

Stanlow Hydrogen Ready Modular CHP project

Section 51 Advice Log Version: 29 October 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 (EET Fuels) 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
29 July 2025	<p>Project update meeting:</p> <ul style="list-style-type: none"> • Progress update and timescales including interaction with Phase 1 and TCPA process • Project description • Stakeholder engagement • DCO process advice • Implications of Planning and Infrastructure Bill
29 October 2025	<p>Email:</p> <ul style="list-style-type: none"> • Pre-application prospectus

Stanlow Hydrogen and CHP - s51 Advice Library

Topic	Meeting date: 29 July 2025
Project funding	<p>The Inspectorate noted that some projects relying on government funding had experienced delays or uncertainty due to spending reviews, and questioned whether this was a risk to the proposal.</p> <p>The applicant confirmed that the DCO project had a stand-alone business case without reliance on Government funding or subsidised hydrogen, and that there was also no contingency relating to hydrogen transport funding due to the co-location of the project site with the refinery that would be source of hydrogen. The Inspectorate welcomed this confirmation and advised that this was set out clearly in the funding statement as part of the application submission.</p>
Design review process	<p>The Inspectorate advised that good design is a topic which receives considerable examination time, and also drew the applicant's attention to its good design advice page. It noted the applicant's explanation that it had employed external consultants to work on the scheme design rather than using an independent design review, and that the design had already evolved through this process.</p> <p>The Inspectorate advised the applicant to ensure that the process of design evolution and the overall vision for the project were clearly explained in the application documents. It also suggested that a more detailed update on design would be useful at the next update meeting.</p>
Stakeholder engagement and resourcing	<p>The Inspectorate noted that there were several major projects within the local planning authority (LPA) administrative boundary, through both the Town and Country Planning Act 1990 and Planning Act 2008 regimes. The applicant confirmed it was aware of the pressure on the LPA as a result of this and was in early discussions with the LPA regarding what support it could offer. The Inspectorate advised that the applicant consider the duration of any planning performance agreement that it negotiates with the LPA, in particular whether this should extend beyond the issue of a decision where the LPA would be responsible for discharging DCO requirements.</p>
EIA Scoping	<p>The Inspectorate noted the applicant's timetable for submission in November-December 2025 and advised the applicant to time its scoping submission to avoid an overlap</p>

	<p>with the Christmas holiday period as this could make it difficult to obtain meaningful feedback from statutory bodies. The applicant acknowledged this and confirmed that it hopes to be able to accommodate this timescale.</p>
Draft document review	<p>The Inspectorate noted that the applicant had not yet determined whether to submit draft documents for review. It advised that any review should take place when the documents are at a reasonably advanced stage of preparation so that the Inspectorate can provide the most meaningful feedback. The applicant should also ensure it has sufficient time to make any changes arising from a review prior to submission.</p> <p>The Inspectorate explained that draft document review can be a useful way of de-risking the acceptance process and ensuring a smooth start to the examination. In this case, a review of the draft DCO could be particularly useful given the potential complexities of the interface between the phase 2 DCO and the TCPA1990 application for phase 1.</p>
Project description	<p>The Inspectorate advised the applicant to ensure there is clarity in the project description with regards to the phase 1 project (the TCPA application) and phase 2 project (the DCO application), and to clearly describe how they relate to one another. It also considered that a visual or schematic to clearly differentiate between the phases and elements of the project could be a useful inclusion in both consultation materials and the DCO application itself.</p>
Stakeholder engagement	<p>The Inspectorate welcomed the applicant's confirmation that it had commenced engagement with a number of statutory bodies, and advised that it should ensure the Health and Safety Executive was included as part of this process as early as possible.</p>
Stakeholder engagement and protective provisions	<p>The Inspectorate advised that negotiations around protective provisions typically took considerable examination time. While it appreciated that reaching an agreed position with all parties could be challenging, it advised that as much front-loading of these discussions into the pre-application stage as possible would have a positive impact on the running of the examination.</p>
Planning Infrastructure Bill (PIB) and statutory consultation	<p>The Inspectorate advised that while the PIB was proposing to remove the statutory requirement for pre-application consultation, it was still an important part of the process for applicants to carry out early engagement. This would help to de-risk the project and its timescales by ensuring that</p>

	<p>potential issues are identified prior to examination and, where possible, reduced or resolved. Once the final form of the legislation was confirmed, the Inspectorate's advice pages are likely to be updated to reflect this.</p> <p>The Inspectorate also noted that there was no current indication of what extent of transitional period might be provided and therefore advised that the applicant continue on the basis of the current legislative requirements while monitoring the progress of the PIB.</p>
Topic	Email (advice): 29 October 2025
Pre-application prospectus	<p>The Inspectorate has advised that, following a six-month review, the Pre-application Prospectus has been updated. Applicants with live projects at the pre-application stage should familiarise themselves with the revised document and consider any implications for their engagement with the Inspectorate.</p> <p>Key updates include:</p> <ul style="list-style-type: none"> • The establishment of land and rights negotiations tracking as a core service feature. All applicants are now expected to develop and share a tracker using one of two standard templates, regardless of service tier. • Clarified expectations for applicants ahead of meetings with the Inspectorate. This includes confirmation that the Inspectorate may delay or refuse service where pre-meeting requirements, such as the timely submission of an updated programme or issues tracker, are not met.