

Document DCO 1.3 / MCO 1.3

Guide to the Applications

July 2025

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

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1 Introduction

- 1.1 This document is provided as a guide to the applications made by SEGRO Properties Limited ('DCO Applicant') and SEGRO (EMG) Limited ('MCO Applicant') (together referred to as 'SEGRO' or 'the Applicants') relating to a second phase at East Midlands Gateway Logistics Park ('EMG1').
- 1.2 EMG1 is a nationally significant infrastructure development comprising a rail freight terminal and warehousing. It was authorised by The East Midlands Gateway Rail Freight Interchange and Highway Order 2016 (SI 2016/17) ('the EMG1 DCO') and was substantially completed in October 2024.
- 1.3 This second phase is referred to as 'East Midlands Gateway 2' or 'EMG2' or the 'EMG2 Project'.
- 1.4 This guide provides an overview of the proposed development and explains the contents of each of the application documents submitted.
- 1.5 A glossary of the main defined terms used in this document and the application documents generally can be found at **Appendix 1** of this document.

2 Overview of the EMG2 Project

- 2.1 The EMG2 Project comprises various components as shown on the Components Plan (**Document DCO 2.7/MCO 2.7**). The three main components are as follows:

Main Component	Details	Works Nos.
DCO Application / DCO Scheme		
EMG2 Works	Logistics and advanced manufacturing development located on the EMG2 Main Site south of East Midlands Airport and the A453, and west of the M1 motorway.	DCO Works Nos. 1 to 5 as described in the draft DCO (Document DCO 3.1).
	Together with an upgrade to the EMG1 substation and provision of a Community Park.	DCO Works Nos. 20 and 21 as described in the draft DCO (Document DCO 3.1).
Highway Works	Works to the highway network: the A453 EMG2 access junction works; significant improvements at Junction 24 of the M1 (referred to as the J24 Improvements) and works to the wider highway network including active travel works.	DCO Works Nos. 6 to 19 as described in the draft DCO (Document DCO 3.1).
MCO Application / MCO Scheme		
EMG1 Works	Additional warehousing development on Plot 16 together with works to increase the permitted height of the cranes at the EMG1 rail-freight terminal, improvements to the public transport interchange, site management building and the EMG1 access works.	MCO Works Nos. 3A, 3B, 5A, 5B, 5C, 6A and 8A in the draft MCO (Document MCO 3.1).

- 2.2 A more detailed description of the EMG2 Project and its components can be found in Chapter 3 of the Environmental Statement ('ES') submitted with the applications (**Document DCO 6.3/MCO 6.3**).
- 2.3 The Applicants have made two concurrent applications for the three component parts of the EMG2 Project.
- 2.4 The first application, the applicant for which is SEGRO Properties Limited, is for a Development Consent Order (referred to as the 'DCO Application') for the EMG2 Works component and the Highway Works component. The DCO Application is made pursuant to section 37 of Part 5 of the Planning Act 2008 ('PA 2008').
- 2.5 The second application, the applicant for which is SEGRO (EMG) Limited, is for a Material Change Order to the existing EMG1 DCO (referred to as the 'MCO

Application') for the EMG1 Works component. The MCO Application is made pursuant to section 153 and schedule 6 of the PA 2008¹.

¹ EMG1 was substantially completed in October 2024, less than 4 years ago, so the power of the Secretary of State to make a change to the EMG1 DCO remains for the purposes of paragraph 5(2) of Schedule 6 of the PA 2008.

3 Proposed DCO

The DCO Applicant

- 3.1 The DCO Applicant, SEGRO Properties Limited (Company number 00448911) of 1 New Burlington Place London W1S 2HR, is a wholly owned subsidiary of SEGRO PLC, a UK Real Estate Investment Trust (REIT) and a FTSE 100 company.
- 3.2 SEGRO PLC is a FTSE 100 listed Real Estate Investment Trust (REIT), originally founded in 1920, with net assets of over £12 billion (31 December 2024). It is the largest REIT by net assets listed on the FTSE 100 and made an adjusted pre-tax profit of £470 million in the 2024 financial year. It is a leading owner, manager and developer of modern warehouses and industrial property and owns or manages 10.3 million square metres of space (110 million square feet) valued at £21.0 billion serving customers from a wide range of industry sectors. Its properties are located in and around major cities and at key transportation hubs in the UK and in seven other European countries.
- 3.3 For over 100 years, SEGRO PLC has been creating market leading high-quality assets that allow its customers to thrive. This includes modern big box warehouses, used primarily for regional, national and international distribution hubs, as well as urban warehousing and manufacturing facilities located close to major population centres and business districts.
- 3.4 SEGRO PLC is committed to being a force for social and environmental good and this is integral to their purpose and strategy. Its 'Responsible SEGRO framework' focuses on three long-term priorities where the company believes it can make the greatest impact: Championing Low-Carbon Growth, Investing in Local Communities and Environments and Nurturing Talent.
- 3.5 In addition to the very successful development of EMG1, SEGRO PLC has a history of working on other large schemes. Amongst those is:
 - 3.5.1 Northampton Gateway: Commenced construction of its Northampton Gateway scheme in 2020. The project will deliver 5m sq.m. of logistics and warehousing and a new strategic rail freight interchange which was also approved via a DCO;
 - 3.5.2 Coventry Gateway: A significant warehousing and industrial development south of Coventry with planning approval for 3.7m sq.m;
 - 3.5.3 Smartparc SEGRO Derby: Comprising 2m sq.m. of manufacturing and distribution specifically designed for food manufacturing and associated services with a central energy centre and private electric network; and
 - 3.5.4 Rugby Gateway: A 1.2m sq.m. logistics park, completed in 2017 at Junction 1 of the M6.
- 3.6 In May 2023, SEGRO PLC was announced as the strategic partner of the neighbouring West Midlands Combined Authority (WMCA), with a commitment to invest £2 billion over the coming decade to deliver next generation, net zero warehouse facilities in the West Midlands. As a strategic partner, SEGRO PLC aims to deliver 13.5 million sq.m. of sustainable warehouse space across the West Midlands by the end of 2033, focused on tech-enabled logistics facilities as well as purpose-built space for research and development and light manufacturing. The development programme is expected to create up to 14,000 jobs covering a wide range of employment types and industry

sectors and will contribute significantly to economic growth and levelling up the region, which are two core aims of the WMCA.

- 3.7 Further details about the DCO Applicant and SEGRO PLC can be found in the Funding Statement (**Document DCO 4.2**).
- 3.8 As a subsidiary of SEGRO, the DCO Applicant has the benefit of all of the above experience and resources necessary to deliver EMG2.

DCO Application

- 3.9 The DCO Application for the EMG2 Works component and the Highway Works component.
- 3.10 The DCO Application is made pursuant to section 37 of Part 5 of the Planning Act 2008 ('PA 2008') and:
- 3.10.1 In respect of the EMG2 Works comprising the EMG2 Main Site (Works Nos. 1 to 4) and the Community Park (Works No. 21), is made pursuant to a direction made by the Secretary of State ('SoS') under section 35 of the PA 2008 and dated 21 February 2024 ('Section 35 Direction') (**Document DCO 6.1B**) as described in paragraph 3.11 below;
- 3.10.2 In respect of that part of the Highway Works which comprise works to the strategic road network (Works Nos. 8 to 12), these works are an NSIP in their own right and the application is made pursuant to section 22 of the PA 2008, as described in paragraphs 3.12 – 3.17 below; and
- 3.10.3 In respect of that part of the Highway Works which comprise works to local highways (Works Nos. 6, 7 and 13 to 19), these are associated development as defined in section 115(2) of PA 2008. Other associated works include an upgrade to the substation at EMG1 (Works No. 20) are also associated development. See paragraph 3.18 – 3.19 below.

Section 35 Direction

- 3.11 In January 2024, SEGRO made an application to the SoS under section 35 of the PA 2008 for a direction to recognise the development of the EMG2 Main Site (Works No. 1 to 4) and what is now termed the Community Park (Works No. 21) as being a project of national significance for which development consent application should be made. The SoS subsequently issued the Section 35 Direction confirming that the proposed development by itself is nationally significant because the proposal would:
- *be likely to have significant economic impact;*
 - *be important in driving growth in the economy;*
 - *have an impact on an area wider than a single local authority area;*
 - *be of a substantial physical size and scale;*
 - *contribute to delivering the outcomes of the Freeport; and*
 - *benefit from the application being determined through a single, unified consenting process provided by the Planning Act 2008 which would remove the need to apply and the uncertainty of applying for separate powers and consents*

Highway NSIP

- 3.12 Consideration was given as to whether any of the Highway Works might constitute an NSIP in their own right. Whether they do depends on whether the works meet the criteria and thresholds relating to 'highway' NSIPs as set out in section 22 of the PA 2008.
- 3.13 There are three categories of works on highways which may qualify as NSIPs. These are the 'construction', 'alteration' and 'improvement' of such a highway.
- 3.14 No new highways are proposed to be constructed as part of the DCO Scheme for the purposes of section 22(2) of PA 2008.
- 3.15 As regards the 'alteration' and 'improvement' of highway, the criteria and thresholds are as follows:

3.15.1 Alteration (section 22(3) of PA 2008) – The works are an NSIP if:

- (a) The highway is wholly in England;
- (b) The SoS or a strategic highways company is the highway authority for the highway; and
- (c) The area of development relating to a motorway is greater than 15ha or if the area of development relating to an all-purpose trunk road with an expected speed limit greater than or equal to 50mph is greater than 12.5ha or if the area of development relating to other all-purpose trunk road is greater than 7.5ha.

3.15.2 Improvement (section 22(5) of PA 2008) – The works are an NSIP if:

- (a) The highway is wholly in England;
- (b) The SoS or a strategic highways company is the highway authority for the highway; and
- (c) The improvements are likely to have a significant effect on the environment.

- 3.16 Part of the Highway Works comprising Work Nos. 8 to 12 are to highway wholly in England, are to highway for which a strategic highways company is the highway authority and exceed the thresholds in section 22(3) of the PA 2008. They are therefore an alteration for the purposes of section 22(3) of the PA 2008 and a NSIP in their own right. A note setting out how the criteria and thresholds have been met is at **Appendix 2**, a copy of which was shared with National Highways Limited.
- 3.17 The remainder of the Highway Works are not being carried out on highways for which the Secretary of State or a strategic highways company is the highway authority and section 22 does not apply to them.

Associated Development

- 3.18 The Highway Works comprising works to local highways (Works Nos. 6, 7 and 13 to 19) and the upgrade to the substation at EMG1 (Works No. 20) are associated development. Associated development is defined in section 115(2) of PA 2008 as development which is associated with the development for which development consent

is required, does not consist of or include the construction or extension of dwellings and is located in England for the purposes of subsection (3).

4 Proposed MCO

The MCO Applicant

- 4.1 The MCO Applicant, SEGRO EMG Limited (Company number 07567544) of 1 New Burlington Place London W1S 2HR, is a wholly owned subsidiary of the DCO Applicant.
- 4.2 As a subsidiary of the DCO Applicant, the MCO Applicant has the benefit of all of the above experience and resources necessary to deliver EMG2.
- 4.3 The MCO Applicant is the person who applied for the EMG1 DCO as well as a person with an interest in the land the subject of the MCO Application and is therefore entitled to apply for the draft MCO (**Document MCO 3.1**)².
- 4.4 The MCO Applicant is the owner and operator of the successful flagship EMG1. EMG1 is a 700-acre development which has delivered nearly 4 million sq.ft. of logistics accommodation to date. It is occupied by, amongst others, Maersk, Amazon, GXO, DHL, Very and Games Workshop, and there is demand for more floorspace.
- 4.5 EMG1 incorporates a 50-acre strategic rail freight interchange ('SRFI') capable of handling up to sixteen 775m trains per day, container storage and HGV parking. The SRFI is operated by Maritime Transport Limited ('Maritime') and provides direct access to the UK's network of RFIs as well as major ports such as Southampton, Felixstowe, London gateway and the Channel Tunnel. It operates 24/7 and is able to provide storage capacity of over 5,000 TEU (equivalent to approximately 45,000 pallets of cargo). Maritime has a dedicated division which focuses on growing intermodal volumes nationally through increasing their rail-connected terminals and dedicated Maritime trains. EMG1 has been chosen as the site to house their headquarters. The SRFI has proved very successful in proving a focus for the growth of the use of rail freight. All occupiers of the warehousing on EMG1 utilise it.

MCO Application

- 4.6 The MCO Application is for the EMG1 Works component. The MCO Application is made pursuant to section 153 and schedule 6 of the PA 2008 and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 ('2011 Regulations').
- 4.7 The EMG1 Works comprise:
 - 4.7.1 Construction of a new rail-served warehouse building on land adjacent to the SRFI referred to as Plot 16 (MCO, Works No. 3A) together with associated access and drainage (MCO, Works No. 5A) and landscaping (MCO, Works No. 6A);
 - 4.7.2 Alterations to the maximum permitted height of gantry cranes at the rail terminal within the SRFI by 4m to 24m overall;

² EMG1 DCO identified Roxhill (Kegworth) Limited as an 'undertaker' being the entity granted the benefit of the EMG1 DCO. The MCO Applicant is therefore entitled to make the MCO Application pursuant to paragraph 3(4) of Schedule 6 of the PA 2008 being both an applicant for the EMG1 DCO (paragraph 3(4)(a) of Schedule 6) and a person with an interest in the land with the benefit of the EMG1 DCO (paragraph 3(4)(b) of Schedule 6).

- 4.7.3 An expansion of the EMG1 Management Suite by the EMG1 site entrance to cater for the additional demand on management facilities resulting from occupiers of EMG1 (MCO, Works No. 3B);
- 4.7.4 Enhancements to the Public Transport Interchange by way of the installation of EV charging infrastructure for buses and provision of a drop-off layby adjacent to the transport hub (MCO, Works No. 5B and 5C); and
- 4.7.5 Provision of a signalised crossing over the EMG1 exit road approach to the access junction to EMG1 (MCO, Works No. 8A) connecting to the drop-off layby.
- 4.8 A more detailed description of the EMG1 Works can be found in Chapter 3 of the ES submitted with the MCO Application (**Document MCO 6.3**).
- 4.9 The EMG1 Works will build on the success of EMG1 enabling more floorspace to be provided to meet demand and providing improvements to the rail terminal to improve its efficiency.

5 Project Team

5.1 The table below sets out the Project Team involved in the preparation of the Application, in addition to the Applicant's in house team.

Topic	Entity
DCO Legal	Gowling WLG (UK) LLP
Planning, Environmental Statement Co-ordinators and Consultation	Oxalis Planning Delta Planning
Design and Masterplanning	UMC Architects
Infrastructure and Civils Design	BWB Consulting
Transportation	BWB Consulting and iTP
Market Analysis	Savills LLP and Oxalis Planning
Landscape & Visual	FPCR
Ecology	FPCR
Socio-Economic, Human Health	Savills
Cultural Heritage	RPS
Noise and Vibration	Vanguardia
Air Quality	Vanguardia
Water, Flood Risk, Drainage and Waste	BWB Consulting
Geology	RSK
Lighting	DFL
Agriculture	Land Research Associates
Climate	RPS
Utilities	Utility Connections
Site investigation and ground engineering	Fairhurst

6 Guide to application documentation

List of documentation

- 6.1 The DCO Application and the MCO Application comprise documents, plans and reports which have been allocated a Document Number.
- 6.2 The documents comprising the DCO Application are listed in the table at **Appendix 2** to this document and the contents explained in more detail in paragraphs 6.7 to 6.11 below.
- 6.3 The documents comprising the MCO Application are listed in the table at **Appendix 3** to this document and the contents explained in more detail in paragraphs 6.12 to 6.15 below.
- 6.4 The lists of documents in **Appendix 2 and 3** have been submitted as stand-alone documents (**Document DCO 1.4/MCO 1.4**). Those documents will be updated from time to time during determination of the applications as required and PINS references will be added.
- 6.5 For the avoidance of doubt, it should be noted that some of the application documents relate to both the DCO Application and the MCO Application. These include:
 - 6.5.1 This document;
 - 6.5.2 Environmental Statement (**Document DCO 6.1 – 6.23/MCO 6.1 - 6.23**);
 - 6.5.3 Consultation Report (**Document DCO 5.1/MCO 5.1**);
 - 6.5.4 Components Plan (**Document DCO 2.7-/MCO 2.7**);
 - 6.5.5 Consents and Licences Required under other Legislation (**Document DCO 5.2**);
 - 6.5.6 Planning Statement (**Document DCO 5.4/MCO 5.4**);
 - 6.5.7 Market Analysis/Need Report (**Document DCO 5.5/MCO 5.5**);
 - 6.5.8 Statutory Nuisance Statement (**Document DCO 5.6/MCO 5.6**);
 - 6.5.9 Report on European Sites (**Document DC 5.7/MCO 5.7**); and
 - 6.5.10 Commitments Tracker (**Document DCO 5.8/MCO 5.8**).
- 6.6 Where a document relates to both applications, it has been submitted twice, once with each application and it has both a DCO number and MCO number. Care has also been taken within the document to clearly set out which parts of the document relate to both applications and which parts relate only to the DCO Application or the MCO Application.

Explanation of the DCO documentation

- 6.7 Application form etc.
 - 6.7.1 **Application Form (Document DCO 1.1)** – This is the standard form obtained directly from the Planning Inspectorate.

- 6.7.2 **Letter to accompany the Application (Document DCO 1.2)** – The letter sets out the background to the DCO Application.
- 6.7.3 **Guide to the Applications (Document DCO 1.3)** - This document has been provided to give an overview of the EMG2 Project and a summary of the contents of the application documents.
- 6.7.4 **Document List (Document DCO 1.4)** - The free-standing DCO Document List will be updated throughout the Examination of the DCO Application to provide any updated document references and to include any new documents submitted following acceptance of the DCO Application until the end of the Examination.
- 6.7.5 **Section 55 Checklist** - A section 55 checklist has been provided to assist PINS together with the required Electronic Index. The latter is not submitted as a formal application document and therefore does not have an allocated document number.
- 6.8 **Plans/Drawings/Sections**
 - 6.8.1 Various plans and drawings are provided pursuant to Regulation 5(2) of the 2009 Regulations. These are explained below.
 - 6.8.2 **Location Plan (Order Limits) (Document DCO 2.1)** – This plan shows the Order Limits edged red and is provided pursuant to Regulation 5(2)(i)(i).
 - 6.8.3 **Land Plans (Document Series DCO 2.2)** – These plans are provided pursuant to Regulation 5(2)(i) and identify land required for the proposed development, land over which it is proposed to exercise powers of compulsory acquisition and right to use land and land to be used temporarily.
 - 6.8.4 **Works Plans (Document Series DCO 2.3)** – These plans detail, in accordance with Regulation 5(2)(j), the location of the works and the limits within which the development and works may be carried out. The areas identified on the Works Plans are the areas to which the works described in Schedule 1 of the draft DCO (**Document DCO 3.1**) relate. The Works Plans also identify limits of deviation.
 - 6.8.5 **Access and Rights of Way Plans (Document Series DCO 2.4)** – These plans identify new and altered means of access, stopping up of streets and roads, diversions, extinguishments and creation of rights of way, as required by Regulation 5(2)(k).
 - 6.8.6 **Parameters Plan (Document DCO 2.5)** – This plan identifies the parameters with which the proposed development of the EMG2 Main Site and Community Park are required to comply applying a ‘Rochdale Envelope’ approach in accordance with PINS Advice Note 9 (July 2018). It is the basis for the environmental assessment of the EMG2 Main Site and Community Park. The plan identifies in respect of each zone identified, the maximum and minimum number of units, the maximum development floorspace and the minimum finished floor level and the maximum building height. The number and precise location of the proposed buildings, and their detailed appearance, are not yet known or fixed, and the detail of these will be confirmed in response to occupier requirements following an approval of the DCO. Such details will need to be agreed with the local authority. However, key characteristics and details regarding the proposed buildings are fixed as part of the DCO application

process, in addition to the location of the structural landscaping and earthworks. The plan also identifies the proposed Community Park, internal road layout, areas of landscaping, the HGV park and the bus interchange.

- 6.8.7 **Illustrative Landscape Masterplan (Document DCO 2.6)** - This plan is provided to assist in demonstrating a form of development of the EMG2 Main Site and Community Park which would comply with the parameters which have been assessed (as shown on the Parameters Plan (**Document DCO 2.5**)). It is not the basis for the assessment reflected in the Environmental Statement which is based on the Parameters Plan since it identifies simply one way in which a development may come forward in conformity with the Parameters Plan.
- 6.8.8 **Components Plan (Document DCO 2.7)** – This shows the different elements of the EMG2 Project all on one plan for ease of reference.
- 6.8.9 **Highway Plans General Arrangement (Document DCO 2.8)** – These plans comprise general arrangement plans of all the highway works proposed. They are the plans with which the highway works will need to comply, with additional details to be agreed pursuant to the Protective Provisions relating to the highway authorities (Draft DCO Schedule 13, Parts 1 and 2 (**Document DCO 3.1**)). The key plan for the series is also intended to provide a useful overview of the entirety of the development and highway mitigation.
- 6.8.10 **Highway Works Cross-Sections (Document DCO 2.9)** – These plans show the cross-sections through the proposed Highway Works and are provided pursuant to Regulation 5(2)(q).
- 6.8.11 **Highway Works Long Sections (Document DCO 2.10)** – These plans show long sections of the proposed Highway Works and are provided pursuant to Regulation 5(2)(q).
- 6.8.12 **Highway Works Bridges Plan (Document DCO 2.11)** – This plan provides more detail about the proposed bridge over the A453 and is provided pursuant to Regulation 5(2)(q).
- 6.8.13 **Highway Classification Plan (Document DCO 2.12)** – These plans identify the classification of new highways following their completion and are referred to in Article 15 and Schedule 7 of the Draft DCO (**Document DCO 3.1**).
- 6.8.14 **Traffic Regulation Plan (Document DCO 2.13)** – These plans identify the classification of new highways following their completion and are referred to in Article 17 and Schedule 9 of the Draft DCO (**Document DCO 3.1**).
- 6.8.15 **Speed Limit Plan (Document DCO 2.14)** – These plans identify the speed limits which will applying to altered lengths of highway and new highways following the completion of the relevant works and are referred to in Article 16 and Schedule 8 of the Draft DCO (**Document DCO 3.1**).
- 6.8.16 **Special Category Land Plan (Document DCO 2.15)** – This plan shows the special category land and is required by Regulation 5(2)(i)(iv). The special category land comprises open space land. More detail about the land and the implications of it being special category land is set out in the Statement of Reasons (**Document DCO 4.1**) accompanying the DCO Application.

6.8.17 **Community Park Plan (Document DCO 2.16)** – This plan shows the layout and landscaping of the proposed Community Park adjacent to the EMG2 Main Site, including the routes of public rights of way through it.

6.9 Draft DCO etc.

6.9.1 **Draft Development Consent Order (Document DCO 3.1)** - contains the powers sought by the DCO Applicant to carry out, operate and maintain the development which is described in Schedule 1 of the draft DCO. It also includes requirements governing the proposed development (in Schedule 2) and Protective Provisions for the protection of various stakeholders (in Schedule 13). It is required to be submitted under Regulation 5(2)(b) of the 2009 Regulations. The position with regard to the protective provisions included in the submitted draft DCO is as follows:

- (a) National Highways – The draft is based on the standard protective provisions proposed by National Highways but includes those amendments sought by the DCO Applicant. Discussions with National Highways are ongoing and the draft protective provisions are not yet in an agreed form.
- (b) The local highway authority, Leicestershire County Council ('LCC') – The draft protective provisions have been proposed by the DCO Applicant and were included in the draft DCO which was the subject of statutory consultation in February/March 2025. The DCO Applicant has met with LCC to discuss the draft DCO and LCC's comments on the protective provisions have been sought. The DCO Applicant understands that the draft protective provisions are not acceptable to LCC but a detailed response to the same has not yet been received from Leicestershire County Council.
- (c) National Grid – The draft protective provisions are based on protective provisions which have appeared in other made DCOs. The DCO Applicant is seeking approval to the same from National Grid.
- (d) Severn Trent Water Limited – The draft protective provisions are based on protective provisions which have appeared in other made DCOs. The DCO Applicant is seeking approval to the same from Severn Trent.
- (e) Electronic communications code networks – The draft protective provisions are based on protective provisions which have appeared in other made DCOs.
- (f) The operator of East Midlands Airport – These provisions have been proposed by the DCO Applicant and are the same as those included in the EMG1 DCO. The wording was included in the draft DCO which was the subject of statutory consultation in February/March 2025, and a copy of the wording was sent to the Airport's representative for comment. No substantive response has been received to date.

6.9.2 **Explanatory Memorandum (Document DCO 3.2)** – This document explains the provisions in the DCO setting out their effect and reasoning behind their inclusion. It is required to be submitted under Regulation 5(2)(c).

- 6.9.3 **DCO Validation Report (Document DCO 3.3)** – This report shows that the form of DCO has been drafted in accordance with the statutory instrument drafting template.

6.10 Compulsory Acquisition Documents

- 6.10.1 **Statement of Reasons (Document DCO 4.1)** - The Applicant is seeking various powers of compulsory acquisition [and rights] to use land and this document contains details of these powers and the justification for the application of them. This document is required to be submitted under Regulation 5(2)(h) of the 2009 Regulations.

- 6.10.2 **Funding Statement (Document DCO 4.2)** – This document explains how it is anticipated the development, and specifically any compensation due because of the exercise of compulsory acquisition powers, will be funded. This document is also required to be submitted under Regulation 5(2)(h) of the 2009 Regulations.

- 6.10.3 **Book of Reference (Document DCO 4.3)** - This document identifies the parties who have an interest in the in the Order Limits as well as those who may be entitled to make a “relevant claim” as defined in Section 57 of the Planning Act 2008. This document is required to be submitted under Regulation 5(2)(d) of the 2009 Regulations. The Book of Reference has been divided into five parts, as required by Regulation 7 of the 2009 Regulations:

- (a) Part 1: This part contains the names and addresses for service of each person within Categories 1 and 2 (as set out in section 57 of the PA 2008) in respect of any land which it is proposed shall be subject to:
- powers of compulsory acquisition;
 - rights to use land; or
 - rights to carry out protective works to buildings.
- (b) Part 2: This part contains the names and addresses for service of each person within Category 3 (set out in section 57 of the PA 2008). A person is within Category 3 if the applicant thinks that, if the order as sought by the application were to be made and fully implemented, the person would or might be entitled:
- as a result of the implementing the order;
 - as a result of the order having been implemented; or
 - as a result of the use of the land once the order has been implemented
- to make a relevant claim.
- (c) Part 3: This part sets out the names of all those persons entitled to enjoy easements or other private rights over the land which it is proposed shall be extinguished, suspended or interfered with.

- (d) Part 4: This part must specify the owner of any Crown interest in the land which is proposed to be used for the purposes of the order for which the application is being made. There is no such land within the Order Limits and therefore there are no entries in this Part.
- (e) Part 5: This part specifies land, the acquisition of which is subject to special parliamentary procedure, which is special category land, or which is replacement land. Further details about this land is set out in section 6 of the Statement of Reasons (**Document DCO 4.1**).

6.11 Other Reports, Documents and Statements

6.11.1 Environmental Statement ('ES') and its Appendices (Document Series DCO 6.1 – 6.23) – The ES reports the DCO Applicant's findings and conclusions from the environmental impact assessment undertaken. The ES is submitted as required by Regulation 5(2)(a) and includes the Flood Risk Assessment required to be submitted under 5(2)(e), the heritage information required under Regulation 5 (2)(m) and the nature conservation information under Regulation 5(2)(l). The ES has been prepared under the provisions of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'). It comprises the following chapters:

- (a) Chapter 1 – Introduction
- (b) Chapter 2 – Site and surroundings
- (c) Chapter 3 – Proposed Development
- (d) Chapter 4 – Alternatives
- (e) Chapter 5 – Socio-economic
- (f) Chapter 6 – Traffic and Transport
- (g) Chapter 7 – Noise and Vibration
- (h) Chapter 8 – Air Quality
- (i) Chapter 9 – Ecology and Biodiversity
- (j) Chapter 10 – Landscape and Visual
- (k) Chapter 11 – Lighting
- (l) Chapter 12 – Cultural Heritage
- (m) Chapter 13 – Flood Risk and Drainage
- (n) Chapter 14 – Ground Conditions
- (o) Chapter 15 – Agriculture and Soils
- (p) Chapter 16 – Utilities
- (q) Chapter 17 – Population and Human Health

- (r) Chapter 18 –Materials and Waste
- (s) Chapter 19 – Climate Change
- (t) Chapter 20 – Major Accidents and Disasters
- (u) Chapter 21 – Cumulative Impacts
- (v) Chapter 22 – Summary and Conclusions
- (w) Non-Technical Summary

6.11.2 Consultation Report (Document DCO 5.1) – This document is required to be submitted under section 37 of the PA 2008. It details the consultation undertaken by the DCO Applicant before submitting the DCO Application, both formal and informal, including the statutory consultation undertaken pursuant to the PA 2008. It summarises responses received and explains how the DCO Applicant has had regard to those responses in finalising the proposed scheme. The Consultation Report is structured into [] sections comprising:

- (a) []
- (b) []

6.11.3 Consents and Licences Required under other Legislation (Document DCO 5.2) – This document sets out the consents and licences required to deliver the DCO Scheme and how they will be secured.

6.11.4 Design Approach Document (Document Series DCO 5.3) – This document sets out the approach to the design of the DCO Scheme including key design requirements that will form part of the detailed design proposals. It also outlines the approach to the phasing and delivery of the DCO Scheme.

6.11.5 Planning Statement (Document DCO 5.4) – This statement explains the rationale for the development and includes a detailed explanation of how the development complies with relevant policy, including the National Networks National Policy Statement. It also includes a policy compliance statement.

6.11.6 Market Analysis / Need Report (Document DCO 5.5) – This document provides an analysis of the industrial and logistics sector, demonstrates the demand for the supply of industrial and logistics development and explains how the DCO Scheme can meet that need including the benefits which will be delivered by it.

6.11.7 Statutory Nuisance Statement (Document DCO 5.6) - In compliance with Regulation 5(2)(f), the DCO Application includes a statement pursuant to Section 79(1) of the Environmental Protection Act 1990 identifying where the proposals engage one or more of the matters set out in section 79 relating to statutory nuisances. The statement concludes that there are no impacts likely to give rise to a nuisance within the terms of section 79.

6.11.8 Report on European Sites (Document DCO 5.7) – This report is required by Regulation 5(2)(g). It confirms that there are not anticipated to be any likely significant effects on any European sites.

- 6.11.9 **Commitments Tracker (Document DCO 5.8)** – This document identifies how the commitments, referred to in the documentation and, particular the ES are to be secured. This is either by compliance with the limits of deviations (as shown on the Works Plans (**Document DCO 2.3**) and expressed in Article 4 of the draft DCO (**Document DCO 3.1**)), the Parameters Plan (**Document DCO 2.5**), the requirements in Schedule 2 of the draft DCO (**Document DCO 3.1**). A document hierarchy is attached at **Appendix 5** of this document which shows how these documents fit together to secure the necessary commitments to make the proposed development acceptable.

Explanation of the MCO documentation

6.12 Application form etc.

- 6.12.1 **Application Form (Document MCO 1.1)** – This is the standard form obtained directly from the Planning Inspectorate.
- 6.12.2 **Letter to Accompany the Application (Document MCO 1.2)** – The letter confirms that the MCO Applicant is the person who applied for the EMG1 DCO as well as a person with an interest in the land the subject of the MCO Application and is therefore entitled to apply for the draft MCO for the purposes of Regulation 16(2)(f) of the 2011 Regulations.
- 6.12.3 **Guide to the Applications (Document MCO 1.3)** - This is this document which has been provided to give an overview of the EMG2 Project and a summary of the contents of the application documents.
- 6.12.4 **Document List (Document MCO 1.4)** - The free-standing MCO Document List will be updated throughout determination of the MCO Application to provide any updated document references and to include any new documents submitted following acceptance of the MCO Application.
- 6.12.5 **MCO Acceptance Application Index (Document MCO 1.6)** - A checklist has been provided to assist PINS to identify compliance with Regulation 16 of the 2011 Regulations together with an Electronic Index. The latter is not submitted as a formal application document and therefore does not have an allocated document number.
- 6.12.6 **Regulation 16 Checklist (Document MCO 1.7)** - A checklist has been provided to assist PINS to identify compliance with Regulation 16 of the 2011 Regulations. This includes a statement which identifies the extent to which the information submitted with the initial application for an order granting development consent in accordance with regulations 5 and 6 of the 2009 Regulations is correct and relevant to the MCO Application.

6.13 Plans/Drawings/Sections

- 6.13.1 Various plans and drawings are provided pursuant to Regulation 16 of the 2011 Regulations. These are explained below.
- 6.13.2 **Location Plan (Order Limits) (Document MCO 2.1)** – This plan shows the location of the MCO Scheme edged red and is provided pursuant to Regulation 16(2)(j).

- 6.13.3 **Works Plan (Document MCO 2.3)** – This plan details, in accordance with Regulation 16(2)(j), the location of the works and the limits within which the development and works may be carried out. The areas identified on the Works Plan are the areas to which the works described in the draft MCO (**Document MCO 3.1**) relate. The Works Plan also identifies limits of deviation.
- 6.13.4 **Access and Rights of Way Plans (Document MCO 2.4)** – This plan identifies extinguishments and creation of rights of way, as required by Regulation 16(2)(j).
- 6.13.5 **Parameters Plan (Document MCO 2.5)** – This plan identifies the parameters with which the proposed development of the EMG1 Works are required to comply applying a ‘Rochdale Envelope’ approach in accordance with PINS Advice Note 9 (July 2018). It is the basis for the environmental assessment of the EMG1 Works. The plan identifies the maximum development floorspace and the minimum finished floor level and the maximum building height. The precise location of the proposed building, and its detailed appearance, are not yet known or fixed, and the detail of these will be confirmed in response to occupier requirements following an approval of the MCO. Such details will need to be agreed with the local authority. However, key characteristics and details regarding the proposed building are fixed as part of the MCO application process, in addition to the location of the structural landscaping and earthworks which contain the EMG1 Works. The plan also identifies the works to the rail freight terminal (including the proposed increase to gantry crane heights), the access works and open land/landscaping.
- 6.13.6 **Illustrative Landscape Masterplan (Document MCO 2.6)** - This plan is provided to assist in demonstrating the form of development of the EMG1 Works which would comply with the parameters which have been assessed (as shown on the Parameters Plan (**Document MCO 2.5**)). It is not the basis for the assessment of the EMG1 Works reflected in the Environmental Statement and it identifies simply one way in which a development may come forward in conformity with the Parameters Plan.
- 6.13.7 **Components Plan (Document MCO 2.7)** – This shows the different elements of the EMG2 Project all on one plan for ease of reference.
- 6.13.8 **Highway Plans General Arrangement (Document DCO 2.8)** – This plan shows the highway works proposed. The EMG1 access works will need to comply with this plan, with additional details to be agreed pursuant to the Protective Provisions relating to the highway authorities (Draft DCO Schedule 13, Parts 1 and 2).
- 6.14 Draft MCO etc.
- 6.14.1 **Draft Material Change Order (Document MCO 3.1)** – The draft sets out the changes which are sought to the EMG1 DCO. It is required to be submitted under Regulation 16(2)(d).
- 6.14.2 **Explanatory Memorandum (Document MCO 3.2)** – This document explains the provisions in the MCO setting out their effect and reasoning behind their inclusion. It is required to be submitted under Regulation 16(2)(e).

6.14.3 **MCO Validation Report (Document MCO 3.3)** – This report shows that the form of MCO has been drafted in accordance with the statutory instrument drafting template.

6.15 Other Reports, Documents and Statements

6.15.1 **Consultation Report (Document Series MCO 5.1)** – This document is required to be submitted under Regulation 16(2)(l). It details the consultation undertaken by the MCO Applicant before submitting the MCO Application, both formal and informal, including the statutory consultation undertaken pursuant to Regulation 13. It summarises responses received and explains how the MCO Applicant has had regard to those responses in finalising the proposed scheme. The Consultation Report is structured into [] sections comprising:

(a) []

(b) []

6.15.2 **Consents and Licences Required under other Legislation (Document MCO 5.2)** – This document sets out the consents and licences required to deliver the MCO Scheme and how they will be secured.

6.15.3 **Design Approach Document (Document Series MCO 5.3)** – This document sets out the approach to the design of the MCO Scheme including key design requirements that will form part of the detailed design proposals. It also outlines the approach to the phasing and delivery of the MCO Scheme.

6.15.4 **Planning Statement (Document MCO 5.4)** – This statement explains the rationale for the changes requested to the EMG1 DCO.

6.15.5 **Market Analysis / Need Report (Document MCO 5.5)** – This document provides an analysis of the industrial and logistics sector, demonstrates the demand for the supply of industrial and logistics development and explains how the MCO Scheme can meet that need including the benefits which will be delivered by it.

6.15.6 **Statutory Nuisance Statement (Document MCO 5.6)** - In compliance with Regulation 16(2)(i), the MCO Application includes a statement pursuant to Section 79(1) of the Environmental Protection Act 1990 identifying where the proposals engage one or more of the matters set out in section 79 relating to statutory nuisances. The statement concludes that there are no impacts likely to give rise to a nuisance within the terms of section 79.

6.15.7 **Report on European Sites (Document MCO 5.7)** – This report is required by Regulation 16(2)(i). It confirms that there are not anticipated to be any likely significant effects on any European sites.

6.15.8 **Commitments Tracker (Document MCO 5.8)** – This document identifies how the commitments, referred to in the documentation and, particular the ES are to be secured. This is either by compliance with the limits of deviations (as shown on the Works Plan (**Document MCO 2.3**)) and expressed in Article 4 of the EMG1 DCO, and the Parameters Plan (**Document MCO 2.5**).

6.15.9 **Environmental Statement ('ES') and its Appendices (Document Series MCO 6.1 – 6.23)** reports the MCO Applicant's findings and conclusions from the

environmental impact assessment undertaken. The ES is submitted pursuant to Regulation 16(2)(i). The ES has been prepared under the provisions of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'). It comprises the following chapters:

- (a) Chapter 1 – Introduction
- (b) Chapter 2 – Site and surroundings
- (c) Chapter 3 – Proposed Development
- (d) Chapter 4 – Alternatives
- (e) Chapter 5 – Socio-economic
- (f) Chapter 6 – Traffic and Transport
- (g) Chapter 7 – Noise and Vibration
- (h) Chapter 8 – Air Quality
- (i) Chapter 9 – Ecology and Biodiversity
- (j) Chapter 10 – Landscape and Visual
- (k) Chapter 11 – Lighting
- (l) Chapter 12 – Cultural Heritage
- (m) Chapter 13 – Flood Risk and Drainage
- (n) Chapter 14 – Ground Conditions
- (o) Chapter 15 – Agriculture and Soils
- (p) Chapter 16 – Utilities
- (q) Chapter 17 – Population and Human Health
- (r) Chapter 18 – Materials and Waste
- (s) Chapter 19 – Climate Change
- (t) Chapter 20 – Major Accidents and Disasters
- (u) Chapter 21 – Cumulative Impacts
- (v) Chapter 22 – Summary and Conclusions
- (w) Non-Technical Summary

APPENDIX 1

GLOSSARY

[To be inserted]

APPENDIX 2
HIGHWAYS NSIP

[To be inserted]

APPENDIX 3

DCO DOCUMENTS LIST

[To be inserted]

APPENDIX 4
MCO DOCUMENTS LIST

[To be inserted]

APPENDIX 5
DOCUMENT HIERARCHY

[To be inserted]