

**East Midlands Gateway
Phase 2 (EMG2)**

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ENVIRONMENTAL STATEMENT

Volume 2 Technical Appendices

Appendix 9H

Shadow Habitats Regulation Assessment (sHRA)

July 2025

09

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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SEGRO



SEGRO Properties Ltd and SEGRO (EMG) Ltd

East Midlands Gateway Phase 2

Appendix 9h

Shadow Habitats Regulation Assessment

June 2025

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1.0 INTRODUCTION

- 1.1 The following assessment has been prepared by FPCR Environment and Design Ltd. (FPCR) on behalf of SEGRO Properties Ltd and SEGRO (EMG) Ltd. It assesses any likely significant effects upon a nearby European designated site, the River Mease, in relation to the proposed development to be the subject of an application for a Development Consent Order and an application for a material change to an existing Development Consent order, known as East Midlands Gateway Phase 2 (EMG2) .
- 1.2 The document assesses the potential effects on the designated features of the River Mease Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI). The River Mease is located approximately 13.5km from EMG 2 at its closest point (Figure 1). This assessment focuses on the potential effects of the proposals on the integrity of the designated site.
- 1.3 This assessment concludes that considering the substantial distances involved, the specific characteristics of the development proposals, and the identified pressures on the River Mease SAC, there is no potential for Likely Significant Effects on the integrity of this protected site.

Site Context Location

- 1.4 The proposed second phase to EMG1 (known as EMG2), comprises of three interrelated component parts as follows, and collectively they are referred to as the Scheme:
 - **Main Site** (herein referred to as ‘the Site’)- A new warehousing and manufacturing employment park located south of East Midlands Airport and the A453 , and west of the M1 motorway. This part of the site falls within the ‘East Midland Airport and Gateway Industrial Cluster’ (EMAGIC) site, which forms part of the East Midlands Freeport designated by the Government in 2022;
 - **Highway works**- Highway works to the strategic road network including improvements at junction 24 of the M1 motorway and the road network interacting with that junction; and
 - **EMG1 works**- Additional warehousing together with works to increase the permitted height of the cranes at the rail-freight terminal, improvements to the EMG1 public transport interchange and site management building.
- 1.5 Surrounding land-use is dominated variously by grassland and arable field compartments bordered by hedgerows and scattered mature trees, with Diseworth village to the south-west of the Site.

Description of Development

- 1.6 The location of the Scheme is described in Chapter 2 of the ES for the Site with reference to its various component parts. In brief, the majority of new build development will be on the Main Site. The remaining components of the proposals are located on land within EMG1 and on land required for off-site highway improvements.
- 1.7 In brief, the proposals for the Scheme are as follows:
 - **Main site**- a maximum of 300,000sq.m (approximately 3.23 million sq.ft) (GIA) of warehousing and manufacturing floorspace (GIA), with additional 100,000sq.m in the form of internal mezzanine space;

- **Highway Works-** new highway infrastructure and works to the existing highways network- including a new off-slip lane from the M1 northbound at J24 to provide a direct link to the A50 westbound, widening of the A50 eastbound link at Junction 24 and other related works and traffic management measures; and
- **EMG1 works-** a maximum of 25,000sq (approximately 269,000 sq. ft) (GIA) of additional warehousing on land known as Plot 16 , with an additional 5,000 sq. m in the form of internal mezzanine space. In addition, it is proposed to undertake freight handling and efficiency improvements at the existing rail freight terminal by way of increases to the maximum permitted height of gantry cranes by 4m to 24m overall; together with works to expand the management suite building and public transport interchange enhancements.

Natural England Consultation Response Summary

- 1.8 Natural England (NE) has reviewed the submitted Shadow Habitats Regulations Assessment (sHRA) for the East Midlands Gateway Phase 2 (EMG2) project and has confirmed that they are satisfied with its conclusions. In their formal letter titled “Natural England Comments on the Shadow Habitats Regulation Assessment Report (Appendix 9.8), East Midlands Gateway Phase 2”, dated 15 January 2025, NE agrees that the proposed development poses no risk of adverse effects on the integrity of the River Mease Special Area of Conservation (SAC), either alone or in combination with other plans or projects. As stated in the letter: *“Natural England therefore agrees with the conclusion that the project poses no risk of adverse effects on the integrity of the River Mease SAC, either alone or in combination with other projects, and that there is no need to progress to Stage 2 ‘Appropriate Assessment’.”*
- 1.9 NE also confirmed that the sHRA appropriately identified and screened all relevant impact pathways and that the methodology used aligns with published guidance. Their full consultation response is included in **Appendix [X]** of this report. The agreement of the statutory nature conservation body on these matters provides a clear and authoritative basis for concluding no likely significant effects on European designated sites.

Amendments following consultee feedback

- 1.10 This updated version of the Shadow Habitats Regulations Assessment (sHRA) supersedes the original report submitted at the statutory consultation stage. The revisions have been made in direct response to comments from the Planning Inspectorate (PINS) and reflect their advice on clarity, methodology, and alignment with best practice for Nationally Significant Infrastructure Projects (NSIPs).
- 1.11 Updates include:
- Clarified conclusions in Section 5.0 to distinguish between the Stage 1 finding of no Likely Significant Effects (LSE) and the absence of a requirement to consider site integrity under Stage 2 (Appropriate Assessment), in line with the PINS recommendation to avoid conflating the two.
 - A revised and more detailed description of the proposed development and its location (Sections 1.5–1.8) to support understanding of the project in relation to the designated site.
 - An expanded explanation of how impact pathways were identified and assessed (Section 4.0), now clearly linked to the SAC’s qualifying features and conservation objectives.

- A strengthened and evidence-based explanation of hydrological separation from the River Mease catchment, using Environment Agency data and findings from the ES (Section 4.4–4.6).
- A new summary of in-combination effects (Section 4.29–4.31), confirming that the absence of pathways also rules out cumulative effects.
- Incorporation of Natural England’s formal agreement with the conclusions of the sHRA (Appendix [X]), including their statement that no further assessment is required.

2.0 METHODOLOGY

- 2.1 This Shadow Habitats Regulations Assessment (sHRA) has been prepared in accordance with relevant guidance on the assessment of plans and projects under the Conservation of Habitats and Species Regulations 2017 (as amended). In particular, it draws upon the following key sources:
- Planning Inspectorate Advice Note Ten: Habitats Regulations Assessment relevant to Nationally Significant Infrastructure Projects (NSIPs), which provides a framework for competent authorities and applicants to follow the staged HRA process;
 - Natural England’s internal guidance on HRA screening and appropriate assessment, including advice on impact pathways, site integrity, and use of evidence;
 - The River Mease SAC Site Improvement Plan (Natural England, 2014), which sets out pressures and threats to the SAC and informs pathway screening and in-combination assessments;
 - Environment Agency catchment planning tools, including the Mease Operational Catchment boundary, which confirms the hydrological separation between the EMG2 site and the SAC.
- 2.2 This sHRA has been reviewed by Natural England, whose formal response (dated 15 January 2025) is included at Appendix [X]. Their agreement with the screening conclusions confirms the appropriateness of the methodology and the evidence used.

Purpose of this Document

- 2.3 The following assessment is intended to provide the information necessary for the Competent Authority all relevant information to fulfil their duty as required in Regulation 63 of the Conservation of Habitats & Species Regulations 2017 (*as amended*) (hereafter referred to as ‘the Habitats Regulations’).
- 2.4 Regulation 63 (1) of the Conservation of Habitats and Species Regulations 2017 (as amended) states that:
- “a competent authority, before deciding to undertake, or give any consent, permission or other authorisation for, a plan or project which (a) is likely to have a significant effect on a European site or a European offshore marine site (either alone or in combination with other plans or projects), and (b) is not directly connected with or necessary to the management of that site, must make an appropriate assessment of the implications of the plan or project for that site in view of that site’s conservation objectives.”*
- 2.5 Regulation 63 (2) further states that:

“a person applying for any such consent, permission or other authorisation must provide such information as the competent authority may reasonably require for the purposes of the assessment or to enable it to determine whether an appropriate assessment is required”.

2.6 Regulation 63 (3) states that:

“the competent authority must for the purposes of the assessment consult the appropriate nature conservation body and have regards to any representations made by that body within such reasonable time as the authority specifies”.

2.7 Regulation 63 (5) goes on to state that:

“in the light of the conclusions of the assessment, and subject to regulation 64, the competent authority may agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the European Site or the European offshore marine site (as the case may be).”

2.8 Regulation 63 (6) concludes that:

“in considering whether a plan or project will adversely affect the integrity of the site, the competent authority must have regard to the manner in which it is proposed to be carried out or to any conditions or restrictions subject to which it proposes that the consent, permission or other authorisation should be given.”

2.9 This sHRA assesses the potential for likely significant effects on European Sites due to the proposed development

2.10 This SHRA is designed to provide essential technical information to support competent authorities in conducting a Habitats Regulations Assessment (HRA) and fulfilling their obligations under Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

2.11 When carrying out an HRA, the competent authority will follow a structured process consisting of four sequential stages:

- **Stage 1:** Habitat Screening;
- **Stage 2:** Appropriate Assessment;
- **Stage 3:** Assessment of Alternative Solutions; and
- **Stage 4:** Consideration of Imperative Reasons of Overriding Public Interest (IROPI).

2.12 This assessment concludes that due to the distance between EMG2 and the SAC and the absence of any Likely Significant Effects (LSE), proceeding beyond Stage 1 for this sHRA is unnecessary.

Stage 1 Screening

2.13 The River Mease Special Area of Conservation (SAC) has been assessed in relation to the proposed development to determine any potential Likely Significant Effects (LSE). A screening assessment is included, summarising the project description and details of the River Mease SAC and evaluating any likely effects on its qualifying features.

2.14 The assessment at this stage involves a high-level analysis of potential risks, considering the spatial relationship between impact sources and the River Mease SAC, the magnitude of

predicted changes across relevant pathways and any physical or functional connections between EMG2 and the River Mease SAC.

- 2.15 Stage 1 screening for LSE considers the project alone and in combination with other projects.
- 2.16 If objective evidence confidently predicts that no LSE are likely for the River Mease SAC, Stages 2 and 3 of the HRA process are not required. In line with the People over Wind and Sweetman judgment (12 April 2018)¹, mitigation measures aimed at avoiding or reducing potential harmful effects on the SAC cannot be considered during Stage 1 Screening. Such measures are assessed only during Stage 2: Appropriate Assessment. At the Screening Stage, only project design elements not intended to mitigate effects on the River Mease SAC features are considered.

3.0 THE RIVER MEASE (SAC)²

- 3.1 The River Mease rises in the Coal Measures of north-west Leicestershire and flows approximately 25 kilometres westwards across a largely rural and agricultural landscape to its confluence with the River Trent at Croxall. As a relatively un-modified lowland river, the River Mease contains a diverse range of physical in-channel features, including riffles, pools, slacks, vegetated channel margins and bankside tree cover, which provide the conditions necessary to sustain populations of spined loach *Cobitis taenia*, bullhead *Cottus gobio*, freshwater white-clawed crayfish *Austropotamobius pallipes* and otter *Lutra lutra*.

Qualifying Habitat

- 3.2 The River Mease is designated under article 4(4) of the Directive (92/43/EEC) as the following Annex I habitat are present:
 - Water courses of plain to montane levels with the *Ranunculion fluitantis* and *Callitriche Batrachion* vegetation. (Rivers with floating vegetation often dominated by watercress).

Qualifying species

- 3.3 The River Mease is designated under article 4(4) of the Directive (92/43/EEC) as the following Annex II species are present:
 - White-clawed (or Atlantic stream) crayfish *Austropotamobius pallipes*,
 - Spined loach *Cobitis taenia*,
 - Bullhead *Cottus gobio*,
 - Otter *Lutra lutra*.

European Site Conservation Objectives³

- 3.4 With regard to the qualifying habitats and species, the conservation objectives of the River Mease (SAC), are to:

¹ People Over Wind and Sweetman v Coillte Teoranta, Case C-323/17, [2018] ECLI:EU:C:2018:244

² River Mease SAC UK0030258. Compilation date: May 2005. Version: 1.0.

³ European Site Conservation Objectives for River Mease Special Area of Conservation. Site Code UK0030258. Publication Date 27 November 2019 (Version 3).

‘Ensure that the integrity of the site is maintained or restored as appropriate, and ensure that the site contributes to achieving the Favourable Conservation Status of its Qualifying Features, by maintaining or restoring;

- *The extent and distribution of qualifying natural habitats and habitats of qualifying species,*
- *The structure and function (including typical species) of qualifying natural habitats,*
- *The structure and function of the habitats of qualifying species,*
- *The supporting processes on which qualifying natural habitats and the habitats of qualifying species rely,*
- *The populations of qualifying species, and,*
- *The distribution of qualifying species within the site.’*

Conservation Status

3.5 The River Mease Special Area of Conservation (SAC) encompasses four Site of Special Scientific Interest (SSSI) units, each representing distinct stretches of the river system. All four units were last assessed on 14 January 2010 and were recorded as being in an 'Unfavourable Condition'. The specific units are:

- Unit 001: River Trent to Harlaston Bridge - Unfavourable - No change⁴
- Unit 002: Harlaston Bridge to Netherseal - Unfavourable - No change⁵
- Unit 003: Netherseal to Snareston - Unfavourable - No change⁶
- Unit 004: Snareston to Packington - Unfavourable - No change⁷

3.6 While these assessments date back to 2010, more recent evidence indicates ongoing challenges affecting the condition of these units. According to Natural England's 2024 River Mease SAC Evidence Pack, water quality monitoring data reveal that all four units fail to meet the required standards for orthophosphate concentrations, with reductions needed ranging from 69% to 78% to achieve compliance.

4.0 STAGE 1: SCREENING ASSESSMENT OF LIKELY SIGNIFICANT EFFECTS

- 4.1 In undertaking this screening assessment, a conclusion must be reached as to whether the proposed development is likely to have a significant effect on any internationally important features of relevant European sites, either alone or in combination with other plans or projects.
- 4.2 The search area for European sites was defined using a 15km radius from the Scheme's Order Limits, which is generally adopted and recognised as best practice. This buffer is considered precautionary and appropriate for identifying European sites that could be affected by indirect impacts such as air quality changes, hydrological alterations, or habitat fragmentation.
- 4.3 In some cases, buffer distances may be extended, for example, to 20km for SPA or Ramsar sites supporting wintering birds, or 30km for SACs designated for certain bat species. A search of the wider 20km zone has also been undertaken to confirm the absence of such sites, and no

⁴ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1027105>

⁵ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1027106>

⁶ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1027107>

⁷ <https://designatedsites.naturalengland.org.uk/UnitDetail.aspx?UnitId=1027108>

additional internationally designated sites—including Special Protection Areas (SPAs), Special Areas of Conservation (SACs), or Ramsar sites—were identified. Accordingly, the River Mease SAC, located approximately 13.5km from the site boundary, is the only relevant European site and is the sole focus of this screening assessment.

Potential Impacts

- 4.4 The proposed development lies entirely within the Soar catchment, which forms part of the Humber River Basin District, as confirmed in Chapter 13 of the Environmental Statement (Flood Risk and Drainage). The surface water drainage from the EMG2 Main Site discharges to local ordinary watercourses—specifically Hall Brook and Diseworth Brook—which ultimately connect to the Long Whatton Brook and then the River Soar. These watercourses are hydrologically separate from the River Mease SAC, which is located approximately 13.5km to the west and forms part of a distinct sub-catchment.
- 4.5 The River Mease Operational Catchment, which supports the designated features of the River Mease SAC, does not intersect with the EMG2 site. The Environment Agency's Catchment Data Explorer confirms that the site does not fall within the hydrological boundary of the Mease catchment, and surface water from the development cannot drain toward the SAC via overland flow, culverted networks, or groundwater.
- 4.6 Additionally, modelling undertaken for the ES confirms that surface water runoff from the EMG2 Main Site will be discharged at greenfield rates and directed away from Diseworth village, via a controlled outlet into the minor ditch network and toward the A42 culvert system, reinforcing that no hydrological pathway exists between the proposed development and the SAC. Therefore, there is no realistic mechanism by which the project could influence the water quality, flow regime, or ecological integrity of the River Mease SAC.

Impact Pathways Scoped Out

- 4.7 The impact pathways assessed in this screening have been identified based on the type, scale, and location of the proposed development, as described in Section 1.0. The Scheme includes the construction and operation of warehousing and manufacturing facilities, highways infrastructure upgrades, and operational modifications at a rail freight terminal. None of these components are located within, hydrologically connected to, or ecologically contiguous with the River Mease Special Area of Conservation (SAC), which lies over 13.5km from the development site.
- 4.8 This stage focuses on providing information on the LSE of the proposals through habitat loss, loss of supporting habitats, and indirect impacts.
- 4.9 Due to the nature of the proposed development, all the potential impact pathways have been scoped out at this stage and will not require further assessment at stage 2. The details of this assessment and additional details are provided below.

Direct Habitat Loss within the European Site

- 4.10 The proposed development does not require any land take within the boundary of the designated site.

- 4.11 As such, no impact to the qualifying riverine habitat or species is expected due to direct land loss, and any LSE has been ruled out both alone and in combination with other projects..

Thermal Effects

- 4.12 The development proposals are over 13.5km from the boundary of the designated site. Given this distance and that the project sits outside of the Mease Rivers Operational Catchment⁸ there is no mechanism by which the project could influence water temperature within the SAC.
- 4.13 Consequently, any LSE in terms of thermal effects have been screened out, both alone and in combination with other projects or plans.

Biological Connectivity & Vegetation Structure

- 4.14 The proposed EMG2 is isolated from the River Mease (SAC) by a distance of 13.5km. The proposed development is fully isolated from the River Mease SAC and does not affect any ecological corridors or migratory routes connected to the site.
- 4.15 Consequently, any LSE in terms of effects on connectivity and vegetation structure have been screened out, both alone and in combination with other projects or plans.

Reduction in water quality

- 4.16 The proposed EMG2 development is located over 13.5km from the River Mease SAC and lies outside the River Mease Operational Catchment, as confirmed by the Environment Agency's Catchment Data Explorer.
- 4.17 All site drainage flows toward the River Soar catchment, with no hydrological connection to the River Mease via surface water, groundwater, or drainage infrastructure.
- 4.18 As such, there is no pathway by which pollutants could reach the SAC, and any LSE in terms of water quality is screened out, both alone and in combination with other plans or projects.

Water abstraction

- 4.19 The EMG2 site lies approximately 10km outside the River Mease Operational Catchment, with no hydrological connectivity to the SAC.
- 4.20 The development does not involve any abstraction of surface or groundwater, nor would it contribute to increased demand for abstraction.
- 4.21 Accordingly, there is no pathway for impact on the SAC via abstraction, and any LSE has been screened out, both alone and in combination with other projects or plans.

Increased risk of invasive plant species entering the watercourse

- 4.22 The SIP highlights Himalayan balsam (*Impatiens glandulifera*) and Japanese knotweed (*Fallopia japonica*) as potential risks to the SAC.
- 4.23 The proposed EMG2 is located over 13.5km away from the River Mease SAC, with no direct connectivity. The landowner and main contractors are legally bound by the Wildlife and Countryside Act 1981 (as amended) to ensure no spread of Schedule 9 species beyond the

⁸ <https://environment.data.gov.uk/catchment-planning/OperationalCatchment/3303>

site's boundary. Consequently, it is considered that there is no risk to the SAC from the spread of schedule 9 plants.

- 4.24 As such, there is no route to an LSE from invasive species alone or in combination with other projects or plans.

Increased risk of siltation entering the watercourse

- 4.25 The proposed EMG2 is located approximately 10km outside the Mease Rivers Operational Catchment and as such no increase in siltation of gravel beds is possible, which is the risk identified by the Site Improvement Plan (SIP).
- 4.26 On that basis, there is no route to an LSE from siltation alone or in combination with other projects or plans.

Inappropriate weirs, dams and other structures

- 4.27 The proposed EMG2 is located approximately 10km outside the Mease Rivers Operational Catchment and does not propose to install weirs, dams or any structures, which is the risk identified by the Site Improvement Plan (SIP).
- 4.28 On that basis, there is no route to an LSE from weirs, dams or structures, alone or in combination with other projects or plans.

In combination effects

- 4.29 In accordance with the Habitats Regulations, consideration has been given to whether the proposed development could result in any likely significant effects in combination with other plans or projects.
- 4.30 As detailed in the preceding sections, all potential impact pathways, such as pollution, hydrological change, and habitat fragmentation—have been robustly screened out due to the clear spatial, hydrological, and functional separation between the EMG2 site and the River Mease SAC. Each pathway has been shown to result in no likely significant effect when considered in isolation.
- 4.31 As there are no viable impact pathways, and the development lies in a different catchment from the SAC, it follows that no in-combination effects can arise, regardless of the number or scale of other projects in the surrounding area.

5.0 CONCLUSION

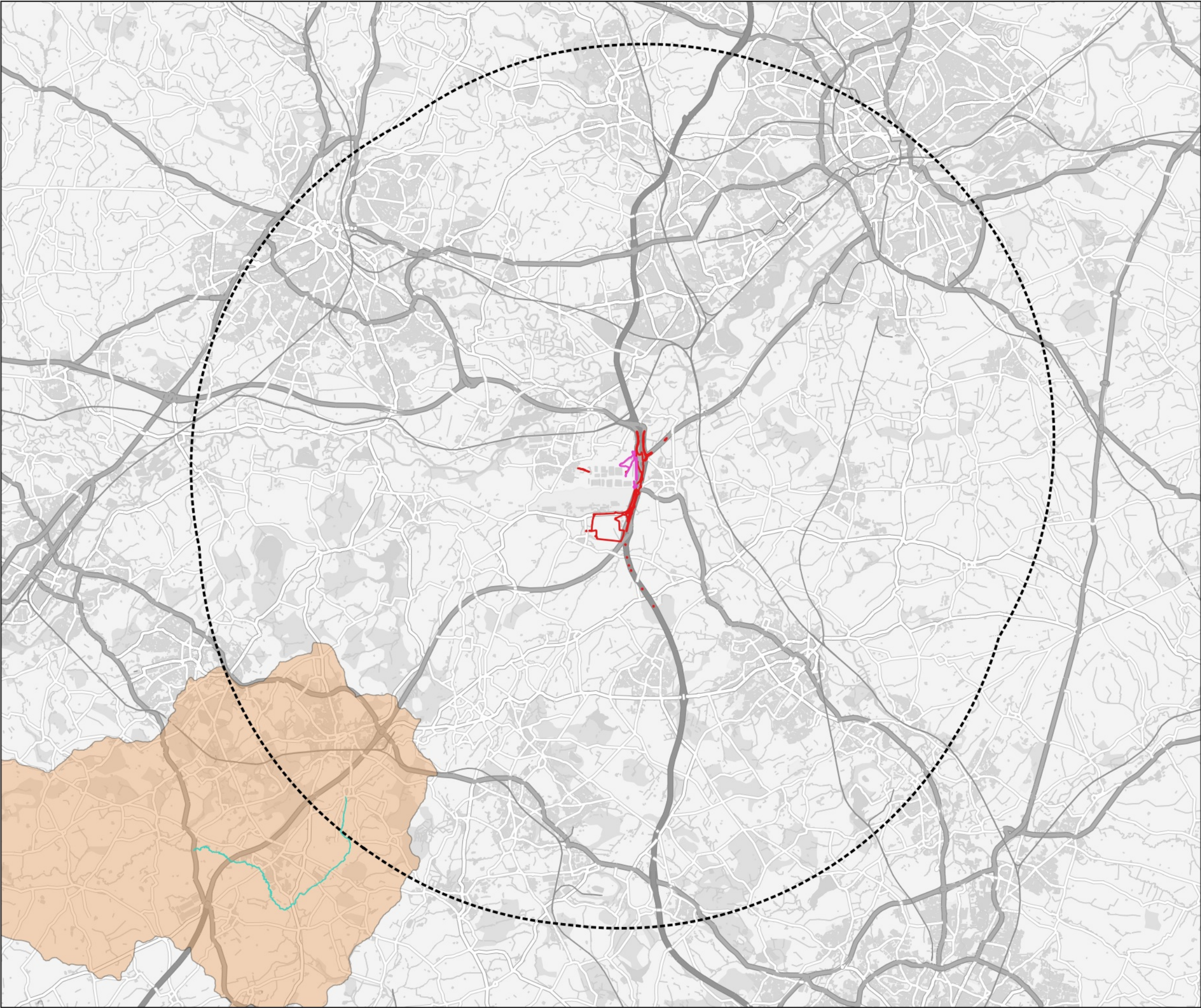
- 5.1 This Stage 1 screening assessment concludes that, given the substantial distance between the proposed EMG2 development and the River Mease SAC, the fact that the site lies entirely outside of the SAC's operational catchment, and the nature of the development proposals, there are no viable pathways by which the project could give rise to Likely Significant Effects (LSE) on the SAC or its qualifying features.
- 5.2 As such, all impact pathways have been screened out and there is no requirement for the assessment to progress to Stage 2 (Appropriate Assessment) under the Conservation of Habitats and Species Regulations 2017 (as amended). The conclusion of no LSE applies both

alone and in combination with other plans or projects. Table 1 below summarises the outcomes of the pathway screening exercise.

Table 1: Ecological Pathway Screening Conclusions for River Mease (SAC).

Ecological Pathway	Screening Conclusion
Direct Habitat Loss	No Likely Significant Effect.
Thermal Effects	No Likely Significant Effect.
Biological Connectivity and Vegetation Structure	No Likely Significant Effect.
Reduction in Water Quality (pollutants)	No Likely Significant Effect.
Reduction in water quality (Nutrients)	No Likely Significant Effect.
Water Abstraction	No Likely Significant Effect.
Increased risk of invasive plant species entering the watercourse	No Likely Significant Effect.
Increased risk of siltation entering the watercourse	No Likely Significant Effect.
Inappropriate weirs, dams and other structures	No Likely Significant Effect.






- 5.3 This conclusion is based on a review of the spatial and functional relationship between the proposed development and the River Mease SAC, informed by current guidance and evidence, including Environment Agency catchment data and Natural England's Site Improvement Plan. The absence of a pathway for effect eliminates the potential for harm to the SAC's qualifying habitats and species.
- 5.4 This conclusion has been confirmed by Natural England, whose consultation response (dated 15 January 2025) is included as Appendix [X] to this report. Natural England stated that it:
- "agrees with the conclusion that the project poses no risk of adverse effects on the integrity of the River Mease SAC, either alone or in combination with other projects, and that there is no need to progress to Stage 2 'Appropriate Assessment'."*



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Red Line Boundary

-  Order Limits EMG1 MCO
-  Order Limits EMG2 DCO
-  15km Buffer June
-  River Mease Special Area of Conservation (SAC)
-  River Mease Catchment



client
SEGRO Properties Ltd and SEGRO (EMG) Ltd

project
East Midlands Gateway Phase 2
(EMG2)

drawing title
SITE LOCATION, RIVER MEASE & MEASE RIVERS
OPERATION CATCHMENT

scale @ A3
1:150000

drawn
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18/6/2025

drawing / figure number
Figure 1

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