

The Trelavour Lithium Project

Section 51 Advice Log Version: 22 May 2026

There is a statutory duty under ['section 51 \(s51\) of the Planning Act 2008'](#) for The Planning Inspectorate to record the advice that it gives in relation to an application or potential application, and to make this publicly available.

This document comprises a record of the advice that has been provided by The Planning Inspectorate to the applicant (Cornish Lithium G5 Limited) and their consultants during the pre-application stage. It will be updated by The Planning Inspectorate after every interaction with the applicant during which s51 has been provided. The applicant will always be given the opportunity to comment on The Planning Inspectorate's draft record of advice before it is published.

The applicant will use this advice log as the basis for demonstrating regard to s51 advice within the application.

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Project name - s51 Advice Library

Topic

Meeting date: 22 October 2025

Environmental Surveys

The applicant advised that various environmental surveys are ongoing and will be reported in the Preliminary Environmental Information Report (PEIR). The applicant is also proposing to undertake additional survey work in response to consultation responses received in the environmental impact assessment (EIA) scoping opinion. This will include surveys for fish and otter. Some of the recommendations for additional surveys (such as night-time baseline photography) require further discussion with the relevant consultation bodies which the applicant is currently looking to arrange.

The Inspectorate asked if the impact of seasonal tourism will be considered as part of the surveys conducted and included within the resulting environmental statement. The applicant advised that survey methodologies will be agreed with the relevant consultees and clearly outlined in the environmental statement.

Crown Land

The Inspectorate asked if any Crown Land had been identified within the scope of the project. The applicant advised that presently there is none identified. The Inspectorate advise that should this change, the applicant should engage in discussions with the Crown Estate at the earliest opportunity.

Non-statutory consultation

The Inspectorate asked the applicant about refinement of the project design based on non-statutory consultation feedback. The applicant confirmed that it has regard to feedback and agrees that communication of project details is important alongside considering changes in design.

The Inspectorate asked if any seldom heard from groups had been identified. The applicant has confirmed it is working with a Community Liaison Group (CLG) and is looking to increase the groups diversity of representation further to include working families. The Inspectorate asked whether any gypsy and traveller communities had been identified. The applicant stated that they do

	<p>not believe there are any such communities local to the project at present. The Inspectorate advised that should the applicant become aware of any such community, they should be mindful of their Public Sector Equality Duty under the Equality Act 2010.</p>
<p>Project design update</p>	<p>The Inspectorate asked the applicant how the proposed development interacts with existing mining operations in the area, and if there would be any implications for remediation or restoration obligations associated with these operations. The applicant confirmed that the main activity currently on site relates to the demonstration model for the lithium project. The applicant confirmed that the environmental statement (ES) and draft development consent order (dDCO) would address these matters. The Inspectorate advised the applicant to ensure that any interactions are clearly explained within submitted documents.</p> <p>The Inspectorate sought an update on progress with the proposed water supply and abstraction strategy, noting that this was an issue raised by the Environment Agency (EA) during EIA scoping that would need to be fully addressed in the DCO application. The applicant stated that it had installed boreholes around the site to measure groundwater levels and quality and is also measuring stream flows and surface water quality, to establish the baseline conditions and inform modelling. It is awaiting a date for a pre-application meeting with the EA and is using a fast-track process for this pre-application engagement.</p>
<p>Preliminary environmental impact report (PEIR)</p>	<p>The applicant explained that it is not proposing to produce a draft ES for the PEIR. It stated that it will produce a bespoke document to allow consultation bodies to provide informed feedback. The Inspectorate advised that there is no prescribed format for the PEIR so it is open to the applicant to present the information how it best considers but it should be in a manner that enables consultation bodies to understand likely environmental effects and helps to inform responses during the pre-application stage. The applicant's attention is drawn to further guidance in Advice Note Seven.</p>

<p>Stakeholder and statutory consultee engagement</p>	<p>The applicant explained to the Inspectorate that it is seeking to advance discussions and agreements with statutory consultation bodies. The Inspectorate requested regular updates through project update meetings of the status of discussion with statutory consultation bodies including Cornwall Council, the EA, Historic England and Natural England (NE).</p> <p>The Inspectorate advised that should the project be accepted into examination, the Examining Authority will want early sight of protective provisions within the draft DCO and detail on how agreements are progressing with those parties.</p> <p>The Inspectorate also advised it will be useful to know specifically which parties the applicant will be entering into statements of common ground (SoCG) with in advance of the examination, and when these will be agreed.</p> <p>The Inspectorate advised that it may be beneficial to prepare for the potential eventuality that there is a requirement for further targeted consultation. The applicant should consider making target consultation methods explicit within the statement of community consultation and within its statutory consultation materials. Further, it advised it is important that any feedback from targeted consultation is captured and included with the consultation report.</p> <p>The Inspectorate advised that the applicant should consider whether the planning and performance agreement (PPA) with the local authority should cover potential post-decision matters to ensure that local authorities have the necessary resources, thereby reducing risk to the applicant's overall programme.</p> <p>The Inspectorate reminded the applicant of its duty to notify the Secretary of State under s46 of the Planning Act 2008, on or before the commencement of the statutory consultation.</p>
<p>Land Rights</p>	<p>The Inspectorate queried the anticipated scale of potential category 3 persons identified under s57 of the Planning Act 2008. The applicant advised that efforts to identify any category 3 persons is</p>

	<p>ongoing. The Inspectorate requested to be kept updated on this and other land rights matters and advised that to the extent of compulsory acquisition and number of land interests can be a factor in determining the size of the Examining Authority, should the project be accepted for examination.</p> <p>The Inspectorate drew the applicant's attention to two land rights tracker templates available on the Inspectorate's website. Whilst there is the option to use either the simpler or more detailed versions of the template, the Examining Authority could request a more detailed version during examination.</p> <p>The Inspectorate signposted the applicant to s51 advice given on the East Northants Resource Management Facility Western Extension project regarding the inclusion a book of reference.</p> <p>The Inspectorate further advised the applicant to review advice given on the Keadby Next Generation Power Station regarding submitted previously submitted funding statements and advised matters of commercial sensitivity would not be redacted prior to publication.</p>
<p>Habitats Regulations Assessment (HRA)</p>	<p>The Inspectorate sought an update on the progress of HRA work. The applicant confirmed it is engaging with a western rustwort specialist about potential effects on the Goonvean Unit of the St Austell Clay Pits Special Area of Conservation (SAC). Surveys undertaken to date indicate that western rustwort is no longer present within this unit of the SAC.</p> <p>It has been engaging with NE to arrange a pre-application meeting in November 2025, which will include discussion regarding potential impacts upon the SAC, and the HRA process. The Inspectorate advised that it would be important to progress these discussions given the potential for the proposed development to result in habitat loss. It requested a more comprehensive update, including initial feedback from NE, at the next project meeting.</p>
<p>Programme document and AoCM</p>	<p>With regards to the current programme, the Inspectorate advised that the applicant may wish to consider allowing more time between draft document feedback from the Inspectorate and the</p>

	<p>planned submission date. This will enable the applicant more time to consider and amend documents should feedback be substantive.</p> <p>The Inspectorate advised that draft documents should be submitted together as one complete submission. Submitting mature versioning of documents will ensure more meaningful feedback. The applicant should also highlight any novel or specific points where feedback would be useful. In addition, the applicant should ensure that regard had to s51 issued is clearly demonstrated and the rationale for incorporating or discounting fully explained.</p> <p>The Inspectorate advised the applicant it would be useful to build into the programme document timeline when it intends to engage with the Inspectorate, and other statutory consultation bodies. This will assist in planning resource. Further, it is important to keep the Inspectorate informed of any slippage in the project programme timeline so that its project page information is accurate and up to date.</p> <p>With regards to the Adequacy of Consultation Milestone document, the Inspectorate advised it is important that it includes the views of relevant local authorities and should be submitted to the Inspectorate three months prior to submission.</p>
Planning Statement	The Inspectorate advised that the planning statement should set out the needs case for the project clearly and should the applicant identify any pertinent security matters, it is important to clearly demonstrate how any security needs have been considered.
Topic	24 October 2025
Updates to pre-application services	<p>Following a 6-month review of our services, our Pre-application Prospectus has been updated: 2024 Pre-application Prospectus. The update log at the bottom of the page summarises the changes and clarifications that have been applied.</p> <p>As an applicant with a live project at the pre-application stage of the process, please</p>

familiarise yourself with the update and consider how it might affect your pre-application programme and interaction with our services.

Please note in particular:

- the establishment of land and rights negotiations tracking as a primary service feature – this means it is now expected for all applicants to develop and share a land and right negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to
- clarified expectations of applicants when preparing to interact with the Inspectorate at meetings – including clarified rights for the Inspectorate to delay or refuse service where pre-meeting expectations are not upheld e.g. an updated programme document or issues tracker is not provided, on time, to inform a meeting agenda.
- A new programme document template is available. Whilst there is no current requirement for your project to utilise the template, you may wish to review its content to see if you wish to make any changes to your existing document.

Please can I also draw your attention to paragraph 19, which includes “All meetings between the applicant and the Inspectorate must be agreed in advance through the applicant’s [programme document](#). The Inspectorate expects for any materials required to inform discussion at a meeting to be provided to us at least 10 working days before the meeting is programmed to take place. As a minimum, these materials will include:

- the agenda for the meeting, which has been agreed with the Inspectorate
- an up-to-date [programme document](#)
- an up-to-date issues tracker (note that this should be a separate document to the programme document)

	<ul style="list-style-type: none"> ○ an up-to-date land and rights negotiations tracker ○ any other materials required to inform the agenda” <p>Please note that other materials should normally include a slide pack. Should the applicant provide this, please note that it could be subject to Freedom of Information requests and therefore any commercially sensitive information may wish to be removed.</p>
Topic	Meeting date: 11 February 2026
Statement of Community Consultation (SoCC) responses and publication	<p>The Inspectorate queried whether there were any comments from the local authorities on the proposed locations, geographical spread and accessibility of the consultation event locations. The applicant confirmed that no concerns were raised but the host authority had provided feedback on methods to promote engagement with younger demographics.</p> <p>The applicant also advised that the proposals in the SoCC had been discussed with the community liaison group. The Inspectorate advised that it was important for the applicant to evidence its regard to all comments on the draft SoCC within its consultation report, including less substantive feedback.</p>
Environmental surveys update	<p>The applicant confirmed that after engagement with NE, it would be refining the project to avoid development within the St Austell Clays Pits SAC and SSSI. The applicant would be engaging with NE about assessment method. The applicant did not expect to conclude adverse effects on integrity of the SAC but the Inspectorate flagged the need to provide a derogations’ case if it was not in agreement with NE on this by DCO application submission.</p> <p>The applicant provided an update on engagement with the EA about the water supply and abstraction strategy. The Inspectorate advised that any SoCG developed with the EA could capture permitting and DCO aspects so any future examining authority can identify progress and understand outstanding issues.</p>

	<p>The Inspectorate advised that if any of the potential enhancements in the SAC and SSSI form part of the applicant's biodiversity net gain (BNG) strategy, it should be clear in the application documentation what is mitigation, compensation or enhancement and how different regulatory and policy tests are addressed in the proposals.</p>
<p>Land and rights update</p>	<p>The Inspectorate advised that the land rights tracker was a useful tool in terms of preparing for questions during examination and that it would be useful to have an update on land rights negotiation progress at the next meeting. The Inspectorate queried whether any Crown land had been identified within the red line boundary. The applicant confirmed there was currently no crown land within the red line boundary and work was ongoing to identify any category 3 persons.</p>
<p>Statutory Consultation</p>	<p>The Inspectorate signposted to guidance for local authorities and members of the public which may be useful for organisations less familiar with the NSIP regime: Nationally Significant Infrastructure Projects: Advice for Local Authorities - GOV.UK Nationally Significant Infrastructure Projects: Advice pages - GOV.UK. The applicant confirmed a planning performance agreement (PPA) was in place to cover the pre-application stage, with the potential to extend to further stages.</p> <p>The Inspectorate highlighted that a policy compliance document with regards to any National Policy Statements will be critical in an application document.</p> <p>The Inspectorate advised that when in discussions with local authorities it would be useful to highlight the timescales for producing a Local Impact Report.</p> <p>Regarding removal of the statutory requirement to carry out pre-application consultation, the Inspectorate understands from government that the PA2008 application process will not be affected by provisions in the Planning and Infrastructure Act 2025 until commencement</p>

	<p>regulations are made, supporting secondary legislation is ready and government guidance is published. The Inspectorate do not expect this to happen before June 2026.</p> <p>A road map to the new regulations, transitional provisions and guidance is expected to be made available soon (provisionally spring/ summer 2026). There would still be an emphasis on meaningful engagement therefore the Inspectorate advised that if the applicant continued on its current approach this would be expected to fit with any revised acceptance tests.</p>
<p>Adequacy of Consultation Milestone (AoCM) statement</p>	<p>The applicant highlighted that it expected to submit the AoCM in May 2026. The Inspectorate advised that one of the purposes of AoCM is de-risking acceptance. It highlighted the importance of including the views of the host and other relevant neighbouring local authorities on the adequacy of consultation. Currently, the Inspectorate would be seeking the views of host and neighbouring authorities during acceptance on the subject.</p>
<p>Programme to submission, including PINS Document Review</p>	<p>The Inspectorate requires 6 weeks to review draft documents therefore the applicant would need to ensure there is adequate time to meaningfully consider the feedback prior to submission. The applicant provided a draft list of documents for submission. The Inspectorate suggested a planning statement and overarching structure might be helpful. The applicant agreed although highlighted that the proposed NPPF guidance may or may not require substantial changes to the document. The Inspectorate reiterated that this would be useful even if the latest updates were not included so the approach can be assessed. The applicant confirmed that a list of documents will be provided before submission and it would continue to liaise with the case team regarding submission date.</p> <p>The Inspectorate advised that in the run-up to submission the Inspectorate starts to prepare resources and reach out to local authorities. Therefore, it is very useful to be notified of any slippage of submission date so that both the Inspectorate and local authorities can effectively plan when resources will be needed. The</p>

	applicant agreed to keep the Inspectorate updated.
AOB	The Inspectorate understands that the Government will publish guidance on biodiversity net gain (BNG) for NSIPs imminently, prior to BNG becoming mandatory in May 2026. The applicant is developing its proposal, which it hopes to agree with the host local authority prior to DCO application submission. Depending on the timing of the guidance, changes may be required to secure compliance after submission.

Topic	Meeting date: 22 May 2026
Project Development and Changes	The applicant should ensure that any changes to the project are clearly documented and consistently reflected across all application documents. A well-developed and stable scheme at the point of submission is strongly encouraged, as this will reduce the likelihood of issues arising during the acceptance stage and subsequent examination.
Statutory Consultation	The applicant is advised to undertake appropriate diligence in identifying all persons with an interest in land. It is essential that all land interests are accurately captured and that statutory consultation requirements are fully met. Failure to do so could present a significant risk at the acceptance stage.
Development Consent Order (DCO) and Explanatory Memorandum	<p>Where the applicant proposes to include provisions drawn from other made Development Consent Orders, these should be clearly justified within the Explanatory Memorandum. The applicant should explain why such provisions are necessary and appropriate for the project. The Planning Inspectorate would welcome the opportunity to review a draft Explanatory Memorandum in advance of submission, if possible.</p> <p>In relation to application tiering, the applicant is advised not to seek to move down tiers at this stage. The Planning Inspectorate requires three months' notice to amend application fees, and</p>

	<p>given the anticipated submission date in August, there is unlikely to be any benefit in pursuing a change.</p>
<p>Land and Rights</p>	<p>The applicant may find it beneficial to utilise a more detailed land and rights tracker to provide greater clarity on land interests and the status of negotiations. This would assist in demonstrating progress and ensuring transparency. The issues tracker should be fully updated prior to submission, and all surveys should be complete. Any outstanding work at the point of submission may present challenges at the acceptance stage.</p>
<p>Biodiversity Net Gain (BNG)</p>	<p>The Inspectorate advised that the Government response on BNG consultation had been published and that BNG for NSIPs would be mandatory for application made on or after 2 November 2026. The Inspectorate advised that the consultation response included an updated model biodiversity gain statement.</p> <p>Post-meeting note: On 2 June 2026, Defra published a series of links to further guidance on BNG for NSIPs.</p>
<p>Application Quality and Consistency</p>	<p>The applicant is advised to ensure that all application documents are fully cross-referenced and internally consistent. Errors in cross-referencing are a common issue at submission and should be avoided through careful checking especially due to the tight deadline for submission.</p>