Apart from the absence of these details from this table, the information presented for the Joint Application's ES is factually correct. Residual likely significant effects of the Non-Delivery of the DCO are identified as 'adverse' (rather than beneficial) which is correct, however, the significance of this adverse effect is not identified. The assessment does not take issue with this categorization but only goes as far as to distinguish between 'adverse' and 'beneficial' effects. The significance of the adverse effect that is likely to occur is thereby left unstated and underplayed. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Socio-Economic 5	Effects on regional labour force from operational employment Table 7.6.2.1 of ES Chapter 7 of the Joint Application sets out the Joint Applicants' assessment of the number of direct jobs that will be created by the proposed development. It has been assumed that between 115,556 sq.m. to 135,000 sq.m. of employment floorspace including 20% B2 will be delivered at the site. The following employment densities have been applied: • B2 (industrial): 36 sq.m. per FTE job • B8 (warehousing): 97 sq.m. per FTE job Based on these assumptions, the proposed development would generate between 1,643 and 1,919 FTE jobs. Table 7.6.2.3 provides an assessment of the potential additional (indirect and induced) employment generated by the proposed development at the regional level.	Major-Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: • Receptor: regional labour force which is considered to be of medium sensitivity • Magnitude of impact: large as over 1,000 net FTE employment opportunities	The Joint Application Site remains in agricultural use. As set out at Section 7.3 of ES Chapter 7 of the Joint Application, circa 5No. full-time equivalent employees are currently supported by the existing agricultural use. The agricultural business will continue to operate and support these agricultural jobs. However, the multiplier effects of significant new employment generation will be lost and the significant number of off-site jobs (estimated at between 1,658 and 1,938 FTE jobs) that would have been supported will not be realised.	Adverse The major-moderate beneficial impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be adverse, but only for a temporary period.	Very low	Temporary	For clarification, the Joint Applicants assessment assumes 20% B2 General Industrial and 80% B8 Storage and Distribution. The details presented for the Joint Application's ES are factually correct. Residual likely significant effects of the Non-Delivery of the DCO are identified as 'adverse' (rather than beneficial) which is correct, however, the significance of this adverse effect is not identified. The assessment does not take issue with this categorization but only goes as far as to distinguish between 'adverse' and 'beneficial' effects. The significance of the adverse effect that is likely to occur is thereby left unstated and underplayed.

	Accounting for the positive multiplier effects (1.5) and discounting for potential leakage (10%) and displacement (25%) effects results in an additional 1,658-1,938 job at the regional level.	will be generated					Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Landscape and Visual							
Landscape 1	Landscape Effects on the fabric of the site Section 1.6.2 of ES Volume III of the Joint Application considers that the fields within the application boundary would be lost during construction with the gently sloping landscape substantially reprofiled to form development plateaus to facilitate the development. The land use would permanently change from farmland to commercial development comprising warehouse buildings and associated infrastructure (estate road, car parks, service yards etc.) during the operational phase. While the exact design of any landscape buffers would be part of a future detailed reserved matter applications, for the purposes of this assessment, it can be assumed that the minimum landscape depths specified in the site parameters plan and strategic landscape plan, outside of the defined maximum developable area, would be retained and these would include substantial blocks of woodland planting to provide additional screening.	Major Adverse (significant)	The Joint Application Site remains in agricultural use and there are no changes to the fabric of the site with its agricultural character remaining unchanged.	Beneficial	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Landscape 2	Landscape effects on the Langley Lowlands Character Area Table 1.6.2 of ES Volume III of the Joint Application concludes that overall large scale effects on the character area are confined to the site with the areas around the site maintaining connectivity to the surrounding countryside. The introduction of the development results in Moderate scale effects confined to the area immediately around the site where the surrounding trunk road and airport infrastructure are less apparent. This area is bounded by the A42 to the east and south, and the A453 to the north. These medium scale effects are confined to areas with visibility of the proposed development and filter out to a small and then negligible level to the west where existing development at the western end of the airport would become more prominent in the view.	Moderate Adverse (significant) on completion reducing to Moderate/Minor (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the Langley Lowlands Character Area is considered to be of medium/low sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion reducing to moderate/minor after 15 years.	The Joint Application Site remains in agricultural use and there are no changes to the landscape baseline.	Beneficial	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.

Landscape 3	Landscape effects on landscape setting of Diseworth Conservation Area As noted at Table 1.6.2 of ES Volume III of the Joint Application, the LVIA chapter only considers the effect on the landscape setting of the conservation area with the heritage impacts assessed separately within the Heritage chapter of the ES. It concludes that the proposed development would have a limited effect on the setting of the conservation area with the immediate rural setting of the village retained. The proposed development would not be visible from within the core of the conservation area with the key areas where the setting would be influenced to the north-east of Clements Lane and within long views across to the village from the south. Where visible, views of the proposed development would be softened through the use of a muted colour palette and design principles such as the use of barrel-vaulted roofs and the avoidance of large unbroken facades. In addition, as the proposed mitigation planting around the boundary begins to mature, it will further reinforce the separation between the village and the proposed development.	Moderate Adverse (significant) on completion reducing to Moderate/Minor Adverse (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the landscape setting of the Diseworth Conservation Area is considered to be of medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion reducing to moderate/minor after 15 years.	The Joint Application Site remains in agricultural use and there are no changes to the landscape baseline.	Beneficial The moderate adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Visual 1	Visual effects on receptors at Hyams Lane (Viewpoint 2, 20 & 21) (PROW L45/1) Table 1.6.2 of ES Volume III of the Joint Application considers that whilst views into the site would altered, with views towards the proposed development set within the landscape strategy for the site which includes a new community park. The primary direction of views along the Lane looks out to the south and west and as such would be largely maintained post-development. The PRoW also crosses the application site at the eastern end of the site with the route requiring diversion as part of the proposals (closure of PRoW during construction phase and permanent diversion route to be formalised at reserved matters stage once layout detail is fixed). While the intention would be to maintain some sort of setting for the footpath, it is likely to have to follow internal access roads as it passes through the urban landscape of the proposed development. Overall, it is considered that the scale of change would be large, and the effects would occur along the majority of the route from the A453 down to Diseworth. However, views on	Major Adverse on completion (significant) reducing to Moderate/Major Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the Hyams Lane receptor groups is considered to be of high/medium sensitivity. The magnitude of change will be substantial resulting in a major adverse effects at completion reducing to moderate/major adverse after 15 years.	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial The major adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.

	the approach from the village would offer the greatest level of mitigation through the use of bunding and mitigation planting						
Visual 2	Visual effects on receptors from viewpoint 1 (A453) Table 1.6.2 of ES Volume III of the Joint Application considers that the visibility of the proposed development would be extensive for the 1.5km stretch adjacent to the northern boundary with occasional glimpsed views to the west of this for a further 1km. For the main stretch of visibility to the north of the application site, the road is street lit with views through vegetation to the existing development on the southern edge of the airport. The proposed development on the application site would be visible along the whole northern boundary, with existing vegetation providing a screen to lower level that would be reinforced with new planting to further enhance the screen as it matures. Upper parts of the proposed building would still be visible. This section of the A453 would change from one that runs around the edge of the airport to one that runs through development associated with it.	Major/Moderate Adverse on completion (significant) reducing to Moderate Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the A453 key route is considered to be of medium sensitivity. The magnitude of change will be substantial resulting in a major/moderate adverse effects at completion reducing to moderate adverse after 15 years.	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial The major/moderate adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Visual 3	Visual effects on PRoW to the north-east of Diseworth (Viewpoints 4 & 20) These two public rights of way lead from Clements Gate in the village up to Hyam's Lane across farmland used for grazing and keeping horses. Table 1.6.2 of ES Volume III of the Joint Application considers that the south western corner of the development would be visible from here with the potential for views towards the development along the majority of the route. The proposed strategic landscape buffer is widest at this corner which would provide the opportunity for the provision of screening through a combination of the screening bunds / fencing and a wider band of mitigation planting. The proposals would break the skyline. Whilst both the airport and A453/A42 exert some influence over the visual amenity, this is limited due to mature screen planting and topography, with only glimpsed partial views. The effect of the proposals would therefore be that larger scale development becomes more prominent in the view. Despite this, the proposals sit separate from the edge of the village with the proposed buffer and existing topography providing an appropriate offset. The proposed planting would also provide an increasingly effective screen to lower parts of the development with the selection of	Major/Moderate Adverse (significant) on completion reducing to Moderate Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the PRoW to the north-east of Diseworth is considered to be of high/medium sensitivity. The magnitude of change will be substantial resulting in a major/moderate adverse effects at completion reducing to moderate adverse after 15	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial The major/moderate adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Applicant in opening page of report.

	a muted, neutral colour palette with warm tones and avoidance of large unbroken facades aiding in softening the appearance of the proposed development where it breaks the skyline. Due to the proximity to the site, while ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along both of the routes.	years.					
Visual 4	Visual effects on receptors from Viewpoint 3 (Grimes Gate and PROW to the west (L43/1)) Table 1.6.2 of ES Volume III of the Joint Application considers that views towards the site are filtered by roadside and field edge vegetation. The extent of visibility would vary dependent on the height of the roadside vegetation and the time of year. The development is located to the left of the view and is not the main visual focus with the eye tending to be drawn towards the airport control tower when moving northwards, or towards the village when moving southwards. The extent of visibility towards the proposed development reduces moving towards the village as the extent of tree cover increases and the field and roadside vegetation becomes thicker and more expansive. Despite this, there are likely to be clear views towards the application site with the tops of buildings visible and breaking the skyline when viewed from many locations. While visible, the development retains a degree of separation from the village with the proposed landscape buffer creating a clear distinction between the two. Ground level activity would be largely screened by a combination of bunding and screen fencing. The level of screening of lower parts of any proposed buildings would increase over time as mitigation planting matures. Whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along these routes. The proposed lighting would sit in the wider context of existing lighting at the airport which is visible in the baseline view.	Moderate Adverse on completion (significant) remaining at Moderate Adverse after 15 years but not considered significant for Viewpoint 3 As set out at Table 1.6.2 of ES Volume III of the Joint Application, Grimes Gate and the PROW to the west are considered to be of high/medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not significant).	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.
Visual 5	Visual effects on area to the south of Diseworth (Viewpoints 8, 9 & 18) Table 1.6.2 of ES Volume III of the Joint Application highlights that the village of Diseworth sits at the base of a small valley with the site located on the northern slope	Moderate Adverse (significant) on completion remaining at Moderate Adverse (significant) after	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' –

	above it. To the south of the village, the land slopes up again which results in views back across the valley towards the site with the village sat below. The airport sits behind the site on a plateau but is largely screened from view by the existing screen planting that wraps around the southern edge. The exception to this is the control tower and high mast lighting which are both clearly visible. Moving up the valley slope in a southerly direction, existing development at East Midlands Gateway and the Ratcliffe on Soar power station also begin to come into view (VP18). When viewed across the valley the application site sits on the skyline with the proposed building parameters breaking the skyline. From further south these buildings would sit in front of development at East Midlands Gateway and the power station (VP18), but from closer to the site, the development would appear above and to the right of Diseworth with the buffer between the two less evident than elsewhere (VP8). Proposed mitigation planting would begin to further screen lower parts of the development as it matures. Whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible in longer views back towards the application site. The commitment to minimise light spill and to protect ecologically sensitive areas along this boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. The proposed development would sit in the wider context of existing lighting along trunk road routes and at the airport, which are both often visible in the baseline view.	15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the area to the south of Diseworth is considered to be of high/medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years.		of the non-delivery of the DCO development will be beneficial, but only for a temporary period.			see comments on behalf of Joint Application in opening page of report.
Visual 6	Visual effects on Viewpoints 5, 7, 9, 10 and 18 (Cross Britain Way) The Cross Britain Way runs across the study area in an east / west direction. Table 1.6.2 of ES Volume III of the Joint Application considers that in terms of the potential visibility of the proposed development on the route, the ZTV suggests pockets of visibility from Hathern, through Long Whatton and Diseworth and then eastwards towards Tonge and Breedon on the Hill. Site assessment work helped to establish a reduced extent of visibility, with the site first becoming visible on the route approaching from the west around Woodhouse Farm to the west of Diseworth (VP18). From here, visibility would remain until the route drops down into Diseworth (VP7) with limited visibility within the core of the village. The proposed development would then become visible again as the route	Moderate Adverse (significant) on completion remaining at Moderate Adverse after 15 years but not considered to be significant As set out at Table 1.6.2 of ES Volume III of the Joint Application, users of the Cross Britain Way are considered to be of high/medium	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial The moderate adverse impact will not occur. Therefore, the impact of the non-delivery of the DCO development will be beneficial, but only for a temporary period.	Very low	Temporary	This assessment within the Joint Applicant's ES relates to recreational routes and in addition to the viewpoints listed, includes viewpoint 4. Apart from this, the details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' – see comments on behalf of Joint Application in opening page of report.

	passes along Clements Gate (VP4), staying visible until the route passes over the A42 (VP5 & 9). To the east of the A42 there is unlikely to be more than occasional glimpsed views of parts of the development (VP10). To the west of Diseworth the proposed development would appear above the village on the opposite valley slope. For much of the route here the development parameters sit within the context of other development at the airport which is also visible on the horizon. It would however be more prominent in the view. The building would break the skyline along most of the route where visible. To the east of Diseworth the topography between the recreational route and the application site restricts visibility to lower parts of the development, however the top part of the building parameters would be visible and would break the skyline along much of this part of the route. Whilst proposed mitigation planting would begin to further soften views as is establishes, views towards the top part of buildings would remain. The development would result in large-scale development becoming more prominent along this section of the Cross Britain Way. It should however be noted that this section of the route also crosses two trunk roads at this location and from many locations also provides views towards other large scale regional developments such as the Ratcliffe on Soar power station, the airport and East Midlands Gateway, therefore reducing the potential visual impact on users of the route. For the portions of the recreational route to the south of the site, whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible. The commitment to minimise light spill and to protect ecologically sensitive areas along this boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. This would sit in the wider context of existing lighting along trunk road routes that the Cross Britain Way crosses and other large infrastructure such as the airport and East Midlands Gateway, which are visible at points along the route in the baseline view.	sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not significant).					
Visual 7	Visual effects on Viewpoint 3 (National Cycle Route 15) Table 1.6.2 of ES Volume III of the Joint Application notes that the route follows the road from Belton to Diseworth, cutting through the village along Hall Gate before heading up Grimes	Moderate Adverse (significant) on completion remaining at Moderate Adverse after 15 years	The Joint Application Site remains in agricultural use and there are no changes to the visual baseline.	Beneficial The moderate adverse impact will not occur. Therefore, the impact	Very low	Temporary	The details presented for the Joint Application's ES are factually correct. Disagree with the 'Very Low' probability and 'Temporary effect' –

	Gate to the airport entrance. From the A42 underpass onwards, with the exception of the part within the village, the proposed development would be visible with the proposed development parameters breaking the horizon. Close to the A42 crossing the proposed development would be visible alongside the Ratcliffe on Soar power station whereas for closer views either side of Diseworth the development would be visible primarily in isolation. Due to the proximity to the site, whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along the route as it runs along Grimes Gate. The commitment to minimise light spill and to protect ecologically sensitive areas along the western boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. This would sit in the wider context of existing lighting along trunk road routes and at the airport which are both visible in the baseline view.	but not considered to be significant As set out at Table 1.6.2 of ES Volume III of the Joint Application, users of the National Cycle Route 15 are considered to be of medium/high sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not significant).		of the non-delivery of the DCO development will be beneficial, but only for a temporary period.			see comments on behalf of Joint Application in opening page of report.
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**East Midlands Gateway
Phase 2 (EMG2)**

Document DCO 6.4C/MCO 6.4C

ENVIRONMENTAL STATEMENT

Technical Appendices

Appendix 4C

Delivery Scenario

June 2026

04

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

[SEGRO.COM/SLPEMG2](https://segro.com/slpemg2)

SEGRO

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

**APPENDIX 4C – DELIVERY SCENARIO
(DOCUMENT DCO 6.4C/MCO 6.4C)**

Version	Date	Status of Version
0	June 2026	Deadline 5

APPENDIX 4C – Delivery Scenario

This appendix provides an assessment of the impacts of the delivery of the DCO scheme on a future baseline that the Examining Panel (ExP) consider might otherwise emerge as a result of the development proposed by the Joint Application, should it be consented (i.e. comparing the delivery of the DCO scheme to a scenario where the Joint Application was instead approved and delivered).

Based on the track record of the Applicant, and the investment already made, it is considered that the probability of the DCO scheme being delivered is considered to be very high regardless of whether the Joint Application is approved and delivered (which is not considered to be probable).

The table below reports the findings of the Joint Application ES and specifically the likely significant effects identified at Section 16.3.1 of Chapter 16 for both the construction and completed development stages. **It does not provide a comparative exercise looking at the wider benefits and disbenefits of the Joint Application vs the DCO Scheme.** A comparison of benefits has been provided by the Applicant to the ExP in other submissions, specifically in the Applicant's response to Prologis' Relevant Representations (Reference [REP1-051D](#)).

This appendix refers to a number of chapters and associated appendices submitted as part of the Joint Application ES. As requested, these documents have been provided by the Applicant to the ExP as a separate enclosure comprising:

- ES, Volume II, Chapter 7: Socio-Economics (October 2025)
- ES, Volume II, Chapter 8: Transport and Access (Addendum) (May 2026)
- ES, Volume II, Chapter 13: Built Heritage and Archaeology (October 2025)
- ES, Volume II, Chapter 16: Summary of Mitigation & Residual Effects (Addendum) (May 2026)
- ES, Volume III: Landscape & Visual impact Assessment (October 2025)
- ES, Volume III: Landscape & Visual impact Assessment – Appendices (October 2025)

With regard to the landscape and visual effects outlined below, it should be noted that in accordance with ES Volume III of the Joint Application, where moderate environmental effects have been identified, these can be either 'significant' or 'not significant' based on professional judgement and this is clearly stated below as per Chapter 13 of the Joint Application ES. The likely environmental effects are considered during construction, at completion, and after 15 years (residual effect). All effects listed at Section 16.3.1 are reported in the table below.

It should be noted that, in contrast to the Joint Application, Chapter 10: Landscape and Visual of the DCO ES considers effects that are judged to be either Major or Moderate/Major as significant. The final conclusions on landscape and visual effects, whether adverse or beneficial, are drawn from the separate judgements on the sensitivity of the receptors and the magnitude of the effects. This overall judgement is formed from a reasoned professional overview of the individual judgements against the assessment criteria set out at Chapter 10: Landscape and Visual of the DCO ES (Reference [AS-041](#)).

Joint Applicant Comments:

The Joint Applicant comments are added in blue below.

Below are over-arching comments on the approach taken in Appendix 4C – Delivery Scenario.

5. The assessment provided by the SEGRO team in the table below is considered by the Joint Applicants to be very high level and cursory in nature. Conclusions are asserted, but not supported by evidence or analysis which demonstrates or even explains why the conclusion should be accepted by the decision-maker. The assessment is therefore not sufficiently detailed to support the conclusions drawn and is fairly characterized as a summary exercise, contrary to the ExP's specific instructions in its Rule 17 request as to what was needed.
6. In this document, Prologis has focussed upon areas where judgements and conclusions in SEGRO's high level assessment are clearly counter-intuitive and demonstrate that the conclusions drawn in the two individual environmental statements are not directly comparable. This commentary is not adding a further assessment on top of the SEGRO assessment, nor is it undertaking a fresh assessment of Prologis' own scheme; it simply draws out that differences in judgement and method used in the preparation of the two environmental statements mean that the conclusions drawn in respect of the likely significant

effects of the two schemes are not directly comparable.

7. There is only a comparison between the Joint Application and the DCO scheme with no consideration of the Southern land coming forward in a non-DCO scenario. As Prologis has explained, whilst an assessment of the likely future development of the Southern land may not be necessary in order to comply with the EIA Regulations, it is required for the purposes of drawing properly informed and reasoned conclusions as to whether the case for the grant of Compulsory Acquisition has been made out. This assessment does not therefore fill that existing evidential gap in the applicant's case. The evidence demonstrates that similar development is likely to come forward on the Southern land in the absence of the DCO and / or powers of compulsory acquisition as the site forms part of an emerging local plan employment allocation, lies within a Freeport and with excellent locational advantages where there is an acknowledged shortage of land, and the evidence shows that such development is likely to be commercially viable.

Within the context of the above, the Joint Applicants have added a final column to the SEGRO assessment table with more detailed comments / responses on the table contents.

Table 4C.1: Assessment of Delivery Scenario

Topic	Residual Likely Significant Effects arising from “future baseline” assuming the Joint Application is approved and delivered (as identified in Joint Application ES Chapter 16, Section 16.3.1)	Residual Effects of development pursuant to the Joint Application (as identified in Joint Application ES Chapter 16, Section 16.3.1)	Relevant assessments identified in the DCO ES broadly equivalent to the likely significant effects identified in Joint Application ES Chapter 16, Section 16.3.1	Residual Effects identified in DCO ES	Impact of DCO development on residual likely significant environmental effects identified in Joint Application ES – Adverse/Beneficial Impact?	Probability of Impact*	Permanent/Temporary	Joint Applicant Response / Comment on assessment.
Construction								
Socio-economic								
Socio Economic 1	Effects on Local and Regional Economic Activity – Construction GVA As detailed at Table 7.6.1 of ES Chapter 7 of the Joint Application, the assessment is based on the applicant’s estimated construction costs for the minimum land use quantum scenario, which totals £174 million. The assessment estimates that the construction phase will support 94No. gross FTE construction employment opportunities annually or circa 186No. full-time construction opportunities over the course of the 33-month (2.75 years) construction programme. In the absence of GVA per filled job data for the construction sector in North West Leicestershire, the North West Leicestershire GVA per filled job of £64,728 (2023 value of £61,816 based on 2023 data, adjusted to 2025 values using GDP deflators) has been used to derive the estimated GVA arising from the gross construction costs based on the estimated number of FTE positions supported during the construction period. Based on the estimated gross direct construction employment, the estimated temporary gross construction GVA is circa £120 million during the course of the construction	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: - Receptor: NWL which is considered to be of medium sensitivity - Magnitude of impact: medium as change in GVA p.a. of between £25 – 50m	Construction GVA As set out at Paragraph 5.5.68 of Chapter 5 of the DCO ES (Reference REP4-020), to estimate the number of jobs required for the construction of the DCO Scheme, the average output per construction worker for the East Midlands over a period of three years (2022-2024) (£181,460) has been used in combination with the estimated construction cost of the DCO Scheme (£302 million). The assessment estimates (see Table 5.19) that the DCO Scheme will generate an average of 390 on-site construction jobs p.a. As set out at Paragraph 5.5.123, the assessment of construction GVA is based on the estimation of 290 on-site construction jobs per annum (net of displacement) generated by the construction of the DCO Scheme and an average GVA of £72,700 per construction worker. It is estimated that an additional £21.3m p.a. will be generated through construction GVA over the 4.25 year	Major beneficial (significant) Paragraph 5.5.123 of Chapter 5 of the DCO ES (Reference REP4-020) concludes that the DCO Scheme would have a high magnitude of impact on the high sensitivity regional and national economic activity, resulting in a major beneficial effect over the short and medium term, which is significant in EIA terms.	Beneficial Notwithstanding some difference in the assessment methodology between the two applications, it is clear that the DCO Scheme will generate a greater level of construction GVA than the Joint Application on its own resulting in a greater beneficial impact (major instead of moderate beneficial).	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The Joint Applicants do not understand why this is considered to be a permanent impact. Given it is the construction period, this should properly be considered to be a temporary impact.

	programme. Note – the DCO Applicant assumes that the £120m figures has been included in error. Based on the assumptions set out at Chapter 7 of the Joint Application ES, the figure would be £12m per annum or around £33.1m for the 33 month construction period.		construction phase of the DCO Scheme, or a total of £90.7m.																																															
Socio Economic 2	Regional Labour Force – construction employment Table 7.6.1.1 of ES Chapter 7 of the Joint Application provides an Additionality Assessment for annual construction employment over the construction duration. The table is replicated below. <table><tr><th>Additionality Steps</th><th>Additionality Application</th></tr><tr><td>Gross direct construction employment</td><td>186</td></tr><tr><td>Subtract deadweight (existing 5No. FTE supported by the existing agricultural business)</td><td>181</td></tr><tr><td>Estimated leakage (25%)</td><td>-45</td></tr><tr><td>Gross direct construction employment to target area</td><td>136</td></tr><tr><td>Less displacement (25%)</td><td>-34</td></tr><tr><td>Net direct construction employment to target area</td><td>102</td></tr><tr><td>Plus multiplier effects (1.5)</td><td>51</td></tr><tr><td>Net construction employment to target area</td><td>153</td></tr></table> The assessment concludes that the proposed development would support the equivalent of 153No. FTE net temporary construction jobs at the regional level throughout the duration of the construction period, or broadly equivalent to 77No. per year.	Additionality Steps	Additionality Application	Gross direct construction employment	186	Subtract deadweight (existing 5No. FTE supported by the existing agricultural business)	181	Estimated leakage (25%)	-45	Gross direct construction employment to target area	136	Less displacement (25%)	-34	Net direct construction employment to target area	102	Plus multiplier effects (1.5)	51	Net construction employment to target area	153	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: - Receptor: regional construction labour market which is considered to be of medium sensitivity - Magnitude of impact: medium as between 100 and 1,000 net FTE employment opportunities are generated	Construction employment (indirect and induced) Table 5.21 of Chapter 5 of the DCO ES (Reference REP4-020) sets out the DCO Applicant’s Additionality Assessment of Construction Employment. The table is replicated below. <table><tr><th></th><th>Steps Involved</th><th>Average Jobs Per Annum</th></tr><tr><td>A</td><td>Construction Workers on-site (gross, direct, per annum)</td><td>390</td></tr><tr><td>B</td><td>Leakage (0%)</td><td>0</td></tr><tr><td>C</td><td>On-site jobs (direct) (A+B)</td><td>390</td></tr><tr><td>D</td><td>Displacement (25%) (C*25%)</td><td>-100</td></tr><tr><td>E</td><td>Multiplier (2.0 for construction) ((C+D)* (2.0-1))</td><td>295</td></tr><tr><td>F</td><td>Off-site employment induced by construction employment (net, indirect) (D+E)</td><td>195</td></tr><tr><td>G</td><td>Net additional employment from the construction of the DCO Application (C+F)</td><td>585</td></tr></table> Paragraph 5.5.81 of Chapter 5 of the DCO ES concludes that accounting for the positive multiplier effects and discounting for potential displacement effects results in an additional 195 jobs created off-site per annum on average over the 4.25 year construction period for residents of the Study Area.		Steps Involved	Average Jobs Per Annum	A	Construction Workers on-site (gross, direct, per annum)	390	B	Leakage (0%)	0	C	On-site jobs (direct) (A+B)	390	D	Displacement (25%) (C*25%)	-100	E	Multiplier (2.0 for construction) ((C+D)* (2.0-1))	295	F	Off-site employment induced by construction employment (net, indirect) (D+E)	195	G	Net additional employment from the construction of the DCO Application (C+F)	585	Minor beneficial (not significant) The indirect and induced construction employment effects of the DCO Scheme are not considered in isolation at Chapter 5 of the DCO ES (Reference REP4-020). Overall, Chapter 5 of the DCO ES concludes that on- and off-site construction employment generated by the proposed development would result in a minor beneficial effect, which is not significant in EIA terms.	Beneficial Comparing the assessment for the Joint Application and the DCO Scheme highlights a different approach to the assessment of impact significance. Notwithstanding the conclusion on significance, it is clear that the DCO Scheme will result in a greater number of additional construction jobs than the Joint Application (195 jobs p.a. compared with 77 jobs p.a.) and the DCO Scheme will therefore result in greater beneficial effect.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The Joint Applicants do not understand why this is considered to be a permanent impact. Given it is the construction period, this should properly be considered to be a temporary impact.
Additionality Steps	Additionality Application																																																	
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Transport																																																		

Transport 1	Pedestrian Delay Section 8.3.1 of ES Chapter 8 of the Joint Application notes that PRow Footpath L45 passes through the northeastern part of the application site, providing pedestrian connectivity between the village of Diseworth and the A453 near Finger Farm roundabout. From Diseworth, Footpath L45 follows the route of Hyam's Lane. Footpath L45 will be temporarily closed during the construction phase with no diversion route to be provided as there are no viable alternative routes. The temporary closure of Footpath L45 will cause an increase in journey lengths as people divert to an alternate route.	Major Adverse (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 8.2.4 and Table 8.2.9 of ES Chapter 8 of the Joint Application: • Receptor: users of footpath L45 which are considered to be of low sensitivity • Magnitude of impact: high as there will be a large increase (>500m) in journey length	At Section 21, the submitted CEMP (Reference REP4-018D) makes clear that a combination of appropriate temporary diversions and closures will be implemented before the commencement of any component of works. The details will be agreed through the submission and approval of P-CEMPs in accordance with Requirement 11 of the DCO and this will include details of any temporary routes and the timing of the provision of access to permanent routes. Any permanent and temporary stopping up of rights of way must be undertaken in accordance with Article 12 of the DCO and any necessary approvals obtained accordingly.	n/a	Neutral It has not been determined yet whether Footpath L45 will have to be temporary closed or will be diverted during the construction of the DCO Scheme. It is likely that an alternative route can be provided and the details of any temporary closures or diversion routes will be agreed in accordance with the requirements of the DCO.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The Joint Applicants do not understand why this is considered to be a permanent impact. Given it is the construction period, this should properly be considered to be a temporary impact.
Archaeology								
Archaeology 1	Effects on local non-designated archaeological deposits At Section 13.3.1 of ED Chapter 13 of the Joint Application, it is noted that a geophysical survey was undertaken which identified possible enclosures and other linear and curvilinear features of possible Iron Age or Roman original. Agricultural features, including ploughing trends and former field boundaries, were also recorded. The geophysical survey was followed by a programme of trial trenching which indicated that the anomalies recorded on the geophysical survey related to Iron Age and Roman activity. Table 13.4.1 of ES Chapter 13 of the Joint Application concludes that the construction of	Minor (not significant) to Moderate Adverse (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 13.2.3 and Table 13.2.4 of ES Chapter 13 of the Joint Application:	Archaeological resources As set out a Para 12.2.5 to 12.2.6 of Chapter 12 of the DCO ES (Reference REP4-024), a detailed programme of archaeological evaluation was undertaken comprising a geophysical survey and subsequent programme of geoarchaeological assessment, fieldwalking, and trial trenching. A number of archaeological receptors were identified which will be affected by the DCO Scheme. These include: • AR1: Middle to Late Iron Age Peripheral Settlement Activity • AR2: Iron Age and Roman	Moderate-minor Adverse (not significant) (AR1, AR2 and AR5) Negligible (not significant) (AR3, AR4, and AR6) Chapter 12 of the DCO ES (Reference REP4-024) concludes that the proposed development will result in the complete, or near complete, removal of	Adverse The DCO Scheme will result in the complete, or near complete, removal of archaeological remains across a larger area than the Joint Application. A programme of archaeological investigation will be undertaken in advance of the	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The Joint Applicants do not understand why this is considered to be a permanent impact. Given it is the construction period, this should properly be considered to be a temporary impact

	the proposed development will result in the complete removal of these archaeological remains. An archaeological investigation will be undertaken prior to the construction of the proposed development, which will preserve archaeological deposits by record. Whilst the resulting research will contribute to the increased knowledge and understanding of the Iron Age and Roman landscape within the application site, this offsets, rather than alters, the overall effects on archaeological deposits as they will still be removed.	- Receptor: previously unrecorded archaeological deposits of low-medium sensitivity - Magnitude of impact: removal of archaeological deposits resulting in a medium to high magnitude of impact	Agricultural Activity - AR3: Post-Medieval Field Boundaries - AR4: Post-Medieval Ridge and Furrow - AR5: Existing Post-Medieval Field Boundaries of Historic Interest - AR6: Undated Ditches The proposed development will result in the complete, or near complete, removal of these archaeological remains.	these archaeological remains resulting in a high magnitude impact. AR1, AR2, and AR5 are considered to be of Low sensitivity. As a result, a Moderate-Minor Adverse significance of effect would arise on these archaeological features. AR3, AR4, and AR6 are considered to be of No Importance in terms of sensitivity. As a result, there would be a Negligible significance of effect on these archaeological features.	construction works commencing to offset (mitigate) the effects by allowing the potential to be released through recording and publication.			
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Landscape & Visual

Landscape & Visual	Landscape and Visual Impacts Section 1.6.1 of ES Volume III of the Joint Application states that the construction works are likely to give rise to some landscape and visual effects. These effects would however be temporary and would mainly arise through the excavation and re-profiling of the site to form plateaus and the installation of the building frames. These effects would be localised in extent and of short duration and therefore subservient to the main longer-term effects which would arise during the operational phase of the proposed development. Effects would therefore range from Negligible to those identified for the completed development set out below.	Effects are considered further under 'Completed development'	Landscape and Visual Chapter 10 of the DCO ES (Reference AS-041) concludes that the construction phase of the development will result in some significant adverse impacts on landscape and visual receptors. This includes the landscape of the EMG2 Works and its immediate context and visual receptors including: - Residents of some properties at the edge of Diseworth and more distant properties to the south and south-east of the site - Users of stretches of the footpath at Hyams Lane, Long Holden, The Cross Britain Way and some stretches of other PROWs close to the south, north and west of Diseworth	n/a	n/a	n/a	n/a	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.
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			Road users of stretches of the A453 (alongside the site), Grimes Gate (leading into Diseworth from the north), The Green (south-east of Diseworth) and the minor roads close to the west of Diseworth, and Users of a relatively short stretch of PROW (L112) alongside and close to the southern edge of Plot 16. Although Chapter 10 of the DCO ES (Reference AS-041) identifies that these effects would occur as a result of the construction phase, they are considered further below to enable a comparison between Joint Application and the DCO Scheme.					
Completed Development								
Socio-Economic								
Socio-Economic 3	Effect on local labour force from operational employment Table 7.6.2.1 of ES Chapter 7 of the Joint Application sets out the Joint Applicants' assessment of the number of direct jobs that will be created by the proposed development. It has been assumed that between 115,556 sq.m. to 135,000 sq.m. of employment floorspace including 20% B2 will be delivered at the site. The following employment densities have been applied: - B2 (industrial): 36 sq.m. per FTE job - B8 (warehousing): 97 sq.m. per FTE job Based on these assumptions, the proposed development would generate between <u>1,643 and 1,919 FTE jobs.</u> Table 7.6.2.2 provides an assessment of the potential additional (indirect and induced) employment generated by the proposed development at the local level. Accounting for the positive multiplier effects (1.1) and discounting for potential leakage (50%) and displacement (25%) effects results in an	Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: - Receptor: local labour force which is considered to be of medium sensitivity - Magnitude of impact: medium	Effects of operational employment on the Study Area Chapter 5 of the DCO ES (Reference REP4-020) has assessed the impacts of employment generated during the operational phase of the DCO Scheme on the Study Area. As set out at Paragraph 5.2.9, the Study Area comprises the County areas of Leicestershire, Derbyshire and Nottinghamshire. The Study Areas is therefore larger than the area considered in the Joint Application assessment for the local area (North West Leicestershire). Table 5.22 of Chapter 5 of the DCO ES provides an assessment of the number of direct jobs that will be created by the proposed development. The table sets out a number of assessment scenarios including the worst-case assessment which assumes that 100% of the proposed floorspace (300,000sq.m.) will be delivered for B8 (warehousing) at an employment	Major-moderate beneficial (significant) Paragraph 5.5.107 of Chapter 5 of the DCO ES (Reference REP4-020) concludes that the magnitude of the operational phase's potential impact on the moderate sensitivity I&L workers in the Study Area is expected to be high, resulting in a moderate to major beneficial effect over the long term, which is significant in EIA terms	Beneficial Notwithstanding some difference in the approach to the assessment of operational employment, it is clear that the DCO Scheme will result in a significantly greater number of employment opportunities both on- and off-site.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

	additional 676 to 790 job at the local level.		density of 95 sq.m. per FTE job. The table includes a scenario where 20% of the floorspace is assumed to come forward for B2 (industrial) uses at a density of 36 sq.m. per FTE job. Based on these assumption the development is estimated to generate <u>a minimum of 3,160 FTE jobs</u> (100% B8). This <u>increases to 4,110 jobs if 20% B2 is provided.</u> Table 5.23 provides an assessment of the potential additional (indirect and induced) operational employment generated by the proposed development. Accounting for the positive multiplier effects (2.06) and discounting for potential displacement (25%) effects results in an additional 2,020 jobs within the Study Area.					
Socio Economic 4	Effects on local and regional economic activity – GVA As detailed at Table 7.6.1 of ES Chapter 7 of the Joint Application, the assessment is based on the estimated <u>gross</u> direct employment associated with the minimum land use quantum scenario, which totals 1,643No. FTE. In the absence of GVA per filled job data for the manufacturing / transport and storage sectors in North West Leicestershire, the North West Leicestershire GVA per filled job of £64,728 (2023 value of £61,816 based on 2023 data, adjusted to 2025 values using GDP deflators) has been used to derive the estimated annual GVA contribution arising from the gross direct employment opportunities. The annual gross contribution to GVA from operational employment is estimated at approximately <u>£106m per annum.</u>	Major – Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application: • Receptor: East Midlands which is considered to be of medium sensitivity • Magnitude of impact: large as change in	Operational GVA As set out at Paragraph 5.5.125 of Chapter 5 of the DCO ES (Reference REP4-020), the assessment is based on the estimation of 2,775 <u>net</u> on-site operational jobs (on-site jobs net of displacement) generated by the operation of the DCO Scheme and an average GVA of £49,250 per worker in the ‘Transport and Storage’ sector. The assessment estimates that an additional <u>£137m per annum</u> in GVA will be generated once the DCO Scheme is operational. Paragraph 5.5.126 of Chapter 5 of the DCO ES notes that this is a conservative estimate, as a proportion of the off-site multiplier effects would also impact the study area.	Major beneficial (significant) Chapter 5 of the DCO ES (Reference REP4-020) considers the GVA generated by the proposed development together with the estimated business rates and benefits resulting from the EMG2 Main Site’s Freeport status, to come to a conclusion on the contribution the DCO Scheme will make to regional and national economic activity. It concludes at Para	Beneficial Notwithstanding the difference in approach to the calculation of GVA generated by the operation of the development, it is clear that the DCO Scheme will result in a higher level of GVA.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

		GVA p.a. is over £50m		5.5.133 of Chapter 5 of the DCO ES (Reference REP4-020) that the magnitude of the operational phase's potential impact on the high sensitivity regional and national economic activity will be high, resulting in a major beneficial impact over the medium and long term, which is significant in EIA terms.				
Socio Economic 5	Effects on regional labour force from operational employment Table 7.6.2.1 of ES Chapter 7 of the Joint Application sets out the Joint Applicants' assessment of the number of direct jobs that will be created by the proposed development. It has been assumed that between 115,556 sq.m. to 135,000 sq.m. of employment floorspace including 20% B2 will be delivered at the site. The following employment densities have been applied: • B2 (industrial): 36 sq.m. per FTE job • B8 (warehousing): 97 sq.m. per FTE job Based on these assumptions, the proposed development would generate between 1,643 and 1,919 FTE jobs. Table 7.6.2.3 of ES Chapter 7 of the Joint Application provides an assessment of the potential additional (indirect and induced) employment generated by the proposed development at the regional level. Accounting for the positive multiplier effects (1.5) and discounting for potential leakage (10%) and displacement (25%) effects results in an additional 1,658-1,938 job at the regional level.	Major – Moderate Beneficial (significant) Assessment of significance is based on criteria for sensitivity of receptor and impact magnitude defined at Table 7.2.2 and Table 7.2.3 of ES Chapter 7 of the Joint Application : • Receptor: regional labour force which is considered to be of medium sensitivity • Magnitude of impact: large as over 1,000 net FTE employment opportunities will be generated	Effects of operational employment on the Study Area Chapter 5 of the DCO ES (Reference REP4-020) has assessed the impacts of employment generated during the operational phase of the DCO Scheme on the Study Area. As set out at Paragraph 5.2.9 of Chapter 5 of the DCO ES (Reference REP4-020), the Study Area comprises the County areas of Leicestershire, Derbyshire and Nottinghamshire. The Study Areas is therefore smaller than the regional area (East Midlands) considered by the assessment for the Joint Application. The assessment remains as per the 'effect on local labour force from operational employment' set out above.	Major-moderate beneficial (significant) The development would result in a Major-moderate beneficial as per the 'effect on local labour force from operational employment' set out above.	Beneficial The assessment remains as per the 'effect on local labour force from operational employment' set out above.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

Landscape								
Landscape 1	Landscape Effects on the fabric of the site Section 1.6.2 of ES Volume III of the Joint Application considers that the fields within the application boundary would be lost during construction with the gently sloping landscape substantially reprofiled to form development plateaus to facilitate the development. The land use would permanently change from farmland to commercial development comprising warehouse buildings and associated infrastructure (estate road, car parks, service yards etc.) during the operational phase. While the exact design of any landscape buffers would be part of a future detailed reserved matter applications, for the purposes of this assessment, it can be assumed that the minimum landscape depths specified in the site parameters plan and strategic landscape plan, outside of the defined maximum developable area, would be retained and these would include substantial blocks of woodland planting to provide additional screening.	Major Adverse (significant) Due to the nature of the proposed development and the direct change to the landscape of the application, the change would be transformative and would be expected to be major adverse.	Landscape Effects on site and immediate context As noted at Paragraph 10.5.117 of Chapter 10 of the DCO ES (Reference AS-041), the construction landscape effect of the EMG2 Works will arise from the progressive removal of existing landscape features and planting and from the consequential changes to the character of the landscape. This will include changes arising from the earthworks strategy and the formation of the development plateaus and perimeter mounding and from the progressive and increased presence of the proposed large scale buildings and associated infrastructure on the EMG2 Main Site as this is developed. Paragraph 10.5.119 of Chapter 10 of the DCO ES (Reference AS-041) concludes the removal of some existing trees, hedgerows and planting; the subsequent earthworks operations; and the building construction activities and progressive appearance of these buildings will inevitably result in a marked impact on the local landscape. As highlighted at Paragraph 10.5.228-10.5.230 of Chapter 10 of the DCO ES (Reference AS-041), the landscape effects of the EMG2 Works development will gradually reduce over time following the establishment and subsequent maturing of the proposed planting and habitats. The comprehensive management of the proposed planting and habitats will also assist in reducing the initial landscape effects over time. The main residual change and benefits in landscape terms will arise from the maturing and management of the outer and perimeter landscape and planting proposals, which will assist in mitigating	Moderate-Major Adverse (significant) As set out a Paragraph 10.5.120 of Chapter 10 of the DCO ES (Reference AS-041), the magnitude of landscape change arising from construction of the proposed development upon the landscape of the site and its immediate context will be high, resulting in a Major Adverse construction landscape effect. The landscape effects will gradually reduce over time and after 15 years the residual landscape effect of the proposed development on the site itself and its immediate context will be Moderate/ Major Adverse.	Neutral Both the Joint Application and the DCO Scheme will have a marked impact on the local landscape resulting in significant residual impacts.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The counter-intuitive difference in the assessment of effects for the DCO and Joint Application reflects differences in how these effects have been assessed in each ES. SEGRO’s assessment makes no proper attempt to account for and reconcile those differences to assist the decision-maker in the comparative exercise. Thus the assessment does not compare like with like and is unreliable. The DCO scheme involves development of a significantly larger area of land than the Joint Application. That would be reflected in any reliable and robust assessment, but that is not the case here. It plainly cannot be correct that the impact of the DCO development on residual likely significant environmental effects identified in Joint Application ES is either neutral or that the former will have a lesser impact (Moderate Major) than the latter (Major). The impact will be adverse. It is notable that the authors of the assessment

			the influence of the proposed development on the site's immediate landscape context and in assimilating the built development proposals. The proposed woodland, tree, scrub and other planting and grassland proposals will establish and mature to form a robust and connected perimeter landscape and will include valuable new public access routes and informal recreation benefits, as part of the proposed Community Park. The influence of the proposed development upon the surrounding landscape will reduce gradually over time with the maturing of the woodland, trees and other planting proposals, yet it will inevitably remain a strong influence over its immediate landscape context.					have made no attempt to explain why the significant difference in the scale of landscape effects on the site does not result in a different level of effect. The absence of any explanation for this unlikely outcome reflects the very limited and cursory nature of the exercise that has been undertaken, and the patent lack of even-handedness in approach.
Landscape 2	Landscape effects on the Langley Lowlands Character Area Table 1.6.2 of ES Volume III of the Joint Application concludes that overall large scale effects on the character area are confined to the site with the areas around the site maintaining connectivity to the surrounding countryside. The introduction of the development results in Moderate scale effects confined to the area immediately around the site where the surrounding trunk road and airport infrastructure are less apparent. This area is bounded by the A42 to the east and south, and the A453 to the north. These medium scale effects are confined to areas with visibility of the proposed development and filter out to a small and then negligible level to the west where existing development at the western end of the airport would become more prominent in the view.	Moderate Adverse (significant) on Completion reducing to Moderate/Minor (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the Langley Lowlands Character Area is considered to be of medium/low sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion reducing to moderate/minor	Langley Lowlands Character Area Paragraph 10.5.118 of Chapter 10 of the DCO ES (Reference AS-041) notes that at the geographic scale of the national, regional and county scale, landscape character areas and types, the construction landscape effect of the EMG2 Works proposals will be Minor Adverse. This largely reflects the broad geographic scale of these landscapes.	Minor adverse (not significant) As set out at Appendix 10E of the DCO ES (Reference APP-125), the Langley Lowlands Character Area is considered to be overall of medium landscape sensitivity and the magnitude of effects during construction, upon completion and after 15 on this landscape area will be low adverse resulting in a minor adverse significance of effect.	Neutral Both the Joint Application and the DCO Scheme will impact the Langley Lowlands Character Area, albeit the impact is slightly higher for the DCO Scheme but still not significant in EIA terms.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. The counter-intuitive difference in the assessment of effects for the DCO and Joint Application reflects differences in how these effects have been assessed in each ES. This assessment makes no proper attempt to account for and reconcile those differences to assist the decision-maker in the comparative exercise. Thus the assessment does not compare like with like and is unreliable. Given the larger area of land for the DCO, the impact of DCO development on residual likely significant environmental effects identified in Joint Application ES will be

		after 15 years.						higher. The resulting impact would not be 'neutral', but adverse. As with Landscape 1 above, it is apparent that the comparison provided is not like-for-like. A lesser scale of impact for the Joint Application is reported as significant whereas a greater scale of impact for the DCO is reported as not significant. No proper attempt is made to reconcile these differences, highlighting the superficial and unreliable nature of the assessment.
Landscape 3	Landscape effects on landscape setting of Diseworth Conservation Area As noted at Table 1.6.2 of ES Volume III of the Joint Application, the LVIA chapter only considers the effect on the landscape setting of the conservation area with the heritage impacts assessed separately within the Heritage chapter of the ES. It concludes that the proposed development would have a limited effect on the setting of the conservation area with the immediate rural setting of the village retained. The proposed development would not be visible from within the core of the conservation area with the key areas where the setting would be influenced to the north-east of Clements Lane and within long views across to the village from the south. Where visible, views of the proposed development would be softened through the use of a muted colour palette and design principles such as the use of barrel-vaulted roofs and the avoidance of large unbroken facades. In addition, as the proposed	Moderate Adverse (significant) on completion reducing to Moderate/Minor Adverse (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the landscape setting of the Diseworth Conservation Area is considered to be of medium sensitivity. The magnitude of change will be moderate resulting in a	The assessment of landscape and visual impacts at Chapter 10 of the DCO ES (Reference AS-041) does not specifically consider the landscape effects on the landscape setting of the Diseworth Conservation Area. Cultural heritage including the Diseworth Conservation Area, listed building and features within the settlement of Diseworth and the pasture fields immediate surrounding the settlement have been taken into account in appraising Landscape Value of the EMG2 Works and Immediate Context. The Conservation Area's relationship with the surrounding landscape is assessed further in Chapter 12: Cultural Heritage of the DCO ES (Reference REP4-024). Paragraph 12.5.67-12.5.68 of Chapter 12 of the DCO ES (Reference REP4-024)	Minor Adverse (not significant) Paragraph 12.5.69 of Chapter 12 of the DCO ES (Reference REP4-024), which provides an assessment of the cultural heritage impacts of the proposed development, concludes that the operation phase will affect a portion of the wider rural setting of the Diseworth Conservation Area but will not affect the Area's character and appearance in itself. Therefore, the proposed	Adverse Both schemes will affect the landscape setting of the Diseworth Conservation Area, although neither ES considers the residual effects as likely to be significant.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. As with the assessment of impact of the DCO on the residual likely significance of the Joint Application for Landscape 2, the same conclusions would also apply to Landscape 3 i.e. the impact is higher for the DCO Scheme.

	mitigation planting around the boundary begins to mature, it will further reinforce the separation between the village and the proposed development.	moderate adverse effects at completion reducing to moderate/minor after 15 years.	conclude that the character and appearance of Diseworth Conservation Area is primarily derived from the historic morphology of the village and historic buildings therein. The EMG2 Works is a small part of the Conservation Area's setting, which itself, as a whole, provides a secondary level of contribution to the asset's significance. Consequently, the EMG2 Works provides a low level of contribution to the assets importance. The effect of the proposed scheme will include changes to the rural approach to the Conservation Area from the northeast and changes in views from and to the Conservation Area and in parts of the wider landscape, resulting in the alteration of an element of its rural setting.	development will result in a long term, low magnitude of impact on the Diseworth Conservation Area, and thus a Minor adverse significance of effect.				
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Visual

Visual 1	Visual effects on receptors at Hyams Lane (Viewpoint 2, 20 & 21) (PROW L45/1) Table 1.6.2 of ES Volume III of the Joint Application considers that whilst views into the site would altered, with views towards the proposed development set within the landscape strategy for the site which includes a new community park. The primary direction of views along the Lane looks out to the south and west and as such would be largely maintained post-development. The PROW also crosses the application site at the eastern end of the site with the route requiring diversion as part of the proposals (closure of PROW during construction phase and permanent diversion route to be formalised at reserved matters stage once layout detail is fixed). While the intention would be to maintain some sort of setting for the footpath, it is likely to have to follow internal access roads as it passes through the urban landscape of the proposed development. Overall, it is considered that the scale of change would be large, and the effects would occur	Major Adverse (significant) on completion reducing to Moderate/Major Adverse (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the Hyams Lane receptor groups is considered to be of high/medium sensitivity. The magnitude of change will be substantial resulting in a major adverse effects at completion reducing to	Receptor F1 – Users of Hyams Lane (PROW L45/L46) (VPs B, C and D) As set out at Appendix 10F of the DCO ES (Reference REP3-049), existing views from Hyams Lane are principally across the landscape to the south yet also include buildings and the airport control tower to the north/ north east. Views across Diseworth are possible from the more elevated parts of the lane and the M1/ A42 are also partially visible. Charnwood Forest is distantly visible to the south. The proposed development will retain Hyams Lane as an access route within the scheme. This will include substantial conservation of the existing hedgerows lining the route and additional new native woodland and other planting and habitats along the corridor. Inevitably, there will be a significant visual change to the nature of the views for users of the route and proposed	Major Adverse (significant) on completion reducing to Moderate/Major Adverse after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of Hyams Lane are considered to be of medium/high sensitivity. The magnitude of change will be high at completion reducing to medium/high after 15 years resulting in a major adverse effects at completion reducing to moderate/major	Adverse Although both schemes will have significant visual effects on users of Hyams Lane, the DCO Scheme will affect the land to the north and south of Hyams Lane and will therefore have a greater impact which will remain significant in the long-term.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.
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	along the majority of the route from the A453 down to Diseworth. However, views on the approach from the village would offer the greatest level of mitigation through the use of bunding and mitigation planting	moderate/major adverse after 15 years.	buildings will be closely and clearly visible to both sides, beyond the conserved and new planting. Views out beyond the proposed development will still be possible towards Diseworth and the wider landscape to the south yet these will be considerably more restricted and channelled by the adjoining proposed planting and nearby buildings. Approaching and more open views of and across Diseworth will still be possible from the south western stretch of the route.	adverse after 15 years.				
Visual 2	Visual effects on receptors from viewpoint 1 (A453) Table 1.6.2 of ES Volume III of the Joint Application considers that the visibility of the proposed development would be extensive for the 1.5km stretch adjacent to the northern boundary with occasional glimpsed views to the west of this for a further 1km. For the main stretch of visibility to the north of the application site, the road is street lit with views through vegetation to the existing development on the southern edge of the airport. The proposed development on the application site would be visible along the whole northern boundary, with existing vegetation providing a screen to lower level that would be reinforced with new planting to further enhance the screen as it matures. Upper parts of the proposed building would still be visible. This section of the A453 would change from one that runs around the edge of the airport to one that runs through development associated with it.	Major/Moderate Adverse (significant) on completion reducing to Moderate Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the A453 key route is considered to be of medium sensitivity. The magnitude of change will be substantial resulting in a major/moderate adverse effects at completion reducing to moderate adverse after 15 years.	Receptor V1 – Users of A453 alongside the Site (VPs Q & R) As set out at Appendix 10F of the DCO ES (Reference REP3-049), existing views for users of the A453 alongside the Site are generally focussed along the road given the existing roadside hedgerows and tree planting on the northern side of the road. Views out across the landscape to the south and across the Site are largely restricted by the existing roadside hedgerow. The proposed development will be visible on the southern side of the road where it adjoins the Site. In these views conserved stretches of the roadside hedgerow will combine with new hedgerows and landscape proposals to provide a setting to the new buildings and development. A positively designed and landscaped development frontage and gateway(s)/ entrance(s) to the scheme will form part of the proposals. Views towards the proposed development will be possible from the entrance to the airport and a short stretch of the approaching A453 to the west of this junction.	Moderate adverse (not significant) on completion reducing to minor/moderate (not significant) adverse after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of the A453 alongside the site are considered to be of medium sensitivity. The magnitude of change will be medium at completion reducing to low after 15 years resulting in a moderate adverse effects at completion reducing to minor/moderate adverse after 15 years.	Neutral Based on professional judgement, the effects of the Joint Application are considered to be significant both at completion and after 15 years, whilst the DCO Scheme would result in effects that are judged not to be significant. Notwithstanding this difference in judgement, both schemes will affect views from the A453 as both schemes have development along this frontage and the conclusion has therefore been drawn that the overall effect of the DCO development	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. Here too there is a material and counter-intuitive difference in the two ES assessed effects, with the Joint Application concluding a significant effect after 15 years, but the DCO concluding the effect would not be significant after 15 years. For the reasons given above, the assessment does not properly address this which makes the assessment undertaken in this table unreliable.

Visual 3	Visual effects on PRoW to the north-east of Diseworth (Viewpoints 4 & 20) These two public rights of way lead from Clements Gate in the village up to Hyam’s Lane across farmland used for grazing and keeping horses. Table 1.6.2 of ES Volume III of the Joint Application considers that the south western corner of the development would be visible from here with the potential for views towards the development along the majority of the route. The proposed strategic landscape buffer is widest at this corner which would provide the opportunity for the provision of screening through a combination of the screening bunds / fencing and a wider band of mitigation planting. The proposals would break the skyline. Whilst both the airport and A453/A42 exert some influence over the visual amenity, this is limited due to mature screen planting and topography, with only glimpsed partial views. The effect of the proposals would therefore be that larger scale development becomes more prominent in the view. Despite this, the proposals sit separate from the edge of the village with the proposed buffer and existing topography providing an appropriate offset. The proposed planting would also provide an increasingly effective screen to lower parts of the development with the selection of a muted, neutral colour palette with warm tones and avoidance of large unbroken facades aiding in softening the appearance of the proposed development where it breaks the skyline. Due to the proximity to the site, while ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along both of the routes.	Major/Moderate Adverse (significant) on completion reducing to Moderate Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the PRoW to the north-east of Diseworth is considered to be of high/medium sensitivity. The magnitude of change will be substantial resulting in a major/moderate adverse effects at completion reducing to moderate adverse after 15 years.	Receptor F1a – Users of PROW on north east edge of Diseworth (across field(s) south of Hyam’s Lane) (Ref L46/ L47) (VP A) As set out at Appendix 10F of the DCO ES (Reference REP3-049), existing views from Hyams Lane are principally across the landscape to the south yet also include buildings and the airport control tower to the north/ north east. Views across Diseworth are possible from the more elevated parts of the lane and the M1/ A42 are also partially visible. Charnwood Forest is distantly visible to the south. The proposed development will retain Hyams Lane as an access route within the scheme. This will include substantial conservation of the existing hedgerows lining the route and additional new native woodland and other planting and habitats along the corridor. Inevitably, there will be a significant visual change to the nature of the views for users of the route and proposed buildings will be closely and clearly visible to both sides, beyond the conserved and new planting. Views out beyond the proposed development will still be possible towards Diseworth and the wider landscape to the south yet these will be considerably more restricted and channelled by the adjoining proposed planting and nearby buildings. Approaching and more open views of and across Diseworth will still be possible from the south western stretch of the route. The proposed development will also be visible at night. The main visible night-time elements at this time will be the nearest proposed buildings and	Major Adverse (significant) on completion reducing to Moderate/ Major Adverse (significant) after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of the PRoW on the north-east edge of Diseworth are considered to be of high sensitivity. The magnitude of change will be high at completion and remain high after 15 years resulting in a major adverse effects at completion reducing to moderate/major adverse after 15 years.	Adverse Although both schemes will result in significant visual effects on users of Hyams Lane, the DCO Scheme will affect the land to the north and south of Hyams Lane and will therefore have a greater impact on users of the PRoW.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.
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			potentially some of the higher proposed luminaires/ light sources. However, the proposed perimeter mitigation mounding and application of appropriate lighting controls/ restrictions (to west facing facades) will limit these effects. Lower level lighting associated with the vehicles and use of the service yards/ car parks will also be substantially screened by the proposed perimeter mounding. Some existing lighting is currently evident in the direction of EMA and the A453, to the north of the Site.					
Visual 4	Visual effects on receptors from Viewpoint 3 (Grimes Gate and PROW to the west (L43/1) Table 1.6.2 of ES Volume III of the Joint Application considers that views towards the site are filtered by roadside and field edge vegetation. The extent of visibility would vary dependent on the height of the roadside vegetation and the time of year. The development is located to the left of the view and is not the main visual focus with the eye tending to be drawn towards the airport control tower when moving northwards, or towards the village when moving southwards. The extent of visibility towards the proposed development reduces moving towards the village as the extent of tree cover increases and the field and roadside vegetation becomes thicker and more expansive. Despite this, there are likely to be clear views towards the application site with the tops of buildings visible and breaking the skyline when viewed from many locations. While visible, the development retains a degree of separation from the village with the proposed landscape buffer creating a clear distinction between the two. Ground level activity would be largely screened by a combination of bunding and screen fencing. The level of screening of lower parts of any proposed buildings would increase over time as mitigation planting matures.	Moderate Adverse on completion (significant) remaining at Moderate Adverse after 15 years but not considered significant for Viewpoint 3 As set out at Table 1.6.2 of ES Volume III of the Joint Application, Grimes Gate and the PROW to the west are considered to be of high/medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not	Receptor V5 – Users of Grimes Gate As set out at Appendix 10F of the DCO ES (Reference REP3-049), existing views from this short stretch of road leading into Diseworth from the north are focussed along the lane with wider views partially restricted by the existing roadside hedgerows. As the road leads into the settlement area, views towards the Site are screened by houses/ buildings on the eastern side of the road. The western edge of the proposed development will be seen from this road with the clearest views limited to field entrances and breaks in the existing hedgerows. Proposed mitigation mounding and associated woodland planting on the western side of the site will provide some lower level visual screening and increasingly over time will filter/ screen views towards the higher parts of the closest buildings. The proposed development will also be partially visible at night from this short stretch of road. The main visible night-time elements at this time will be the nearest proposed buildings and potentially some of the higher proposed luminaires/ light sources.	Moderate/ Major Adverse (significant) at completion reducing to Moderate Adverse (not significant) after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of Grimes Gate are considered to be of medium sensitivity. The magnitude of change will be medium/high at completion and reduce to medium after 15 years resulting in a moderate/ major adverse effects at completion reducing to moderate adverse after 15 years.	Neutral Both schemes will have significant visual effects on users of Grimes Gate. Although the effect at completions of the DCO Scheme is considered to be more significant (moderate/major adverse in contrast to moderate adverse for the Joint Application), this is based on professional judgement with both schemes having significant effects on users of Grimes Gate at completion. These reduce to moderate adverse effects after 15 years, which is	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here. Here too there is a material and counter-intuitive difference in the two ES assessed effects. It cannot sensibly be correct to conclude that the difference between the two schemes is 'neutral' when the assessment itself acknowledges that the effect of the DCO Scheme at completion is more significant (moderate/major adverse) than that of the Joint Application (moderate adverse), and when the DCO Scheme involves development of a significantly larger area of land. This reflects the fact that the two are not being compared like with like, which makes the assessment undertaken in this table unreliable.

	Whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along these routes. The proposed lighting would sit in the wider context of existing lighting at the airport which is visible in the baseline view.	significant).	However, the proposed perimeter mitigation mounding and application of appropriate lighting controls/restrictions (to west facing facades) will limit these effects. Lower level lighting associated with the vehicles and use of the service yards/ car parks will also be substantially screened by the proposed perimeter mounding.		considered not to be significant for both schemes.			
Visual 5	Visual effects on area to the south of Diseworth (Viewpoints 8 & 9 & 18) Table 1.6.2 of ES Volume III of the Joint Application highlights that the village of Diseworth sits at the base of a small valley with the site located on the northern slope above it. To the south of the village, the land slopes up again which results in views back across the valley towards the site with the village sat below. The airport sits behind the site on a plateau but is largely screened from view by the existing screen planting that wraps around the southern edge. The exception to this is the control tower and high mast lighting which are both clearly visible. Moving up the valley slope in a southerly direction, existing development at East Midlands Gateway and the Ratcliffe on Soar power station also begin to come into view (VP18). When viewed across the valley the application site sits on the skyline with the proposed building parameters breaking the skyline. From further south these buildings would sit in front of development at East Midlands Gateway and the power station (VP18), but from closer to the site, the development would appear above and to the right of Diseworth with the buffer between the two less evident than elsewhere (VP8). Proposed mitigation planting would begin to further screen lower parts of the development as it matures. Whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible in longer views back towards the application site. The	Moderate Adverse (significant) on completion remaining at Moderate Adverse (significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, the area to the south of Diseworth is considered to be of high/medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years.	Receptor F5 – Users of PRow south of Diseworth (Ref L49/ L50) (PV J) As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of two footpaths to the south of Diseworth have existing varying views over a relatively broad landscape to the north and east. From the elevated part of the footpath extending over the highest ground (see Photo Viewpoint J), the proposed development will be visible beyond the intervening fields. The proposed buildings in the west and south of the Site will be the most visible from this position. The mitigation mounding and associated woodland and other planting will over time provide some filtering and screening of the lower level parts of the development and active surrounds to the proposed buildings (e.g. service yards/ car parks/ access roads). The proposed development will also be visible at night. The main visible night-time elements at this time will be the higher parts of the proposed buildings and some of the higher proposed luminaires/ light sources. Lower level lighting associated with the vehicles and use of the service yards/ car parks will also be visible yet screened in part by the proposed mitigation mounding. Application of appropriate lighting controls/ restrictions (to west facing facades) will also assist in mitigating the effects. Existing lighting is currently evident in these views, principally in the	Major Adverse (significant) at completion reducing to Moderate/ Major Adverse (significant) after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of the PRow to the south of Diseworth are considered to be of high sensitivity. The magnitude of change will be up to high at completion and reduce to up to medium/high after 15 years resulting in a major adverse effects at completion reducing to moderate/major adverse after 15 years.	Adverse Both schemes will have significant visual effects on users of the PRow to the south of Diseworth with the DCO Scheme having a greater effect as the development extents further to the south.	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

	commitment to minimise light spill and to protect ecologically sensitive areas along this boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. The proposed development would sit in the wider context of existing lighting along trunk road routes and at the airport, which are both often visible in the baseline view.		direction of EMA, to the north and north west of the Site.					
Visual 6	Visual effects on Viewpoints 5, 7, 9, 10 and 18 (Cross Britain Way) The Cross Britain Way runs across the study area in an east / west direction. Table 1.6.2 of ES Volume III of the Joint Application considers that in terms of the potential visibility of the proposed development on the route, the ZTV suggests pockets of visibility from Hathern, through Long Whatton and Diseworth and then eastwards towards Tonge and Breedon on the Hill. Site assessment work helped to establish a reduced extent of visibility, with the site first becoming visible on the route approaching from the west around Woodhouse Farm to the west of Diseworth (VP18). From here, visibility would remain until the route drops down into Diseworth (VP7) with limited visibility within the core of the village. The proposed development would then become visible again as the route passes along Clements Gate (VP4), staying visible until the route passes over the A42 (VP5 & 9). To the east of the A42 there is unlikely to be more than occasional glimpsed views of parts of the development (VP10). To the west of Diseworth the proposed development would appear above the village on the opposite valley slope. For much of the route here the development parameters sit within the context of other development at the airport which is also visible on the horizon. It would however be more prominent in the view. The building would break the skyline along most of the route where visible. To the east of Diseworth the topography between the recreational route and the application site restricts visibility to lower parts of the development, however the top part of the	Moderate Adverse (significant) on completion remaining at Moderate Adverse (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III of the Joint Application, users of the Cross Britain Way are considered to be of high/medium sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not significant).	Receptors F3 and F4 – Users of Cross Britain Way (Long Holden to A42) (Ref L48) (VPs G & H) and Users of Cross Britain Way (west of Diseworth) (Ref L96) (VP I) As set out at Appendix 10F of the DCO ES (Reference REP3-049), from the relatively lower lying stretch of the route between the edge of Diseworth and the A42, the views are relatively more contained and comprise principally the immediate fields/ farmland yet also views towards Diseworth and partial/ glimpsed views of the M1/ A42 traffic/ infrastructure. The proposed development will be visible to the north of this stretch of the route occupying the rising ground. The proposed buildings on the lower southern part of the Site will be visible beyond the immediate field and Long Holden. Woodland proposals along the southern edge of the Site will over time restrict and filter views towards the buildings and the lower active surrounds. Existing easterly views from the Cross Britain Way to the west of Diseworth include the Site beyond Diseworth and also buildings and the control tower at the airport and more distantly the power station. The proposed development will be visible beyond Diseworth from south west of the settlement. Within these	Up to Moderate/ Major Adverse (significant) at completion reducing to Moderate Adverse (not significant) after 15 years As set out at Appendix 10F of the DCO ES (Reference REP3-049), users of the Cross Britain Way are considered to be of high sensitivity. The magnitude of change will be up to medium/ high at completion and reduce to up to medium after 15 years resulting in a moderate/ major adverse effects at completion reducing to moderate adverse after 15 years.	Adverse	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

	building parameters would be visible and would break the skyline along much of this part of the route. Whilst proposed mitigation planting would begin to further soften views as is establishes, views towards the top part of buildings would remain. The development would result in large-scale development becoming more prominent along this section of the Cross Britain Way. It should however be noted that this section of the route also crosses two trunk roads at this location and from many locations also provides views towards other large scale regional developments such as the Ratcliffe on Soar power station, the airport and East Midlands Gateway, therefore reducing the potential visual impact on users of the route. For the portions of the recreational route to the south of the site, whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible. The commitment to minimise light spill and to protect ecologically sensitive areas along this boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. This would sit in the wider context of existing lighting along trunk road routes that the Cross Britain Way crosses and other large infrastructure such as the airport and East Midlands Gateway, which are visible at points along the route in the baseline view.		views, it will principally be the highest parts of the proposed buildings that will be visible. The mitigation mounding and associated woodland planting in the west and south west of the Site will provide some visual screening of the lower level parts of the development and active surrounds to the proposed buildings (e.g. service yards/ car parks/ access roads). The proposed development will also be visible at night. The main visible night-time elements at this time will be the nearest proposed buildings and potentially some of the higher proposed luminaires/ light sources. The proposed perimeter mitigation mounding on the southern edge of the Site will however limit night time views towards lower level vehicular activity associated with the service yards and car parks. Existing lighting is currently evident in the direction of EMA, to the north of the Site and associated with the A42/ M1 road corridors.					
Visual 7	Visual effects on Viewpoint 3 (National Cycle Route 15) As set out at Table 1.6.2 of ES Volume III of the Joint Application, the route follows the road from Belton to Diseworth, cutting through the village along Hall Gate before heading up Grimes Gate to the airport entrance. From the A42 underpass onwards, with the exception of the part within the village, the proposed development would be visible with the proposed development parameters breaking the horizon. Close to the A42 crossing the	Moderate Adverse (significant) on completion remaining at Moderate Adverse (not significant) after 15 years As set out at Table 1.6.2 of ES Volume III, users	Visual effects on users of the cycle route have not been specifically considered at Chapter 10 of the DCO ES (Reference AS-041) and there is therefore no comparable analysis for the DCO Scheme. However, Chapter 10 of the DCO ES (Reference AS-041) considers the impacts on residents occupying homes along the route to the north (R1), within Diseworth (R2 and R6) and to the south-west (R9 and R10) and users of Grimes	n/a	Adverse	Very high	Permanent	Comments provided in Appendix 4B apply to the Joint Application assessment presented here.

	proposed development would be visible alongside the Ratcliffe on Soar power station whereas for closer views either side of Diseworth the development would be visible primarily in isolation. Due to the proximity to the site, whilst ground level activity including vehicle movements would be largely screened, there is still the potential for street lighting and building mounted lighting to be visible from points along the route as it runs along Grimes Gate. The commitment to minimise light spill and to protect ecologically sensitive areas along the western boundary would aid in mitigating the night time view and ensure that the visual effect would not exceed that assessed during day time. This would sit in the wider context of existing lighting along trunk road routes and at the airport which are both visible in the baseline view.	of the National Cycle Route 15 are considered to be of medium/high sensitivity. The magnitude of change will be moderate resulting in a moderate adverse effects at completion (significant) and remaining moderate adverse after 15 years (not significant).	Gate (V5).		would result in significant visual effects on users of the National Cycle Route 15 and is likely to results in greater visual effects as the development extends further to the south			
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