

**The Keadby Next Generation Power Station
Project- EN0110001
Keadby Next Generation Limited**

**Section 51 Advice Log
Version: 19 August 2025**

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 (SSE Hydrogen Developments 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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Date of meeting	Meeting overview
<u>17 October 2024</u>	Review of Programme Document
<u>26 March 2025</u>	Project update meeting
<u>16 July 2025</u>	Section 51 advice regarding draft application documents
<u>21 July 2025</u>	Adequacy of Consultation Milestone (AoCM) Feedback
<u>7 August 2025</u>	Project update meeting

Project name - s51 Advice Library	
Topic	17 October 2024
Review of Programme Document	<ul style="list-style-type: none"> • Good demonstration of compliance with the Planning Act 2008: pre-application stage for Nationally Significant Infrastructure Projects Guidance. The Applicant will be aware that one of the mandatory components of the new pre-application service (for all service tiers), as set out in the Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus, is demonstrating regard to advice. As such this should be clearly reflected in the application documents. • It is noted that the Programme Document (PD) is hosted on the Applicant's website. Any updated versions should also be published. • The PD contains two different timeframes for submission – para 1.1 states Q2 2025 while Table 2.1 states it is planned for March 2025. The Applicant should clarify when it intends to submit the application. • Table 2.1 shows the Applicant's pre-application process timetable. <p>- Consultation on the SoCC is planned for July/ August 2024, and SoCC publication planned for August 2024 – there is no evidence this has happened as yet and therefore the PD should be updated accordingly.</p> <p>- It would be helpful if the PD could provide approximate timescales for project update meetings with the Inspectorate. It would also be helpful to list any future meetings with key stakeholders to enable those parties to deploy resources effectively.</p> <p>- Targeted/ further consultation is not included in the timetable (although may not be required for this project).</p> <p>- The Adequacy of Consultation Milestone is included in the timetable, 3 months before planned submission, but it would be helpful if the timeframe could be narrowed.</p> <p>- The Applicant should provide a list of draft documents for review by PINS and consider whether sufficient time has been allowed for the Applicant to address any comments from PINS. It would be helpful if the timeframe could be narrowed</p>
Topic	Meeting date: 26 March 2025

Consultation	<p>The Inspectorate advised the applicant when completing the Consultation Report it would be beneficial to include how many website visits were made during the consultation period. This should be to both the virtual consultation room and to the project website where the documents are held.</p> <p>The applicant was advised that when undertaking targeted consultation all consultees should be provided with the same period for providing responses rather than providing a shortened period for those previously consulted. The Inspectorate further advised the applicant that the dates for targeted consultation should consider potential resource constraints over the easter period.</p> <p>The Inspectorate advised the applicant that the news page of the applicant's project webpage should provide an update as the latest news on the page did not accurately reflect the latest updates associated with the project.</p>
Protective provisions	<p>The applicant was advised to continue to progress discussions relating to protective provisions to agree as many as possible ahead of the submission of the application to assist a smoother examination.</p>
Adequacy of consultation milestone (AoCM)	<p>The Inspectorate advised that the purpose of the AoCM is to de-risk the acceptance process. The Inspectorate advised that the more information that is provided in the document the more accurate the advice that can be provided to the applicant.</p> <p>The Inspectorate advised that the timing of the submission of milestone document should be carefully considered to ensure that all consultation has been undertaken and is complete. The Inspectorate advised that it can be difficult for full comments to be provided if consultation remains ongoing while the review is undertaken. The Inspectorate advised that it is guidance to submit the milestone document three months prior to submission as this provides a suitable time period for any errors in the consultation to be reviewed.</p> <p>The Inspectorate advised that the milestone document should provide evidence from the Local Planning Authorities confirming their agreement with the consultation approach that has been undertaken.</p>
Draft document review	<p>The applicant was advised to consider whether draft document review of the consultation report would be helpful if the information is provided in the AoCM.</p> <p>The applicant was advised when submitting documents for draft document review to highlight specific areas that may</p>

	<p>need reviewing for example highlighting if there is novel drafting within the draft Development Consent Order(dDCO).</p> <p>The applicant was advised that the dDCO and Explanatory Memorandum (EM) are reviewed by an Inspector. The applicant was advised that they should seek to provide a submission date for the draft documents as soon as possible to ensure resources are deployed effectively. The Inspectorate advised the applicant that documents should be submitted for review at the same time, rather than staggered.</p> <p>The Inspectorate advised the applicant that a trial run of the document submission file sharing site should be completed to ensure that the Inspectorate are able to access and download the documents.</p>
Programme Document	The Inspectorate advised the applicant that if an updated programme document is produced it should be sent to the Inspectorate and published on the applicant's website.
Land rights	The applicant was advised that if compulsory acquisition powers are likely to be needed as part of the DCO it is helpful to advise the Inspectorate ahead of submission how many plots are likely to be included to assist the appointment of the Examining Authority.
Advice pages	The applicant was advised that the Inspectorate have published advice pages regarding linear projects and good design . The applicant was advised to ensure submission documents clearly advise how the applicant has had regard to the advice pages where relevant.
Topic	Date: 16 July 2025
Draft Document Feedback	View Draft Documents Feedback (PDF)
Topic	Date: 21 July 2025
Adequacy of Consultation Milestone (AoCM) Feedback	The applicant's AoCM statement has been prepared and submitted having had regard to the government's statutory pre-application stage guidance as well as the Inspectorate's non-statutory 2024 Pre-application Prospectus. Having reviewed the applicant's AoCM statement, the Inspectorate considers that it clearly explains the applicant's consultation activities undertaken to date and the approaches set out in its Statement of Community Consultation (SoCC). As such, the Inspectorate does not consider the consultation to be seriously adrift.

	<p>The AoCM statement confirms that the development is an EIA development and that the ES will include Preliminary Environmental Information. However, there is no reference to whether the SoCC includes this information. As such, the Applicant should ensure that this is clear within the Consultation Report.</p> <p>The Applicant confirms that the section 48 notice included the required information set out in Regulation 4(3) of the (as amended) APFP Regulations 2009. The Applicant advises that the s42, s47 and s48 notices will be provided as part of the Consultation Report. Although the Inspectorate has not been provided these documents in the AoCM, we have no reason to disagree with the applicant's conclusions, and the applicant should ensure that they are contained within the Consultation Report.</p> <p>The Inspectorate's comments on the applicant's AoCM statement are made without prejudice to any decision on whether to accept the application for examination.</p>
Topic	Date: 7 August 2025
Adequacy of Consultation Milestone (AoCM) Feedback	When updating the programme document, the Inspectorate advised the applicant to use the date of the Inspectorate's feedback as the date that the milestone was achieved.
Draft Document Feedback	<p>The Inspectorate advised that any response that the applicant has to draft document feedback forms part of the response to s51 advice that is submitted as part of the application. The Inspectorate suggested that the applicant explain the rationale as to why advice did not lead to amendments of the documents.</p> <p>The Inspectorate advised that where the applicant relies on precedent from a previous case(s) for an approach taken, an explanation of why the precedent relevant to this project is important.</p> <p>The Inspectorate stated that advice provided on plans often cover issues that are identified as part of acceptance checks and assists the applicant in ensuring plans are clear and can be easily navigated.</p> <p>The applicant was advised that Habitats Regulations Assessment (HRA) figures do not need to be standalone documents and can be included within the relevant chapters of the Environmental Statement (ES) where appropriate, although the figures should be clearly linked to the HRA report. A plan of the European site or sites potentially affected in relation to the proposed development is required</p>

	<p>with the application and standalone figures may make this clearer.</p> <p>The applicant was advised by the Inspectorate to review funding statements that had been submitted for previous projects to ensure the requirements of the Compulsory Acquisition Guidance are met, as matters of commercial sensitivity would not be redacted prior to publication.</p>
Potential Main Issues for Examination (PMIE)	<p>The Inspectorate advised the applicant that this document should focus upon highlighting the key themes that have arisen as part of the consultation undertaken and how the applicant has sought to address the concerns raised.</p> <p>The Inspectorate suggested that the document should outline the optionality being considered around Hydrogen and Natural Gas uses.</p>
Relevant Representations	<p>The Inspectorate advised the applicant that it should consider running the Relevant Representations period for longer than the statutory period if the application is accepted for examination. This would provide flexibility if unforeseen circumstances arose, such as bounce-backs from addressees.</p>
Inter-relationship of Keadby developments	<p>The Inspectorate advised that it would assist if the applicant could submit an explanation outlining the inter-relationship around the various Keadby developments.</p>