

Ferrybridge Next Generation Power Station – EN0110011

SSE Hydrogen Developments Limited

Section 51 Advice Log

Version: 8 July 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 Inspectorate to the applicant (SSE Hydrogen Developments Limited) and their consultants during the pre-application stage. It will be updated by the 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 Inspectorate's draft record of advice before it is published.

The applicant will use this Advice Log as the basis for demonstrating regard to section 51 advice within the application.

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Date of advice	Meeting overview
31 October 2024	Review of programme document
20 January 2025	Project Update Meeting <ul style="list-style-type: none"> • Scoping opinion • Hydrogen readiness clarifications • Assessment of decommissioning • Breeding bird surveys and Biodiversity Net Gain • Habitat Regulation Assessment • Decarbonisation readiness • Indicative programme • Pre-application service tier • Good design advice
8 July 2025	Project Update Meeting <ul style="list-style-type: none"> • Programme document • Habitat Regulations Assessment • Scoping Opinion • Light Valley Solar • Statutory consultation • Supply of hydrogen • Possible deemed Marine Licence • Project design
24 October 2025	Email regarding update to pre-application services

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Ferrybridge Next Generation Power Station -s51 Advice Library	
Topic	Review of programme document: 28 October 2024
General	It is acknowledged that there may be some uncertainty around elements of detail in this first iteration pre-application Programme Document.
Project Update Meetings with the Inspectorate and other bodies	It would be helpful to include timescales for when the Applicant considers these to be helpful/necessary.
Adequacy of Consultation Milestone (AoCM)	For future iterations it would be helpful to include detail about the Applicants timescales for the submission of the AoCM statement, in line with the Planning Act 2008: Pre-application stage for Nationally Significant Infrastructure Projects Guidance, and any engagement with local authorities regarding its development.
Consultation	The Applicant should consider whether the programme contains sufficient time to include a targeted consultation, should this be required.
Statement of Community Consultation (SoCC)	It would be helpful if the programme for preparation of the SoCC, consultation on the SoCC and consideration of any feedback is included in the programme document.
Programme timeline	The Applicant should ensure there is a sufficient gap between the receipt of the Scoping Opinion and the start of the statutory consultation, to ensure that consultation materials are sufficiently detailed/accurate.
Topic	Meeting date: 20 January 2025
Scoping Opinion – Applicant Queries	The Inspectorate has read the Scoping Opinion notes provided by the applicant and understand the clarification points. The Scoping Opinion is not to be updated. The Inspectorate suggested publishing the applicant Notes on the Scoping Opinion, as a useful document to review, and to ensure openness and transparency.
'Hydrogen Readiness' clarifications	The Inspectorate advised that one of the main functions of Scoping Opinion is to try and identify where there is any vagueness within the description of text or the assessment to be undertaken, in the case of hydrogen storage, the Inspectorate queried a potential need to store hydrogen onsite, as such to avoid any doubt to ensure every option has

	been assessed fully a statement clarifying that no hydrogen will be stored on site could be beneficial.
Assessment of decommissioning	The Inspectorate advised that if there is potential for significant effects during construction, and the Scoping Report states that the effects in construction are the same or less than the effects in decommissioning, therefore by omission the wording is implying there is potential for significant effects during decommissioning. At this stage in the application prior to the Environmental Impact Assessment (EIA) being conducted this could still be the case. The Inspectorate advised that further explanation is provided in the Environmental Statement, and mechanisms secured within the DCO to enable assessments to be undertaken on decommissioning when more information is available.
Breeding bird surveys and Biodiversity Net Gain (BNG)	The Inspectorate explained regarding Breeding Birds Surveys that reading the Scoping Report, it appeared to imply that such surveys were not required because the implementation of BNG would remove any significant effects. The EIA should assess all likely significant effects of the Proposed Development and the BNG assessment should be undertaken in addition to the EIA. The effect of your project and the mitigations need to be two separate studies. The Inspectorate advised that something that will get looked at in Examination is double counting of mitigation needed to reduce significant effects of the proposed development, and the measures identified as part of the BNG assessment and if the applicant can demonstrate this has not occurred from the offset this will be extremely helpful.
Habitat Regulation Assessment	The Inspectorate reminded the applicant of the need to consider mitigation carefully in relation to the HRA, applying measures to the correct stage of the assessment, being clear on what is embedded mitigation in terms of the Proposed Development.
Decarbonisation Readiness	The Inspectorate advised the applicant in regard to the potential changes to regulation in decarbonisation readiness that if the application were to proceed as timetabled the new changes may come into effect during the pre-examination or examination period, and as such it might be useful to prepare for further questioning during this time and to take account of any changes to regulation throughout the project. The Inspectorate advised working closely with the Environment Agency on this issue.
Indicative Programme	The Inspectorate advised regarding the applicant's intended December submission date for the DCO, that this can be a difficult time of year for resourcing, and may affect engagement from Local Authorities, as such a more ideal

	period would be early January 2026 or mid-November 2025, however this will be discussed further as the application progresses.
Pre-application service tier choice	The Inspectorate reminded the applicant if they did intend to upgrade their service tier to be aware of the timescales necessary to do so (giving 3 months advanced notice) and that the Applicant would need to provide an updated Programme Document of what new services they required from the Inspectorate i.e. which draft documents they would want reviewed and when.
Good Design Advice	The Inspectorate informed the applicant that the 'Good Design Advice page' has recently been updated, which can be found here , and that a webinar has also been made available outlining these updates which can be found here .
Topic	Meeting date: 8 July 2025
Programme document	The Inspectorate suggested any future iterations of the programme document should be submitted with tracked changes. The Inspectorate commented further that a summary of feedback received from community liaison group meetings would also be useful to include in the programme document.
Habitats regulation assessment (HRA)	<p>The Inspectorate advised the applicant to clearly set out in the HRA what consultation to date has been carried out with Natural England and the Environment Agency, particularly noting their scoping comments and where agreements have or have not been reached, particularly in relation to functionally linked land. The Inspectorate reminded the applicant of the need to consider mitigation carefully in relation to the HRA, applying measures to the correct stage of the assessment, being clear on what is embedded mitigation in terms of the proposed development.</p> <p>The Inspectorate queried engagement with water bodies such as the Canal and Rivers Trust. Whilst not directly linked with HRA matters, issues linked with such parties can arise during examinations.</p>
Scoping opinion	The Inspectorate reminded the applicant that the scoping opinion is written in a specific moment in time, and it is entirely possible to scope topics in or out beyond what was written so long as it is justified and set out clearly in the Environmental Statement. The Inspectorate explained that a key consideration will be if any changes are made to the red line boundary, and to what degree this differs from the area originally scoped. The Inspectorate reminded the applicant

	that the EIA should be proportionate and assessments are only required where there is potential for significant effects.
Light Valley Solar	The Inspectorate reminded the applicant to be aware of the possibility of the nearby NSIP 'Light Valley Solar' running a concurrent project programme with theirs. The applicant should ensure any consultation contains clear information about any interactions so the public are clear about which project they are being consulted on. The applicant should also be mindful of potential impacts on statutory bodies and local authorities should the programmes overlap.
Statutory consultation	<p>The Inspectorate advised the applicant that when drafting the consultation report it would be good to include any additional feedback received on the proposals for statutory consultation outside of the formal consultation on the statement of community consultation (SoCC)</p> <p>The Inspectorate suggested it can be helpful to communicate any changes to the project post statutory consultation to consultees. This can be useful for parties to understand in advance of submitting relevant representations.</p>
Supply of hydrogen	The Inspectorate advised the applicant to ensure that the application documents clearly explain the mechanisms in place should the supply of hydrogen be delayed and the project is reliant solely on natural gas.
Possible deemed Marine Licence (dML)	In relation to the river crossing, the Inspectorate asked the applicant whether the river was tidal, and if so, whether the project includes a dML. The applicant confirmed that the river is not tidal at that location and as such, a dML will not be part of the application.
Project design	The Inspectorate asked whether the project has been subject of an independent design review. The applicant confirm that it had not, albeit design is a matter of key importance. The Inspectorate advised the applicant to ensure that the design journey, and the applicant's regard to the good design advice page, is clearly reflected in the application documents.
Topic	Email dated 24 October 2025
Update regarding 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 familiarise yourself with the update</p>

	<p>and consider how it might affect your pre-application programme and interaction with our services.</p> <p>Please note in particular:</p> <ul style="list-style-type: none"> • 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. <p>Please can I also draw your attention to paragraph 19, which includes:</p> <p>“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:</p> <ul style="list-style-type: none"> • 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) • 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>
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