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| Meeting            | <b>LOCAL PLAN COMMITTEE</b>                     |
| Time/Day/Date      | 6:00pm on Monday, 29 June 2026                  |
| Location           | Stenson House, London Road, Coalville, LE67 3FN |
| Officer to contact | Democratic Services 01530 454512                |

### AGENDA

| Item     |   | Pages            |
|----------|---|------------------|
| <b>1</b> | <b>APOLOGIES FOR ABSENCE</b>  |                  |
| <b>2</b> | <b>DECLARATION OF INTERESTS</b>   |                  |
|          | Under the Code of Conduct members are reminded that in declaring interests you should make clear the nature of that interest and whether it is a disclosable pecuniary interest, registerable interest or other interest. |                  |
| <b>3</b> | <b>PUBLIC QUESTION AND ANSWER SESSION</b>   |                  |
|          | To receive questions from members of the public under rule no.10 of the Council Procedure Rules.  |                  |
| <b>4</b> | <b>MINUTES</b>  |                  |
|          | To confirm and sign the minutes of the meeting held on 4 June 2026.   | <b>3 - 4</b>     |
| <b>5</b> | <b>EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SPD</b>  |                  |
|          | The report of the Head of Planning and Infrastructure.  | <b>5 - 134</b>   |
| <b>6</b> | <b>REVIEW OF THE 2017 GOOD DESIGN GUIDE FOR NORTH WEST LEICESTERSHIRE SPD</b>   |                  |
|          | The report of the Head of Planning and Infrastructure.  | <b>135 - 136</b> |

Circulation:

Councillor J G Simmons (Chair)  
Councillor M Ball (Deputy Chair)  
Councillor D Bigby  
Councillor S Lambeth  
Councillor P Lees  
Councillor J Legrys  
Councillor R L Morris  
Councillor P Mout  
Councillor C A Sewell  
Councillor L Windram  
Councillor M B Wyatt

MINUTES of a meeting of the LOCAL PLAN COMMITTEE held in the Stenson House, London Road, Coalville, LE67 3FN on THURSDAY, 4 JUNE 2026

Present: Councillor J G Simmons (Chair)

Councillors M Ball, D Bigby, S Lambeth, P Lees, J Legrys, C A Sewell, L Windram, M B Wyatt, C Beck (Substitute for Councillor P Moulton) and A C Woodman (Substitute for Councillor R L Morris)

Officers: Ms J Althorpe, Mr J Arnold, Mr S Ball, Mr B Dooley, Mr C Elston and Ms S Lee

## **8 APOLOGIES FOR ABSENCE**

Apologies were received from Councillor P Moulton.

## **9 DECLARATION OF INTERESTS**

There were no interests declared.

## **10 PUBLIC QUESTION AND ANSWER SESSION**

There were no questions received.

## **11 MINUTES**

Consideration was given to the minutes of the meeting held on 20 May 2026.

It was noted that recommendation IV of item 6, Local Plan Policies Update, needed amending so it was clear that the amendments to the proposed policy for assets and stewardship as set out in the additional papers would be included in the Regulation 19 version of the Local Plan.

It was moved by Councillor J Legrys, seconded by Councillor M Ball and

RESOLVED THAT:

The minutes of the meeting held on 20 May 2026 be approved and signed by the Chair as an accurate record of the proceedings.

## **12 PROPOSED NORTH WEST LEICESTERSHIRE LOCAL PLAN (REGULATION 19)**

The Interim Planning Policy Team Manager presented the report.

It was moved by Councillor J Legrys, seconded by Councillor M Ball and

RESOLVED THAT:

- (I) The proposed submission draft Local Plan (Appendix A) and Policies Map (Appendix B) and Sustainability Appraisal (Appendix C) be approved for a minimum six week consultation in accordance with the Council's Statement of Community Involvement, the Planning and Compulsory Purchase Act 2004 (as amended) and Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012, subject to the finalisation of evidence base studies and there being no substantive issues for the Council to reconsider.

- (II) Following the public consultation, Full Council will be invited to consider the representations received on the draft Plan and prior to considering whether the Plan should be submitted to the Secretary of State in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulation 2012, the Local Plan will be submitted to the Secretary of State.
- (III) Authority be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure, to make minor amendments to the Local Plan and accompanying Sustainability Appraisal before publication and before submission to the Secretary of State.
- (IV) Authority be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure, to make amendments to the wording of Policies Ec6, Ap3, Ap4, Ap7, Ap9, H4, H5, H10 and H11 and agree to any subsequent revised Sustainability Appraisal prior to publication.
- (V) Authority be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure, to agree the final content of the Local Plan appendices including the glossary, Monitoring Framework and Housing Trajectory.
- (VI) Authority be delegated to the Strategic Director of Place, in consultation with the Portfolio Holder for Infrastructure, to prepare and consult on main modifications to the Local Plan during the examination process, if required, to address issues of soundness.

The meeting commenced at 6:00pm.

The Chair closed the meeting at 6:15pm.

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL  
LOCAL PLAN COMMITTEE – MONDAY 29 JUNE 2026**

|  |  |                           |
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| <b>Title of Report</b>                     | <b>EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)</b>   |                           |
| <b>Presented by</b>                        | Tom James<br>Interim Planning Policy Team Manager  |                           |
| <b>Background Papers</b>                   | <a href="#">Local Plan Committee Report - 20 March 2026</a>  | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | This report has no direct financial implications.  |                           |
|  | <b>Signed off by the Acting Section 151 Officer:</b> Yes   |                           |
| <b>Legal Implications</b>                  | The preparation of the Supplementary Planning Document (SPD) must comply with the Town and Country Planning (Local Planning) (England) Regulations 2012.                             |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes  |                           |
| <b>Staffing and Corporate Implications</b> | There are no direct staffing or corporate implications.  |                           |
|  | <b>Signed off by the Head of Paid Service:</b> Yes   |                           |
| <b>Purpose of Report</b>                   | To seek formal adoption of the East Midlands Freeport Strategic Infrastructure and Contributions Supplementary Planning Document   |                           |
| <b>Recommendations</b>                     | <p><b>THAT LOCAL PLAN COMMITTEE:</b></p> <p><b>(I) ADOPTS THE EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (APPENDIX C)</b></p> |                           |

## 1 BACKGROUND

- 1.1 A Supplementary Planning Document (SPD) is a document which provides further information about a policy or policies in a development plan. An SPD can be a helpful way to provide guidance on how a policy should be interpreted in development management decisions, what information applications should supply in order to satisfy a policy, and procedural arrangements.
- 1.2 At its meeting on 23 June 2026, Cabinet was presented with a revised East Midlands

Freeport Strategic Infrastructure and Contributions SPD, with a recommendation that the Local Plan Committee adopts the SPD at a future meeting. Cabinet resolved that the Local Plan Committee be requested to adopt the East Midlands Freeport Strategic Infrastructure and Contributions SPD. The Cabinet report, which is included at Appendix A, the consultation responses at Appendix B and the final SPD at Appendix C, provides the relevant background for Local Plan Committee to consider.

| <b>Policies and other considerations, as appropriate</b> |   |
|--|---|
| Council Priorities:                                      | <ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and Zero Carbon</li> <li>- A well-run council</li> </ul>  |
| Policy Considerations:                                   | <p>The National Planning Policy Framework (NPPF), paragraphs 24 to 28, encourages collaborative working across local planning authority boundaries to deliver strategic infrastructure.</p> <p>Policies Ec1, Ec4, Ec5, IF1, and IF4 of the North West Leicestershire Local Plan (adopted 2017 but subject to Partial Review in 2020 and adopted in 2021), provide the policy context for the EMF site(s) and delivery of strategic infrastructure within North West Leicestershire.</p> |
| Safeguarding:  | None identified.  |
| Equalities/Diversity:                                    | None identified, however, Equalities Impact Assessments were undertaken in preparing the Local Plan. The EMF Strategic Infrastructure and Contributions SPD would not put in place new policies but would rather supplement relevant policies from the Local Plan with guidance, none of which are considered to have any effect in equalities' impact terms.   |
| Customer Impact:   | The EMF Strategic Infrastructure and Contributions SPD will provide clarity for applicants and customers on how the Council expects infrastructure required to mitigate impacts and enable new development to come forward will be funded.  |
| Economic and Social Impact:                              | The EMF will provide businesses located within its designated 'tax sites' with financial incentives to enable economic growth, stimulate innovation, and to create regional investment and employment opportunities.  |

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| <p>Environment, Climate Change and Zero Carbon:</p> | <p>The draft EMF Strategic Infrastructure and Contributions SPD has been assessed under the relevant legislative frameworks for potential environmental impacts.</p> <p>A Screening Report is provided in Appendix D. The report assesses the contents of the EMF Strategic Infrastructure and Contributions SPD in order to identify potential environmental impacts that would require a Strategic Environmental Assessment (SEA). The report also determines whether or not the contents of the draft SPD would require a Habitats Regulations Appropriate Assessment (HRA).</p> <p>The Screening Report concludes that a SEA and HRA are not required to accompany the SPD. The SPD does not give rise to any new or materially different likely significant environmental effects that have not already been assessed at adopted local plan stages, and also having regard to emerging local plan stages and SEA and HRA assessment of the emerging local plan stages to date</p> |
| <p>Consultation/Community/Tenant Engagement:</p>    | <p>Consultation of the draft EMF Strategic Infrastructure and Contributions SPD took place between 23 March 2026 to 27 April 2026.</p>   |
| <p>Risks:</p>                                       | <p>As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily covered in any report put before elected Members for a decision or action.</p> <p>The SPD will help ensure the coordinated and collaborative delivery and funding of necessary strategic transport infrastructure for the EMF sites. In addition, the SPD will help ensure that strategic allocations and other major development sites in adopted and emerging Local Plans, which are adjacent to or outside the EMF sites, which will be unlocked by or significantly benefit from that strategic transport infrastructure, make appropriate and proportionate contributions towards this strategic transport infrastructure. Without an SPD in place, there is a risk that infrastructure delivery will not be co-ordinated, which could result in a lack of certainty regarding funding mechanisms, and delays to delivery.</p>                 |

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|-----------------|--|
|                 | <p>If the SPD is not adopted before 30 June 2026, there is a risk of delay to agreeing funding mechanisms and co-ordinating approaches across neighbouring local planning authorities towards delivery of strategic transport infrastructure associated with the EMF sites, which could jeopardise the delivery and funding of this strategic transport infrastructure. This is because beyond 30 June 2026, as part of the move towards a new plan-making system, it is envisaged that Supplementary Plans will be prepared and adopted by local planning authorities in place of SPDs. However, it is not yet clear that Supplementary Plans can be prepared pursuant to existing adopted plans or emerging 'old-style' local plans (such as the Council's emerging local plan will be) and in addition Supplementary Plans will be subject to a different adoption process, including independent public examination.</p> |
| Officer Contact | <p>Chris Elston<br/> Head of Planning and Infrastructure<br/> <a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a></p>   |

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL

CABINET – TUESDAY, 23 JUNE 2026



|  |  |                           |
|--|--|---------------------------|
| <b>Title of Report</b>                     | <b>EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)</b>   |                           |
| <b>Presented by</b>                        | Councillor Tony Saffell<br>Planning Portfolio Holder<br><br>PH Briefed <input type="checkbox" value="Y"/>  |                           |
| <b>Background Papers</b>                   | <a href="#">Local Plan Committee Report 20<sup>th</sup> March</a>  | <b>Public Report:</b> Yes |
|  |  | <b>Key Decision:</b> Yes  |
| <b>Financial Implications</b>              | This report has no direct financial implications.  |                           |
|  | <b>Signed off by the Acting Section 151 Officer:</b> Yes   |                           |
| <b>Legal Implications</b>                  | The preparation and adoption of the Supplementary Planning Document (SPD) must comply with the Town and Country Planning (Local Planning) (England) Regulations 2012. The SPD must be consistent with the adopted development plan and cannot introduce new policy but may provide guidance to support existing policies.  |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes  |                           |
| <b>Staffing and Corporate Implications</b> | There are no direct staffing or corporate implications.  |                           |
|  | <b>Signed off by the Head of Paid Service:</b> Yes   |                           |
| <b>Purpose of Report</b>                   | To update Cabinet on the preparation of the East Midlands Freeport Strategic Infrastructure and Contributions SPD and the outcome of public consultation held between March and April 2026.<br><br>To present a revised East Midlands Freeport Strategic Infrastructure and Contributions SPD for consideration, with a recommendation that the Local Plan Committee adopts the SPD. |                           |
| <b>Reason for Decision</b>                 | The Council's Constitution (Part 2, Section D5, paragraph 2.2.1) requires the Local Plan Committee to receive reports from Cabinet on proposed SPDs.   |                           |
| <b>Recommendations</b>                     | <b>THAT CABINET:</b><br><br><b>1. SUPPORTS THE PROPOSED REVISIONS TO THE DRAFT EAST MIDLANDS FREEPORT STRATEGIC</b>  |                           |

|  |   |
|--|---|
|  | <p style="text-align: center;"><b>INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT;</b></p> <p><b>2. RECOMMENDS THAT, SUBJECT TO NO MATERIAL COMMENTS BEING RECEIVED FROM THE STATUTORY CONSULTATION BODIES ON THE SCREENING REPORT FOR STRATEGIC ENVIRONMENTAL ASSESSMENT AND HABITATS ASSESSMENT, THE LOCAL PLAN COMMITTEE ADOPTS THE EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (APPENDIX B); AND</b></p> <p><b>3. DELEGATES AUTHORITY TO THE STRATEGIC DIRECTOR OF PLACE TO REVIEW AND RECOMMEND ANY MINOR MODIFICATIONS TO THE FINAL DRAFT EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT PRIOR TO ADOPTION AT LOCAL PLAN COMMITTEE.</b></p> |
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## **1.0 BACKGROUND**

- 1.1 The principal purpose of the East Midlands Freeport Strategic Infrastructure and Contributions Supplementary Planning Document ('the SPD') is to support the coordinated and collaborative delivery and funding of the strategic transport infrastructure required for the development of the three East Midlands Freeport ('EMF') sites. Development on the EMF sites, together with development on strategic allocation sites and other major development sites adjacent to or outside the EMF sites in Rushcliffe Borough, North West Leicestershire District and South Derbyshire District that are unlocked by, or would significantly benefit from, this infrastructure (referred to collectively, with the EMF sites, as 'the SPD Sites'), will be expected to contribute towards that infrastructure on an equitable and proportionate basis.
- 1.2 The evidence underpinning the SPD, alongside work that will be developed further through the EMF Infrastructure Delivery Plan ('IDP') process and through assessments accompanying relevant planning or consenting applications, establishes the in-principle need for pooled contributions, which may include works in kind. Further highways modelling is continuing and will inform the EMF IDP, which will be subject of public consultation, in due course.
- 1.3 Members are advised that the Council has been working with the EMF and the other Local Planning Authorities and County Authorities within which the EMF sites are located, to prepare and adopt the SPD.
- 1.4 The SPD has been prepared on a collaborative basis with the Freeport and their appointed consultants for the three local planning authorities for the EMF sites – the Council, Rushcliffe Borough, and South Derbyshire District (the 'Local Planning Authorities') with the intention (subject to necessary approvals) that all three Local Planning Authorities adopt the SPD by 30 June 2026. There is a cut-off date for the adoption of SPDs of 30 June 2026 – beyond that date it is not possible for local planning authorities to adopt an SPD. This has

been confirmed in the Levelling-up and Regeneration Act 2023 (Commencement No. 11 and Saving and Transitional Provisions) Regulations 2026, (Schedule 1, paragraph 6), which came into force on 25 March 2026. The cut-off date for the adoption of SPDs is part of the transition to a new plan-making system. In the event that one of the other Local Planning Authorities does not adopt the SPD then the Council will review their position as regards the SPD.

- 1.5 This report recommends to Members that the draft East Midlands Freeport Strategic Infrastructure and Contributions SPD (at Appendix B) is adopted. Once adopted, it will form a material consideration in the determination of relevant planning applications in the District, and the weight it is expected to carry in advance of the EMF IDP being published and endorsed by the Council is set out in paragraph 2.3 below.

## **2.0 THE EAST MIDLANDS FREEPORT STRATEGIC INFRASTRUCTURE AND CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT**

- 2.1 If adopted, the SPD will help ensure the coordinated and collaborative delivery and funding of the strategic transport infrastructure needed to support development of the three EMF sites and help ensure that all schemes coming forward on the EMF sites and other SPD Sites contribute towards that strategic infrastructure on an equitable and proportionate basis.
- 2.2 The SPD envisages a mechanism (a framework section 106 agreement) to coordinate the funding and delivery of this strategic transport infrastructure from multiple sites through the planning process, as and when those sites come forward for development. The evidential work underpinning the draft SPD establishes the need for shared infrastructure pooled contributions from multiple sites. Ongoing highways modelling and evidence work is also being carried out in order to inform an EMF IDP in due course which will supplement the SPD and provide greater detail on the strategic infrastructure, estimated costings, SPD Sites and where possible timescales for delivery and delivery bodies. The EMF IDP will be the subject of further public consultation, once available, which it is anticipated to be towards the end of 2026/early 2027. Following public consultation, it is expected that the Council (and other Local Planning Authorities) will ask their respective appropriate Committee and/or Cabinet to endorse the final EMF IDP before it is published and used for the purpose set out in the SPD.
- 2.3 The SPD makes it clear that it is not part of the development plan and is not development plan policy. From the date of its adoption, the SPD is a material planning consideration in planning determinations under the Planning Acts (as defined in the Town and Country Planning Act 1990) and any other relevant planning decision in relation to the SPD Sites. However, at the date of adoption of this SPD, the EMF IDP will not yet have been issued for public consultation, published or endorsed by the Council, and therefore the detail of the strategic infrastructure required will not have been established. The SPD includes a statement that until such time as the EMF IDP has, following public consultation, been published and endorsed by the Council, only limited weight should be given to the SPD as a material planning consideration by the Council. However, the “in principle” need for pooled contributions set out in this SPD (which may include works in kind in accordance with this SPD) in relation to strategic infrastructure has been established by the SPD at the date of adoption. It will, therefore, carry weight as a material planning consideration in that regard from the date of adoption. This is relevant to the Council and other Local Planning Authorities’ application of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which provides that in determining planning applications the determination must be made in accordance with the development plan, unless material considerations indicate otherwise.

2.4 As referred to above, adoption of the SPD cannot be deferred beyond 30 June 2026 and it is, therefore, not possible that adoption of the SPD be delayed until the EMF IDP has been prepared as this would not be possible. Beyond 30 June 2026, as part of the move towards a new plan-making system, it is envisaged that Supplementary Plans will be prepared and adopted by local planning authorities in place of SPDs. However, it is not yet clear that Supplementary Plans can be prepared pursuant to existing adopted plans or emerging 'old-style' local plans (such as the Council's emerging local plan will be) and in addition Supplementary Plans will be subject to a different adoption process, including independent public examination. On the basis that, that there is a need for pooled contributions towards certain strategic transport infrastructure, amongst other things, it is recommended that the SPD be adopted now, with the weight to be given to the SPD as a whole as a material planning consideration being adjusted pre- and post- endorsement of the EMF IDP by the Council as set out in paragraph 2.3 above.

### **3.0 CONSULTATION**

3.1 The SPD was subject of a five-week public consultation running between 23 March 2026 to 27 April 2026.

3.2 The consultation responses were all considered carefully. The Statement of Consultation on the SPD (at Appendix A) sets out a summary of the responses received to that public consultation, outlines how the Council has considered the main issues raised and indicates where the SPD has been modified in response to the consultation comments received or due to other relevant matters.

3.3 As set out in the Statement of Consultation, 32 responses were received to the consultation from a broad range of stakeholders including statutory consultees, neighbouring Councils, landowners, promoters, housing and employment developers, local interest groups, local residents, Parish Councils and Borough and District Councillors.

3.4 Responses received typically supported the principle of what the SPD is trying to achieve. This notwithstanding, there were concerns raised focussed primarily on the perceived lack of evidence underpinning the SPD and the timing for the preparation of an IDP and how the IDP would be consulted on.

3.5 The Statement of Consultation sets out how the representations received have been responded to and in several cases, how the SPD has been amended to address the points raised. Of particular note, the SPD has been amended in the following respects:

- Text has been added (as referred to in paragraph 2.3 above) to make it clear that the SPD is not part of the development plan and not development plan policy. From the date of its adoption, the SPD will be a material planning consideration in planning determinations under the Planning Acts (as defined in the Town and Country Planning Act 1990) in relation to the SPD Sites (which have been clarified – see below). However, at the date of adoption of the SPD, the EMF IDP will not have been issued for public consultation, published or endorsed by the Local Planning Authorities, and therefore the detail of the Strategic Infrastructure required will not have been established. Until such time as the EMF IDP has, following public consultation, been published and endorsed by the Local Planning Authorities, only limited weight should be given to the SPD as a material planning consideration by the Local Planning Authorities. However, the "in principle" need for pooled contributions set out in this SPD (which may include works in kind in accordance with the SPD) in relation to Strategic Infrastructure has been established by the SPD at the date of adoption. It will, therefore, carry weight as a material planning consideration in that regard. This is relevant to the local planning authorities' application of Section 38(6)

of the Planning and Compulsory Purchase Act 2004, which provides that in determining planning applications the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. Where reference is made in the SPD to something being 'required' or a 'requirement', that something 'will', 'must' or is 'expected' to be provided, then that must be understood in the context of this SPD being material planning consideration and not a development plan document (paragraph 1.17);

- Further clarification has been added in relation to the proposed EMF IDP, including:
  - that the EMF IDP will include estimated costs for identified strategic infrastructure, as well as (where possible) timescales for delivery and the body anticipated expecting to deliver each item (paragraph 1.7);
  - that the EMF IDP will be accompanied by an appropriate evidence base including viability evidence (paragraph 1.10);
  - that the basis on which contributions are sought will be considered as part of the IDP preparation (paragraph 2.9.1(d)); and
  - that the IDP will be the subject of public consultation, following which the IDP is expected to be endorsed by the respective appropriate committee and/or Cabinet of the local planning authorities, prior to it being brought into use for the purposes of the SPD (paragraphs 1.10-1.11);
- Further clarification has been added around how 'Other Benefitting Development Sites' will be determined, including that these are expected to include development sites immediately adjacent to the EMF Sites which form part of or are related to development of an EMF Site. It has also been clarified that 'Other Benefitting Development Sites' will also be 'SPD Sites' and a key has been added to the plan at Appendix 4 to assist (paragraph 1.4);
- Text has also been added to explain that the EMF IDP will identify which SPD Sites are intended to contribute towards which items of Strategic Infrastructure, as far as is reasonably practicable at the stage of EMF IDP endorsement by the local planning authorities (paragraph 1.7);
- Text has been added to clarify that it is intended that the substance of this SPD (possibly in a different format, for example a Supplementary Plan where possible) will continue to apply once the adopted local plans cease to have effect and the local planning authorities will work together to achieve that (paragraph 1.20);
- Reference has been added to the East Midlands Gateway Phase 2 DCO application including proposed highway mitigation works to M1 J24 (paragraph 1.21.1(a)(i)(1));
- The description of the proposed development of the Ratcliffe on Soar Power Station site has been amended and further reference to the Ratcliffe on Soar Power Station Local Development Order has been added (paragraph 1.21.2(a)(i));
- The strategic infrastructure identified in respect of the Ratcliffe on Soar Power Station site has been amended to include reference to strategic landscape and visual mitigation measures including to address heritage (paragraph 1.21.2(d)(i)(5));
- The strategic infrastructure needed to deliver the EMIP site has been reviewed and reference to the M1 J24 Improvement Scheme removed, in light of the representations received and an understanding that the EMIP site is unlikely to have a substantial impact on M1 J24 (paragraph 1.21.3(d));
- Other minor amendments have been made to the description of strategic infrastructure for all 3 EMF Sites (paragraphs 1.21.1(d), 1.21.2(d) and 1.21.3(d));
- Further clarification has been added in relation to the application of CIL in Rushcliffe Borough (paragraph 1.22.2);
- It has been clarified that public sector funding may be sought towards the strategic transport infrastructure (paragraph 2.9.1(c));
- Reference to circumstances where roads will be expected to be offered for adoption has been removed (paragraph 2.11);

- Reference has been added to current RICS valuation standards applying to financial viability assessments (paragraph 2.13.3); and
- Minor typos and grammatical errors have been corrected.

3.6 The final SPD document, which has been amended to take into account the consultation responses where appropriate, is attached as Appendix B.

3.7 The Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening document published with the consultation draft SPD has been updated to take into account applicable consultation responses in respect of the SEA, add further explanation to support the conclusions and make it clear that it is a screening opinion report in respect of SEA and HRA. The comments of the three statutory consultation bodies (Historic England, Natural England and the Environment Agency) have been sought in advance of this meeting, following the amendments to the SEA and HRA Screening Report and no significant comments or no comments have been received to date (any further update will be reported at the Cabinet meeting) and the conclusions of the SEA and HRA document published with the consultation draft SPD remain that the SPD does not require a SEA or HRA. For the purposes of the SEA and HRA Screening Report the whole area covered by the SPD was considered, but for the purposes of this report and recommendation the conclusions of the SEA and HRA Screening Report and the SPD have been considered specifically in relation to the Council's area. The updated Screening Report is attached as Appendix C.

#### 4.0 NEXT STEPS

4.1 Formulation of an SPD is an Executive function, but adoption is a non-executive function which has been delegated to the Local Plan Committee in accordance with the Council's Constitution.

4.2 Therefore, Cabinet is asked to recommend to the Local Plan Committee that it formally adopts the East Midlands Freeport Strategic Infrastructure and Contributions SPD at its meeting on 29 June 2026.

| <b>Policies and other considerations, as appropriate</b> |   |
|--|---|
| Council Priorities:                                      | <ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and Zero Carbon</li> <li>- A well-run council</li> </ul>  |
| Policy Considerations:                                   | <p>The National Planning Policy Framework (NPPF), paragraphs 24 to 28, encourages collaborative working across local planning authority boundaries to deliver strategic infrastructure.</p> <p>Policies Ec1, Ec4, Ec5, IF1, and IF4 of the North West Leicestershire Local Plan (adopted 2017 but subject to Partial Review in 2020 and adopted in 2021), provide the policy context for the EMF site(s) and delivery of strategic infrastructure within North West Leicestershire.</p> |
| Safeguarding:  | None identified.  |

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| Equalities/Diversity:                        | None identified, however Equalities Impact Assessments were undertaken in preparing the Local Plan. The EMF Strategic Infrastructure & Contributions SPD would not put in place new policies but would rather supplement relevant policies from the Local Plan with guidance, none of which are considered to have any effect in equalities' impact terms.   |
| Customer Impact:                             | The EMF Strategic Infrastructure and Contributions SPD will provide clarity for applicants and customers on how the Council expects infrastructure required to mitigate impacts and enable new development to come forward will be funded.   |
| Economic and Social Impact:                  | The EMF will provide businesses located within its designated 'tax sites' with financial incentives to enable economic growth, stimulate innovation, and to create regional investment and employment opportunities.   |
| Environment, Climate Change and Zero Carbon: | <p>The draft EMF Strategic Infrastructure and Contributions SPD has been assessed under the relevant legislative frameworks for potential environmental impacts.</p> <p>A Screening Report is provided in Appendix C. The report assesses the contents of the EMF Strategic Infrastructure &amp; Contributions SPD in order to identify potential environmental impacts that would require a Strategic Environmental Assessment (SEA). The report also determines whether or not the contents of the draft SPD would require a Habitats Regulations Appropriate Assessment (HRA).</p> <p>The Screening Report concludes that a SEA and HRA are not required to accompany the SPD. The SPD does not give rise to any new or materially different likely significant environmental effects that have not already been assessed at adopted local plan stages, and also having regard to emerging local plan stages and SEA and HRA assessment of the emerging local plan stages to date</p> |
| Consultation/Community/Tenant Engagement:    | Consultation of the draft EMF Strategic Infrastructure and Contributions SPD took place between 23 March 2026 to 27 April 2026.  |
| Risks:                                       | As part of its Corporate Governance arrangements, the Council must ensure that Risk management is considered and satisfactorily  |

|                 |   |
|-----------------|---|
|                 | <p>covered in any report put before elected Members for a decision or action.</p> <p>The SPD will help ensure the coordinated and collaborative delivery and funding of necessary strategic transport infrastructure for the EMF sites. In addition, the SPD will help ensure that strategic allocations and other major development sites in adopted and emerging Local Plans, which are adjacent to or outside the EMF sites, which will be unlocked by or significantly benefit from that strategic transport infrastructure, make appropriate and proportionate contributions towards this strategic transport infrastructure. Without an SPD in place, there is a risk that infrastructure delivery will not be co-ordinated, which could result in a lack of certainty regarding funding mechanisms, and delays to delivery.</p> <p>If the SPD is not adopted before 30 June 2026, there is a risk of delay to agreeing funding mechanisms and co-ordinating approaches across neighbouring local planning authorities towards delivery of strategic transport infrastructure associated with the EMF sites, which could jeopardise the delivery and funding of this strategic transport infrastructure. This is because beyond 30 June 2026, as part of the move towards a new plan-making system, it is envisaged that Supplementary Plans will be prepared and adopted by local planning authorities in place of SPDs. However, it is not yet clear that Supplementary Plans can be prepared pursuant to existing adopted plans or emerging 'old-style' local plans (such as the Council's emerging local plan will be) and in addition Supplementary Plans will be subject to a different adoption process, including independent public examination.</p> |
| Officer Contact | <p>Chris Elston<br/> Head of Planning and Infrastructure<br/> <a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a></p>  |

*Appendix A – Statement of Consultation on draft East Midlands Freeport Strategic Infrastructure & Contributions SPD*

*Appendix B – Final Draft East Midlands Freeport Strategic Infrastructure and & Contributions SPD*

*Appendix C – SEA and HRA Screening Report*

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**East Midlands Freeport Contributions  
Supplementary Planning Document  
Statement of Consultation**

Produced pursuant to the Town and County Planning  
(Local Planning) (England) Regulations 2012

May 2026

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## Executive Summary

1. This Statement of Consultation sets out a summary of the responses received during the five-week public consultation (23 March 2026 to 27 April 2026) on the emerging East Midlands Freeport (EMF) Supplementary Planning Document (SPD).
2. The Statement also outlines how the Council has considered the main issues raised and indicates where the SPD has been modified in response to the consultation comments received or due to other relevant matters.
3. The purpose of the SPD is to ensure the coordinated and collaborative delivery and funding of the necessary strategic transport infrastructure required to support development of the three East Midlands Freeport (EMF) sites and that all development coming forward on the EMF sites, or on strategic allocation sites or other major development sites adjacent to or outside the EMF sites which will be unlocked by or significantly benefit from that strategic transport infrastructure (the SPD Sites), contribute towards that strategic transport infrastructure on an equitable and proportionate basis. The evidential work underpinning the SPD, which will be further evolved through an EMF Infrastructure Delivery Plan (IDP) process, as well as assessments accompanying relevant planning or consenting applications, establishes the “in principle” need for pooled contributions (which may include works in kind) from SPD Sites in relation to this strategic transport infrastructure. Further highways modelling work is continuing and will inform an EMF IDP in due course.
4. As set out in this Statement, 32 responses were received to the consultation from a broad range of stakeholders including statutory consultees, neighbouring Councils, landowners, promoters, housing and employment developers, local interest groups, local residents, Parish Councils and Borough and District Councillors.
5. Responses received typically supported the principle of what the SPD is trying to achieve. This notwithstanding, there were concerns raised focussed primarily on the perceived lack of evidence underpinning the SPD and the timing for the preparation of an IDP and how the IDP would be consulted on.
6. This Statement sets out how the representations received have been responded to and in several cases, how the SPD has been amended to address the points raised. Of particular note, the SPD has been amended in the following respects:
  - Text has been added to make it clear that the SPD is not part of the development plan and not development plan policy. From the date of its adoption, the SPD will be a material planning consideration in planning determinations under the Planning Acts (as defined in the Town and Country Planning Act 1990) in relation to the SPD Sites (which have been clarified – see below). However, at the date of adoption of the SPD, the EMF IDP will not have been issued for public consultation, published or endorsed by the Local Planning Authorities, and therefore the detail of the Strategic Infrastructure required will not have been established. Until such time as the EMF IDP has been published and endorsed by the Local Planning Authorities, following public consultation, only limited weight should be given to the SPD as a material planning consideration by the Local Planning Authorities,

though the “in principle” need for pooled contributions set out in this SPD (which may include works in kind in accordance with the SPD) in relation to Strategic Infrastructure has been established by the SPD at the date of adoption and carries weight as a material planning consideration in that regard. This is relevant to the local planning authorities’ application of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which provides that in determining planning applications the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. Where reference is made in the SPD to something being ‘required’ or a ‘requirement’, that something ‘will’, ‘must’ or is ‘expected’ to be provided, then that must be understood in the context of this SPD being material planning consideration and not a development plan document (paragraph 1.17);

- Further clarification has been added in relation to the proposed EMF IDP, including:
  - that the EMF IDP will include estimated costs for identified strategic infrastructure, as well as (where possible) timescales for delivery and the body anticipated expecting to deliver each item (paragraph 1.7);
  - that the EMF IDP will be accompanied by an appropriate evidence base including viability evidence (paragraph 1.10);
  - that the basis on which contributions are sought will be considered as part of the IDP preparation (paragraph 2.9.1(d)); and
  - that the IDP will be the subject of public consultation, following which the IDP is expected to be endorsed by the respective appropriate committee and/or Cabinet of the local planning authorities, prior to it being brought into use for the purposes of the SPD (paragraphs 1.10-1.11.)
- Further clarification has been added around how ‘Other Benefitting Development Sites’ will be determined, including that these are expected to include development sites immediately adjacent to the EMF Sites which form part of or are related to development of an EMF Site. It has also been clarified that ‘Other Benefitting Development Sites’ will also be ‘SPD Sites’ and a key has been added to the plan at Appendix 4 to assist (paragraph 1.4.)
- Text has also been added to explain that the EMF IDP will identify which SPD Sites are intended to contribute towards which items of Strategic Infrastructure, as far as is reasonably practicable at the stage of EMF IDP endorsement by the local planning authorities (paragraph 1.7);
- Text has been added to clarify that it is intended that the substance of this SPD (possibly in a different format, for example a Supplementary Plan where possible) will continue to apply once the adopted local plans cease to have effect and the local planning authorities will work together to achieve that (paragraph 1.20);

- Reference has been added to the East Midlands Gateway Phase 2 DCO application including proposed highway mitigation works to M1 J24 (paragraph 1.21.1(a)(i)(1));
- The description of the proposed development of the Ratcliffe on Soar Power Station Site has been amended and further reference to the Ratcliffe on Soar Power Station Local Development Order has been added (paragraph 1.21.2(a)(i));
- The strategic infrastructure identified in respect of Ratcliffe has been amended to include reference to strategic landscape and visual mitigation measures including to address heritage (paragraph 1.21.2(d)(i)(5));
- The strategic infrastructure needed to deliver the EMIP site has been reviewed and reference to the M1 J24 Improvement Scheme removed, in light of the representations received and an understanding that the EMIP site is unlikely to have a substantial impact on M1 J24 (paragraph 1.21.3(d));
- Other minor amendments have been made to the description of strategic infrastructure for all 3 EMF Sites (paragraphs 1.21.1(d), 1.21.2(d) and 1.21.3(d));
- Further clarification has been added in relation to the application of CIL in Rushcliffe Borough (paragraph 1.22.2);
- It has been clarified that public sector funding may be sought towards the strategic transport infrastructure (paragraph 2.9.1(c));
- Reference to circumstances where roads will be expected to be offered for adoption has been removed (paragraph 2.11);
- Reference has been added to current RICS valuation standards applying to financial viability assessments (paragraph 2.13.3); and
- Minor typos and grammatical errors have been corrected.

# 1. Introduction

- 1.1 This document outlines the consultation that was undertaken in the preparation of the East Midlands Freeport (EMF) Supplementary Planning Document (SPD).
- 1.2 The Town & Country Planning (Local Planning) (England) Regulations 2012 (“2012 Regulations”) sets out in Regulation 12 that before a planning authority adopt a supplementary planning document, they must prepare a statement (i.e. a statement of consultation) setting out:
  - 1.2.1 The persons the local planning authority consulted when preparing the SPD;
  - 1.2.2 A summary of the main issues raised by those persons; and
  - 1.2.3 How those issues have been addressed in the SPD.
- 1.3 A statement of consultation was published with the consultation draft of the EMF SPD. This document is an updated version of that statement of consultation and provides a summary of those who were consulted on the consultation draft version of the SPD (at Appendix 1), a list of who responded to that consultation (at Table 1 below) and the main issues arising from the responses received (at Table 2 below). It also outlines how the Council has considered the main issues raised and indicates where the SPD has been modified in response to the consultation comments received or due to other relevant matters. These are summarised below and also set out in Table 2.
- 1.4 The consultation period ran from 23 March to 27 April 2026. As the consultation commenced prior to 25 March 2026, the date on which the Town and Country Planning (Local Planning) (England) Regulations 2026 (“2026 Regulations”) came into force, the consultation was therefore undertaken pursuant to the 2012 Regulations.

## 2. Purpose of the Supplementary Planning Document

- 2.1 EMF was approved by Government in 2023 and provides businesses located within its designated “tax sites” with financial incentives to enable economic growth, stimulate innovation, and to create regional investment and employment opportunities.
- 2.2 The EMF comprises three ‘tax’ sites, respectively falling within three different local authority administrative boundaries:
- East Midlands Airport Gateway and Industrial Cluster (EMAGIC) in North West Leicestershire District, Leicestershire.
  - Ratcliffe-on-Soar Power Station (Ratcliffe) in Rushcliffe Borough, Nottinghamshire.
  - East Midlands Intermodal Park (EMIP) in South Derbyshire District, Derbyshire.
- 2.3 The Council is working with the EMF and the other Local Planning Authorities and County Authorities within which the EMF sites are located, to prepare and adopt the SPD.
- 2.4 The SPD will ensure the coordinated and collaborative delivery and funding of the necessary strategic transport infrastructure required to support development of the three EMF sites and to ensure that all schemes coming forward on the EMF sites contribute towards that strategic infrastructure on an equitable and proportionate basis.
- 2.5 In addition, the SPD will ensure that strategic allocations in the adopted and emerging Local Plans, together with other development within the local authority areas, which are not within the EMF sites but will be unlocked by or significantly benefit from the strategic transport infrastructure delivered to facilitate development of the EMF sites, make appropriate and proportionate contributions towards that strategic transport infrastructure.
- 2.6 The SPD helps facilitate a mechanism (a framework section 106 agreement) to coordinate the funding and delivery of this strategic transport infrastructure from multiple sites through the planning process, as and when those sites come forward for development. The evidential work underpinning the draft SPD establishes the need for shared infrastructure pooled contributions from multiple sites. Ongoing work is also being carried out in order to inform an EMF Infrastructure Delivery Plan (IDP) in due course which will supplement the SPD and provide greater detail on the strategic infrastructure required and apportionment. The EMF IDP will be the subject of further public consultation, once available.
- 2.7 Subject to adoption, the SPD would form a material planning consideration for the determination of any planning application(s) coming forward on the EMF sites, and/or on other allocated sites or development within those administrative areas which would

also be unlocked by or significantly benefit from the strategic transport infrastructure being delivered to facilitate development of the EMF sites.

### 3. Consultation on the draft Supplementary Planning Document

- 3.1 A draft of the SPD was consulted on between 23 March and 27 April 2026.
- 3.2 In accordance with Regulations 12, 13, 35 and 36 of the Town and County Planning (Local Planning) (England) Regulations 2012, the draft SPD and supporting documents (Statement of Consultation and Strategic Environmental Assessment and Habitats Regulations Assessment) were made available for inspection during the consultation period at the following locations:
- On the Council’s websites:
    - Rushcliffe Borough Council  
<https://www.rushcliffe.gov.uk/supplementary-planning-documents>
    - South Derbyshire District Council  
<https://www.southderbyshire.gov.uk/our-services/planning-and-building-control/planning/east-midlands-freeport-strategic-infrastructure-and-contributions-spd>
    - North West Leicestershire  
[https://www.nwleics.gov.uk/pages/supplementary\\_planning\\_guidance](https://www.nwleics.gov.uk/pages/supplementary_planning_guidance)
  - As hard copies at libraries in Ashby de la Zouch, Castle Donington and Kegworth and at Rushcliffe Borough Council’s Customer Centre, Belvoir Road, Coalville.
- 3.3 The consultation was facilitated by Rushcliffe Borough Council on behalf of all three Councils. All respondents were able to submit their comments during the consultation period through the following methods:
- By email to [localdevelopment@rushcliffe.gov.uk](mailto:localdevelopment@rushcliffe.gov.uk)
  - By post to Planning Policy, Rushcliffe Arena, Rugby Road, West Bridgford, NG2 7YG.
- 3.4 Several stakeholders were directly notified as part of the consultation, as set out at Appendix 1.
- 3.5 Table 1 sets out a list of stakeholders, statutory consultees and interested parties who responded to the consultation.

**Table 1:** List of all responses received

| Response received |
|-------------------|
| Historic England  |
| National Highways |

|   |
|---|
| Natural England   |
| Derbyshire Wildlife Trust   |
| National Grid Electricity Transmission  |
| Broxtowe Borough Council  |
| Councillors Way, Bilin and Thomas (Leake Ward, Rushcliffe Borough Council)                                  |
| Normanton on Soar Parish Council  |
| East Leake Parish Council   |
| Kegworth Parish Council   |
| Repton Parish Council   |
| Cllr Sutton (Independent Party NWLDC Councillor / Kegworth Parish Council Councillor)                       |
| Uniper  |
| SEGRO   |
| Goodman   |
| Junction 24 Consortium  |
| Barratt Redrow, Clowes Developments and Wilson Enterprises Consortium                                       |
| Hallam Land   |
| Coaker Trusts   |
| Rula Developments   |
| Parker Strategic Land   |
| Strategic Land Group  |
| Davidsons Developments Ltd  |
| Caesarea Development Holdings (Caesarea) and Harworth Group (Harworth)                                      |
| The Trustees of Lord Crawshaw 1997 Discretionary Settlement (the Whatton Estate) and Bryan and Colin Jarrom |
| Road Haulage Association  |
| Protect Diseworth (marked as Resident 5)  |
| Save Aston & Weston Village Environment (SAVE) (marked as Resident 6)                                       |
| 4 x Other Resident Responses [names redacted]   |

- 3.6 A summary of all responses received, grouped by issue/theme, is provided at Table 2 in Section 5 of this report.

## 4. Modifications to the Supplementary Planning Document

4.1 In response to the main issues arising from the consultation responses received, a number of modifications have been made to the SPD where this is considered to be appropriate. The modifications are summarised below and are also referred to in Table 2.

4.2 In summary, the principal modifications made to the SPD are:

- Text has been added to make it clear that the SPD is not part of the development plan and not development plan policy. From the date of its adoption, the SPD will be a material planning consideration in planning determinations under the Planning Acts (as defined in the Town and Country Planning Act 1990) in relation to the SPD Sites (which have been clarified – see below). However, at the date of adoption of the SPD, the EMF IDP will not have been issued for public consultation, published or endorsed by the Local Planning Authorities, and therefore the detail of the Strategic Infrastructure required will not have been established. Until such time as the EMF IDP has been published and endorsed by the Local Planning Authorities, following public consultation, only limited weight should be given to the SPD as a material planning consideration by the Local Planning Authorities, though the “in principle” need for pooled contributions set out in this SPD (which may include works in kind in accordance with the SPD) in relation to Strategic Infrastructure has been established by the SPD at the date of adoption and carries weight as a material planning consideration in that regard. This is relevant to the local planning authorities’ application of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which provides that in determining planning applications the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. Where reference is made in the SPD to something being ‘required’ or a ‘requirement’, that something ‘will’, ‘must’ or is ‘expected’ to be provided, then that must be understood in the context of this SPD being material planning consideration and not a development plan document (paragraph 1.17);
- Further clarification has been added in relation to the proposed EMF IDP, including:
  - that the EMF IDP will include estimated costs for identified strategic infrastructure, as well as (where possible) timescales for delivery and the body anticipated expecting to deliver each item (paragraph 1.7);
  - that the EMF IDP will be accompanied by an appropriate evidence base including viability evidence (paragraph 1.10);
  - that the basis on which contributions are sought will be considered as part of the IDP preparation (paragraph 2.9.1(d)); and
  - that the IDP will be the subject of public consultation, following which the IDP is expected to be endorsed by the respective appropriate committee

and/or Cabinet of the local planning authorities, prior to it being brought into use for the purposes of the SPD (paragraphs 1.10-1.11.)

- Further clarification has been added around how 'Other Benefitting Development Sites' will be determined, including that these are expected to include development sites immediately adjacent to the EMF Sites which form part of or are related to development of an EMF Site. It has also been clarified that 'Other Benefitting Development Sites' will also be 'SPD Sites' and a key has been added to the plan at Appendix 4 to assist (paragraph 1.4.)
- Text has also been added to explain that the EMF IDP will identify which SPD Sites are intended to contribute towards which items of Strategic Infrastructure, as far as is reasonably practicable at the stage of EMF IDP endorsement by the local planning authorities (paragraph 1.7);
- Text has been added to clarify that it is intended that the substance of this SPD (possibly in a different format, for example a Supplementary Plan where possible) will continue to apply once the adopted local plans cease to have effect and the local planning authorities will work together to achieve that (paragraph 1.20);
- Reference has been added to the East Midlands Gateway Phase 2 DCO application including proposed highway mitigation works to M1 J24 (paragraph 1.21.1(a)(i)(1));
- The description of the proposed development of the Ratcliffe on Soar Power Station Site has been amended and further reference to the Ratcliffe on Soar Power Station Local Development Order has been added (paragraph 1.21.2(a)(i));
- The strategic infrastructure identified in respect of Ratcliffe has been amended to include reference to strategic landscape and visual mitigation measures including to address heritage (paragraph 1.21.2(d)(i)(5));
- The strategic infrastructure needed to deliver the EMIP site has been reviewed and reference to the M1 J24 Improvement Scheme removed, in light of the representations received and an understanding that the EMIP site is unlikely to have a substantial impact on M1 J24 (paragraph 1.21.3(d));
- Other minor amendments have been made to the description of strategic infrastructure for all 3 EMF Sites (paragraphs 1.21.1(d), 1.21.2(d) and 1.21.3(d));
- Further clarification has been added in relation to the application of CIL in Rushcliffe Borough (paragraph 1.22.2);
- It has been clarified that public sector funding may be sought towards the strategic transport infrastructure (paragraph 2.9.1(c));
- Reference to circumstances where roads will be expected to be offered for adoption has been removed (paragraph 2.11);
- Reference has been added to current RICS valuation standards applying to financial viability assessments (paragraph 2.13.3); and

- Minor typos and grammatical errors have been corrected.

4.3 Alongside the SPD, a Strategic Environmental Assessment and Habitats Assessment document was also issued as part of the consultation. This document has been updated to take into account applicable consultation responses in respect of the SEA, add further explanation to support the conclusions and make it clear that it is a screening opinion in respect of Strategic Environmental Assessment and Habitats Assessment. The comments of statutory consultation bodies have been sought in advance of the respective Cabinet meetings and the conclusions remain unchanged.

## 5. Summary of Responses received to the Supplementary Planning Document

5.1 Over the course of the five-week public consultation undertaken concurrently across North West Leicestershire District, South Derbyshire District and Rushcliffe Borough, a total of 32 representations were received from a range of stakeholders, statutory consultees and public consultees. Table 2 below provides a summary of the comments received, grouped by theme/topic, against which a response has been provided.

**Table 2: Summary of representations received and a response to the comments raised.**

| No.                                | Respondents  | Section Reference/Topic     | Summary of Comments   | Response to Comments   |
|------------------------------------|--|-----------------------------|---|--|
| <b>Lawfulness and scope of SPD</b> |  |                             |   |  |
| 1                                  | Broxtowe Borough Council   | Background & Policy Context | Highlighted recent changes to planning regulations in relation to SPDs, and the need for updated references within the document (para 1.16).  | Noted. Modifications proposed at paragraph 1.20 of the SPD.  |
| 2                                  | Cllr Sutton<br>Kegworth Parish Council<br>Resident 3<br>The Strategic Land Group<br>Protect Diseworth<br>Save Aston & Weston Village Environment | Procedural Approach         | Concerns on whether the SPD remains within the lawful scope of a supplementary planning document. SPD should be scaled back to provide guidance on the implementation of existing adopted policies only with any mechanisms that amount to new policy being progressed through the Development Plan Document Process. | The SPD is within the lawful scope of a supplementary planning document.<br><br>There is no new policy being introduced by the SPD, which has been prepared pursuant to and in order to provide guidance to support adopted local plan policy which is referred to in the SPD. The SPD makes it clear that it is not part of the development plan but will be a material planning consideration for the local planning authorities in making planning determinations, with explanation given as to the weight it will carry until the related IDP is published and endorsed (explained further below and in paragraph 1.17 of the SPD). Also, the strategic transport infrastructure works referred to in the SPD are essentially an evolution |

|   |   |                        |   |  |
|---|---|------------------------|---|--|
|   | Davidsons<br>Developments Ltd<br>Hallam Land<br>SEGRO<br>Barratt Redrow,<br>Clowes<br>Developments and<br>Wilson Enterprises<br>Consortium                                |                        |   | of those transport works that are already envisaged as part of the relevant local plans.   |
| 3 | Goodman   | EMIP                   | Support reorder to move EMIP behind EMAGIC and Ratcliffe in the document order to reflect spatial proximity to M1 J24.  | SPD amended to reflect request.  |
| 4 | Davidsons<br>Developments Ltd<br>Hallam Land<br>SEGRO<br>Barratt Redrow,<br>Clowes<br>Developments and<br>Wilson Enterprises<br>Consortium<br>The Strategic Land<br>Group | Procedural<br>Approach | Concerns relating to whether the SPD has an appropriate policy context in all the relevant adopted Local Plans to which it can be properly described as being supplemental. Consider an SPD cannot be supplemental to emerging policies that are yet to be adopted. | Noted. The SPD is clear that it does not form part of the development plan and is intended to be adopted by each local planning authority pursuant to adopted local plan policy not emerging local plan policy. The adopted plan policies to which the SPD relates are set out in the SPD. This includes generic policies relating to development, developer contributions and infrastructure. |

|   |  |                     |  |   |
|---|--|---------------------|--|---|
| 5 | Protect Diseworth                        | Procedural Approach | Unacceptable that those communities within NWLDC will have no voice in decisions relating to the SPD made or influenced by either South Derbyshire CC and Rushcliffe CC who will have neither regard nor responsibility for the wellbeing or best interests of NWLDC residents and which collectively could outvote NWLDC. | The draft SPD has been the subject of comprehensive public consultation, which has been run concurrently across North West Leicestershire District, Rushcliffe Borough and South Derbyshire District. Local stakeholders, including residents, will have the opportunity to comment and make representations in relation to any planning applications on the strategic applications coming forward on the EMF sites when they are submitted and the local planning authorities will consider mitigation and/or compensatory measures at that time.  |
| 6 | Protect Diseworth Junction 24 Consortium | Procedural Approach | Concern regarding level of promoter involvement/influence over the content and direction of the SPD and concerns around impartiality whether the document can be reasonably regarded impartial expression of planning guidance.  | The SPD aims to ensure the coordinated and collaborative delivery and funding of the necessary strategic infrastructure required to support development of the three EMF sites and to ensure that all schemes coming forward on the EMF sites contribute towards that strategic infrastructure on an equitable and proportionate basis.<br><br>Whilst East Midlands Freeport, given their remit to support the development of the three tax sites, have assisted with the preparation of the draft SPD alongside their appointed consultant team, all work was undertaken alongside discussion and coordination with all three relevant local planning authorities as well as the County Authorities within which the EMF sites are located and the SPD has been promoted by the relevant local planning authorities, not East Midlands Freeport. Such collaborative working is common-place in relation to the production of emerging draft Supplementary Planning Documents in England. Following liaison with the Planning Policy teams at each authority, the draft SPD was presented to the relevant Committees/Cabinets in line with local governance requirements. |

|   |   |                     |  |   |
|---|---|---------------------|--|---|
|   |   |                     |  | <p>The authority to formally consult, adopt, publish, and give weight to an SPD rests with each local planning authority and Council officers at the three local planning authorities have been clear throughout in this regard.</p> <p>The solicitors independently assisting EMF are an entirely separate part of the firm from that part advising any parties on any Development Consent Order process, with full information barriers in place as is common-place, and there is no conflict of interest arising.</p>                        |
| 7 | Save Aston & Weston Village Environment | Procedural Approach | Concerns regarding the complexity of the consultation material and absence of any public meetings or online events to communicate the SPD. Request that consultation should be re-run. | The consultation on the SPD has been carried out in accordance with statutory procedures and the Councils' own consultation processes. The consultation documents have been available on the Councils' websites and hard copies have also been available to view throughout the 5 week consultation process. This is considered to be an appropriate and robust approach to consultation and has allowed a meaningful period in which consultees have had an effective opportunity to consider and submit representations on the documents.     |
| 8 | Save Aston & Weston Village Environment | Procedural Approach | Queries regarding other Rushcliffe Borough Council Documents on the consultation page.   | The consultation link through <a href="http://Rushcliffe.gov.uk">Rushcliffe.gov.uk</a> links to the Council's Supplementary Planning Documents page. The Affordable Housing, Design Codes, Developer Contributions, Low Carbon & Sustainable Development, Solar Farms & Wind Energy documents referenced in the SAVE response are currently adopted Rushcliffe Borough Council SPDs further down on the SPD page of the website and for clarity did not form part of this consultation. The consultation was clear that it related to this SPD. |
| 9 | Resident 3                              | Procedural          | The SPD reduces transparency, limits public scrutiny and limits the  | This SPD helps facilitate a mechanism (a framework section 106 agreement) for securing shared infrastructure pooled contributions   |

|  |                   |  |   |   |
|--|-------------------|--|---|---|
|  |                   |  | role of elected local planning authorities in decision making.  | <p>through the planning process. The framework section 106 agreement will be developed by the three local planning authorities jointly.</p> <p>If adopted, the SPD will be a material consideration in the determination of any subsequent relevant planning application, subject to the limited weight to be given to the SPD until the related IDP is published and endorsed by the relevant local planning authorities (explained further below and in paragraph 1.17 of the SPD). All planning applications will still be determined by their respective local planning authorities in line with legal governance procedures.</p> |
| <b>Local Policy / Planning Application Matters</b> |                   |  |   |   |
| 10   | National Highways |  | Would welcome more clarity on identifying individual development's impacts on the highway network.  | Noted. This will be considered at a high level as part of the highway modelling work being undertaken to inform the EMF IDP and at a more detailed level when planning applications come forward.   |
| 11   | National Highways |  | Consider that where trigger points for mitigation are identified, the framework section 106 agreement and individual section 106 agreements should make clear that occupation is not permitted until the appropriate SRN mitigation has been constructed and open to traffic. | The SPD already contains reference to the Local Planning Authority using conditions to prevent development and/or occupation of relevant phases of the development in advance of the necessary Strategic Infrastructure being in place.   |

|    |                  |          |  |  |
|----|------------------|----------|--|--|
| 12 | Historic England | Heritage | <p>References to historic environmental contributions could be made more explicit.</p> <ul style="list-style-type: none"> <li>* Heritage is not specifically mentioned for EMIP</li> <li>* Suggest EMAGIC para 1.17.2 amended to read “Strategic landscape and visual mitigation measures including to conserve and enhance the significance of heritage assets and their setting.”</li> <li>* Ratcliffe text should make specific reference to conserving and enhancing the significance of heritage assets and their setting as part of required landscape and mitigation measures.</li> </ul> | <p>This SPD is focused on the delivery of strategic highways infrastructure. However, we note that heritage is referred to in relation to EMAGIC and we have agreed that it could also be relevant to Ratcliffe, so have added the same wording there. This will be considered further as part of the IDP preparation.</p> <p>Heritage impacts and any necessary mitigation would also be considered through the planning application process.</p> |
| 13 | National Grid    | General  | <p>SPD represents an opportunity to highlight the presence of NGET assets. Without appropriate acknowledgement of the NGET assets within and adjacent to the site, the SPD risks being less effective. Recommendations for wider area planning for protecting existing NGET assets and enabling future network development.</p>  | <p>The SPD is focused on the delivery of strategic transport infrastructure. National Grid assets are beyond the remit of the SPD and will need to be considered by applicants through the necessary licensing and permitting processes.</p>   |

|    |   |                         |   |  |
|----|---|-------------------------|---|--|
|    |   |                         |   |  |
| 14 | Repton Parish Council   | Infrastructure          | Need for the document to define the requirement to address the impact of the EMIP workforce travel on the neighbouring settlements and require it to be addressed in the SPD as part of the fundamental infrastructure. | As part of the planning applications for strategic employment sites, including the EMIP site, it is anticipated that Travel Plans will be prepared to set out how workers will travel to work, including via active travel and public transport. This SPD is focussed on the delivery of strategic infrastructure, but travel plans are referenced as a potential site-specific measure that may be included in the section 106 agreement. |
| 15 | Normanton on Soar Parish Council<br>East Leake Parish Council | General                 | SPD should be strengthened to ensure local impacts are fully assessed and mitigated.  | The impact of development of the respective strategic sites, including the EMF sites, would be considered on a site-by-site basis during the planning application process in the usual way and mitigation and/or compensatory measures will be considered by the local planning authority at this stage.   |
| 16 | Normanton on Soar Parish Council<br>East Leake Parish Council | Infrastructure Delivery | SPD lacks sufficient guarantees /should be strengthened to ensure infrastructure will be delivered ahead of development, particularly transport improvements.   | The EMF IDP will consider timescales and triggers for the delivery of strategic transport infrastructure. Any site specific infrastructure requirements and related phasing will be considered as part of individual planning applications and the Framework S106/S106 process.  |
| 17 | Normanton on Soar Parish Council                              | General                 | SPD should be strengthened to ensure rural communities are protected from adverse effects.  | The impact of development of the respective strategic sites, including the EMF sites, would be considered on a site by site basis during the planning application process in the usual way and mitigation and/or compensatory measures will be considered by the local planning authority at this stage.   |
| 18 | East Leake Parish Council                                     | General                 | The SPD prioritises strategic growth over local mitigation, with no clear mechanism to ensure   | The SPD recognises that there will be a need for site specific infrastructure, but the focus of the SPD is on ensuring the delivery and funding of strategic transport infrastructure on an equitable and  |

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|    |   |               | affected communities receive proportionate benefits.  | proportionate basis. The local impact of development of the respective strategic sites, including the EMF sites, would be considered on a site by site basis during the planning application process together with any mitigation and/or compensatory measures that may be required.                        |
| 19 | Save Aston & Weston Village Environment | Active Travel | Given the Freeport's green aspirations, a robust Transport Strategy should promote rail with a strong focus on rail improvements and potentially electrification. | This is outside of the remit of the SPD. Rail specific requirements will be included within the site specific allocation policies.  |
| 20 | Junction 24 Consortium Uniper           | SPD error     | Plan at Appendix 5 is out of date and incorrectly sourced.  | Noted. This is not part of the updated SPD.   |
| 21 | Resident 1                              | General       | Unnecessary development resulting in loss of farmland and risks food security.  | These are development management considerations when planning applications come forward.<br><br>Allocation of the EMF and other strategic sites through the emerging Local Plans are being prepared which will assess the loss of farmland in their Sustainability Appraisals underpinning the Local Plans. |
| 22 | Resident 2                              | General       | Expansion of infrastructure will make congestion worse.   | Infrastructure expansion will be subject to appropriate testing/consideration through the development management process at the point of an application being submitted.  |
| 23 | Resident 2                              | General       | Concerns around environmental impact from additional vehicle movements.   | Environmental impacts of additional vehicle movements will be subject to appropriate testing/consideration through the development management process, and any applications.  |

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| 24         | Resident 2    | General                       | No reference to where workers will live.   | <p>Strategic housing allocations will be included as part of the emerging Local Plans, alongside strategic employment site allocations.</p> <p>As part of the Planning Applications for strategic employment sites, including the EMF sites, it is anticipated that Travel Plans will be prepared to set out how workers will travel to work, including via active travel and public transport.</p>   |
| 25         | Resident 4    | Active Travel                 | An Active Travel Study should form part of the EMF IDP. SPD is vague about the schemes that will be required for 'active travel' which will make negotiation of contributions for active travel infrastructure difficult.  | Active travel requirements would be set at a Local Plan level, with any site specific requirements included in the site specific allocation policies. It is not anticipated that this would be included in the SPD or as part of the EMF IDP.   |
| <b>IDP</b> |               |                               |  |   |
| 26         | Coaker Trusts | Strategic Infrastructure Land | <p>The SPD should recognise that not all contributions will be measured with monetary commitments. There should be recognition of safeguarding land to enable the proposed infrastructure improvement works at Junction 24 to come forward.</p> <p>Para 2.9.3 is unacceptable and strongly opposed. A blanket transferring of land to another authority or body, with no compensation or confirmation of</p> | <p>It is envisaged that there would be land equalisation agreements between landowners which would cover the provision of strategic infrastructure land. This will be assessed and considered as part of the IDP work.</p> <p>To the extent that landowners have not equalised between themselves for necessary strategic infrastructure, the Framework S106 mechanism provides a mechanism to help ensure fair and equitable contributions are made. The reference in the SPD to land transfers to be assumed at nil land value does not mean that there is no compensation or consideration payable to the landowner; rather it means that for planning viability purposes in relation to a Framework S106 mechanism,</p> |

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|    |   |                     | <p>how and when the infrastructure works are to be delivered would not be acceptable. Works in kind principles should be applied.</p>  | <p>land will be assumed to be transferred at nil value for the purposes of calculating relevant planning obligation contributions and/or works in kind for strategic infrastructure. The actual land value in relation to any land transfers for strategic infrastructure delivery will remain a matter to be agreed between landowners, subject to a dispute resolution mechanism to be included in a framework S106 Agreement. Paragraph 2.9.4 of the SPD covers the situation where equalisation agreements are not agreed or entered into – the framework section 106 agreement will provide that in this situation the developer shall submit to dispute resolution (arbitration or expert determination) and following determination the equalisation agreement will be entered into. Therefore, there is a mechanism in place to deal with any disputes on equalisation agreements so that these are resolved by an expert or arbitrator and such decision will be binding on the parties to the section 106 agreement.</p> <p>Works in kind in lieu of planning obligations may be provided with the agreement of the relevant local planning authority.</p> |
| 27 | <p>Cllr Sutton<br/>East Leake Parish Council<br/>Kegworth Parish Council<br/>Resident 3<br/>The Strategic Land Group<br/>Leake Ward Councillors<br/>Protect Diseworth<br/>Goodman</p> | Procedural Approach | <p>Concerns around proceeding with the SPD without the EMF IDP, full viability evidence and strategic transport modelling being available/agreed.</p> <p>Clarification on subsequent consultations on the EMF IDP/evidence base requested.</p> | <p>This is noted and understood. The draft SPD has been amended to include an explanation of how the SPD is intended to operate in advance of the IDP being published (paragraph 1.17). The EMF IDP and evidence base (including viability evidence and strategic transport modelling) will be the subject of public consultation and the EMF IDP endorsed before it is published and used for the purposes of the SPD.</p> <p><b>EMF IDP</b></p> <p>Further highways modelling work currently being undertaken across Leicestershire, Nottinghamshire and Derbyshire (commissioned by the EMF), as well as highways evidence separately being prepared by the</p>   |

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|  | <p>Parker Strategic Land</p> <p>Save Aston &amp; Weston Village Environment</p> <p>National Highways Uniper</p> <p>Davidsons Developments Ltd</p> <p>Hallam Land Junction 24 Consortium</p> <p>Coaker Trusts</p> <p>SEGRO</p> <p>The Whatton Estate &amp; Bryan and Colin Jarrom</p> <p>Barratt Redrow, Clowes Developments and Wilson Enterprises Consortium</p> |  |  | <p>respective local planning authorities to inform respective emerging Local Plans, is continuing and will inform an EMF IDP.</p> <p>The EMF IDP methodology is designed to provide an evidence-led Infrastructure Delivery Plan that identifies the transport and highway interventions required to support the development of the EMF Sites, alongside clear cost and programme details. The section of the SPD which sets out what the IDP will cover has been expanded (paragraph 1.7.)</p> <p>Work is underway on the EMF IDP and it is anticipated that a draft EMF IDP will be issued for public consultation in late 2026. This public consultation draft EMF IDP will be accompanied by an appropriate evidence base including viability and further transport evidence – this has been clarified in the SPD. Following that public consultation, the local planning authorities expect to take the IDP to Cabinet for endorsement.</p> <p>The EMF IDP will supplement this SPD and provide greater detail on the strategic transport infrastructure required, costings and programme, which will, in turn, inform the contributions and obligations to be included in the framework S106 agreement.</p> <p><b>Transport Evidence</b></p> <p>Substantial transport assessment work and modelling has been carried out to date in relation to the three EMF sites which is considered sufficient to underpin the evidence base for the SPD in relation to each of these sites at this stage, to be further worked on as part of a common EMF IDP pursuant to the SPDs.</p> <p><b>Viability Evidence</b></p> |
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|    |  |                     |  | Viability work will be undertaken alongside preparation of the EMF IDP which will be used to inform decisions concerning what strategic transport infrastructure is to be included and what levels of contributions or provision are to be sought (or what other funding may be sought).  |
| 28 | National Highways  | EMF IDP             | The SPD is not prescriptive about which organisation(s) would lead on the delivery of any required infrastructure and this should be made clear in the EMF IDP and the framework section 106 agreement. These documents should also set out how contribution will be managed and prioritised when funding is pooled. | Noted. The EMF IDP has been amended to make it clear that the EMF IDP will, where possible, seek to identify the body which is anticipated to deliver each item of Strategic Infrastructure.<br>The management and prioritisation of contributions will be dealt with in the framework section 106 agreement.   |
| 29 | Uniper   | Procedural Approach | EMF should work with relevant landowners and developers to produce the EMF IDP. The SPD should clearly set out it will only come into force once the EMF IDP has been consulted upon and adopted.  | Noted.<br>The EMF IDP will be consulted on in due course and be accompanied by evidence on a number of areas e.g. transport and highway evidence, viability evidence.<br>The SPD has been updated to confirm the approach (see row below).  |
| 30 | Uniper<br>Davidsons<br>Developments Ltd<br>Hallam Land<br>Caesarea &<br>Harworth | General             | Concerns around an absence of detail around how the SPD might be implemented in practice, which could create significant uncertainty for developers and delay the delivery of infrastructure   | Noted. As referred to above, the SPD has been amended to clarify that from the date of its adoption, the SPD is a material planning consideration in planning determinations in relation to the SPD Sites, but, as it is recognised that at the date of adoption of the SPD the EMF IDP has not yet been published or endorsed by the Local Planning Authorities, until such time as the EMF IDP has been published and |

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|   | Junction 24 Consortium<br>Coaker Trusts<br>SEGRO<br>The Whatton Estate & Bryan and Colin Jarrom |                         | improvement works (including the J24 Consortium proposal).  | endorsed by the Local Planning Authorities, only limited weight shall be given to the SPD as a material planning consideration by the Local Planning Authorities, though the “in principle” need for pooled contributions set out in the SPD (which may include works in kind in accordance with the SPD) in relation to Strategic Infrastructure has been established and should carry weight as a material planning consideration in that regard in the meantime. This should ensure there is no unacceptable degree of uncertainty for developers. The SPD is designed to help facilitate the delivery of strategic infrastructure improvements, not hinder it. |
| 31  | Cllr Sutton<br>Kegworth Parish Council  | Infrastructure Delivery | Queries around National Highways endorsement of the infrastructure packages at J24 and when their agreement will be obtained.   | National Highways have responded to the SPD consultation. As noted in their response, National Highways have been actively engaged in discussions around the development of the EMF and other major sites in proximity to J24 for some time. The full extent of mitigation required however, will only be understood following completion of the transport evidence and progression of the EMF IDP.  |
| 32  | Road Haulage Association  | General                 | Lack of consideration for the road freight sector, favouring other modes such as rail and air. Unclear to what degree projects included will be built to suit freight operators | Comprehensive modelling and evidence base gathering is taking place to identify the strategic infrastructure requirements. Given the nature of likely development at the EMF sites, considerations around road freight will be a core element of this work.  |
| <b>Framework S106 / Site-Specific S106 Agreements</b> |   |                         |   |  |
| 33  | Uniper<br>Davidsons Developments Ltd<br>Hallam Land   |                         | Unclear what ‘Strategic Infrastructure’ is and how this differs from ‘Site Specific Infrastructure’ and ‘site-wide  | ‘Strategic Infrastructure’ and ‘Site Specific Infrastructure’ are defined in the SPD. The SPD seeks to cover other strategic transport infrastructure, so is not solely focused on M1 J24, although that is clearly a significant part of the strategic infrastructure requirement. ‘Site Specific   |

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|    |  |              | remediation strategies'. The SPD should set out a clearer objective, for example focussing solely on works to increase capacity through M1 J24. Site Specific Infrastructure' and 'site-wide remediation strategies' may be better addressed through separate agreements (as needed) outside the scope of the SPD. | Infrastructure' will be covered in the framework section 106 agreement (see paragraph 2.8 of the SPD for an explanation of how this will work).   |
| 34 | Cllr Sutton<br>Kegworth Parish Council<br>The Whatton Estate & Bryan and Colin Jarrom<br>Barratt Redrow, Clowes Developments and Wilson Enterprises Consortium | Equalisation | SPD does not adequately address what happens if equalisation agreements cannot be reached. Lack of justification for imposing commercial arrangements onto developers where no existing contract exists.   | Paragraph 2.9.4 of the SPD covers the situation where equalisation agreements are not agreed or entered into – the framework section 106 agreement will provide that in this situation the developer shall submit to dispute resolution (arbitration or expert determination) and following determination the equalisation agreement will be entered into. Therefore, there is a mechanism in place to deal with any disputes on equalisation agreements so that these are resolved by an expert or arbitrator and such decision will be binding on the parties to the section 106 agreement. |
| 35 | The Strategic Land Group   | Exemptions   | Concerns around limited exemptions for contributing and absence of justification for why the parameters were selected. Disproportionate and unjustified to require all development above   | There is a threshold, as stated in the SPD, below which sites won't be considered. If they are above that threshold then they <i>may</i> need to contribute, in accordance with and subject to CIL regulation 122.<br><br>The IDP will consider which strategic allocation sites will be expected to contribute towards the strategic transport infrastructure. The IDP will be   |

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|    |  |                              | <p>the thresholds to contribute. SPD scope should be limited to strategic allocations directly unlocked by the EMF. Council should be able to identify what types of development this would apply to and in what geographical locations.</p> | <p>the subject of public consultation so representations can be made in relation to that when it is issued for consultation.</p> <p>The SPD makes it clear that other development sites (defined as 'Other Benefitting Development Sites' in the SPD) will only be expected to contribute towards the strategic transport infrastructure identified where it is unlocked by or significantly benefits from that infrastructure. This will be considered by the Local Planning Authorities when the IDP is prepared and also on a case by case basis as planning applications come forward. Such sites are expected to include any development site immediately adjacent to the EMF Sites where such a development site forms part of or is related to development of an EMF Site. Any section 106 obligation must satisfy statutory tests set out in Regulation 122 of the CIL Regulations 2010 in any event to ensure it is necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.</p> |
| 36 | Leake Ward Councillors, Rushcliffe Borough Council | Site Specific Infrastructure | <p>Concerns regarding omissions for site specific infrastructure needed to deliver the Ratcliffe on Soar site.</p>   | <p>The EMF IDP currently being prepared will set out requirements for strategic highways infrastructure and the associated costs. Other site specific infrastructure would be considered further at planning application stage, or would be set out in the site specific allocation policy in the emerging Local Plan. Site specific infrastructure is envisaged to be included in any framework section 106 agreement and this is explained in the SPD (see paragraph 2.8 of the SPD).</p>  |
| 37 | Parker Strategic Land                              | CIL                          | <p>Important that there is no overlap or double counting between S106 obligations and CIL charges towards the 'strategic</p>   | <p>As set out in paragraph 2.9.8 of the SPD, the framework section 106 agreement shall include a provision that if CIL were to be introduced which applied to any of the SPD Sites, the framework section 106 Agreement would be adjusted so that there would be no increased</p>  |

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|   |   |                               | infrastructure' where CIL is in place/may come in to operation in the future.   | financial burden on landowners or developers of land within the allocation site as a result. The current position in relation to CIL is summarised at paragraph 1.21 of the SPD.   |
|   | Barratt Redrow, Clowes Developments and Wilson Enterprises Consortium   | Procedural Approach           | Risk that the approach to s106 contributions proposed to be taken is via a tariff; if this is the case it should be taken forward via the Community Infrastructure Levy and not s106 contributions.   | The approach is a framework section 106 agreement and not a tariff, as explained in the SPD.   |
| <b>Sites which may need to contribute to infrastructure</b> |   |                               |   |  |
| 38  | Broxtowe Borough Council  | Appendix 4                    | Suggest adding a key to the map in Appendix 4 to understand when the SPD may apply to development outside of the designated Freeport sites.   | The criteria as to where contributions may be sought is set out in paragraph 1.4 of the SPD and could comprise any development parcel within any of the EMF Sites, Other Benefitting Strategic Allocation Sites or Other Benefitting Development Sites within the relevant local authority areas. A key has been added to Appendix 4 to clarify the area relevant for the purposes of 'Other Benefitting Development Sites'.   |
| 39  | Cllr Sutton<br>Kegworth Parish Council<br>Resident 3<br>The Strategic Land Group<br>Leake Ward Councillors<br>Protect Diseworth | Other Benefitting Development | Queries/concerns regarding the thresholds and study area used in the SPD and identification of "Other Benefitting Development" and Strategic Allocation Sites.<br><br>Concerns as to how the assessment of whether sites should contribute will be applied consistently and transparently, and how contribution requests will | There is a threshold, as stated in the SPD, below which sites won't be considered. If they are above that threshold then they <i>may</i> need to contribute, in accordance with and subject to CIL regulation 122, which does not need to be specifically referred to since it applies as a matter of law.<br><br>Further clarificatory text has been added to the SPD, which explains that it applies to 'SPD Sites' defined as the EMF Sites, the Other Benefitting Strategic Allocation Sites and Other Benefitting Development Sites (all as defined.) Other Benefitting Strategic Allocation Sites and Other Benefitting Development Sites will be sites which will be unlocked by or significantly benefit from the strategic infrastructure. The identification of SPD Sites will be progressed through the EMF IDP (so far as is |

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|            | Rula Developments Limited<br>Parker Strategic Land<br>Davidsons Developments Ltd<br>Hallam Land<br>Caesarea & Harworth<br>SEGRO<br>The Whatton Estate & Bryan and Colin Jarrom<br>National Highways |                                    | meet the tests under Regulation 122 of the CIL regulations.  | reasonably practicable at that stage) which will be the subject of public consultation. It has also been clarified that Other Benefitting Development Sites are expected to include any development site immediately adjacent to the EMF Sites where such a development site forms part of or is related to development of an EMF Site (paragraph 1.4 of the SPD).<br><br>The SPD provides a mechanism (a framework section 106 agreement) for achieving a consistent approach towards the contributions which will be sought from SPD Sites towards the delivery and funding of necessary strategy transport infrastructure. This framework section 106 agreement will be developed by the three local planning authorities jointly and used as a base template document for all section 106 agreements being negotiated by the local planning authorities in relation to relevant development as and when planning permission is sought for that development. This will ensure the approach taken by the three Local Planning Authorities is consistent and transparent. |
| 40         | Leake Ward Councillors, Rushcliffe Borough Council  | Site Specific Infrastructure       | Ratcliffe on Soar site is not entirely within freeport area and there should be equivalent contributions from those areas outside.     | The SPD has been amended to make it clear that Other Benefitting Development Sites are expected to include any development site immediately adjacent to the EMF Sites where such a development site forms part of or is related to development of an EMF Site and will therefore be expected to contribute.  |
| <b>SEA</b> |   |                                    |  |  |
| 41         | Cllr Sutton<br>Kegworth Parish Council  | Strategic Environmental Assessment | Clarification as to whether SEA screening has been undertaken and, if so, the screening conclusion and its basis. If screening has not | The SEA and HRA document published with the consultation draft SPD has been updated to take into account applicable consultation responses in respect of the SEA, add further explanation to support the conclusions and make it clear that it is a screening opinion in respect of Strategic  |

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|   | Protect Diseworth         |  | <p>been undertaken, it should be carried out before the consultation proceeds further.</p> <p>Concern on reliance on historic assessments without re-evaluating cumulative impacts.</p>   | <p>Environmental Assessment and Habitats Assessment. The comments of statutory consultation bodies have been sought in advance of the respective Cabinet meetings and the conclusions remain unchanged.</p>   |
| <b>Environmental / BNG / Green Infrastructure</b> |                           |  |   |   |
| 42  | Natural England           | Green Infrastructure and Biodiversity Net Gain | <p>Strategic Green Infrastructure should be coordinated throughout the large developments within the surrounding area, together with BNG sites to provide connected habitats for the maximum benefit for nature recovery and access for people to nature.</p>   | <p>Strategic green infrastructure is outside of the remit of the SPD, which is focused on the delivery of strategic transport infrastructure.</p> <p>Furthermore, the Local Nature Recovery Strategies in effect across Nottinghamshire, Derbyshire and Leicestershire set out the priorities for BNG provision and habitat enhancements across the strategic sites, including the EMF sites, coming forward in the respective Local Plans. This will help to coordinate Strategic Green Infrastructure and does not need to be duplicated in the SPD.</p> <p>It is also anticipated that each respective emerging Local Plan will also have its own Green Infrastructure policy.</p> |
| 43  | Derbyshire Wildlife Trust | Green Infrastructure and Biodiversity Net Gain | <p>Government requirements on NSIP are due to be published November 2026. A clear biodiversity strategy should be developed that could underpin the ongoing EMF development and ensure meaningful gains that deliver locally and for the respective Local Nature Recovery Strategies. The strategy could help</p> | <p>Green infrastructure and Biodiversity Net Gate is outside of the remit of the SPD, which is focused on the delivery of strategic highways infrastructure.</p> <p>Furthermore, the Local Nature Recovery Strategies in effect across Nottinghamshire, Derbyshire and Leicestershire set out the priorities for BNG provision and habitat enhancements across the strategic sites,</p>   |

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|                                  |        |         | build partnerships to enhance biodiversity locally.  | including the EMF sites, coming forward in the respective Local Plans. This will help to coordinate Strategic Green Infrastructure. It is also anticipated that each respective emerging Local Plan will also have its own Green Infrastructure policy. |
| <b>Other SPD representations</b> |        |         |  |   |
| 44                               | Uniper | General | Response makes 17 recommendations for amends to the SPD which are not all covered here individually. | We have updated the SPD where appropriate in response to these comments.  |

# **Appendix 1: List of consultees and stakeholders consulted**

**Rushcliffe Borough Council**

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| Active Notts  | Barton Willmore                        |
| Active Travel England                               | Barwood Development Securities Limited |
| Aerodynamics Dry Leasing Ltd                        | Barwood Homes                          |
| Aitchison Raffety Ltd                               | Barwood Land                           |
| Aldergate Properties Ltd                            | Bassetlaw District Council             |
| Alexandra Blue Ltd                                  | Bellway Homes                          |
| Alverton & Kilvington Parish Meeting                | Bidwells                               |
| Alverton and Kilvington Parish Council              | Bingham Town Council                   |
| Amber Valley Borough Council                        | Bleasby Parish Council                 |
| Andrew Granger & Co                                 | Bloor Homes                            |
| Andrew Hiorns Town Planning Limited                 | BNP Paribas Real Estate                |
| Angelorange Ltd                                     | Bottesford Parish Council              |
| Arc Partnership                                     | Boyer Planning                         |
| Arcstone Ltd  | Bradair Aviation Consultancy Ltd       |
| Arquiva   | Bradmore Parish Council                |
| Ashfield District Council                           | Braemore Group                         |
| Aslockton Parish Council                            | British Gas                            |
| Aspbury Planning Ltd                                | British Gypsum                         |
| Astill Planning Consultants Ltd                     | British Horse Society                  |
| Avison Young  | Broughton and Dalby Parish Council     |
| AXIS  | Broxtowe Borough Council               |
| Barkestone, Plungar and Redmile Parish Council      | BT Openreach                           |
| Barratt David Wilson Homes                          | Bulcote Parish Council                 |
| Barratt David Wilson Homes and Averill Land Limited | Bunny Parish Council                   |
| Barratt Homes                                       | Burton Joyce Parish Council            |

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| Barratt Redrow  | Burton on the Wolds, Cotes and Prestwold Parish Council |
| Barton in Fabis Parish Council                            | Cadent Gas  |
| Camelot Pictures Ltd                                      | Davidsons Developments Ltd                              |
| Cameron Homes   | Deeley Homes  |
| Canal & River Trust                                       | Defence Infrastructure Organisation                     |
| Car Colston Parish Meeting                                | Define Planning and Design Ltd                          |
| CarneySweeney   | Derby City Council                                      |
| Carter Jonas  | Derbyshire County Council                               |
| Caythorpe Parish Council                                  | DevPlan   |
| CBP Architects  | DIO Operations  |
| Cerda Planning  | DLP Planning Ltd  |
| Ceylon Tea Growers Association Limited                    | DLUHC   |
| CFS Flight Training Ltd                                   | DPP UK Ltd  |
| Change.org  | Duchy of Cornwall                                       |
| Charnwood Borough Council                                 | East Bridgford Parish Council                           |
| Charter Point   | East Bridgford St Peter's Cofe Academy                  |
| Chave Planning  | East Leake Academy                                      |
| Chris Wade Aviation Ltd                                   | East Leake Parish Council                               |
| Churchill Living and Mccarthy Stone Retirement Lifestyles | East Midlands Ambulance Service                         |
| Civil Aviation Authority                                  | East Midlands Building Consultancy                      |
| Clark Architectural Services                              | East Midlands Combined County Authority                 |
| Clawson, Hose and Harby Parish Council                    | East Midlands Freeport Ltd.                             |
| Clipston Parish Meeting                                   | East Midlands Railway                                   |
| Colston Bassett Parish Council                            | Edwalton Municipal Golf and Social Club                 |

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| Colwick Parish Council                | EE                                     |
| Compass North Aviation                | Elston Parish Council                  |
| Copperfield Ltd                       | Elton-on-the-Hill Parish Meeting       |
| Cora Homes Ltd                        | Emery Planning                         |
| Costock Parish Council                | Endurance Estates                      |
| Cotgrave Town Council                 | Environment Agency                     |
| Country Land and Business Association | Erewash Borough Council                |
| Countryside Properties                | Evolve Planning & Design               |
| CPRE                                  | FH Farms Ltd                           |
| Creagh Concrete                       | Fisher German LLP                      |
| Crofts Development Ltd                | Flawborough Parish Meeting             |
| Cropwell Bishop Parish Council        | Flintham Parish Council                |
| Cropwell Bishop Primary School        | Forestry Commission                    |
| Cropwell Butler Parish Council        | Frazer Halls Associates                |
| Crown Estate                          | Freeths LLP                            |
| Crown Estates Commissioners           | Friends of Sharphill Wood              |
| CT Planning                           | G Longley Planning & Property Services |
| Cushman & Wakefield                   | Garden History Society                 |
| DAQS Ltd                              | Gascoines Group Limited                |
| David Lock Associates                 | Gedling & Sherwood CC                  |
| David Wilson Home East Midlands       | Gedling Borough Council                |
| General Aviation Awareness Council    | Integrated Care Board                  |
| Girlguiding Nottinghamshire           | Jelson Homes                           |
| Gladman Developments Ltd              | JG Woodhouse & Sons                    |
| Gleeson Homes                         | Jigsaw Homes                           |

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| Gotham Parish Council                       | Jigsaw Planning Limited                      |
| Grace Machin Planning & Property            | JMS Planning & Development                   |
| Granby cum Sutton Parish Council            | John A Wells Limited                         |
| Grantham Canal Society                      | John Church Planning Consultancy Ltd         |
| Green 4 Planning                            | JVH Town Planning Consultants Ltd            |
| Gunthorpe Parish Council                    | Kase Aero Ltd                                |
| GVA   | Kegworth Parish Council                      |
| Hallam Land and Davidsons Developments      | Keyworth Conservation Area Advisory Group    |
| Hallam Land Management Limited              | Keyworth Labour Group                        |
| Harris Lamb Limited                         | Keyworth Parish Council                      |
| Harris Land Management                      | Kingston on Soar Parish Council              |
| Harworth Group                              | Kinoulton Parish Council                     |
| Hathern Parish Council                      | Kittyhawk Aerodrome                          |
| Havenwood Construction Limited              | Kneeton Parish Meeting                       |
| Hawksmoor                                   | Knightwood Developments Limited              |
| Hawksworth Parish Meeting                   | Lambert Smith Hampton                        |
| Hayhoe Marine Services                      | Landstack                                    |
| Health and Safety Executive                 | Langar cum Barnstone Parish Council          |
| Heaton Planinng                             | Langridge Homes Ltd                          |
| Heaton Planning                             | Leaders Romans Group                         |
| Hickling Parish Council                     | Leicester City Council                       |
| Historic England                            | Leicestershire County Council                |
| Hollins Strategic Land                      | Leicestershire Police and Crime Commissioner |
| Holme Pierrepont And Gamston Parish Council | Leith Planning                               |
| Home Builders Federation                    | Pleydell Smithyman Ltd                       |

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| Homes England  | Lidl GB Ltd                             |
| Hortons' Estate Limited  | Lightsource BP                          |
| Hoton Parish Council   | Lockington and Hemington Parish Council |
| Hoveringham Parish Council   | Lone Star Land                          |
| HTA Design LLP   | Lone Star Land Ltd                      |
| IBA Planning Ltd   | Long Whatton and Diseworth Parish       |
| Iceni Projects   | Lucy White Planning                     |
| ID Planning  | M1 Agency                               |
| IDC & Associates   | Mansfield District Council              |
| IM Land Limited  | Marine Management Organisation          |
| Infraland  | Marrons Planning                        |
| Inland Waterways Association   | Mather Jamie Ltd                        |
| Innes England  | McCarthy Stone                          |
| Inovo Consulting   | Meadow School of Riding                 |
| Inspired Villages  | Melton Borough Council                  |
| Midlands Engine  | OSVAID                                  |
| Midlands Land Portfolio Limited                                      | Owthorpe Parish Meeting                 |
| Mike Downes Planning Consultant                                      | Oxalis Planning                         |
| Ministry of Defence Defence Infrastructure Organisation Safeguarding | Paget Estate                            |
| Mobile Operators Association   | Parker Strategic Land Limited           |
| National Air Traffic Services Ltd                                    | Pegasus Group                           |
| National Federation of Gypsy Liaison Groups                          | Pell Frischmann                         |
| National Grid Electricity Distribution Plc                           | Penland Estates                         |
| National Grid Electricity Transmission                               | Persimmon Homes                         |
| National Highways  | Peter Tyers Associates                  |

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| Natural England                            | Peveril Securities Limited & Omnivale Pension Scheme |
| neighbourhood-planning.co.uk               | Planning & Design Group Limited                      |
| Nottingham Express Transit                 | Planning Issues                                      |
| Network Rail                               | Planning Potential                                   |
| Newark and Sherwood District Council       | Planning Prospects Ltd                               |
| Newton Nottingham LLP                      | Plumtree Parish Council                              |
| Newton Parish Council                      | PMC Land and Planning Limited                        |
| Nexus Planning                             | Positive Homes Ltd                                   |
| NHS England                                | Profectus Town Planning                              |
| NHS Nottm & Notts ICB                      | Q+A Planning Ltd                                     |
| NHS Property Services                      | Quiet Tiger Aviation                                 |
| nineteen47                                 | Radcliffe-on-Trent Parish Council                    |
| Normanton on Soar Parish Council           | Radcliffe-on-Trent Residents Assoc                   |
| Normanton-on-Soar Parish Council           | Railfuture   |
| Normanton-on-the-Wolds Parish Council      | Rapleys LLP  |
| North West Leicestershire District Council | Ratcliffe Marina                                     |
| Northern Trust Land Ltd                    | Ratcliffe on Soar Parish Meeting                     |
| Notcutts Ltd                               | Ratcliffe-on-Soar Parish Meeting                     |
| Nottingham City Council                    | Redrow Homes East Midlands Ltd                       |
| Nottingham City Transport                  | Regatta Way Sports Club                              |
| Nottingham Credit Union                    | Regen  |
| Nottingham Green Party                     | Rempstone Parish Council                             |
| Nottingham Students' Partnership           | Rentplus UK  |
| Nottinghamshire Area Ramblers              | RES  |
| Nottinghamshire CPRE                       | rg+p Ltd.  |

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| Nottinghamshire County Council                               | Richard Ling & Associates                             |
| Nottinghamshire Police                                       | Richborough Commercial                                |
| Nottinghamshire Ramblers                                     | Richborough Estates Ltd                               |
| Nottinghamshire Sports Properties                            | Ridge and Partners LLP                                |
| Nottinghamshire Wildlife Trust                               | Royal Mail  |
| Orchestra Land   | Ruddington Parish Council                             |
| Orston Parish Council  | Rula Developments Ltd                                 |
| Office of Rail and Road                                      | Rural Insight Land & Development                      |
| Rural Solutions  | Syerston Parish Meeting                               |
| Rushcliffe Green Party                                       | TASCforce   |
| Rushcliffe Nature Conservation Strategy Implementation Group | Taylor Wimpey   |
| Rushcliffe School  | Taylormade Group                                      |
| Samworth Farms Limited                                       | Terra   |
| Savills UK Ltd   | Tetlow King Planning                                  |
| Sawley Parish Council  | The Coal Authority / The Mining Remediation Authority |
| Saxondale Parish Meeting                                     | The Cranmer Group of Parishes                         |
| Scarrington Parish Meeting                                   | The Crown Estate                                      |
| Screveton Parish Meeting                                     | The Gardens Trust                                     |
| Sequence Ltd   | The General Aviation Awareness Council                |
| Seven Homes  | The Labour Group, Rushcliffe Borough Council          |
| Severn Trent   | The Planning Bureau                                   |
| Sharphill Action Group                                       | The Planning Inspectorate                             |
| Sharphill Management Services                                | The University of Nottingham                          |
| Shelford Parish Council                                      | The Victoria Centre Partnership                       |

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| Shelton Parish Meeting                              | The Woodland Trust   |
| Sherwood Conservatives                              | Theatres Trust   |
| Shouler and Son                                     | Theta Squared Aviation                                       |
| Sibthorpe Parish Meeting                            | Thomas Heap  |
| South Notts Association for Visually Impaired Group | Thoroton & District Branch - Newark Conservative Association |
| Spawforths  | Thoroton Parish Meeting                                      |
| Sport England                                       | Three  |
| St James' Church NOS                                | Thrumpton Parish Meeting                                     |
| Stagfield Group                                     | Tithby and Wiverton Parish Meeting                           |
| Stainton Planning                                   | Tollerton Against Backdoor Urbanisation                      |
| Stanford on Soar Parish Council                     | Tollerton Parish Council                                     |
| Stanford-on-Soar Parish Council                     | tor&co   |
| Stantec UK  | Trebor Developments LLP                                      |
| Stanton on the Wolds Parish Council                 | Trent Valley Internal Drainage Board                         |
| Stanton-on-the-Wolds Parish Council                 | Trustees of Hammond Farm                                     |
| Stathern Parish Council                             | Turley   |
| Staunton Parish Meeting                             | T/as Hawk Helicopters  |
| Stoke Bardolph Parish Council                       | Uniper UK Limited  |
| Strata  | Unite Notts Retired Members Branch                           |
| Strawson Group Investments Ltd                      | Unite the Union  |
| Strutt and Parker                                   | Upper Broughton Parish Council                               |
| Sustainable Transport Nottingham                    | Upper Saxondale  |
| Sutton Bonington Local Residents Committee          | Vale Planning Consultants                                    |
| Sutton Bonington Parish Council                     | Vistry Homes Ltd   |
| Swift Aero Maintenance                              | West Bridgford LAF Traffic and Transport Group               |

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| Swords Aviation                        | West Bridgford Local Area Forum   |
| West Leake Parish Council              | West Bridgford Hockey Club  |
| West Leake Parish Meeting              | Wilson Bowden Developments Ltd  |
| Western Power Distribution             | Wood PLC  |
| Whatton in the Vale Parish Council     | Woodall Homes Ltd   |
| Whitefields Farm                       | Woodland Trust  |
| Widmerpool Parish Council              | WSP   |
| William Davis Homes                    | www.GeoGreenPower.com   |
| Willoughby on the Wolds Parish Council | Wymeswold Parish Council  |
| W Westerman Ltd                        | Wysall And Thorpe-in-the-Glebe Parish Council                           |
| Via East Midlands                      | Zesta Planning Ltd  |
| Wellesbourne Matters                   | Over 1,500 private consultees, other businesses and other organisations |

#### **North West Leicestershire District Council**

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| Clerk to Calke Parish Meeting                |
| Clerk to Ulverscroft Parish Meeting          |
| Carter Jonas                                 |
| Savills                                      |
| Planware Ltd                                 |
| Leicester Centre for Integrated Living       |
| Ashby de la Zouch Endowed Schools Foundation |
| VIP - Volunteering Partnerships              |
| Moira Furnace Trustees                       |
| Ashby Canal Trust                            |
| Friends of Ashby Bath Grounds                |

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| Citizen's Watch   |
| Design Council  |
| Campaign for Real Ale Ltd   |
| Guide Association UK  |
| RSPB  |
| CPRE (Leicestershire)   |
| Roberts Coaches   |
| dglg planning   |
| Mono Consultants (represents all Comms Companies)                           |
| Stephenson College  |
| Loughborough Council of Faiths  |
| Action Deafness   |
| Age UK  |
| The Garden History Society  |
| MOSAIC (user-led disability group)  |
| Twentieth Century Society   |
| Creative Leicestershire   |
| Garden History Society  |
| Council for British Archaeology   |
| CPRE  |
| The Georgian Group  |
| Leicester Council of Faiths   |
| Moira Replan  |
| Marlene Reid Centre (Community Action)                                      |
| The Society for the Protection of Ancient Buildings & The Victorian Society |

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| VISTA                                      |
| Ibstock in Bloom                           |
| Sustrans                                   |
| Trent Barton                               |
| St David's Vicarage                        |
| Leicestershire and Rutland Wildlife Trust  |
| National Trust                             |
| Press for Change                           |
| MENCAP                                     |
| National Forest Charitable Trust           |
| Leicestershire County Council              |
| Woodland Trust                             |
| Friends of Thringstone                     |
| Ancient Monuments Society                  |
| Coalville Brownies, Guides and Rainbows    |
| Packington Nook Residents Association      |
| Long Whatton and Diseworth Parish Council  |
| NFU East Midlands Region                   |
| St David's Church                          |
| Castle Donington Community Appraisal Group |
| People's Forum                             |
| Inland Waterways Association               |
| Theatres Trust                             |
| CAMRA                                      |
| Harlow Brothers Ltd                        |

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| Greenhill Community Church                        |
| Roger Yarwood Planning Consultant                 |
| The Loughborough Gospel Halls Trust               |
| Leicestershire Local Access Forum                 |
| Ibstock Brick Ltd                                 |
| Castle Rock High School                           |
| Home Builders Federation                          |
| Trent Barton                                      |
| Everything is Somewhere Ltd                       |
| Friends of Ashby Bath Grounds                     |
| Castle Donington Parish Council                   |
| Packington Parish Council                         |
| Hugglescote and Donington le Heath Parish Council |
| Breedon on the Hill Parish Council                |
| Natural England                                   |
| Historic England                                  |
| Leicestershire Partnership NHS Trust              |
| Environment Agency                                |
| Canal and River Trust                             |
| Sport England East Midlands Region                |
| East Midlands Airport                             |
| Health and Safety Executive                       |
| NHS Property Services Ltd                         |
| Homes England                                     |
| East Midlands Chamber                             |

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| Severn Trent                                  |
| Sport England                                 |
| The Coal Authority                            |
| The National Forest Company                   |
| Office of the Police and Crime Commissioner   |
| Natural England                               |
| Leicestershire Fire and Rescue                |
| Marine Management Organisation                |
| Network Rail Property                         |
| Department for Education                      |
| Highways England                              |
| Clerk to Sawley Parish Council                |
| Clerk to Breaston Parish Council              |
| Clerk to Weston on Trent Parish Council       |
| Clerk to Bagworth and Thornton Parish Council |
| Clerk to Hathern Parish Council               |
| Clerk to Overseal Parish Council              |
| Clerk to Shakerstone Parish Council           |
| Clerk to Woodhouse Parish Council             |
| Clerk to Shepshed Town Council                |
| Clerk to Stanton under Bardon Parish Council  |
| Clerk to Markfield Parish Council             |
| Clerk to Ticknall Parish Council              |
| Clerk to Hartshorne Parish Council            |
| Clerk to Ratcliffe on Soar Parish Meeting     |

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| Clerk to Shardlow and Great Wilne Parish Council                    |
| Clerk to Melbourne Parish Council                                   |
| Clerk to Nailstone Parish Council                                   |
| Clerk to Netherseal Parish Council                                  |
| Clerk to Newton Regis, Seckington and No Man's Heath Parish Council |
| Clerk to Clifton Campville Parish Council                           |
| Clerk to Kingston on Soar Parish Council                            |
| Chilcote Parish Meeting   |
| Clerk to Thrumpton Parish Council                                   |
| Clerk to Smisby Parish Council                                      |
| Clerk to Aston on Trent Parish Council                              |
| Clerk to Twycross Parish Council                                    |
| Clerk to Woodville Parish Council                                   |
| Stetton en le Field Parish Meeting                                  |
| Clerk to Coton-in-the-Elms Parish Council                           |
| Clerk to Sutton Bonnington Parish Council                           |
| Blaby District Council  |
| Broxtowe Borough Council  |
| Charnwood Borough Council   |
| Derby City Council  |
| Derby City Council  |
| Derbyshire County Council   |
| Erewash Borough Council   |
| Erewash Borough Council   |
| Harborough District Council   |

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| Leicester City Council                                      |
| Leicestershire County Council                               |
| Lichfield District Council                                  |
| Melton Borough Council                                      |
| North Warwickshire Borough Council                          |
| Nottingham City Council                                     |
| Nottinghamshire County Council                              |
| Oadby and Wigston Borough Council                           |
| Rugby Borough Council                                       |
| Rushcliffe District Council                                 |
| South Derbyshire District Council                           |
| Staffordshire County Council                                |
| Warwickshire County Council                                 |
| Ashby de la Zouch Civic Society                             |
| Leicester, Leicestershire and Rutland Integrated Care Board |
| Nottingham and Nottinghamshire Integrated Care Board        |
| CCG/NHS   |
| Taylor Wimpey   |
| Cadent  |
| National Grid   |
| Leicestershire County Council                               |
| GraceMachin Planning&Property                               |
| Oxalis Planning Ltd   |
| Savills   |
| BNP Paribas   |

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| Tetlow King Planning              |
| Inspire Planning                  |
| GVA                               |
| Vale Planning Consultants         |
| Pegasus Group                     |
| Redrow Homes Limited              |
| Duckworth Planning and Design     |
| Fisher German LLP                 |
| Heatons                           |
| Iceni                             |
| The Coach House                   |
| Copesticks Ltd.                   |
| Andrew Large Surveyors            |
| Persimmon Homes North Midlands    |
| M and M Lettings                  |
| Measham Parish Council            |
| MPC                               |
| JVH Town Planning Consultants Ltd |
| Harworth                          |
| David Wilson Homes East Midlands  |
| JVH Town Planning Consultants Ltd |
| Fox Bennett                       |
| Muller Property Group             |
| Willder.com                       |
| SF Planning Ltd                   |

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| Savills                                |
| Chave Planning                         |
| Sansom Clarke Ltd                      |
| nineteen47                             |
| Savills                                |
| Apusprojects                           |
| DLP Planning Ltd                       |
| GVA                                    |
| Howkins and Harrison                   |
| Savills                                |
| rg+p Ltd.                              |
| Appleby Magna Parish Council           |
| Jelson                                 |
| Kingswood Homes                        |
| Andrew Large Surveyors                 |
| Harworth Group                         |
| Brackley Property Developments Ltd     |
| Planning and Design Group (UK) Limited |
| Astill Planning Consultants Ltd.       |
| Walton & Co (Planning Lawyers) Limited |
| Andrew granger & Co Ltd                |
| Barton Willmore                        |
| Future Energy Performance              |
| Sirius Planning                        |
| Leicestershire Police                  |

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| Federation of Small Businesses                      |
| planinfo  |
| Walsingham Planning (Representing Whitbread)        |
| ID Planning   |
| Barratt and David Wilson Homes North Midlands       |
| Trebor Developments                                 |
| Lichfields  |
| Turley  |
| DWD Property and Planning                           |
| Fisher German LLP                                   |
| Hodgetts Estates                                    |
| Forest Holidays                                     |
| Clarendon Land and Development                      |
| Miller Homes  |
| Intro Crowd   |
| Richborough   |
| Nineteen47  |
| Delta Planning                                      |
| King West   |
| Mather Jamie  |
| Mulberry Land                                       |
| Avison Young on behalf of National Gas Transmission |
| FP McCann   |
| Berrys  |
| Bloors  |

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| Gladman Development                        |
| Planning Potential                         |
| Barwood Land                               |
| Gladman Development                        |
| Longhurst Group                            |
| Cornwall Buildings                         |
| Marble Property Services Ltd               |
| Appleby Environment                        |
| David Granger Architectural Design Limited |
| Barton Willmore                            |
| DevPlan                                    |
| Stantec                                    |
| Avison Young                               |
| R3Design Developments Ltd                  |
| Rosconn Group                              |
| Planning Prospects Ltd                     |
| Spawforths                                 |
| Boyer Planning                             |
| Cerda Planning Ltd                         |
| Hollins Strategic Land                     |
| National Grid                              |
| Hallam Land Management                     |
| Class Q Ltd                                |
| RG-P                                       |
| Harris Lamb                                |

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| Gladman Developments Ltd  |
| KC Planning and Development   |
| Hallam Land Management  |
| Taylor Wimpey   |
| RG+P  |
| Breedon Northern  |
| Pegasus Group   |
| Barwood Homes   |
| Planning Prospects Ltd  |
| Carter Jonas  |
| JJM Planning  |
| Housing 21  |
| Wonderful Homes Limited   |
| NHS Property Services Ltd   |
| Lucy White Planning   |
| Sports Facilities Development Officer<br>Active Together (formerly Leicester Shire & Rutland Sport) |
| Habinteg Housing Association  |
| Alec MacGregor Associates   |
| Burnett Planning  |
| CT Planning   |
| Adams Hendry Consulting   |
| Evolve Planning & Design  |
| Pegasus Group   |
| Avison Young  |
| WSP   |

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| Evolve Planning & Design  |
| Copperfield L & P Ltd   |
| Thomas Taylor Planning  |
| Metacre Ltd   |
| Savills Uk Ltd  |
| Turley  |
| JLL   |
| Define Planning and Design Ltd  |
| Brown & Co.   |
| Hodgetts Estates  |
| Gladman Developments Ltd  |
| Carney Sweeney  |
| William Davis   |
| James Martin Consultancy  |
| Oxalis Planning Limited   |
| Mather Jamie  |
| I Gray Consulting   |
| Knights   |
| Marrons Planning  |
| Define Planning and Design Ltd  |
| WSP   |
| Chief Executive, Diocesan Secretary and Cathedral Administrator, Diocese of Leicester |
| Williams Homes  |
| Midlands Connect  |
| Trammell Crow   |

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| Barratt Development East   |
| Carney Sweeney   |
| Strata   |
| National Highways (Midlands)                                     |
| Richborough  |
| Boaz Real Estate   |
| Andrew Granger & Co. Ltd.  |
| CBRE Ltd   |
| Clerk of Osgathorpe Parish Council                               |
| Mather Jamie   |
| Protect Diseworth  |
| Carter Jonas   |
| Stantec  |
| Barwood Land   |
| Director - Stone Planning Services                               |
| Chair of the Melbourne Civic Society                             |
| Stantec  |
| Caddick Group  |
| Chairperson, Willesley Environment Protection Association (WEPA) |
| Country Land and Business Association (CLA)                      |
| ELG Planning   |
| WSP  |
| Firstplan  |
| Mather Jamie   |
| Walton Homes   |

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| Rural Solutions                   |
| CBRE Ltd                          |
| Caddick Group                     |
| David Wilson Homes East Midlands  |
| HA Law                            |
| National Highways (Midlands)      |
| East Midlands Freeport            |
| Alexander Bruce Estates           |
| Leicestershire Local Access Forum |
| DHL International (UK) Ltd        |
| Strategic Land Group              |
| CBRE                              |
| C. Green Planning                 |
| Savills                           |
| Pegasus Group                     |
| Satplan                           |
| Turley                            |
| Nurton Developments               |
| Define Planning & Design Ltd      |
| Stantec UK Ltd                    |
| TWB Town Planning Consultants     |
| Marrons                           |
| Gladman Developments Ltd          |
| Stantec UK Ltd                    |
| Charley Heritage Group            |

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| Coleorton Heritage Group  |
| Crowne Estate   |
| NFU Midlands  |
| The National Forest Company                                       |
| Sustrans (East Midlands)  |
| Active Travel England   |
| Leicestershire and Rutland Wildlife Trust                         |
| Friends of Thringstone  |
| The Scout Association   |
| Hugglescote Heritage Society                                      |
| Whitwick Historical Group   |
| Equality & Human Rights Commission                                |
| Coalville Heritage  |
| Savills   |
| Ashby Civic Society   |
| Environment Agency  |
| Hinckley and Bosworth Borough Council                             |
| Clerk to Castle Gresley Parish Council                            |
| Clerk to Austrey Parish Council                                   |
| Clerk to Draycott and Church Wilne Parish Council                 |
| Clerk to Newton Regis, Seckington & No Man's Heath Parish Council |
| Campaigne for Real Ale (CAMRA)                                    |
| Marble Homes Ltd  |
| Planning and Design Group   |
| Stoford Properties Ltd  |

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| Twentieth Century Society           |
| Oxalis Planning                     |
| Allison Homes                       |
| Maplevale Planning                  |
| Twenty5                             |
| Taylor Wimpey                       |
| William Davis                       |
| Four Counties Architecture          |
| Persimmon Homes                     |
| Carter Jonas                        |
| Four Counties Architecture          |
| Leicester City Council              |
| Hinckley & Bosworth Borough Council |
| Spawforths                          |
| Oxalis Planning                     |
| Redrow                              |
| Pick Everard                        |
| Sport England                       |
| South Derbyshire District Council   |
| Marrons                             |
| Define Planning and Design          |
| Kier                                |
| Stantec                             |
| Andrew Large Surveyors              |
| Ashby Town Council                  |

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| National Highways  |
| Mather Jamie   |
| The Coal Authority   |
| Packington Nook Residents Association                      |
| Derbyshire County Council                                  |
| Fisher German  |
| PM Group   |
| Castle Donington Parish Council                            |
| Ibstock Parish Council                                     |
| Kegworth Parish Council                                    |
| Packington Parish Council                                  |
| Whitwick Parish Council                                    |
| Leicester Leicestershire and Rutland Integrated Care Board |
| Clowes Developments  |
| Firstplan  |

**South Derbyshire District Council**

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| 1Mini                                    | 2012 Partnership Homes Ltd    |
| Ainscough Strategic Land                 | ALPAC                         |
| ALYeomans                                | Amber Valley Bourough Council |
| Amy Taylor Affinity Learning Partnership | Ancient Monuments Society     |
| Andrew Large Surveyors Ltd               | Aspbury Planning              |
| Astill Consultants                       | Aston on Trent Parish Council |

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| Avison Young                    | Avril Record                           |
| AYeomans                        | B & Y C Gambini                        |
| Bagshaws                        | Bailey-English Studio                  |
| Barratt Homes                   | Barrow Upon Trent Parish Council       |
| Barton Willmore                 | Bellway Homes                          |
| Bi Design                       | Bloor Homes                            |
| Bolsover District Council       | Boyer Planning                         |
| Brackley Property Developments  | Bretby Parish Council                  |
| Burnaston Parish Council        | Burnett Planning                       |
| Bus Link                        | Caddick Land                           |
| Cameron Homes                   | Canal and River Trust                  |
| Carden Group                    | Carney Sweeney                         |
| Carter Jonas                    | Cass Associates                        |
| Castle Gresley Parish Council   | Catesby Estates                        |
| Cauldwell Parish Meeting        | CBRE Ltd                               |
| Centrica                        | Cerda Planning                         |
| Chave Planning                  | Chesterfield Borough Council           |
| Church Broughton Parish Council | Church Gresley Infant & Nursery School |
| Church Broughton Primary School | Churchill Living                       |

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|---|------------------------------------|
| Citizens Advice Mid Mercia                | Civic Aviation Authority           |
| Commercial Development Projects Ltd       | Copesticks                         |
| Coton in the Elms Parish Council          | Council For British Archaeology    |
| CPRE                                      | Crime Prevention Design Advisor    |
| CT Planning                               | Cushman & Wakefield                |
| Dalbury Lees Parish Council               | David Wilsom Homes (East Midlands) |
| Davidsons Developments Ltd                | Dean Lewis Estates                 |
| Define Planning & Design                  | Deloitte                           |
| Department for Transport                  | Derby Airfield                     |
| Derby City Council                        | Derby Sandiacre Canal Trust        |
| Derby & Derbyshire CCG                    | Derby Canal                        |
| Derbyshire Association of Local Councils  | Derbyshire County Council          |
| Derbyshire Swift Conservation Project     | Derbyshire Wildlife Trust          |
| Derbyshire Association of Local Councils  | Derbyshire Dales District Council  |
| Derbyshire Fire and Rescue                | Derbyshire Gypsy Liaison Group     |
| Derbyshire Heathcare NHS Foundation Trust | Derwent Valley Trust               |
| Design30                                  | Diocese of Derby                   |
| DKA Commercial Ltd                        | DLP Consultants                    |
| DPDS consulting                           | Drakelow Parish Council            |

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|------------------------------------|---|
| DTH Services Ltd                   | E.ON UK Ltd                             |
| East Midlands Airport              | East Midlands Combined County Authority |
| East Staffordshire Borough Council | East Midlands Homes                     |
| Egginton Parish Council            | Egginton Airfield                       |
| ELG Planning                       | Elvaston Parish Council                 |
| Emery Planning                     | Environment Agency                      |
| Erewash Borough Council            | Etwall Parish Council                   |
| Etwall Preschool                   | Etwall Cricket Club                     |
| Evolve Planning and Design         | Findern Parish Council                  |
| Fisher German                      | Forestry Commission                     |
| Foston & Scropton Parish Council   | Framptons Planning                      |
| Freeths                            | Futures Housing Group                   |
| Gainsborough Property              | Gibson Technology                       |
|                                    |   |
| Gladman                            | Goodman UK Ltd                          |
| Green 4 Developments               | GRL Planning                            |
| Hallam Land                        | Harris Lamb                             |
| Harrow Estates                     | Hartshorne Parish Council               |
| Hartshorne Residents Association   | Harworth Group                          |

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|--------------------------------|---|
| Hatton Parish Council          | Hawksmoor Property Services             |
| HBF                            | Heaton Planning                         |
| High Peak Borough Council      | Highways England                        |
| Hilton Parish Council          | Historic England                        |
| Howard Sharp & Partners LLP    | Indigo Planning                         |
| Ingleby Parish Meeting         | Innova Renewables Developments Ltd      |
| IVC Brunel Healthcare          | JF Planning                             |
| JMI Planning                   | JTA Accountants                         |
| JVH Planning                   | Kings Newton Residents Association      |
| Kingsmere Holdings             | Land Allocation Ltd                     |
| Land Project UK (LPUK)         | Land & Planning Consultants             |
| Landmark Planning              | Lathams                                 |
| Lichfield District Council     | Lichfields                              |
| Lightsource bp                 | Linton Parish Council                   |
| Linton Primary School          | Lion Planning                           |
| Lucy White Planning            | Lullington Parish Meeting               |
| MAG East Midlands Airport      | Marrons Planning                        |
| Marston on Dove Parish Meeting | Martin Hubbard and Associates           |
| Mather Jamie                   | Mcarthy and Stone Retirement Lifestyles |

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|------------------------------|--|
| Melbourne Civic Society      | Melbourne Parish Council                       |
| Melbourne Infant School      | Midland Land Portfolio                         |
| Midland Heart                | Midland Rural Housing                          |
| Midland Searches             | Miller Homes                                   |
| Mining Remediation Authority | National Forest Company                        |
| National Grid                | National Highways                              |
| National Trust               | National Grid                                  |
| Natural England              | Netherseal Parish Council                      |
| Network Rail                 | Newton Solney Parish Council                   |
| Newton Park Residents        | NHS Derby and Derbyshire Integrated Care Board |
| NHS Property Services        | Nightingale Land                               |
| Nineteen47                   | North West Leicestershire District Council     |
| Northern Trust               | North East Derbyshire District Council         |
| NT Land                      | Overseal Parish Council                        |
| Oxalis Planning              | P&DG   |
| Parker Strategic Land        | Pearlsfield Planning                           |
| Pegasus Group                | Persimmon Homes                                |
| Peveiril Homes Ltd           | Places for People                              |

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|---|---|
| Planning & Design Practice Ltd          | Planning Issues                               |
| Planning Prospects                      | Planware Ltd                                  |
| Police & Crime Commissioner Derbyshire  | Posford                                       |
| Providence Land Ltd                     | R & M Property Group Ltd                      |
| Radbourne Parish Meeting                | Ramblers Association                          |
| Rapleys Planning                        | Redrow Homes Ltd                              |
| Redrow                                  | Repton Parish Council                         |
| Repton School                           | Repton Village Society                        |
| rg-p                                    | Richborough Estates Ltd                       |
| Rosliston Parish Council                | Roger Bullivant Ltd                           |
| RPS Group                               | Rula Developments Ltd                         |
| Rural Solutions                         | Sale & Davys Church of England Primary School |
| Salloway                                | SAVE  |
| Savills                                 | Severn Trent Water                            |
|   |   |
| Shardlow and Great Wilne Parish Council | Shardlow Heritage Centre                      |
| Smisby Parish Council                   | South Staffs Water                            |
| Sport England                           | SSA Planning                                  |
| St James's Property Management          | St Modwen Homes                               |

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|---|--------------------------------|
| St Philips                                  | Stantec                        |
| Stanton By Bridge Parish Meeting            | Stenson Fields Parish Council  |
| Stone Planning Services                     | Strategic Land Group           |
| Strata                                      | Walk Wheel Cycle Trust         |
| Sutton on the Hill Parish Meeting           | Swifts Local Network           |
| Tarmac Trading Ltd                          | Taylor Wimpey Strategic Land   |
| Tensi Properties Ltd                        | Tetlow King Planning           |
| The Derby and Derbyshire Local Access Forum | The Planning Bureau Ltd        |
| Theatres Trust                              | The Sirius Group               |
| Ticknall Parish Council                     | Trenport Investments Limited   |
| Trent and Dove Housing Association          | Trusley Parish Meeting         |
| Turley                                      | Town Planning Consultants Ltd  |
| Twyford and Stenson Parish Meeting          | Vista Planning                 |
| Vodafone & O2 Mobile                        | Wain Estates                   |
| Walsingham Planning                         | Walton on Trent Parish Council |
| Western Power                               | Weston-on-Trent Parish Council |
| Wheelton Bros Ltd                           | William Davis Homes            |
| Willington Parish Council                   | Wilson Bowden                  |

|                                |                          |
|--------------------------------|--------------------------|
| Woodland Trust                 | Woodville Parish Council |
| Woolf Bond Planning            | WSP                      |
| Over 1,000 private consultees. |                          |

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## **EAST MIDLANDS FREEPORT (EMF) STATEGIC INFRASTRUCTURE & CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

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## EXECUTIVE SUMMARY

East Midlands Freeport (“**EMF**”) was approved by Government in 2023 and provides businesses located within its designated ‘tax sites’ with financial incentives to enable economic growth, stimulate innovation, and to create regional investment and employment opportunities. EMF is the UK’s only inland freeport, strategically located at the heart of the UK.

EMF is formed of three ‘tax sites’, respectively falling within three different local authority administrative boundaries:

- the East Midlands Airport and Gateway Industrial Cluster in North West Leicestershire District; and
- the Ratcliffe on Soar Power Station site in Rushcliffe Borough, Nottinghamshire; and
- the East Midlands Intermodal Park in South Derbyshire District;

Certain strategic transport infrastructure is needed to support the delivery and operation of these three EMF sites (“**the EMF Sites**”), including improvement works to Junction 24 of the M1 (“**Strategic Infrastructure**”).

The purpose of this Supplementary Planning Document (“**SPD**”) is to ensure the coordinated and collaborative delivery and funding of the Strategic Infrastructure and that all development coming forward on the EMF Sites, or on strategic allocation sites or other major development sites adjacent to or outside the EMF Sites which will be unlocked by or significantly benefit from the Strategic Infrastructure, contribute towards the Strategic Infrastructure on an equitable and proportionate basis. The evidential work underpinning this SPD, which will be further evolved through an EMF Infrastructure Delivery Plan (“**EMF IDP**”) process, as well as assessments accompanying relevant planning or consenting applications, establishes the “in principle” need for pooled contributions set out in this SPD (which may include works in kind) from SPD Sites in relation to the Strategic Infrastructure. Further highways modelling work is continuing and will inform an EMF IDP in due course.

This SPD envisages a mechanism (a Framework Section 106 agreement approach) for achieving the above purpose through the planning process. A template Framework Section 106 agreement is expected to be developed by the three local planning authorities jointly and used as a base template document for all Section 106 agreements being negotiated by the local planning authorities in relation to relevant development as described above, as and when planning permission is sought for that development.

The EMF IDP will supplement this SPD and provide greater detail on the Strategic Infrastructure, estimated costings, SPD Sites and where possible timescales for delivery and delivery bodies in relation to the Strategic Infrastructure, which will in turn inform the contributions and/or obligations intended to be included in the Framework Section 106 agreement for those SPD Sites.

The local planning authorities will work together co-operatively and collaboratively with a view to ensuring the comprehensive development of the EMF Sites in compliance with Local Plan Policy, this SPD and the EMF IDP, whether those sites are being developed pursuant to planning applications made to one of the local planning authorities or pursuant to a Development Consent Order, Local Development Order or other statutory order (“**Relevant Applications**”).

This SPD will form a material planning consideration for the decision maker when determining Relevant Applications for development to which this SPD applies.

## 1. BACKGROUND AND CONTEXT

### East Midlands Freeport – background information

- 1.1 East Midlands Freeport (“**EMF**”) is the UK’s only inland freeport, strategically located at the heart of the UK. As a freeport, EMF offers special tax, customs and regulatory benefits to encourage economic activity. The aim of EMF is to drive economic regeneration in the area, attracting new investment and creating thousands of jobs. The proposed creation of EMF was announced by the UK Government in March 2021 and EMF became fully operational in March 2023, following formal approval of its business case.
- 1.2 EMF encompasses three strategic sites in three different administrative local planning authority boundaries:
- 1.2.1 the East Midlands Airport and Gateway Industrial Cluster in North West Leicestershire;
- 1.2.2 the Ratcliffe on Soar Power Station site in Rushcliffe, Nottinghamshire; and
- 1.2.3 the East Midlands Intermodal Park in South Derbyshire;
- 1.3 Collectively, these three sites are referred to as “**the EMF Sites**” in this SPD.

### Strategic transport infrastructure and SPD Sites

- 1.4 Certain strategic transport infrastructure will be needed to support the delivery and operation of the EMF Sites (referred to in this SPD as “**Strategic Infrastructure**”). This Strategic Infrastructure is also expected to significantly benefit or unlock (a) a number of other strategic allocation sites in the three local planning authority areas (“**Other Benefitting Strategic Allocation Sites**”); and (b) other major development sites in the three local planning authority areas, including development sites immediately adjacent to the EMF Sites (“**Other Benefitting Development Sites**”). The EMF Sites, Other Benefitting Strategic Allocation Sites and Other Benefitting Development Sites are collectively referred to in this SPD as “**the SPD Sites**”. The three local planning authority areas are shown on the plan at Appendix 4.
- 1.5 It is recognised that, whilst the SPD Sites are in different local authority areas, there are interconnected issues and the development of the SPD Sites needs to be co-ordinated in order to ensure that the Strategic Infrastructure is funded and delivered when needed, with all the SPD Sites contributing towards it on a fair and proportionate basis. The Local Planning Authorities agree that the best means of ensuring this is through the adoption of this SPD.
- 1.6 This SPD has been prepared on a collaborative basis by the three local planning authorities for the EMF Sites, South Derbyshire District Council, North West Leicestershire District Council and Rushcliffe Borough Council (“**the Local Planning Authorities**”).

### EMF Infrastructure Delivery Plan

- 1.7 An EMF Infrastructure Delivery Plan (“**EMF IDP**”) is being prepared which, when completed and endorsed by the Local Planning Authorities, will sit alongside this SPD and will:
- 1.7.1 set out the Strategic Infrastructure required to deliver and operate each of the EMF Sites and the Other Benefitting Strategic Allocation Sites, together with any Other Benefitting Development Sites which can be reasonably identified at that time;
- 1.7.2 set out the estimated costs of each item of Strategic Infrastructure;

- 1.7.3 identify which SPD Sites, as far as is reasonably practicable at the stage of EMF IDP endorsement by the Local Planning Authorities, are intended to contribute towards which items of Strategic Infrastructure;
  - 1.7.4 where reasonably practicable, identify the timescales and/or triggers by when each item of Strategic Infrastructure should be delivered; and
  - 1.7.5 where reasonably practicable, identify the body which is anticipated to deliver each item of Strategic Infrastructure.
- 1.8 The EMF IDP will be informed by highways modelling work commissioned by EMF which is currently being undertaken across Leicestershire, Nottinghamshire and Derbyshire as well as highways evidence separately being prepared by the respective local planning authorities to inform respective emerging Local Plans to assess the degree of improvement required to accommodate the level of strategic growth planned.
- 1.9 Proposals for development on SPD Sites will be expected to demonstrate that necessary highways capacity is available to serve the development, taking into account cumulative development on the wider network and background growth in traffic and, where appropriate, set within a monitor and manage framework relating to both the Strategic Road Network and Local Highways Network. A monitor and manage approach may be adopted to inform the timing of Strategic Infrastructure requirements, including assessment in relation to the Local and Strategic Road Networks, and specifically M1 Junction 24.
- 1.10 The EMF IDP will be the subject of public consultation prior to it being published and used to help inform the application of this SPD. When the EMF IDP is issued for public consultation it will contain the details referred to in paragraph 0 above and will also be accompanied by an appropriate evidence base, including cost estimates for the Strategic Infrastructure and the anticipated viability effects on the SPD Sites of providing a contribution to the delivery of the Strategic Infrastructure.
- 1.11 Following that public consultation, it is expected that the Local Planning Authorities will ask their respective appropriate committee and/or Cabinet to endorse the final EMF IDP before it is published and used for the purposes set out in this SPD.
- 1.12 Any contributions towards Strategic Infrastructure will be expected to be provided in accordance with this SPD, informed by the EMF IDP. Strategic Infrastructure and associated mitigation will be expected to be delivered in accordance with schemes approved by National Highways and the relevant Local Highway Authority, and frameworks for the Strategic and Local Highway Networks. The EMF IDP shall be reviewed by the Local Planning Authorities no more than annually (unless circumstances indicate an interim review is necessary) with such revisions being consulted on by the Local Planning Authorities as appropriate and then published.

Site-specific infrastructure and other infrastructure

- 1.13 Development within the EMF Sites is also expected to require site specific infrastructure and this is referred to in this SPD as “**EMF Site Specific Infrastructure**”.
- 1.14 Whilst the Strategic Infrastructure and EMF Site Specific Infrastructure which may be needed to ensure the successful delivery and operation of each of the EMF Sites is indicated below, this is indicative only at this stage and will be updated and replaced by the EMF IDP. Other infrastructure (strategic or site specific) may be required to develop the SPD Sites which is not set out in this SPD.

Local planning authority collaboration

- 1.15 The Local Planning Authorities will work together co-operatively and collaboratively with a view to ensuring the comprehensive development of the EMF Sites in compliance with Local Plan Policy, this SPD and the EMF IDP, whether those sites are being developed pursuant to planning

applications made to one of the Local Planning Authorities or pursuant to a Development Consent Order or other statutory order, including the Local Development Order which was adopted in relation to the Ratcliffe on Soar Power Station site in July 2023.

#### Highways authorities

- 1.16 The highways authorities for the EMF Sites are Derbyshire County Council (for the East Midlands Intermodal Park), Leicestershire County Council (for the East Midlands Airport and Gateway Industrial Cluster) and Nottinghamshire County Council (for the Ratcliffe on Soar Power Station site), with National Highways being responsible for the Strategic Road Network (“**SRN**”) in those areas. In addition, the East Midlands Combined County Authority (“**EMCCA**”) is the new devolved regional authority covering Derbyshire and Nottinghamshire which manages devolved regional transport funding and strategies and has concurrent transport functions working alongside Derbyshire County Council and Nottinghamshire County Council as highway authorities in those areas.

#### Status and weight of SPD

- 1.17 The SPD is not part of the development plan and is not development plan policy. From the date of its adoption, this SPD is a material planning consideration in planning determinations under the Planning Acts (as defined in the Town and Country Planning Act 1990) and any other relevant planning decision in relation to the SPD Sites. However, at the date of adoption of this SPD the EMF IDP has not yet been issued for public consultation, published or endorsed by the Local Planning Authorities, and therefore the detail of the Strategic Infrastructure required has not been established. Until such time as the EMF IDP has been published and endorsed by the Local Planning Authorities, following public consultation, only limited weight should be given to the SPD as a material planning consideration by the Local Planning Authorities, though the “in principle” need for pooled contributions set out in this SPD (which may include works in kind in accordance with this SPD) in relation to Strategic Infrastructure has been established by this SPD at the date of adoption and carries weight as a material planning consideration in that regard. This is relevant to the local planning authorities’ application of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which provides that in determining planning applications the determination must be made in accordance with the development plan, unless material considerations indicate otherwise. Where reference is made in this SPD to something being ‘required’ or a ‘requirement’, that something ‘will’, ‘must’ or is ‘expected’ to be provided, then that must be understood in the context of this SPD being material planning consideration and not a development plan document.

#### Framework Section 106 agreement approach

- 1.18 This SPD envisages a mechanism (termed a “Framework Section 106 agreement approach”) for helping achieve equitable and proportionate contributions to Strategic Infrastructure from SPD Sites through the planning process. This entails the development of a template Framework S106 agreement by the local planning authorities, used as a base template document for all Section 106 agreements being negotiated by the local planning authorities in relation to development of the SPD Sites as described above, as and when planning permission is sought for that development.

#### Public consultation dates

- 1.19 Public consultation was undertaken on a draft of this SPD between 23 March 2026 and 27 April 2026 across South Derbyshire District, North West Leicestershire District and Rushcliffe Borough.

#### Longevity of SPD

- 1.20 Each of the EMF Sites is subject to adopted local plan policy and emerging local plan policy. This SPD is adopted by the Local Planning Authorities on the basis of adopted local plan policy and on the basis of the local plan policies referred to in the following paragraphs of this SPD. However, all of the EMF Sites will be delivered over a timescale that goes beyond the current adopted local plan periods. The Local Planning Authorities intend that the substance of this SPD (which may be in a

different form – for example, a Supplementary Plan, if feasible, or another form) will continue to apply once the adopted plans cease to have effect and they will work together to achieve that aim, including incorporation of key principles into emerging local plan policies as appropriate.

Background and policy context for each of the EMF Sites:

1.21 The background and policy context for each of the EMF Sites is considered in turn below.

1.21.1 **The East Midlands Airport and Gateway Industrial Cluster (“EMAGIC”)**

(a) Background:

(i) EMAGIC comprises 2 main sites located to the north and south of East Midlands Airport, as well as two distinct plots of land on the Airport’s operational apron designated as part of the tax site, which together cover 160 hectares. The EMAGIC tax site is shown outlined in red on the plan at Appendix 2. This total designation includes East Midlands Gateway Phase 1 (**EMG1**), which lies north of the airport and comprises the rail freight terminal and large logistics/warehousing development which was granted consent (by way of DCO) in 2016 and has been substantially completed by SEGRO. The land south of the Airport within the EMAGIC tax site is the subject of two development proposals:

- (1) East Midlands Gateway Phase 2 (“**EMG2**”), which lies south of the airport and is the subject of a DCO application which was submitted by SEGRO in November 2025 and will comprise further logistics and advanced manufacturing development. This DCO application includes proposed highway mitigation works to M1 J24; and
- (2) The land between the Airport and Hyam’s Lane within the EMAGIC site allocation, which is the subject of a separate outline planning application (ref no. 24/00727/OUTM) submitted by Manchester Airports Group (“**MAG**”) as landowner with the support of their development partner Prologis. This development proposal also comprises logistics and advanced manufacturing development.

(b) Adopted policy:

- (i) North West Leicestershire Local Plan (2021 – adopted 2017 but subject to Partial Review in 2020) includes the following policies:
  - (1) Policy Ec1 (Employment provision: permissions) which references the planning permission for a Strategic Rail Freight Interchange on land north of East Midlands Airport/west of Junction 24 of the M1 (site EC1d on the policies map) and affirms support for its renewal should permission lapse. The Strategic Rail Freight Interchange has since been delivered, although it is noted that a Material Change Order (“MCO”)

was submitted in November 2026 and will be considered concurrently with the EMG2 DCO.

- (2) Policy Ec4 (East Midlands airport) which recognises that:

*'(1) The growth of East Midlands Airport will be supported provided development that gives rise to a material increase in airport capacity or capability:*

*(a) Is limited to that necessary to support an airport capable of handling up to 10 million passenger and 1.2 million tonnes of cargo per year; and*

*(b) Incorporates measures that will reduce the number of local residents affected by noise as a result of the airport's operation, as well as the impact of noise on the wider landscape; and*

*(c) Incorporates measures to ensure that local air quality satisfies relevant standards; and*

*(d) Is accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger); and*

*(e) Will protect and enhance heritage assets within the vicinity of the airport;'*

- (3) Policy Ec5 (East Midlands Airport: Safeguarding) which states as follows:

*'(1) Development which would adversely affect the operation, safety or planned growth of East Midlands Airport will not be permitted.*

*(2) The outer boundary of the Safeguarded Area is shown on the Policies Map and within this area consultation with East Midlands Airport is required on the following proposals:*

*(a) All buildings, structures, erections and works that exceed the height specified on the safeguarding map;*

*(b) Any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;*

*(c) The lighting elements of a development which may have the potential to distract or confuse pilots,*

particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;

(d) Any proposal for an aviation use within a 13km circle centred on East Midlands Airport;

(e) Any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:

(i) significant landscaping or tree planting;

(ii) minerals extraction or quarrying;

(iii) waste disposal or management;

(iv) reservoirs or other significant water bodies;

(v) land restoration schemes;

(vi) sewage works;

(vii) nature reserves;

(viii) bird sanctuaries.

(f) Any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.'

(4) IF1 (Development and Infrastructure), which states that:

*'Development will be supported by, and make contributions to as appropriate, the provision of new physical, social and green infrastructure in order to mitigate its impact upon the environment and communities. Contributions may be secured by means of planning obligations and/or a Community Infrastructure Levy charge, in the event that the Council brings a Charging schedule in to effect.*

*The type of infrastructure required to support new development includes, but is not limited to:*

(a) Affordable housing; and

(b) Community Infrastructure including education, health, cultural facilities and other public services; and

(c) Transport including highways, footpaths and cycleways, public transport and associated facilities; and

(d) Green infrastructure including open space, sport and recreation, National Forest planting (either new provision or enhancement of existing sites) and provision of or improvements to sites of nature conservation value; and

(e) The provision of superfast broadband communications; and

(f) Utilities and waste; and

(g) Flood prevention and sustainable drainage.

*The infrastructure secured (on or off-site) will be provided either as part of the development or through a financial contribution to the appropriate service provider and may include the long-term management and maintenance of the infrastructure.*

*In negotiating the provision of infrastructure the Council will have due regard to viability issues and where appropriate will require that the applicant provide viability information to the Council which will then be subject to independent verification. The District Council will work closely with infrastructure providers to ensure inclusion of infrastructure schemes within*

*their programmes, plans and strategies, and delivery of specific infrastructure requirements in conjunction with individual development schemes and the expected timing of development coming forward. The Council will also work with partners and other stakeholders to secure public funding towards infrastructure, where possible.'*

- (5) IF4 (Transport infrastructure and new development), which states:

*'(1) The Council, working with the highway authorities, will ensure that development takes account of the impact upon the highway network and the environment, including climate change, and incorporates safe and accessible connections to the transport network to enable travel choice, including by non-car modes, for residents, businesses and employees. In assessing proposals regard will be had to any Transport Assessment/Statement and Travel Plan prepared to support the application.*

*(2) New development will be expected to maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site, and contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:*

*(a) The provision of cycle links within and beyond sites so as to create a network of cycleways across the district, including linkages to key Green Infrastructure;*

*(b) The provision of public footpath links within and beyond sites so as to enhance the network of footpaths across the district, including linkages to key Green Infrastructure;*

*(c) The provision of new public transport services, or the enhancement of existing services, to serve new developments so that accessibility by non-car modes to essential services and facilities, such as shops, schools and employment, is maximised.*

*(3) Where new development has a demonstrable impact upon the highway network contributions towards improvements will be sought commensurate with the impact. The following specific highway improvements are identified as priorities:*

*(a) Strategic road improvements*

*• J22 of M1*

*• J13 of A42*

*(b) Local road improvements*

*• the A511 corridor between J22 of the M1 and J13 of the A42.'*

(c) Emerging policy:

- (i) The draft North West Leicestershire Local Plan (2025) is at Regulation 18 stage. This draft plan does not include employment allocations, which are to be included in the Regulation 19 draft of the new plan, due to be published in summer 2026. In advance of that publication, the local planning authority has consulted upon Additional Proposed Housing and Employment Allocations in March-April 2025. EMAGIC will be included in the Regulation 19 draft of the local plan.

(ii) The Regulation 18 draft of the North West Leicestershire Local Plan includes the following policies:

(1) Policy Ec8 (East Midlands Airport), which states:

*'(1) The growth of East Midlands Airport will be supported to enable it to fulfil its role as a regional airport.*

*(2) Within the airport limit, as defined on the Policies Map, development will be limited to the following uses:*

*(a) Operational facilities and infrastructure; and*

*(b) Passenger and terminal facilities; and*

*(c) Cargo facilities; and*

*(d) Airport ancillary infrastructure where the proposed development requires and benefits from an airport location and is of a scale that is appropriate to that relationship; and*

*(e) Landscape works; and*

*(f) Internal highways and infrastructure; and*

*(g) Improvements to public transport and airport customer car parking*

*(3) New development that gives rise to a material increase in airport capacity or capability will be required to:*

*(a) Incorporate measures to ensure that the impact of noise on local residents satisfies relevant standards; and*

*(b) Incorporate measures to ensure that local air quality satisfies relevant standards; and*

*(c) Maximise opportunities to achieve net zero carbon in respect of proposed buildings and non – aircraft operations; and*

*(d) Be accompanied by improvements in public transport access to the airport and other measures that will reduce the level of airport-generated road traffic (per passenger).'*

(2) Policy Ec9 (East Midlands Airport: Safeguarding), which states:

*'(1) Development which would adversely affect the operational integrity or safety of East Midlands Airport will not be permitted.*

*(2) The outer boundary of the Safeguarded Area is shown on the Policies Map and within this area consultation will be undertaken with East Midlands Airport for the following proposals:*

*(a) All buildings, structures, erections and works that exceed the height specified on the safeguarding map;*

*(b) Any proposed development in the vicinity of East Midlands Airport which may have the potential to interfere with the operation of its navigational aids, radio aids and telecommunication systems;*

*(c) The lighting elements of a development which may have the potential to distract or confuse pilots, particularly in the immediate vicinity of the aerodrome and of the aircraft approach paths;*

*(d) Any proposal for an aviation use within a 13km circle centred on East Midlands Airport;*

*(e) Any proposal within a 13km circle centred on East Midlands Airport which has the potential to attract large numbers of birds. Such proposals include:*

- (i) significant landscaping or tree planting;*
- (ii) minerals extraction or quarrying;*
- (iii) waste disposal or management;*
- (iv) reservoirs or other significant water bodies;*
- (v) land restoration schemes;*
- (vi) sewage works;*
- (vii) nature reserves;*
- (viii) bird sanctuaries.*

*(f) Any proposal for a wind turbine development within a 30km circle centred on East Midlands Airport.*

*(g) Proposals for large-scale solar photovoltaic arrays which have the potential to generate glint and glare, particularly in the immediate vicinity of the airport and of the airport approach and departure paths.'*

(d) Strategic Infrastructure needed to deliver EMAGIC:

(i) The EMF IDP will set out the Strategic Infrastructure which is needed to help deliver EMAGIC and which all development proposed within EMAGIC will be expected to contribute towards (or deliver as works in kind, in appropriate cases – see paragraph 2.9.2 below). At this stage the Strategic Infrastructure which has been identified in relation to EMAGIC on an indicative basis is considered to comprise the following:

(1) M1 J24 Improvement Scheme. This is currently being developed in consultation with National Highways. Final detail is still to emerge, but is likely to include consideration of the following 4 packages of works:

- (A) Package 1: M1 South to A50 West Slip Road (the construction of a new A50 slip road and underbridge; closure of existing A50 dedicated left-turn at M1 Junction 24; provision of new A453 dedicated left-turn onto A50; and weaving alterations to M1 Junction 24 southbound exit slip road);
- (B) Package 2: Finger Farm roundabout and northbound M1 Management (at grade signalisation and enlargement of roundabout; installation of M1 northbound “smart” weaving monitoring system; and control of priority between J23a and 24 exits usage);
- (C) Package 3: M1/A50 north to A453 dedicated left turn (construction of A453 underbridge & Derby link road; diversion of Quarry signalised site exit road; provision of M1/A50 dedicated left-turn onto A453; and provision of Derby Road roundabout for housing access); and
- (D) Package 4: A4563 East to M1 South dedicated left-turn (construction of Kegworth link road and overbridges; closure of Derby Road and southbound entry slip at M1 J24; provision of A453 dedicated left-turn onto M1; and M1 southbound “smart” merge monitoring or widening to five lanes.)

- (2) Transport improvements to M1 23a and other parts of the Strategic Road Network;
  - (3) Strategic sustainable Transport Measures, Walking and Cycling Improvements and Site Wide Travel Plan; and
  - (4) Strategic landscape and visual mitigation measures including to address heritage.
- (e) Site Specific infrastructure which may be relevant to EMAGIC:
- (i) Site Specific infrastructure is infrastructure that may be required in relation to a particular development proposal in EMAGIC, depending upon the development proposal. It will vary from one development parcel to another within EMAGIC but may include, for example, site-specific transport measures, walking and cycling improvements and a site specific travel plan and may include site-specific landscape and visual mitigation measures.

1.21.2 **The Ratcliffe on Soar Power Station site (“Ratcliffe”):**

- (a) Background:
- (i) This is a 273 hectare site, largely (but not wholly) designated as an EMF tax site, with a net developable area of around 128 hectares for new employment and related development. The Ratcliffe EMF tax site is shown outlined in red on the plan at Appendix 3. It is the site of a coal-fired power station which closed for operational purposes in September 2024. The aim is to transform this site into an industrial park focused on advanced manufacturing (including technology needed to transition to net-zero), green and low-carbon energy generation and energy storage. A Local Development Order relating to this site was adopted by Rushcliffe Borough Council in July 2023 (reference 22/01339/LDO) (the **LDO**). The LDO allows for the creation of an industrial park focused on – but not limited to – advanced manufacturing (including technology needed to transition to net-zero), green and low-carbon energy generation, and energy storage. The LDO grants planning permission for the site’s development in accordance with the conditions applied to the Order and the other provisions contained within it, including transport (and other) mitigation requirements. This SPD does not restrict the LDO (as the same may be amended or replaced from time to time) but where a landowner/developer submits a planning application and/or a Section 106 agreement relating to development within the area covered by the LDO this SPD will be a material planning consideration in respect of its determination, alongside the LDO.
- (b) Adopted policy:
- (i) The adopted Local Plan for Ratcliffe was adopted in 2014, well before the creation of EMF was announced by the Government. It therefore reflects the situation at the time, when Ratcliffe on Soar Power Station was still operational.

(ii) Rushcliffe Borough Council Local Plan (adopted 2014). Part 1: Rushcliffe Core Strategy, includes the following policies:

(1) Policy 5 (Employment Provision and Economic Development), which includes the following:

*'The economy will be strengthened and diversified with new floorspace being provided (across all employment sectors) to meet restructuring modernisation and inward investments needs. This will be achieved by...*

*(5) Encouraging economic development associated with ...other Centres of Excellence in Rushcliffe such as Ratcliffe on Soar Power Station...'*

The supporting text to this policy states (paragraph 3.5.21) that, *'Proposals for new sustainable development, changes of use or redevelopment of existing buildings within these locations will be favourably considered.'*

(2) Policy 18 (Infrastructure), which includes the following:

*'1. New development must be supported by the required infrastructure at the appropriate stage. Rushcliffe will work in partnership with other Greater Nottingham local authorities, infrastructure providers, grant funders, the development industry and other delivery agencies in seeking the provision of necessary infrastructure to support new development.*

*2. Contributions will be sought from development proposals which give rise to the need for new infrastructure.'*

This policy references the existing IDP, but this will be superseded for Ratcliffe by the EMF IDP.

(3) Policy 19 (Developer Contributions) states as follows:

*'1. All development will be expected to:*

*a. Meet the reasonable cost of new infrastructure required as a consequence of the proposal;*

*b. Where appropriate, contribute to the delivery of necessary infrastructure to enable the cumulative impacts of developments to be managed, including identified transport infrastructure requirements; and*

*c. Provide for the future maintenance of facilities provided as a result of the development.*

*2. The Council intends to introduce a Community Infrastructure Levy (CIL) to secure infrastructure that has been identified as necessary to support new development and to achieve Core Strategy objectives.*

*3. Prior to the implementation of a CIL, and following implementation where it remains appropriate, planning conditions and obligations will be sought to secure all new infrastructure necessary to support new development either individually or collectively.'*

(c) Emerging policy:

(i) The draft Greater Nottingham Strategic Plan (publication draft, March 2025) has been prepared by Rushcliffe Borough Council with Broxtowe

Borough Council and Nottingham City Council, as a combined Local Plan. It was submitted for examination on 22 December 2025. It includes the following relevant policies:

- (1) Policy 32 (Strategic Allocation Former Ratcliffe on Soar Power Station), which states:

*1. The area, as shown on the adopted policies map, is identified as a strategic site for employment development, including strategic distribution, for the purposes of delivering an industrial park focused on advanced manufacturing (including technology needed to transition to net-zero), green and low-carbon energy generation and energy storage. The design and layout of the entire site will be determined through a masterplanning process. The development shall be appropriately phased to take into account provision of necessary infrastructure, including improvements to the strategic and local highway network and public transport network. The indicative distribution of the proposed uses is identified on Figure 32.1.*

*2. The development will be subject to the following requirements:*

*A. Employment*

*1. The provision of new buildings is limited to 810,000 square metres (gross floor area).*

*2. Uses on the Southern Area (land south of A453) are limited to: Energy Generation and Storage; and Advanced Manufacturing and Industrial (Class E(g)(iii) & B2) producing technology or using technology to deliver the net-zero transition.*

*3. Uses on the Northern Area (land north of A453) are limited to: Energy Generation and Storage; Advanced Manufacturing and Industrial (Class E(g)(iii) & B2) producing technology or using technology to deliver the net-zero transition; Data Centres; Logistics (Class B8); Research and Development; Offices (Class E(g) (i) and (ii)); and Education (Skills and Training) (Class F.1(a)).*

*4. The provision of Logistics (Class B8) on the Northern Area is limited to a maximum of 180,000 square metres (gross floor area).*

*5. The provision of Offices (Class E(g) (i) & (ii)) on the Northern Area is limited to a maximum of 50,000 square metres (gross floor area) and provision should be located in proximity to the East Midlands Parkway Station.*

*6. Training opportunities should be provided for as part of the development.*

*B. Neighbourhood centre*

*7. A neighbourhood centre including community facilities of an appropriate scale should be provided to serve the needs of occupiers on the site and be located in close proximity to the East Midlands Parkway Station.*

*8. The neighbourhood centre can include the provision of one hotel (Class C1) not exceeding 150 beds.*

*C. Ground-mounted solar power generation*

*9. Provision of up to 10 hectares of ground mounted solar power generation and which should be located adjacent to the northern boundary of the Northern Area (land north of the A453).*

#### *D. Transportation*

*10. Improvements to road infrastructure necessary to mitigate adverse traffic impacts and serve the new development, including improvements to the A453 and likely improvements to Junction 24 of the M1 and local roads.*

*11. Provision of appropriate walking and cycling facilities and public transport links through and beyond the site.*

*12. Retention and use of the site's existing freight rail line and associated service / loading yards.*

*13. Provision of direct pedestrian access from the site to East Midlands Parkway Station.*

*14. Implementation of a Sustainable Transport Strategy, a Site Wide Travel Plan and Plot Specific Travel Plans.*

#### *E. Other Requirements*

*15. Protection of the safe operation of aircraft using East Midlands Airport.*

*16. Utilisation of any remaining fly ash resource, comprising pulverised fuel ash (PFA) and furnace bottom ash (FBA), where reasonably practicable and commercially viable.*

*17. Sewage and off-site drainage improvements.*

*18. An appropriate sustainable drainage system.*

*19. A high quality built environment, including public spaces, to create a distinctive character that responds positively to the site, relates well to the surroundings, and gives consideration to the most appropriate sustainable methods of construction.*

*20. The creation and enhancement of green infrastructure which links to the wider green infrastructure network, which has regard to the Greater Nottingham Landscape Character Assessment, and provides for biodiversity enhancements.*

*21. The retention and creation of significant Green Infrastructure areas and buffers, particularly on the eastern boundary of the Northern Area (north of the A453) and on all boundaries of the Southern Area (south of the A453).*

*22. Planning permission will not be granted for manufacturing uses which would have an adverse air quality impact upon any European site for nature conservation including the possible potential Special Protection Area, either alone or in combination with other pollution sources such as traffic.*

*23. Provision of contributions for local infrastructure, including facilities and services that are essential for development to take place or which are needed to mitigate the adverse impact of development will be secured through Planning Obligations in line with Policy 18.*

(2) Policy 18 (Development Contributions for Infrastructure), states:

*1. New development must be supported by the required infrastructure at the appropriate stage.*

*2. All development will be expected to:*

*a) meet the costs of new infrastructure required as a consequence of the proposal;*

*b) contribute to the delivery of necessary infrastructure to enable any cumulative impacts of the development to be managed, including identified transport infrastructure requirements; and*

*c) provide for the future maintenance of facilities provided as a result of the development.*

*3. Developer contributions may be negotiated to take account of situations where development is phased over time, or where there are significant changes in economic conditions over the period up to completion of a development, to ensure development contributes appropriately to necessary infrastructure.*

*4. There are known infrastructure and capacity constraints, in particular related to transport, education, open space, health and flood risk. Further detailed assessment of these issues will be required, as set out through future plan preparation, Supplementary Plans and / or masterplans.*

(d) Strategic Infrastructure needed to deliver Ratcliffe

(i) The EMF IDP will set out the Strategic Infrastructure which is needed to deliver Ratcliffe and which all development proposed within Ratcliffe will be expected to contribute towards (or deliver as works in kind, in appropriate cases – see paragraph 2.9.2 below). At this stage, the Strategic Infrastructure which has been identified in relation to Ratcliffe on an indicative basis is considered to comprise the following:

- (1) Transport improvements to M1 J24 (as set out in EMAGIC section above);
- (2) Transport improvements to M1 23a and other parts of the Strategic Road Network;
- (3) Strategic transport improvement works;
- (4) Strategic sustainable Transport Measures, Walking and Cycling Improvements and Site Wide Travel Plan; and
- (5) Strategic landscape and visual mitigation measures including to address heritage.

(e) Site Specific infrastructure which may be relevant to Ratcliffe

(i) Site Specific infrastructure is infrastructure that may be required in relation to a particular development proposal in Ratcliffe, depending upon the development proposal. It will vary from one development parcel to another within Ratcliffe, but may include, for example, site-specific transport measures, walking and cycling improvements and a site specific travel plan.

(f) Site-wide strategy for remediation and/or ground condition works as part of appropriate phasing of the Ratcliffe development

(i) As part of the appropriate phasing of development, remediation and/or ground works shall be expected to be delivered on the Ratcliffe site as part of an approved site-wide strategy, including appropriate remediation and/or ground condition works cost apportionment between development parcels within Ratcliffe to be on an equitable and proportionate basis regardless of when those development parcels come forward in order to help ensure a comprehensive development of the Ratcliffe site.

### 1.21.3 East Midlands Intermodal Park (“EMIP”)

(a) Background:

- (i) This 173 hectare site is located approximately 3 miles to the south west of Derby, adjacent to the A50/A38 junction, which connects with the M1 (and East Midlands Airport) to the east and the M6 to the north-west. The EMF tax site proposition at EMIP is the delivery of a sustainable rail-connected business park, helping businesses to operate more cost-effectively and reduce their environmental impact by shifting from road to rail freight. EMIP includes the development of a Strategic Rail Freight Interchange which is designated as a Nationally Significant Infrastructure Project and therefore currently expected to be the subject of a Development Consent Order (**DCO**) or similar, which has not yet been submitted, though other consenting routes are not precluded. The EMIP tax site is shown outlined in red on the plan at Appendix 1.

(b) Adopted policy:

- (i) South Derbyshire Local Plan (Part 1 adopted 2016, Part 2 adopted 2017) includes the following policies:

- (1) Policy INF1 (Infrastructure and Developer Contributions), which states:

*‘A New development that is otherwise in conformity with the Local Plan but generates a requirement for infrastructure will normally be permitted if the necessary on and off-site infrastructure required to support and mitigate the impact of that development is either:*

- i) Already in place, or  
ii) There is a reliable mechanism in place to ensure that it will be delivered in the right place, at the right time and to the standard required by the Council and its partners.*

*B The Council will revise its Planning Obligations SPD to cover infrastructure and service requirements, including site-specific infrastructure, to be delivered through S106 Planning Obligations. Furthermore, once a Community Infrastructure Levy has been adopted, the Council will also operate a Community Infrastructure Levy Charging Schedule, to secure funding from new development towards infrastructure provision.*

*C Where appropriate, the Council will permit developers to provide the necessary infrastructure themselves as part of their development proposals, rather than making financial contributions.*

*D It is expected that development is appropriately supported and its effects mitigated, in the interests of sustainability. The viability of developments will also be considered when determining the extent and priority of developer contributions in line with the Infrastructure Delivery Plan.’*

- (2) INF3 (Strategic Rail Freight Interchange), which includes the following text:

*‘A Any proposal for the development of a Strategic Rail Freight Interchange shall meet all the following criteria:*

- i) *an operational connection, to Network Rail track and signalling standards, to main trunk rail routes with sufficient available capacity and gauge capability of at least W8;*
- ii) *railway wagon reception and inter-modal handling and container storage facilities capable of accommodating 775 metre freight trains carrying modern wagons.*

*B The elements of the development identified above shall be completed before any business units on the site are occupied.*

- i) *An acceptable means of access to the trunk road network and parking for all goods vehicles shall be provided and operational arrangements shall minimise the use of local highways by heavy goods vehicles; and*
- ii) *there shall be no undue amenity or safety impacts including noise, vibration, odours, light pollution and traffic generation; and*
- iii) *the proposal shall be well designed and shall not cause undue harm to the character of the local landscape; and*
- iv) *the proposal shall preserve the character or setting of any listed buildings, conservation areas or other heritage assets; and*
- v) *the proposal shall not cause undue harm to features of ecological or environmental value and, where possible, shall result in biodiversity gain and enhanced environmental value; and*
- vi) *the proposal shall not increase the surface water run-off rate from the site and shall not increase flood risk elsewhere; and*
- vii) *an appraisal shall be made of the potential for the utilisation of waste heat from power stations for heating and cooling on the development site; and*
- viii) *appropriate provision shall be made for convenient access to the site on foot, by cycle and by public transport.*

- (3) INF4 (Transport Infrastructure Improvement Schemes) – which specifically references the A50/A38 junction improvement scheme, as follows:

*'A The Council will work with partners to deliver the following transport schemes:*

- ...
- iii) *A50 junction with the A38 improvement scheme*
- ...

*B Where required to mitigate the transport impacts of the development, the Council will seek to negotiate financial contributions toward these schemes. Proposals that would prejudice their implementation will not be permitted.*

*C In determining the detailed alignments and designs of these schemes regard shall be had to the following:*

- i) *Minimising the impact on the environment, heritage assets and natural features;*
- ii) *Taking full account of recreational routes along, or affected by, the schemes;*

- iii) *Providing for the needs of pedestrians, cyclists and people with impaired mobility;*
- iv) *Mitigating any potential flood risk impact.'*

(c) Emerging policy:

(i) Draft South Derbyshire Local Plan Part 1 Review (Reg 19, 2025.) This plan has been subject to Regulation 19 consultation in March-April 2025 and is expected to be submitted for examination in summer 2026. The draft plan includes the following policies:

(1) Policy INF3 (East Midlands Intermodal Park Strategic Rail Freight Interchange/ East Midlands Freeport), which states as follows:

*'A Land is allocated for the development of an East Midlands Intermodal Park Strategic Rail Freight Interchange/ East Midlands Freeport at Egginton Common, as shown on the Policies Map. This will represent a Nationally Significant Infrastructure Project.*

*B The development shall incorporate the following elements, which shall be completed before any business units on the site are occupied:*

- i) *an operational connection, to Network Rail track and signalling standards, to main trunk rail routes with sufficient available capacity and gauge capability of at least W8;*
- ii) *railway wagon reception and inter-modal handling and container storage facilities capable of accommodating 775 metre freight trains carrying modern wagon;.*
- iii) *rail connected or rail accessible buildings.*

*C The development shall meet the following criteria:*

- i) *An acceptable means of access to the trunk road network and parking and associated facilities for all goods vehicles shall be provided and operational arrangements shall minimise the use of local highways by heavy goods vehicles; and*
- ii) *there shall be no undue amenity, safety or highway impacts including noise, vibration, odours, light pollution and traffic generation; and*
- iii) *the proposal shall be well designed and shall not cause undue harm to the character of the local landscape and shall contribute toward landscape scale enhancement in accordance with the Trent Valley Vision; and*
- iv) *the proposal shall preserve the character or setting of any listed buildings, conservation areas or other heritage assets; and*
- v) *the proposal shall not cause undue harm to features of ecological or environmental value and shall contribute toward the delivery of green infrastructure; and*
- vi) *appropriate provision shall be made to meet biodiversity net gain requirements as part of a wider network in the Trent Valley; and*

- vii) *the proposal shall not increase the surface water run-off rate from the site and shall not increase flood risk elsewhere; and*
- viii) *any new built development, other than that required for flood mitigation or recreation purposes, shall be limited to the area to the north of the Derby-Crewe railway line; and*
- ix) *the area to the south of the Derby-Crewe railway line shall be reserved for blue and green infrastructure and shall be made publicly accessible for recreational purposes; and*
- x) *provision shall be made for convenient and safe access to the site on foot, by cycle and by public transport (potentially including passenger rail if feasible), including Key and Local Cycle Network routes connecting to population centres and bus services connecting to Willington railway station and population centres, including Swadlincote.'*

(2) INF4 (Transport Infrastructure Improvement Schemes), includes the following text:

*'A The Council will work with partners to deliver the following transport schemes:*

- i) *South Derby Integrated Transport Link phase 1 and new A50 junction*
- ii) *A50 junction with the A38 improvement scheme*
- iii) *A50 junction with the A514 improvement scheme*
- iv) *Walton-on-Trent Bypass*
- v) *Swarkestone Causeway Bypass*

*B Where required to mitigate the transport impacts of the development, the Council will seek to negotiate financial contributions toward these schemes. Proposals that would prejudice their implementation will not be permitted.*

*C In determining the detailed alignments and designs of these schemes regard shall be had to the following:*

- vi) *Minimising the impact on natural and built environment assets*
- vii) *Taking full account of active travel routes along, or affected by, the schemes;*
- viii) *Providing for the needs of pedestrians, cyclists and people with impaired mobility;*
- ix) *Mitigating any potential flood risk impact.*

*D The indicative alignments of:*

- I. *the South Derby Integrated Transport Link Phases 1 and 2, and new A50 junction and*
- II. *the Walton-on-Trent Bypass, as shown on the Policies Map, shall be safeguarded against development that could compromise their delivery.*

(d) Strategic Infrastructure needed to deliver EMIP

- (i) The EMF IDP will set out the Strategic Infrastructure that is needed to deliver EMIP and which all development proposed within EMIP will be expected to contribute towards (or deliver as works in kind, in

appropriate cases – see paragraph 2.9.2 below). At this stage the Strategic Infrastructure which has been identified in relation to EMIP on an indicative basis is considered to comprise the following:

- (1) Improvements to the Strategic Road Network;
- (2) Strategic sustainable Transport Measures, Walking and Cycling Improvements and Site Wide Travel Plan; and
- (3) Provision of public access for recreation on land to the south of the Derby-Crewe railway line.

(e) Site Specific infrastructure which may be relevant to EMIP:

- (i) Site Specific infrastructure is infrastructure that may be required in relation to a particular development proposal in EMIP, depending upon the development proposal. It will vary from one development parcel to another within EMIP, but may include site specific public access arrangements to land to the south of the Derby-Crewe railway line.

(f) Site-wide strategy for remediation and/or ground condition works as part of appropriate phasing of the EMIP development

- (i) As part of the appropriate phasing of development on the EMIP site, any remediation and/or ground condition works shall be expected to be delivered on the EMIP site as part of an approved site-wide strategy, including appropriate remediation and/or ground condition works cost apportionment between development parcels within EMIP to be on an equitable and proportionate basis regardless of when those development parcels come forward in order to help ensure an appropriate comprehensive development of the EMIP site.

## 1.22 Community Infrastructure Levy

1.22.1 There is no Community Infrastructure Levy (“**CIL**”) charging schedule in force in South Derbyshire District or North West Leicestershire District, so neither EMIP nor EMAGIC are subject to CIL.

1.22.2 There is a CIL charging schedule in force in Rushcliffe Borough. Ratcliffe falls within Zone 5 of that schedule for residential development (excluding apartments) where a current CIL rate of £100 per square metre applies. CIL also applies in Ratcliffe in relation to general retail A1-A5 (excluding food supermarket) at a current rate of £50 per square meter and to food supermarket A1 at a current rate of £100 per square metre. All other developments in Rushcliffe Borough are £0 CIL rated.

## 2. DELIVERY STRATEGY

### Framework Section 106 Agreement

- 2.1 A mechanism is needed to ensure that the Strategic Infrastructure (including that which is required by the development of the EMF Sites collectively and that which is required only in relation to one or two of the EMF Sites), is delivered in a coordinated manner and that each development parcel within any of the SPD Sites, contributes towards the Strategic Infrastructure, including as identified in the EMF IDP, on an equitable and proportionate basis regardless of when those development parcels come forward.
- 2.2 The Local Planning Authorities consider that a key mechanism for ensuring this objective is achieved is via “a Framework Section 106 agreement”, as explained below.
- 2.3 The format of the Framework Section 106 agreement is expected to be developed by the Local Planning Authorities jointly and used as a base template document for all Section 106 agreements relating to the development of any land parcel within any of the EMF Sites (save exempt development referred to in paragraph 2.7 below). It is also expected to be used, where appropriate, for Section 106 agreements relating to the development of other SPD Sites.
- 2.4 The format of the Framework Section 106 agreement is expected to be broadly the same across the SPD Sites, but the draft is expected to be refined for each SPD Site, to reflect the different Strategic Infrastructure (and Site Specific Infrastructure) which that SPD Site is expected to contribute towards, as set out in the EMF IDP and explained in paragraph 1 above.
- 2.5 The Framework Section 106 agreement is expected to provide a ‘base’ or template draft Section 106 agreement for all development parcels coming forward within each of the SPD Sites which each of the Local Planning Authorities will be expected to utilise when negotiating Section 106 agreements relating to those development parcels.
- 2.6 Landowners and developers of land within any of the SPD Sites will be expected to enter into a Framework Section 106 agreement in connection with any development proposal (save exempt development referred to in paragraph 2.7 below.) They may also be expected to enter into equalisation agreements in relation to any works in kind for Strategic Infrastructure and in relation to land on which Strategic Infrastructure is being delivered, so that land values across each SPD Site are equalised and the cost of providing land on which Strategic Infrastructure is located (and such land therefore not being available for development as a result) is shared fairly and proportionately amongst all landowners and developers within the SPD Site regardless of where that Strategic Infrastructure is located – see paragraph 2.9.4 below.
- 2.7 Development of any part of the SPD Sites consisting of:
- 2.7.1 less than 1,000 square metres of non-residential development (save where a larger parcel of land has been sub- divided into proposed developments consisting of less than 1,000 square metres of non-residential development); or
  - 2.7.2 (where applicable) less than 10 dwellings (save where a larger parcel of land has been sub-divided into proposed developments consisting of less than 10 dwellings) or development consisting of a replacement dwelling or dwellings
- shall not be expected to enter into a Framework Section 106 agreement.
- 2.8 The Framework Section 106 agreement is anticipated to contain a “Part A” dealing with Strategic Infrastructure (expected to be included consistently for each application for development within the relevant SPD Site, save where minor specific adjustments are allowed) and “Part B” dealing with Site Specific Infrastructure and any required remediation works (which will be bespoke for each proposed

development site, although the approach taken to particular infrastructure should be expected to be consistent across the relevant SPD Site within which the proposed development is located).

2.9 Part A of the Framework Section 106 agreement is expected to include the following provisions:

2.9.1 **Payment of Strategic Infrastructure contributions:**

- (a) Landowner/developers will be expected to make Section 106 contributions (under Section 106 of the Town and Country Planning Act 1990, as the same may be amended or replaced) towards Strategic Infrastructure save where works in kind have been agreed and allowed in lieu of those contributions (see paragraph 2.9.2 below.)
- (b) Insofar as is reasonably practicable, the Strategic Infrastructure costs will be identified in the EMF IDP, which will be consulted upon and adopted to inform this SPD.
- (c) The amount of Section 106 contributions payable towards Strategic Infrastructure shall be informed by an allocation wide assessment of Strategic Infrastructure costs across all of the SPD Sites and viability testing shall be carried out to ensure that that Strategic Infrastructure can be delivered as part of policy-compliant development of the EMF Sites and Other Benefitting Strategic Allocation Sites and Other Benefitting Development Sites. Public sector funding may be sought to part fund some of the Strategic Infrastructure and this will also be considered when determining the amount of Section 106 contributions payable towards Strategic Infrastructure.
- (d) The amount of Section 106 contributions payable towards Strategic Infrastructure shall be determined by the Local Planning Authorities on a consistent and proportionate basis across the SPD Sites and in accordance with regulation 122 of the Community Infrastructure Levy Regulations 2010 (as the same may be amended or replaced). The basis on which these are sought will be considered as part of the IDP preparation.
- (e) The EMF IDP and/or Framework Section 106 agreement will include triggers for payment for each Strategic Infrastructure contribution, reflecting the timescale within which that Strategic Infrastructure needs to be delivered.
- (f) The Strategic Infrastructure contributions set out in each individual Section 106 Agreement will be subject to review when the EMP IDP is updated (except during a 'grace' period when they may not be reviewed to allow landowner/developers to implement – or sell - with cost certainty). They will also be subject to (a) indexation calculated from the date of the relevant Section 106 Agreement and (b) interest in the event of late payment.
- (g) The EMF IDP may be updated by the Local Planning Authorities from time to time – see paragraph 1.121.6 above.
- (h) The Strategic Infrastructure contributions may be paid in instalments to be agreed in the relevant Section 106 agreement and the payment date(s) for payment contributions will also be agreed in the relevant Section 106 agreement.
- (i) The Strategic Infrastructure contributions may be paid into 'pots' which may fund either a single item of Strategic Infrastructure or multiple items of Strategic Infrastructure, at the Local Planning Authority's discretion (or the discretion of the highways authority in relation to highways contributions).

- (j) The Strategic Infrastructure contributions shall be payable, where relevant, where the Strategic Infrastructure has been built or provided as at the date the relevant Section 106 agreement is entered into, in order to ensure a proportionate contribution is made by all non-exempt development within the SPD Sites.
- (k) Early delivery of certain items of Strategic Infrastructure may be beneficial or necessary in order to enable or encourage development. Where a third party (including an early landowner/developer within any of the SPD Sites) has forward funded any such item the Section 106 agreement is expected to acknowledge that the Local Planning Authority may pay any Section 106 contributions collected relating to that item of Strategic Infrastructure to the third party delivering that infrastructure.

#### 2.9.2 Works in kind:

- (a) The Local Planning Authorities may, in relation to some items of Strategic Infrastructure, be open to discussing the possibility of a landowner/developer delivering works in kind and paying a reduced Section 106 contribution towards the relevant Strategic Infrastructure item as a result or making an adjustment to other Section 106 contributions, where appropriate, but it shall be at the discretion of the relevant Local Planning Authority (or highways authority where the relevant infrastructure is highways infrastructure) whether or not to permit any works in kind, bearing in mind all relevant circumstances.
- (b) Any landowner/developer proposing to carry out works in kind is encouraged to discuss their proposals with the Local Planning Authority, highways authority (where the relevant infrastructure is highways infrastructure) and other landowners in the SPD Site (or SPD Sites where the Strategic Infrastructure is relevant to more than one SPD Site) at the earliest possible opportunity - the Local Planning Authority will expect such discussions to have taken place prior to the submission and determination of any planning application.
- (c) Where a landowner/developer proposes to carry out works in kind the landowner/developer shall provide the relevant Local Planning Authority with a Site-wide deliverability appraisal which shall reflect any equalisation agreements entered into by them with other landowners/developers (relating to how the landowner will be compensated by other landowners in respect of the proposed works in kind – see paragraph 2.9.4 below), a proposal of any anticipated equalisation agreements and the proposed delivery arrangements for the relevant Strategic Infrastructure, including the nature, scale and timing of delivery and the estimated costs of delivery.
- (d) Where the Local Planning Authority, or highways authority as the case may be, does permit works in kind the landowner/developer will be expected to obtain the approval of the Local Planning Authority (and highways authority in the case of highways infrastructure) to the detailed design of those works, obtain all necessary consents and enter into all statutory agreements required. The relevant Local Planning Authority (or highways authority where the relevant infrastructure is highways infrastructure) will also require collateral warranties and step in rights and may require additional security and/or remedies (such as bonds), to protect the Local Planning Authority or highways authority as the case may be against the landowner/developer's failure to complete the works in kind, to ensure the delivery of that infrastructure when it is needed. The landowner/developer will be expected to manage and maintain the works in kind for an agreed period and then (generally) be expected to transfer the ownership of such works (including the freehold ownership of the land on which the works are built) to the Local Planning Authority, or highways authority in the case of

highways infrastructure or another relevant body as the Local Planning Authority or highways authority may direct, when required by the Local Planning Authority.

### 2.9.3 **Strategic Infrastructure land:**

- (a) Strategic Infrastructure contributions will not be reduced where land is provided for strategic infrastructure.
- (b) For the purposes of calculating the relevant Strategic Infrastructure costs, it is expected to be assumed that the land on which Strategic Infrastructure is located will be transferred to the relevant Local Planning Authority (or highway authority, National Highways or other body where appropriate) for nil value.
- (c) Landowners and developers may enter into equalisation agreements between themselves in order to equalise land values (so that a landowner on whose land Strategic Infrastructure is located is compensated by other landowners who benefit from that Strategic Infrastructure).

### 2.9.4 **Equalisation:**

Where the Local Planning Authority (or highways authority in the case of highways infrastructure) confirms that there is a need for a landowner/developer ('**Developer A**') entering into the Section 106 agreement to enter into an equalisation agreement with another allocation area landowner/developer ('**Developer B**') because Developer B is delivering Works in Kind or providing Strategic Infrastructure land then the Framework Section 106 Agreement may provide that Developer A shall use reasonable endeavours to enter into that equalisation agreement and if it is not entered into within a reasonable period of time (which the Local Planning Authority shall specify) Developer A shall agree on written request from Developer B to submit to dispute resolution (arbitration or expert determination, as the Local Planning Authority shall decide) and the arbitrator or expert shall determine how equalisation may be achieved following which Developer A shall enter into an equalisation agreement with Developer B in accordance with the arbitrator or expert's determination.

### 2.9.5 **Access:**

The landowner shall be expected to permit (at nil cost) access to such part of its application site as may be needed for the relevant public authority (or a landowner/developer delivering those works) to carry out and complete any Strategic Infrastructure works. Where there will be overlapping contractors on site, access shall be subject to an agreed method statement. The landowner/developer of any development parcel forming part of the SPD Sites shall be expected to design their development to facilitate vehicular and (where relevant) pedestrian, cycleway and bridleway access to adjacent parcels of land to ensure site-wide connectivity and so that development of each SPD Site (or SPD Sites where they lie adjacent to each other) moves forward on a comprehensive basis.

### 2.9.6 **Repayment of forward funding:**

The Framework Section 106 Agreement shall include an acknowledgement that Strategic Infrastructure contributions may be used to repay relevant bodies or landowner/developers for any infrastructure that has been forwarded funded (including any repayment or recovery and recycling obligations.)

### 2.9.7 **Reimbursement of contributions:**

To the extent that there is any surplus in the Strategic Infrastructure funds once the relevant Strategic Infrastructure has been built the Local Planning Authorities will act consistently in

deciding whether or not to reimburse such funding and such provisions shall form part of any Framework Section 106 agreement. Any reimbursement will be proportionate and subject to the development to which it relates being policy-compliant and all other infrastructure needs of that development having been met; if not then any reimbursement monies due in respect of that development may first be applied by the relevant Local Planning Authority towards making that development policy-compliant.

**2.9.8 Community infrastructure levy:**

The Framework Section 106 agreement shall include a provision that if CIL were to be introduced which applied to any of the SPD Sites, the Framework Section 106 agreement would be adjusted so that there would be no increased financial burden on landowners or developers of land within the allocation site as a result.

**2.9.9 Future planning law:**

The Framework Section 106 agreements will deal with the principle of there being no increased financial burden on landowners or developers if new planning legislation is brought into force which introduces a new levy in full or partial replacement of Section 106 agreements.

**2.9.10 Section 106 monitoring fees:**

The relevant Local Planning Authority and the relevant highways authority will charge a proportionate and reasonable monitoring fee.

**Other considerations relevant to the delivery of the Strategic Infrastructure:**

**2.10 Conditions:**

In appropriate cases the relevant Local Planning Authority may use pre-commencement and/or pre-occupation conditions on planning permissions to prevent development and/or occupation of relevant phases of the development in advance of the necessary Strategic Infrastructure being in place.

**2.11 Statutory agreements:**

In appropriate cases the relevant Local Planning Authority and highways authority may require conditions to form part of any planning permission or obligations in a Section 106 agreement requiring the landowners/developers to enter into highways agreements to secure adoption of any roads or other public rights of way forming part of the Strategic Infrastructure and/or any other planning or infrastructure agreements that may be required at the relevant time.

**2.12 Other Benefitting Development Sites:**

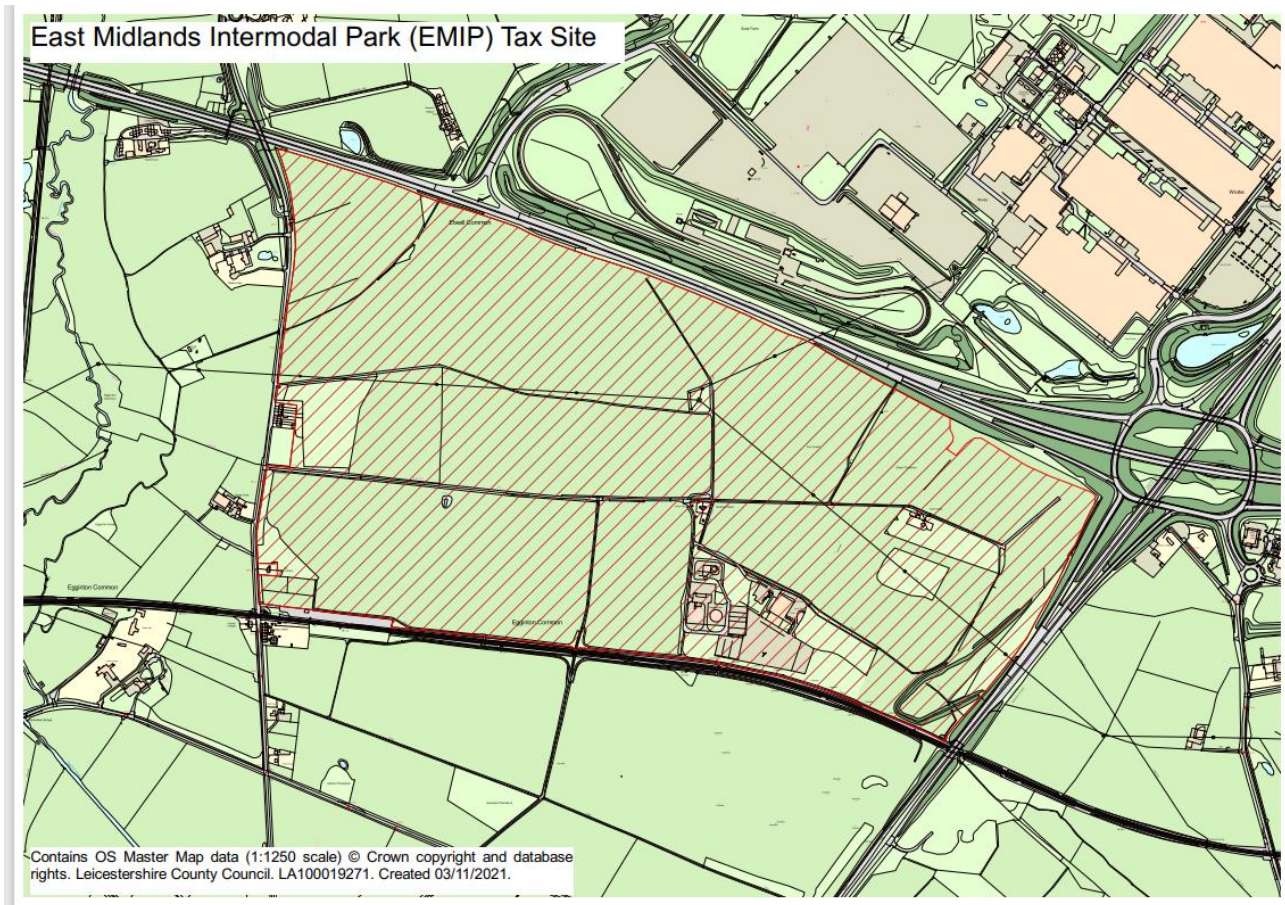
Where planning applications are made for development within the area shown on the plan at Appendix 4 but not lying within one of the EMF Sites or Other Benefitting Strategic Allocation Sites and not being exempt development and such development will be unlocked by or significantly benefit from the Strategic Infrastructure being provided or funded by development within the EMF Sites (and, where applicable Other Benefitting Strategic Allocation Sites), that development may also be required by the relevant Local Planning Authority to contribute towards the costs of such Strategic Infrastructure via a Section 106 Agreement - the relevant Local Planning Authority shall determine on a case by case basis, in line with the statutory tests for planning obligations, whether such contributions or a proportion thereof, should be payable. Development of land immediately adjacent to the EMF Sites which forms part of or is related to development of an EMF Site is expected to comprise such development.

2.13 **Viability:**

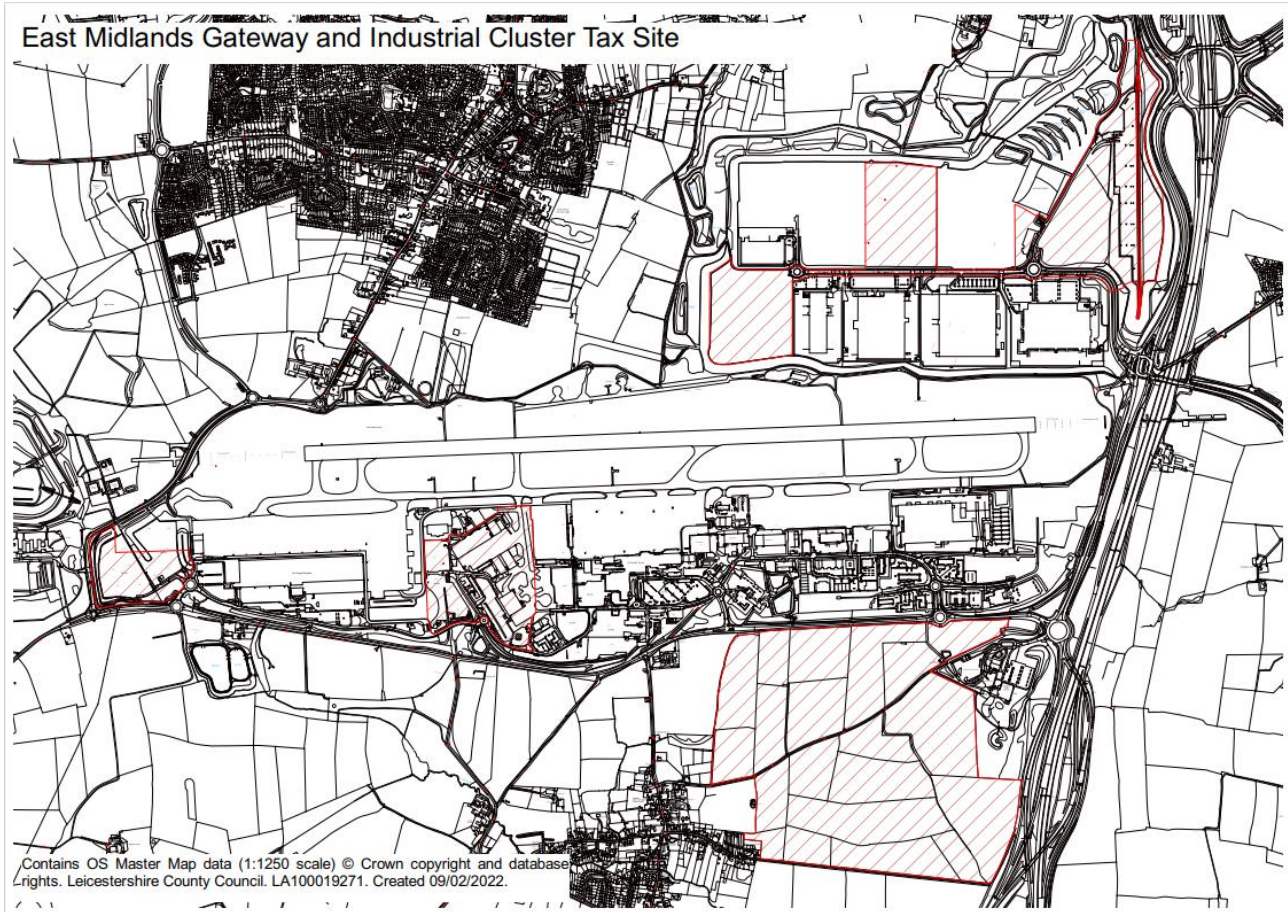
- 2.13.1 Proposals should be designed in a way that accords with Local Plan policies, including the requirement to contribute towards Strategic Infrastructure costs in accordance with this SPD, the EMF IDP and other items that may be secured through Section 106 agreements, including affordable housing.
- 2.13.2 Where, in the opinion of a landowner/developer of land within any of the SPD Sites, their proposed development cannot meet Local Plan policy requirements and the requirements of this SPD and the EMF IDP and the landowner/developer wishes the Local Planning Authority to consider a non-policy and SPD/IDP compliant alternative, the landowner/developer will be required to robustly demonstrate that the development is clearly unviable by submitting a financial viability assessment (“**FVA**”) to the relevant Local Planning Authority.
- 2.13.3 All FVAs submitted by landowners/developers should be undertaken in accordance with current RICS valuation standards contain the following information with supporting evidence:
- (a) a summary of the main assessment assumptions (evidenced from an independent expert or source);
  - (b) site or building acquisition cost (paid or anticipated or contracted to be paid) and existing use value (adopting relevant RICS Valuation Standards);
  - (c) detailed construction costs and programme;
  - (d) fees and other on costs;
  - (e) projected sale (or letting as appropriate) prices of non-residential floorspace with evidence of the same;
  - (f) (in relation to residential development) details of discussions with registered providers of affordable housing to inform the value of affordable housing assumed within the FVA;
  - (g) gross and net margin;
  - (h) other costs and receipts;
  - (i) other relevant information dependent on the nature of the obligation(s) under discussion;
  - (j) a summary clearly setting out the reasons that make a development proposal unviable; and
  - (k) if applicable, any request to vary Section 106 agreements from those set out in the Local Plan and this SPD, and the EMF IDP such a request to state the proposed level of obligations and demonstrate why they are the maximum that can be provided, provided that such a request may only be made if all of the following have already been completed and a justificatory statement in respect of the same has been provided to the relevant Local Planning Authority:
    - (i) a review of all assumptions within the viability model with a view to improving viability, including land value, build and development costs, sales prices, phasing, funding (including borrowing costs) and legal, professional and marketing costs;

- (ii) consideration of a reduction in the minimum anticipated developer profit for the scheme to offset any degree of non-compliance with Local Plan or SPD or EMF IDP requirements;
  - (iii) consideration of how growth assumptions (value increases over time) have been factored into the viability model; and
  - (iv) active exploration of available options for public sector funding which would enable the proposed development to be compliant with Local Plan or SPD or and EMF IDP requirements.
- 2.13.4 The FVA will be scrutinised by the relevant Local Planning Authority with advice from a suitably qualified external consultant and the reasonable cost of this external consultant is to be met by the landowner/developer who has submitted the FVA. If material changes are made to an application after submission that could affect scheme viability, a revised FVA will be required.
- 2.13.5 Where the Local Planning Authority is satisfied that Section 106 contributions or works required or expected by the Local Plan policies and this SPD and the EMF IDP cannot be met in full on a particular development proposal due to financial viability, the Local Planning Authority may choose to:
- (a) reduce the Section 106 contributions towards Strategic Infrastructure payable pursuant to this SPD and the EMF IDP; and/or
  - (b) adjust the timetable for delivery of Strategic Infrastructure to be funded by those Section 106 contributions or provided in kind; and/or
  - (c) reduce or amend other planning obligations for that development proposal, provided that the relevant Local Planning Authority will continue to pay due regard to the objective of ensuring an equitable and proportionate apportionment of the costs of delivering Strategic Infrastructure for the Site(s).
- 2.13.6 The financial viability of development proposals may change over time due to the prevailing economic climate, including changing property values and construction costs. In all cases, therefore, where the relevant Local Planning Authority have agreed to any of the reduction or adjustment items set out in paragraph 2.13.5 such that the resultant planning obligations are below the level needed to fully fund or provide the Strategic Infrastructure and local infrastructure requirements for the allocation area or to comply with Local Plan policy requirements, the relevant Local Planning Authority will require a viability review of the relevant development with an updated FVA to be provided at appropriate intervals to determine whether greater or full compliance with this SPD, the EMF IDP and the Local Plan policy requirements can be achieved throughout the carrying out of the relevant development proposal.

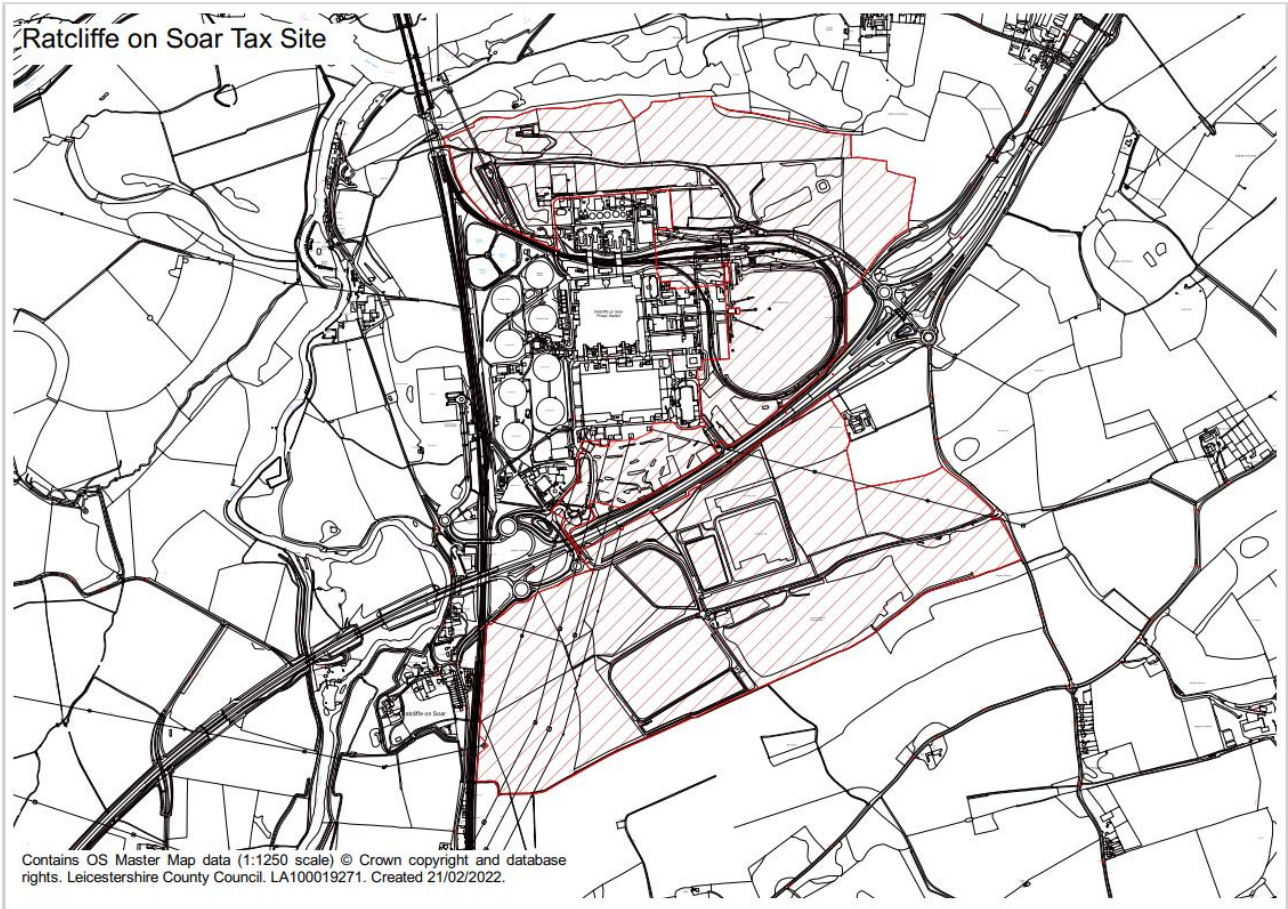
## APPENDIX 1 - EMIP TAX SITE PLAN



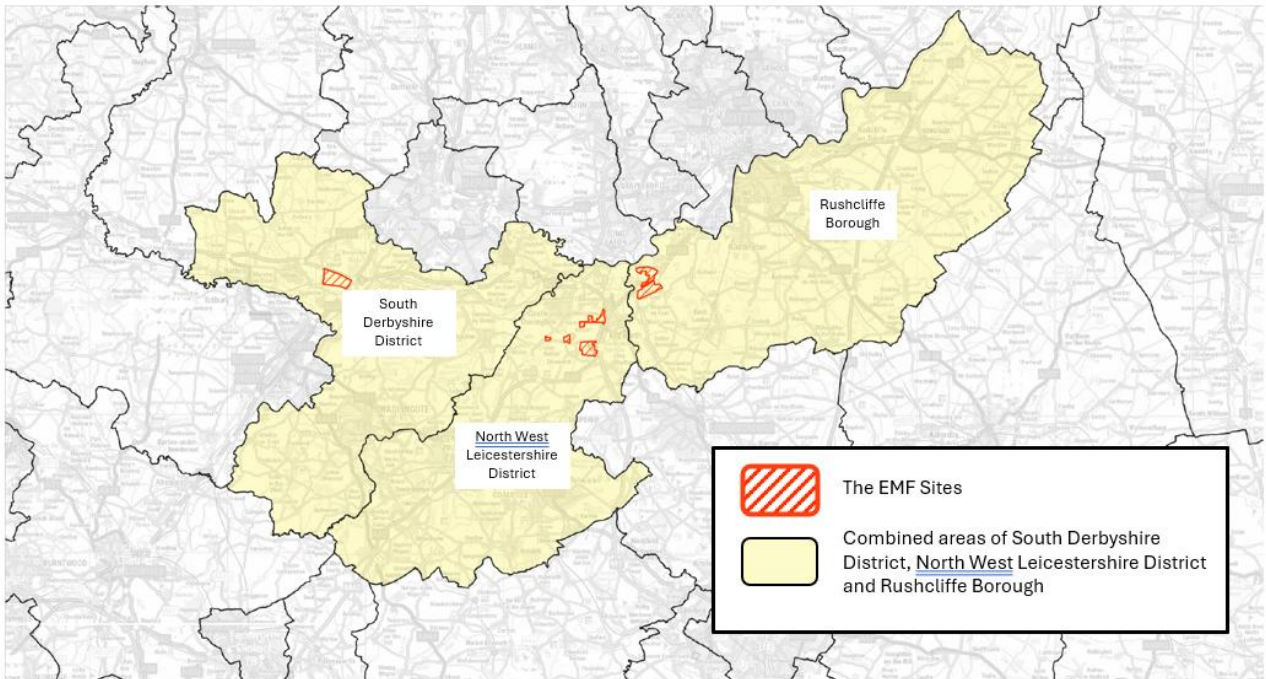
## APPENDIX 2 - EMAGIC TAX SITE PLAN



### APPENDIX 3 - RATCLIFFE TAX SITE PLAN



**APPENDIX 4 – PLAN SHOWING AREA TO WHICH THIS SPD APPLIES**





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## East Midlands Freeport

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# **STRATEGIC INFRASTRUCTURE & CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

Screening Report for Strategic Environmental  
Assessment and Habitats Regulations  
Assessment

MAY 2026

## 1. INTRODUCTION

- 1.1 This screening report has assessed the contents of the EMF Strategic Infrastructure & Contributions Supplementary Planning Document (“SPD”) in order to identify potential environmental impacts that would require a Strategic Environmental Assessment in accordance with the European Directive and associated Environmental Assessment of Plans and Programmes Regulations 2004 (“SEA Regulations”).
- 1.2 This report also determines whether or not the contents of the draft SPD would require a Habitats Regulations Appropriate Assessment in accordance with European Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, i.e. the ‘Habitats Directive’ and the associated Conservation of Habitats and Species Regulations 2010 (otherwise known as the ‘Habitats Regulations’).
- 1.3 European Directives have been transposed into national law through UK legislative statutory instruments (further details of which will be provided in section 2 below) to determine whether they would have significant environmental effects (SEA) or have an impact on any internationally designated wildlife sites (HRA). This has resulted in the SPD needing to be screened in relation to whether it needs to be supported by a Strategic Environmental Assessment and/or a Habitats Regulations Assessment (HRA), i.e. an ‘appropriate assessment’.
- 1.4 As explained in the SPD, the principal purpose of the SPD is to help ensure the coordinated and collaborative delivery and funding of strategic transport infrastructure that is needed to support the delivery and operation of the development coming forward on the EMF Sites, or on strategic allocation sites or other major development sites adjacent to or outside the EMF Sites which will be unlocked by or significantly benefit from the strategic transport infrastructure and contribute towards the strategic transport infrastructure on an equitable and proportionate basis.
- 1.5 EMF is formed of three ‘tax sites’, respectively falling within three different local authority administrative boundaries:
- 1.5.1 the East Midlands Airport and Gateway Industrial Cluster in North West Leicestershire District; and
  - 1.5.2 the Ratcliffe on Soar Power Station site in Rushcliffe Borough, Nottinghamshire; and
  - 1.5.3 the East Midlands Intermodal Park in South Derbyshire District;
- collectively, these three sites are referred to as “the EMF Sites”.
- 1.6 Each of the EMF Sites is subject to adopted local plan policy and emerging local plan policy. The adopted local plans of the three local authorities in which the EMF sites are located have all been subject to a full Strategic Environmental Assessment and Sustainability Appraisal in accordance with the legislation, as well as a Habitats Regulations Assessment in accordance with the Habitats Regulations.
- 1.7 The SPD provides additional guidance on strategic transport infrastructure and is an evolution of those transport works that have already been envisaged as necessary to unlock and/or substantially benefit the EMF sites and therefore the previous assessments have been taken into account in providing this screening opinion report where appropriate. The emerging local plans for the EMF Sites, comprising the emerging Greater Strategic Nottingham Plan and the emerging North West Leicestershire Local Plan have also been subject to a Strategic Environment Assessment and Sustainability Appraisal in accordance with the legislation, as well as a Habitats Regulations Assessment in accordance with the Habitats Regulations. Regard has also been had to the assessments undertaken in relation to the emerging local plans where appropriate.
- 1.8 This screening report details whether the draft SPD is likely to require an SEA or HRA. It is concluded that a SEA and HRA are not required to accompany the SPD. The SPD itself does not give rise to any new or materially different likely significant environmental effects that have not already been assessed at adopted local plan stages, and also having regard to emerging local plan stages and

SEA and HRA assessment of the emerging local plan stages to date. Details of the reasoning behind these conclusions are provided within sections 3 and 4 of this report.

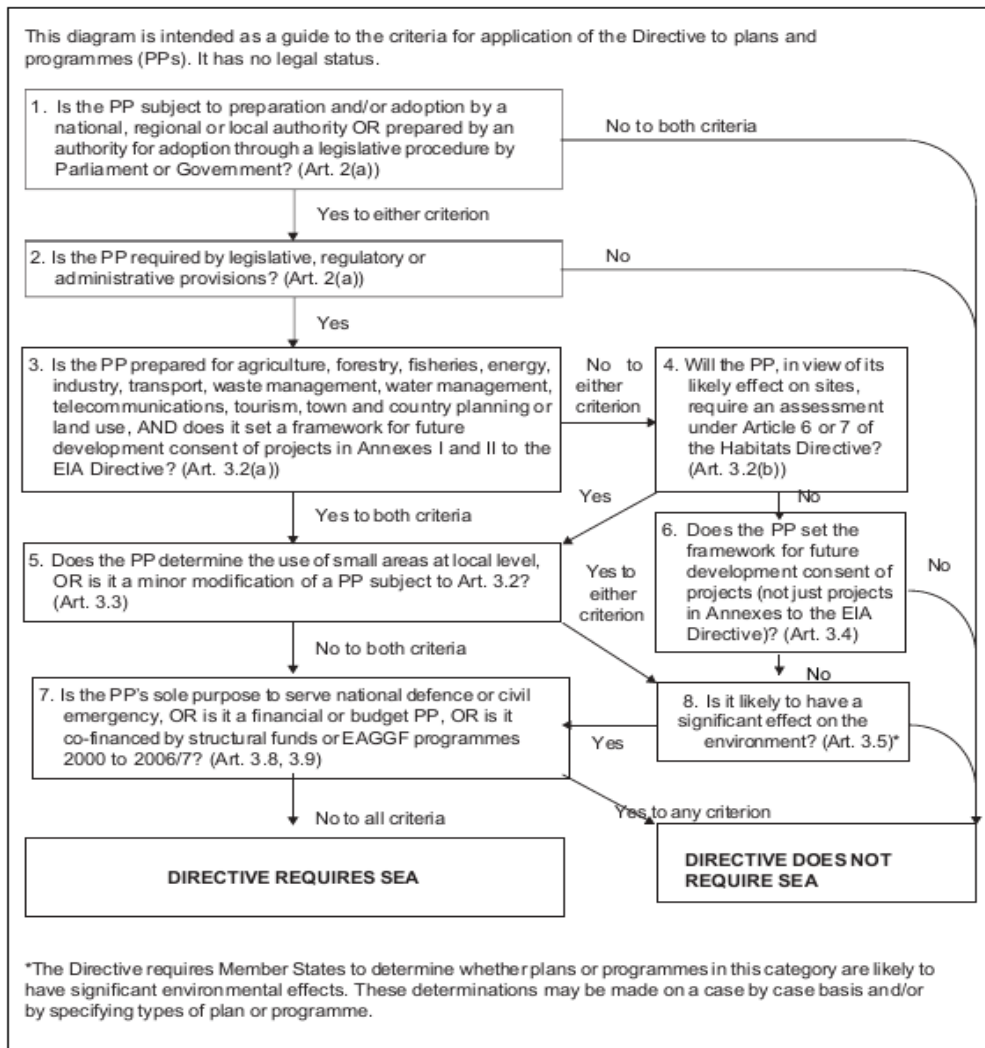
- 1.9 An earlier SEA and HRA document was consulted upon alongside the consultation of the draft SPD. This updated document comprising an SEA and HRA Screening Opinion Report has been sent to the three statutory consultation bodies (Historic England, Natural England, and Environment Agency) to seek their views on its contents.

## 2. **LEGISLATION**

### **STRATEGIC ENVIRONMENTAL ASSESSMENT**

- 2.1 The basis for requiring Strategic Environmental Assessment is European Directive 2001/42/EC which was transposed into English Law by the Environmental Assessment of Plans and Programmes Regulations 2004.
- 2.2 Detailed guidance on these SEA Regulations can be found in the Government publication, 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005). Further information on SEA is contained within the Government's National Planning Practice Guidance.
- 2.3 The objective of the SEA Directive (2001/42/EC) is set out in Article 1 therein, which states:
- "The objective of this Directive is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment."*
- 2.4 To establish if a 'plan' or 'programme' needs to be accompanied by a full SEA, a "screening" assessment is required against a series of criteria set out in the SEA Directive. These are illustrated in Figure 1 below.
- 2.5 The National Planning Practice Guidance states Supplementary Planning Documents '*may in exceptional circumstances require a strategic environmental assessment if they are likely to have significant environmental effects that have not already been assessed during the preparation of the relevant strategic policies*'.

**Figure 1 – SEA screening process**



2.6 Assessing the significance of the environmental effects that an SPD will have (required at stage 8 in Figure 1) depends on the contents of the SPD. The criteria for assessing the significance of the effects are referred to in Article 3.5 and set out within Annex II of the SEA Directive. It is also identified within the Planning Practice Guidance that *'before deciding whether significant environmental effects are likely, the local planning authority will need to take into account the criteria specified in schedule 1 to the Environmental Assessment of Plans and Programmes Regulations 2004 and consult the consultation bodies'*.

2.7 These criteria have been set out below in Figure 2.

**Figure 2: Criteria for assessing significance**

- The characteristics of plans and programmes, having regard, in particular, to
- The degree to which the plan or programme sets a framework for projects and other activities, either with regards to location, nature, size and operating conditions or by allocating resources;
  - The degree to which the plan or programme influences other plans and programmes including those in a hierarchy;
  - The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;
  - Environmental problems relevant to the plan or programme;
  - The relevance of the plan or programme for the implementation of Community legislation on

the environment (e.g. Plans and programmes linked to waste- management or water protection).

Characteristics of the effects and of the area likely to be affected, having regard, in particular, to:

- The probability, duration, frequency and reversibility of the effects;
- The cumulative nature of the effects;
- The transboundary nature of the effects;
- The risks to human health or the environment (e.g. due to accidents);
- The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);
- The value and vulnerability of the area likely to be affected due to:
  - Special natural characteristics or cultural heritage;
  - Exceeded environmental quality standards or limit values;
  - Intensive land-use;
- The effects on areas or landscapes which have a recognised national, Community or international protection status.

**Habitats Regulations Assessment (HRA)**

2.8 A HRA is required to assess a plan or projects potential implications on European wildlife sites, i.e. 'European sites' or 'Natura 2000 sites'. It explores whether the implementation of a plan or project would harm the habitats or species for which the European sites are designated. The European sites are:

2.8.1 Special Protection Areas (SPAs) — designated by the Birds Directive (79/409/EEC as amended and 2009/147/EC), and:

2.8.2 Special Areas of Conservation (SACs) — designated by the Habitats Directive (92/43/EEC).

2.9 In addition to SPAs and SACs, Ramsar sites are designated under the Ramsar convention. The Ramsar convention's mission is to conserve and sustainably utilise wetland habitats. Although Ramsar sites are not covered by the Habitats Regulations, as a matter of Government Policy, they should be treated in the same way as European wildlife sites (i.e. SPAs and SACs). European wildlife sites and Ramsar sites are collectively known as internationally designated wildlife sites.

2.10 The basis for requiring a HRA stems from the European Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora. This has been transposed into UK legislation by the Conservation of Habitats and Species Regulations 2010 ("Habitats Regulations").

**3. EMF STRATEGIC INFRASTRUCTURE & CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT AND SEA SCREENING ASSESSMENT**

3.1 A screening exercise against the criteria set out in Figure 1 and Figure 2 has been carried out against the SPD and is provided below in this section 3.

3.2 An SEA was completed as part of the adopted local plans and this has been taken into account in this screening assessment and regard has also been had to the SEA's completed as part of the emerging local plans.

3.3 The relevant assessments reviewed and considered are:

**Rushcliffe Borough Council:**

- 3.3.1 [Local Plan Part 1: Core Strategy - Rushcliffe Borough Council SA and HRA](#)
- 3.3.2 [Sustainability Appraisal Report March 2025 GN Plan](#)

**South Derbyshire Council:**

- 3.3.3 [Adopted Local Plan | South Derbyshire District Council SA Main Report;](#)
- 3.3.4 [South Derbyshire Local Plan Part 1 Review 2022-2041 \(Publication Version\) - SA Regulation 19](#)

**North West Leicestershire Council:**

- 3.3.5 [SA REPORT DEC 2016 FINAL.pdf](#)
- 3.3.6 [SA Report Addendum November 2017;](#)
- 3.3.7 [North West Leicestershire SA and SEA Statement October 2017](#)
- 3.3.8 [North West Leicestershire Local Plan Sustainability Appraisal Sites Assessment Findings Report November 2024](#)
- 3.3.9 [North West Leicestershire Local Plan Sustainability Appraisal of Policies September 2025](#)

3.4 The purpose of the SPD is to ensure the coordinated and collaborative delivery and funding of strategic transport infrastructure that is needed to support the delivery and operation of the development coming forward on the EMF Sites, or on strategic allocation sites or other major development sites adjacent to or outside the EMF Sites which will be unlocked by or significantly benefit from the strategic transport infrastructure and contribute towards the strategic transport infrastructure on an equitable and proportionate basis. Additional transport assessment work has been carried out since adoption of the existing local plans in those three administrative local planning authority areas which has informed the SPD, including:

- 3.4.1 the Strategic Investment Transport Plan, November 2025 (“STIP”) which reviews the transport interventions across the EMF and relevant EMCCA area. It identifies through the National Highways / Derbyshire County Council developed strategic gateway model the junctions likely to be stressed within certain parameters by development of identified strategic sites. The STIP has been carried out by Midlands Connect and EMF who have identified three packages of transport and highway interventions; and
- 3.4.2 the Detailed Transport Investment Plan, 18 December 2025 (“DTIP”) which follows completion of the STIP in August 2025 and builds on the STIP to develop a DTIP for EMF. The DTIP extends the LCC PRTM 23 highway model (M2) to include the three EMF Sites, then looks at primarily package 1 (as identified in the STIP) and models the mitigation impact to support the case for investment.

3.5 Tables 2 and 3 contain the results of the assessment against the criteria set out in Figure 1 and Figure 2. By way of further consideration, the reasons for concluding no likely significant effects in relation to Figure 2 are then expanded on further in the subsequent tables below for each of the EMF Sites.

**Table 2: SEA Criteria for determining whether a full SEA is required**

| Stage | Yes / No | Reason |
|-------|----------|--------|
|-------|----------|--------|

|  |                 |  |
|--|-----------------|--|
| 1. Is the SPD subject to preparation and/or adoption by a national, regional, or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))   | Yes (go to Q.2) | The SPD will be adopted by the three local authorities as a non-development plan document which will form a material consideration when assessing relevant planning applications.  |
| 2. Is the SPD required by legislative, regulatory, or administrative provisions? (Art. 2(a))   | Yes (go to Q.3) | The preparation and adoption of an SPD is optional. However, once adopted by the local authorities, it will become a material consideration during the determination of relevant planning applications.  |
| 3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art 3.2(a)) | Yes (go to Q.5) | The SPD is for town and country planning purposes and seeks to enable developers to understand the Council's expectations and priorities relating to strategic transport infrastructure required as a result of the development on the EMF Sites or on strategic allocation sites or other major development sites adjacent to or outside the EMF Sites.   |
| 4. Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2 (b))   | No              | See conclusions of HRA screening in section 4 below.   |
| 5 Does the SPD determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2) (Art 3.3)   | Yes (go to Q.8) | The SPD is focussed upon co-ordinated delivery of strategic transport infrastructure which is likely to largely result in the provision of highway works (predominantly likely to be off-site and potentially some on-site in relation to the relevant SPD Sites) but in small areas at local level in the context of a relevant local plan area. The SPD also encourages co-ordinated site wide remediation of one EMF Site. In the context of the three local authority plan areas, the provision of the strategic transport infrastructure arising pursuant to the SPD and the encouragement of co-ordinated site wide remediation of one EMF Site would constitute small areas at local level. |

|  |           |   |
|--|-----------|---|
| <p>8. Is the SPD likely to have a significant effect on the environment? (Art. 3.5)</p> <p>(Annex II of the European Directive 2001/42/EC on the assessment of certain plans and programmes on the environment sets out the criteria for determining the likely significance of effects on the environment.)</p> | <p>No</p> | <p>The SPD is focussed upon helping to improve co-ordinated delivery of strategic transport infrastructure which is likely to largely result in the provision of highway works (predominantly likely to be off-site and potentially some on-site in relation to the relevant SPD Sites) but in small areas at local level in the context of a relevant local plan area. The SPD also encourages co-ordinated site wide remediation of one EMF Site. In the context of the three local authority plan areas, the provision of the strategic transport infrastructure arising pursuant to the SPD and the encouragement of co-ordinated site wide remediation of one EMF Site would constitute small areas at local level.</p> <p>In summary terms, as set out in Table 3 below, in relation to the co-ordinated delivery of strategic transport infrastructure, there are likely to be some small area effects as a result of such works, for example small areas may have a change of land use for highways works with potential small area ecological, visual/landscape, noise, air quality, drainage and other localised effects for works that would improve the highways network capacity. In overall terms, these effects are not considered likely to be significant and represent minor impacts affecting small areas at local level in the context of the relevant plan areas as a whole. It is also not considered that there are any new or materially different likely significant effects in relation to the SPD than have already been assessed in the context of SEA of the adopted local plans as a whole, having regard also to the SEA of the emerging local plans. Table 3 below provides further assessment in this regard.</p> <p>Any development undertaken further to the SPD would also be subject to EIA screening (and, as appropriate scoping).</p> |
| <p><b>SEA IS NOT REQUIRED</b></p>  |           |   |

3.6 An assessment of whether there are any likely significant effects of the SPD is set out in Table 3.

**Table 3: Criteria for assessing significance**

| Environmental Regulations Paragraph   | SEA Requirement   | Comments as to whether any likely significant environmental effects arise from the EMF Strategic Infrastructure & Contributions Supplementary Planning Document   |
|---|---|---|
| <p>1. The characteristics of plans and programmes, having regard, in particular, to—<br/>2.</p> |   |   |
| <p>a.</p>   | <p>the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating</p> | <p>The SPD would not, if adopted, form part of the statutory Development Plans. However, it does as an SPD form part of the framework for future development consent of projects, as it is a 'material consideration' in the determination of planning applications. The project also sits within the wider framework set by the National Planning Policy Framework and Planning Practice Guidance.</p> |

|   |   |   |
|---|---|---|
|   | resources;  |   |
| b.  | the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;   | The SPD must not conflict with the adopted development plan being the adopted Local Plans. It also offers greater delivery detail than is contained in Local Plans to inform planning decision making as a material planning consideration. The SPD is unlikely to influence other Plans or Programmes.   |
| c.  | the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;                                    | The SPD promotes integration of strategic infrastructure to support sustainable development and offers greater delivery detail than is contained in Local Plans to inform planning decision-making but not materially different likely significant environmental effects.   |
| d.  | Environmental problems relevant to the plan or programme;   | <p>In relation to helping improve the co-ordinated delivery of strategic transport infrastructure, there are likely to be some small area effects as a result of such works, for example small areas may have a change of land use for highways works with potential small area ecological, visual/landscape, noise, air quality, drainage and other localised effects for works that would improve the highways network capacity, with other effects involving improvements in highways capacity and effects.</p> <p>The effects of the SPD should help, in particular, to create highways capacity and avoid or minimize traffic congestion in relation to the EMF Sites and other benefitting sites in relation to the highways network, plus encourage site-wide remediation of one EMF site, and offers greater delivery detail than is contained in Local Plans to inform planning decision-making but not materially different likely significant environmental effects.</p> <p>In overall terms, these effects represent small areas at local level in the context of the relevant plan areas as a whole. It is not considered that there are any new or materially different likely significant effects in relation to the SPD than have already been assessed in the context of SEA of the adopted local plans as a whole, having regard also to the SEA of the emerging local plans.</p> |
| e.  | The relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection). | The SPD should complement the effect of Local Plans and associated plans and programmes for highways works. In overall terms, these effects represent small areas at local level in the context of the relevant plan areas as a whole. It is not considered that there are any new or materially different likely significant effects in relation to the SPD than have already been assessed in the context of SEA of the adopted local plans as a whole, having regard also to the SEA of the emerging local plans.  |
| <b>2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—</b> |   |   |
| a.  | The probability, duration, frequency and reversibility of   | In relation to the SPD helping improve the co-ordinated delivery of strategic transport infrastructure, there are likely to be some small area effects as a result of such works, for   |

|    |   |   |
|----|---|---|
|    | the effects;  | example small areas may have a change of land use for highways works with potential small area ecological, visual/landscape, noise, air quality, drainage and other localised effects for works that would improve the highways network capacity, with other effects involving improvements in highways capacity and effects. The effects of the SPD should help to create highways capacity and avoid or minimize traffic congestion in relation to the EMF Sites and other benefitting sites in relation to the highways network, plus encourage site-wide remediation of one EMF site, and offers greater delivery detail than is contained in Local Plans to inform planning decision-making. The works are likely to take place in a number of small area locations over a number of years and the effects would be irreversible. Overall, there are not likely to be any materially different likely significant environmental effects than have already been assessed in the context of SEA of the adopted local plans as a whole, having regard also to the SEA of the emerging local plans.  |
| b. | The cumulative nature of the effects;   | In relation to the SPD helping improve the co-ordinated delivery of strategic transport infrastructure, there are likely to be some small area effects as a result of such works, for example small areas may have a change of land use for highways works with potential small area ecological, visual/landscape, noise, air quality, drainage and other localised effects for works that would improve the highways network capacity, with other effects involving improvements in highways capacity and effects. The effects of the SPD should help to create highways capacity and avoid or minimize traffic congestion in relation to the EMF Sites and other benefitting sites in relation to the highways network, plus encourage site-wide remediation of one EMF Site, and offers greater delivery detail than is contained in Local Plans to inform planning decision-making. The works are likely to take place in a number of small area locations over a number of years, with cumulative effects for the highways network in particular. Overall, there are not likely to be any materially different likely significant environmental cumulative effects than have already been assessed in the context of SEA of the adopted local plans as a whole including the SPD having effect as a material planning consideration in conjunction with the adopted local plans as a whole, having regard also to the SEA of the emerging local plans. |
| c. | The trans-boundary nature of the effects;   | The SPD should help alleviate trans-boundary highways and associated traffic flow effects but is not considered to raise any new or materially different likely significant trans-boundary effects than those which were considered and appraised under the relevant Local Plans.   |
| d. | the risks to human health or the environment (for example, due to accidents);   | It is not anticipated that there would be any material increase to, or significant risks to human health or the environment as a result of the SPD.   |
| e. | The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected); | The SPD relates primarily to helping the effective coordination of the delivery of strategic infrastructure within the SPD area, plus encourage site-wide remediation of one EMF Site. In the context of the three local authority plan areas, the areas of provision of the strategic transport infrastructure arising pursuant to the SPD and the encouragement of co-ordinated site wide remediation of one EMF Site would constitute small areas at local level. The  |

|    |  |  |
|----|--|--|
|    |  | magnitude and spatial extent of the effects are not likely to be new or materially different to those which were considered and appraised under the relevant Local Plans.  |
| f. | the value and vulnerability of the area likely to be affected due to—(i) special natural characteristics or cultural heritage; (ii) exceeded environmental quality standards or limit values; or (iii) intensive land-use; | The effect of the SPD is not likely to materially affect special natural characteristics or cultural heritage or exceed environmental standards or limit values or result in intensive land use. Any such effects will also be assessed and appropriately dealt with through the application of the statutory Local Plans, national policies/ procedures, assessment of planning applications (including EIA screening and/or scoping) and applications for associated relevant permits. |
| g. | the effects on areas or landscapes which have a recognised national, Community or international protection status.   | The SPD is not likely to affect areas or landscapes which have a recognised national, Community or international protection status. Any such effects will also be assessed and appropriately dealt with through the application of the statutory Local Plans, national policies/ procedures, assessment of planning applications (including EIA screening and/or scoping) and applications for associated relevant permits.  |

In relation to the above assessment in Table 3, consideration has been had to the SEA undertaken in relation to relevant adopted Local Plan policies. Regard has also been had to the SEA to date of the relevant emerging Local Plan policies.

#### **EAST MIDLANDS INTERMODAL PARK (EMIP)**

|                          |  |
|--------------------------|--|
| <b>SEA Topic</b>         | <p><b>Summary of any materially new or different likely significant environmental effects due to EMF Strategic Infrastructure &amp; Contributions Supplementary Planning Document</b></p> <p>in relation to those assessed in the Adopted Local Plan: Adopted Local Plan   South Derbyshire District Council SA Main Report, in particular: Policy INF1 (Infrastructure and Developer Contributions), INF3 (Strategic Rail Freight Interchange) and INF4 (Transport Infrastructure Improvement Schemes).</p> <p>Also having regard to the SEA of relevant Emerging Local Plan policies: South Derbyshire Local Plan Part 1 Review 2022-2041 (Publication Version) - SA Regulation 19 Report March 2025: South Derbyshire Local Plan Part 1 Review 2022-2041 (Publication Version) - SA Regulation 19 in particular Policy INF3 (East Midlands Intermodal Park Strategic Rail Freight Interchange/ East Midlands Freeport) and INF4 (Transport Infrastructure Improvement Schemes).</p> |
| Biodiversity             | No change  |
| Housing                  | No change  |
| Accessibility and Health | No change  |
| Quality of Life          | No change  |
| Inequalities             | No change  |

|                              |           |
|------------------------------|-----------|
| Economy                      | No change |
| Employment                   | No change |
| Infrastructure               | No change |
| Sustainable travel           | No change |
| Town and Village Centres     | No change |
| Resources                    | No change |
| Pollution                    | No change |
| Climate Change Contributions | No change |
| Climate Change Adaptation    | No change |
| Historic Environment         | No change |
| Landscape                    | No change |

#### EMAGIC/LAND SOUTH OF EAST MIDLANDS AIRPORT

|                               |  |
|-------------------------------|--|
| <b>SEA Topic</b>              | <p><b>Summary of whether there are any materially new or different likely significant environmental effects in the SEA context due to EMF Strategic Infrastructure &amp; Contributions Supplementary Planning Document</b></p> <p>in relation to those assessed in the SEA of the Adopted Local Plan (SA Report Dec 2016 REPORT DEC 2016 FINAL.pdf, SA Report Addendum November 2017; North West Leicestershire SA and SEA Statement October 2017 - in particular Policy Ec1 (Employment provision: permissions), Policy Ec4 (East Midlands airport), IF1 (Development and Infrastructure), IF4 (Transport infrastructure and new development).</p> <p>Also having regard to the SEA of relevant Emerging Local Plan policies: North West Leicestershire Local Plan Sustainability Appraisal of Policies September 2025: North West Leicestershire Local Plan Sustainability Appraisal of Policies September 2025 – in particular Policy Ec8 (East Midlands Airport) and Policy Ec9 (East Midlands Airport: Safeguarding).</p> |
| Health & Wellbeing            | No change  |
| Inequalities                  | No change  |
| Community                     | No change  |
| Housing                       | No change  |
| Economy                       | No change  |
| Town/Village Centres          | No change  |
| Employment                    | No change  |
| Sustainable Travel            | No change  |
| Air, Light & Noise Pollution  | No change  |
| Climate Resilience            | No change  |
| Biodiversity & Geodiversity   | No change  |
| Landscape                     | No change  |
| Land-use efficiency           | No change  |
| Historic Environment heritage | No change  |

|              |           |
|--------------|-----------|
| Water & Soil | No change |
| Waste        | No change |

## RATCLIFFE ON SOAR

|  |   |
|--|---|
| <b>SEA Topic</b>                       | <p><b>Summary of whether there are any materially new or different likely significant environmental effects in the SEA context due to EMF Strategic Infrastructure &amp; Contributions Supplementary Planning Document</b></p> <p>in relation to those assessed in the SEA of the Adopted Local Plan (Local Plan Part 1: Core Strategy - Rushcliffe Borough Council SA and HRA), in particular Policy 5 (Employment Provision and Economic Development), Policy 18 (Infrastructure) and Policy 19 (Developer Contributions).</p> <p>Also having regard to the SEA of relevant Emerging Local Plan policies: Emerging Local Plan: Greater Nottingham Strategic Plan SEA Assessment (March 2025): Sustainability Appraisal Report March 2025 GN Plan – in particular Policy 32 (Strategic Allocation Former Ratcliffe on Soar Power Station), Policy 18 (Development Contributions for Infrastructure).</p> |
| Housing                                | No change   |
| Employment & Jobs                      | No change   |
| Economic Structure & Innovation        | No change   |
| Shopping Centres                       | No change   |
| Health & Wellbeing                     | No change   |
| Community safety                       | No change   |
| Social inclusion                       | No change   |
| Transport                              | No change   |
| Brownfield Land                        | No change   |
| Energy & Climate Change                | No change   |
| Pollution & Air Quality                | No change   |
| Flooding and Water Quality             | No change   |
| Natural Environment and BNG            | No change   |
| Landscape                              | No change   |
| Built and Historic Environment         | No change   |
| Natural Resources and Waste Management | No change   |

## SEA Screening Conclusion

- 3.7 On the basis of the SEA screening exercise undertaken in relation to the SPD, it is considered that there are no likely significant effects on the environment as a result of the SPD and none that are new or materially different likely significant effects compared to those already assessed by way of the adopted local plans, including the SPD having effect as a material planning consideration in conjunction with the adopted local plans as a whole, and having regard to the emerging local plans.

3.8 On the above basis, the SPD does not require a SEA.

4. **DRAFT EMF STRATEGIC INFRASTRUCTURE & CONTRIBUTIONS SPD HABITATS REGULATIONS ASSESSMENT APPROPRIATE ASSESSMENT SCREENING**

4.1 This is the Habitats Regulations Assessment (HRA) of the EMF Strategic Infrastructure & Contributions SPD. It accompanies the SPD and comprises the screening of likely significant effects on the environment of this SPD (which is a material consideration when determining planning applications) on designated and prospective European or internationally protected nature conservation sites.

4.2 As the SPD itself is subordinate to the adopted local plans (and having regard to the emerging local plans), provided the SPD does not amend the policies within them (which it cannot), the conclusions of their respective HRAs provide a clear indication of the likelihood of significant effects upon an internationally designated site.

**HRA Screening Conclusion**

4.3 Taking into account the conclusions of the local plan HRAs that those Local Plans were unlikely to have significant environmental effects on any designated and prospective European or internationally protected nature conservation sites, and having regard to the HRA's of the emerging Local Plans to date, plus the conclusions of the SEA Screening Report in relation to the SPD above, it is considered that this subordinate SPD, which accords with the policies within the local plans, would not have a likely significantly environmental effect on any designated and prospective European or internationally protected nature conservation site and trigger the requirement for an appropriate assessment. The SPD does not give rise to any likely significant environmental effects and there are no new or materially different additional likely significant effects compared to those assessed in relation to the adopted Local Plans (having regard to the emerging Local Plans).

NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL  
LOCAL PLAN COMMITTEE – MONDAY, 29 JUNE 2026



|  |   |                           |
|--|---|---------------------------|
| <b>Title of Report</b>                     | <b>REVIEW OF THE 2017 GOOD DESIGN GUIDE FOR NORTH WEST LEICESTERSHIRE SPD</b>   |                           |
| <b>Presented by</b>                        | Chris Elston<br>Head of Planning and Infrastructure   |                           |
| <b>Background Papers</b>                   | <a href="#">Current Good Design Guide for North West Leicestershire 2017</a><br><br><a href="#">Link to Local Plan Committee report April 2026</a>  | <b>Public Report:</b> Yes |
| <b>Financial Implications</b>              | There are no financial implications as a direct result of this report.  |                           |
|  | <b>Signed off by the Acting Section 151 Officer:</b> Yes  |                           |
| <b>Legal Implications</b>                  | There are no adverse legal implications arising from the recommendations in this report.  |                           |
|  | <b>Signed off by the Deputy Monitoring Officer:</b> Yes   |                           |
| <b>Staffing and Corporate Implications</b> | No staffing implications.   |                           |
|  | <b>Signed off by the Head of Paid Service:</b> Yes  |                           |
| <b>Purpose of Report</b>                   | To consider the status of the Council's approved Good Design Guide Supplementary Planning Document 2017 in light of the adoption of the new Good Design Guide for North West Leicestershire in April 2026 |                           |
| <b>Recommendations</b>                     | <b>THAT THE GOOD DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT 2017 BE WITHDRAWN WITH IMMEDIATE EFFECT.</b>  |                           |

## 1.0 BACKGROUND

- 1.1 As members will be aware, the new Good Design Guide for North West Leicestershire was adopted at Local Plan Committee on 22 April 2026. A copy of the report can be found in the background papers.
- 1.2 Following adoption of the new Good Design Guide for North West Leicestershire, it is now necessary to formally withdraw the 2017 Good Design SPD. The formal revocation provides clarity and is best practise.

| <b>Policies and other considerations, as appropriate</b> |  |
|--|--|
| Council Priorities:                                      | <ul style="list-style-type: none"> <li>- Planning and regeneration</li> <li>- Communities and housing</li> <li>- Clean, green and Zero Carbon</li> <li>- A well-run council</li> </ul>   |
| Policy Considerations:                                   | The 2017 SPD will be replaced by the newly adopted Good Design Guide for North West Leicestershire 2026  |
| Safeguarding:  | None identified  |
| Equalities/Diversity:                                    | None identified.   |
| Customer Impact:   | The new Good Design Guide 2026 will provide clear clarity for customers on the Councils expectations for the design of new development.  |
| Economic and Social Impact:                              | New development offers the opportunity to use good design to create healthy, social and economically vibrant places that work well for everyone. The aim of the new document which replaces the 2017 SPD is that it will promote good and well-designed buildings and spaces and create meaningful places - places that people can be proud of, will last for generations and help to make people's lives happier and more fulfilling. |
| Environment, Climate Change and zero carbon:             | The new Good Design Guide contains guidance on how to deal with green infrastructure, sustainable drainage, biodiversity, energy consumption and sustainable construction including water management.  |
| Consultation/Community/Tenant Engagement:                | Consultation of the new SPD took place between 23 July and 17 September 2025. None required to withdraw the 2017 SPD.  |
| Risks:   | None identified.   |
| Officer Contact  | Chris Elston<br>Head of Planning and Infrastructure<br><a href="mailto:chris.elston@nwleicestershire.gov.uk">chris.elston@nwleicestershire.gov.uk</a>  |