Planning Inspectorate

Essar Energy Transition Hydrogen Ready CHP – EN0110007

Section 51 Advice Log
Version: 27 October 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant (EET Fuels) during the pre-application stage. It will be updated by the Planning Inspectorate after every interaction with the applicant within which s51 advice has been given.

The applicant will always be given the opportunity to comment on the Planning Inspectorate's draft record of the s51 advice given before it is published on the relevant project page on the Find a National Infrastructure Project website.

The role of the advice log at the acceptance stage

Section 55(4) of the PA2008 requires the Planning Inspectorate to consider, amongst other things, the extent to which the applicant has had regard to the s51 advice given by the Planning Inspectorate in connection with the application when deciding if the application can be accepted for examination. Section 51 advice includes:

- advice given about applying for an order granting development consent
- advice given about making representations about an application for an order granting development consent

The applicant will use this advice log as the tool for demonstrating:

- regard to the s51 advice given to the applicant by the Planning Inspectorate
- regard to any s51 advice given to others by the Planning Inspectorate

The applicant will submit a final version of this advice log which demonstrates regard to all s51 given by the Planning Inspectorate at the pre-application stage as part of the application.

Essar Energy Transition Hydrogen Ready CHP– Applicant meeting index	
Date of meeting	**Meeting overview**
29 July 2025	Project update meeting: • Progress update and timescales including interaction with Phase 1 and TCPA process • Project description • Stakeholder engagement • DCO process advice Implications of Planning and Infrastructure Bi
29 October 2025	Email: Pre-application prospectus
20 July 2026	Email Advice - Planning and Infrastructure Act 2025
9 October 2026	Updated Programme Document
27 October 2026	Project update meeting: • Progress update and distinction between Phase 1 and 2 under the TCPA and NSIP process • Project description • Stakeholder engagement • Biodiversity net gain

Stanlow Hydrogen Ready Modular CHP – Log of s51 given to the applicant		
Meeting date: 29 July 2025		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Project funding	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. 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.	
Design review process	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. 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.	
Stakeholder engagement and resourcing	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.	
EIA Scoping	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 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.	
Draft document review	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. 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.	
Project description	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.	
Stakeholder engagement	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.	
Stakeholder engagement and protective provisions	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.	
Planning Infrastructure Bill (PIB) and statutory consultation	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 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. 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.	

Email (advice): 29 October 2025		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Pre-application prospectus	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. Key updates include: • 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.	

Email (advice): 20 July 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Email Advice - Planning Infrastructure Act 2025	In light of the amended legal framework which will be introduced from 24 July 2026 by the Planning and Infrastructure Act 2025, the Planning Inspectorate issued written advice to the applicant on 20 July 2026 requesting for: • evidence within the submitted application in relation to duties under s46 and s48 of the PA2008 to be provided as an appendix to any engagement summary document that the applicant may choose to submit or, where the applicant chooses not to submit such a document, as a discrete document titled 'Section 46 and section 48 information' • evidence within the submitted application in relation to new s55(4)(e) of the PA2008 to be provided in a submission version of this expanded advice log template.	

Programme Document: 9 October 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Programme Document	The programme identifies preparation of a Consultation Report as a key milestone. Applicants are advised that, following the amendments to the Planning Act 2008 which came into force on 24 July 2026, there is no longer a statutory requirement to undertake pre-application consultation under sections 42 to 49 of the Act, nor is there a requirement to submit a Consultation Report as part of a Development Consent Order application. The Inspectorate's previous advice on consultation reports has been withdrawn and consultation reports are no longer prescribed application documents. While applicants are encouraged to undertake proportionate engagement and consultation appropriate to their project, any information provided regarding such engagement is a matter for the applicant's discretion and is not a mandatory component of an application. The Programme Document would benefit from review to ensure that key milestones are presented in a clear chronological sequence. As currently drafted, activities	

	such as the preparation of the Environmental statement, appear to be listed out of order, which may make it difficult for readers to understand the proposed programme and the relationship between individual workstreams. The Applicant may wish to review the sequencing of key dates and milestones throughout the document to ensure that they accurately reflect the anticipated progression of the project and provide a clear and coherent programme for all interested parties. The consultee engagement table does not include details regarding the meeting with the Environment Agency, contradicting the paragraph above. All engagement with consultees should be accurately documented.	

Project Update Meeting: 27 October 2026		
Topic	**s51 advice given**	**Applicant regard to s51 advice given**
Biodiversity net gain	The applicant queried what biodiversity net gain evidence would be expected in the DCO. The Inspectorate advised that the checklists are currently being developed, but	

	once completed the Inspectorate would be able to provide some feedback to the applicant on this point.	
Issues tracker	The Inspectorate advised that the issues tracker currently lacks detail regarding emerging issues with statutory bodies and currently only addresses administrative issues. The Inspectorate referred the applicant to Paragraph 9 of the Pre-application Prospectus which sets out the importance of the Issues tracker and the relevant template. The Inspectorate advised that the Issues Tracker should detail the progress of the applicant's discussions with the statutory parties on these topics and RAG (Red, Amber, Green) rate them accordingly. The Inspectorate confirmed that the document should be provided in advance of any future project update meetings and that monthly is appropriate depending on the issues raised.	
Draft Document Review Services	The Inspectorate queried whether the applicant intends to use the Draft Document Review Service and advised that the timeline is currently six weeks from receipt of documents to providing relevant feedback. The Inspectorate advised that early notification is preferable as resourcing	

	can be arranged in sufficient time before receipt of the documents.	

Essar Energy Transition Hydrogen Ready CHP – Log of s51 advice given to others		
Person s51 advice given to	**s51 advice given**	**Applicant regard to s51 advice given**