

Ferrybridge Next Generation Power Station

Section 51 Advice Log

Version: 16 July 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant SSE Hydrogen Developments Limited 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.

Ferrybridge Next Generation Power Station – Applicant meeting index

Date of meeting	Meeting overview
<u>09 September 2024</u>	<u>Inception Meeting</u> • Consultation programme • Pre-application service tier • Project invoicing
<u>31 October 2024</u>	Review of programme document
<u>20 January 2025</u>	Project Update Meeting • 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
<u>8 July 2025</u>	Project Update Meeting • Programme document • Habitat Regulations Assessment • Scoping Opinion • Light Valley Solar • Statutory consultation • Supply of hydrogen • Possible deemed Marine Licence • Project design
<u>24 October 2025</u>	Email regarding update to pre-application services
<u>30 January 2026</u>	Advice on the Adequacy of Consultation Milestone • General • Table 3.1 • Paragraphs 1.1.7 & 1.1.8 • Section 5.2 • Section 5.1
<u>16 July 2026</u>	• Email advice - Planning and Infrastructure Act 2025

Ferrybridge Next Generation Power Station – Log of s51 given to the applicant

Meeting date: 09 September 2024

Topic	s51 advice given	Applicant regard to s51 advice given
Consultation programme	The Inspectorate advised the applicant to consider the timing of consultation activities for nearby projects and, where possible, avoid overlapping consultation periods. The Inspectorate explained that this would assist local authorities and members of the public who may wish to engage with multiple projects and help to avoid consultation fatigue.	
Pre-application service tier	The Inspectorate advised that the Pre-Application Prospectus requires applicants to provide at least three months' written notice when requesting a change to their service tier. The Inspectorate advised that this should be reflected within the applicant's Programme Document.	
Project invoicing	The Inspectorate advised that the level of detail to be included within project invoices would be confirmed in due course.	

Review of programme document: 31 October 2024

Topic	s51 advice given	Applicant regard to s51 advice given
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.	
Meeting date: 20 January 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
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 ever 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 .	
Meeting date: 08 July 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
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)	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. 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.	

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	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) 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.	
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.	
Meeting date: 24 October 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
Update regarding pre-application services	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. As an applicant with a live project at the pre-application stage of the process, please 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	
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	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) • an up-to-date land and rights negotiations tracker • any other materials required to inform the agenda” 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.	
Advice on the Adequacy of Consultation Milestone: 30 January 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
General	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 broadly sets out the applicant’s consultation activities undertaken to date and confirms the approaches	

	set out in the applicant's Statement of Community Consultation (SoCC).	
Table 3.1	Table 3.1 details statements of compliance, the applicant should also provide evidence to support these statements (such as consultation letters and notices) within the consultation report.	
Paragraphs 1.1.7 & 1.1.8	The Inspectorate acknowledges that the AoCM was shared with host authorities and feedback was sought however there is no reference to the views of neighbouring authorities being sought. It is important that the views and any relevant supporting material about the AOCM is included from all relevant local authorities, where available and practicable to do so. The Inspectorate will be seeking the Adequacy of Consultation views from host and neighbouring authorities following receipt of the application. It is noted that Table 3.1 of the AOCM statement lists as other neighbouring district, county and unitary authorities - Lancashire County Council - Ribble Valley Borough Council - Pendle Borough Council - Lancaster City Council - Yorkshire Dales National Park - North York Moors National Park Authority - City of York Council - City of Doncaster Council - Barnsley Metropolitan Borough Council - Bradford Metropolitan District Council - Westmorland and Furness Council	

	- Durham County Council - Kirklees Metropolitan Council - Darlington Borough Council - East Riding of Yorkshire Council - Middlesbrough Borough Council - Leeds City Council - Redcar and Cleveland Borough Council - Stockton-on-Tees Borough Council	
Section 5.2	The adequacy of consultation milestone should summarise consultation responses and the way in which they are shaping the application. The Inspectorate notes that the consultation responses from the local planning authorities has been summarised in section 5.2 and the applicant states evidence of regard to all consultation responses will be provided in the consultation responses.	
Email advice regarding Planning and Infrastructure Act: 16 July 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Email Advice - Planning and 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 16 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	
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Ferrybridge Next Generation Power Station– Log of s51 advice given to others		
Person s51 advice given to	s51 advice given	Applicant regard to s51 advice given