

North Humber to High Marnham - EN020034

National Grid Electricity Transmission

Section 51 Advice Log

Version: 28 March 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 (National Grid Electricity Transmission) 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.

Project name s51 Advice Log - Index	
Date of meeting/advice	Meeting/advice overview
16 May 2023	<p><u>Inception Meeting:</u></p> <ul style="list-style-type: none"> • Introduction to the project • Intended approach to land Acquisition and the use of Compulsory Acquisition Powers • Engagement with Local Authorities • Scoping and environmental surveys • Application anticipated submission date <p>A meeting note is available for this meeting on the Find a National Infrastructure Project Website and this can be viewed at: View meeting note (PDF, 109KB).</p>
5 October 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project and Programme Updates • Non-statutory consultation • Environmental Impact Assessment scoping opinion • Digital Environmental Impact Assessment <p>A meeting note is available for this meeting on the Find a National Infrastructure Project Website and this can be viewed at: View meeting note (PDF, 110KB).</p>
21 May 2024	<p><u>Advice provided by email to the Applicant by the Inspectorate:</u></p> <p>The Inspectorate provided post scoping advice regarding s42 consultation to the Applicant. This advice has been published on the Find a National Infrastructure Project Website and this can be viewed at: View advice provided by email.</p>
10 June 2024	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project Update • Localised non-statutory consultation • Programme Update • Planning Inspectorate's pre-application service and expression of interest <p>A meeting note is available for this meeting on the Find a National Infrastructure Project Website</p>

	and this can be viewed at: View meeting note (PDF, 115KB).
23 October 2024	<p><u>Programme Document Feedback:</u></p> <p>The Inspectorate provided feedback on the initial version of the Programme Document to the Applicant. This advice has been published on the Find a National Infrastructure Project Website and this can be viewed at: View advice provided by email regarding the Programme Document.</p>
21 January 2025	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project update • Update following localised non-statutory consultation including South Wheatley to High Marnham corridor decision • Preparation for statutory consultation update • Substations update • Scoping • LPA engagement update • Programme update • Compulsory Acquisition Update • Any other business

North Humber to High Marnham - s51 Advice Library	
Topic	Meeting date: 16 May 2023
Inception Meeting Note	A meeting note is available for this meeting on the Find a National Infrastructure Project Website and this can be viewed at: View meeting note (PDF, 109KB).
Land Acquisition and the use of Compulsory Acquisition Powers in the dDCO	<p>The Applicant indicated that its intension is to seek to acquire ownership, and/or rights, over land by voluntary agreement, and will only seek compulsory acquisition powers where this cannot be achieved. It was confirmed that the project would involve Crown Estate land at and adjacent to the River Ouse.</p> <p>The Inspectorate asked the Applicant to keep it updated on the extent of land required for compulsory acquisition throughout the course of the pre-application stage.</p>
Scoping request and timescales for the submission GIS Shapefile	The Applicant advised the Inspectorate that work is ongoing on ornithology surveys and the Scoping Report. Information on environmental matters, heritage, traffic impacts and landscape has been shared with local authorities for comment to help inform the Scoping Report, which is due to be submitted to the Inspectorate in late July 2023. The Inspectorate reminded the Applicant of the need to submit the GIS shapefile at least 10 days before submitting the Scoping Report.
Timing of next meeting between the Applicant and the Inspectorate	The Inspectorate suggested that the next meeting should be following the publication of the Scoping Opinion would be beneficial, in order to discuss feedback from that document.
Topic	Meeting date: 5 October 2023
Project Update Meeting Note	A meeting note is available for this meeting on the Find a National Infrastructure Project Website and this can be viewed at: View meeting note (PDF, 110KB).
Consultation	<p>The Applicant gave an overview of the tasks it's currently engaging in, including meetings with stakeholders in relation to land surveys, environmental matters and local government.</p> <p>The Applicant anticipates consulting on the Statement of Community Consultation in Spring / Summer 2024 and statutory consultation on their proposals in Autumn 2024.</p> <p>The Inspectorate asked if feedback had been received from any of the local authorities. The Applicant explained that it had not received formal feedback during the non-statutory consultation period, however, a late feedback response had</p>

	<p>been received from one host LPA, North Lincolnshire Council and the Applicant are reviewing this feedback. The Applicant advised they were continuing to engage and work with the host LPAs.</p>
<p>Environmental Impact Assessment scoping opinion</p>	<p>Following the issue of the EIA scoping opinion on 29 September 2023, the Applicant asked for clarification on the following points.</p> <p>The removal of existing pylons for line swap overs are listed under the decommissioning phase in the scoping opinion, however the Applicant consider this to fall under the construction phase. The Inspectorate explained that the guidance given in the scoping opinion is produced on the information available to the Inspectorate at that time. The Applicant can disagree with the opinion and is able to make changes, as long as this is explained in the environmental statement and robust evidence is provided to justify this approach.</p> <p>The Applicant asked what weight should be given to the appended information and advice sent by consultation bodies with regard to the scoping opinion. The Inspectorate advised that the scoping opinion has been informed by the consultee responses but is not necessarily a full reflection of the views of the consultees. The Applicant should have regard to them and consider these views during ongoing consultation exercises.</p>
<p>Digital Environmental Impact Assessment</p>	<p>The Applicant is considering utilising digital EIA elements as a supplemental consultation tool and asked if the Inspectorate is planning on admitting these as application documents? The Inspectorate confirmed it is in the early stages of considering how these can be used and request that the Applicant provide updates on this aspect. Any digital submission would need to be in addition to a pdf version of the environmental statement, to allow all stakeholder to be able to access the information.</p>
Topic	Advice date: 21 May 2024
<p>Post Scoping advice regarding s42 consultation – Transitional Provisions resulting from The Infrastructure Planning (Miscellaneous</p>	<p>The Inspectorate provided the following advice to the Applicant by email:</p> <p>The Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 came into force on 30 April 2024 and amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure (APFP)) Regulations 2009. The transitional provisions at Regulation 4 of the MP Regulations 2024 confirm that the recently amended APFP Regulations do not apply to any proposed application for an order granting development consent where the applicant has</p>

Provisions (MP)) Regulations 2024	<p>started to consult under Section 42 of the Planning Act 2008 before 30 April 2024.</p> <p>The Inspectorate is contacting you as it understands that consultation under Section 42 for the North Humber to High Marnham Project had not commenced prior to 30 April 2024. The Inspectorate would like to inform you that as the scoping opinion request for the North Humber to High Marnham Project was received prior to 30 April 2024, the list of consultation bodies notified and consulted by the Planning Inspectorate before adopting the scoping opinion (as set out in the 'Regulation 11 list' provided to the Applicant as per Regulation 11(1)b of the Infrastructure Planning (Environmental Impact Assessment (EIA)) Regulations 2017), will not reflect the recent amendments to the APFP Regulations.</p> <p>The Applicant is therefore advised to review the transitional provisions in Regulation 4 of the MP Regulations 2024, together with the amendments to the APFP Regulations, and consider whether any new or different consultation bodies should be included in the consultations for the project. Please be aware that it is the responsibility of the Applicant to ensure their consultation fully accords with the requirements of the Planning Act 2008 and associated regulations and guidance. The Regulation 11 list has been compiled by the Planning Inspectorate on behalf of the Secretary of State in its duty to notify the consultation bodies in accordance with Regulation 11(1)(a) of the EIA Regulations and, whilst it can inform the Applicant's own consultation, it should not be relied upon for that purpose.</p>
Topic	Meeting date: 10 June 2024
Project Update Meeting Note	A meeting note is available for this meeting on the Find a National Infrastructure Project Website and this can be viewed at: View meeting note (PDF, 115KB).
Programme Update	<p>Localised non-statutory consultation between 9 July and 6 August 2024.</p> <p>Statutory consultation is expected between February and April 2025. The application for a Development Consent Order is anticipated to be submitted in summer 2026.</p> <p>The Inspectorate is mindful that, in some instances, key stakeholders struggle to provide adequate feedback for an applicant to be able to stick to its pre-application programme and advised that it may be beneficial to provide these parties with the key issues that have arisen through consultation with the community, to allow them to focus their resources on providing pertinent feedback.</p>

	The Inspectorate advised that early engagement with landowners should be undertaken, to enable agreements to be put in place ahead of examination, where feasible.
Consultation	The Applicant gave an update on the non-statutory consultation which was carried out between 1 June - 27 July 2023. A review of consultation feedback received during this period has informed a review and backcheck of the Corridor Preliminary Routeing and Siting Study (CPRSS). An assessment of a potential alternative corridor between South Wheatley and High Marnham (previously communicated as section 10 & section 11 of the route) is being undertaken. This shall be known as the 'eastern corridor'. The Applicant intends to undertake a localised non-statutory consultation on the possible alternative eastern corridor between 9 July and 6 August 2024. Consultation feedback from both the non-statutory consultation 2023 and localised non-statutory consultation 2024, together with further environmental and technical assessments and survey work will inform an overall decision on the preferred corridor between South Wheatley and High Marnham.
Planning Inspectorate's pre-application service and expression of interest	<p>The Applicant is in the process of reviewing the advice and guidance provided, considering how this may relate its application, and requested advice on which tier of the Inspectorate's pre-application service would likely be most suitable.</p> <p>The Inspectorate advised that the applicant needs to make this decision, based on the nature of the scheme and the benefit it may derive from a higher tier pre-application service. For example, a more complicated scheme may not be suitable for the fast-track service, due to the complexity of the data needed to produce the application documents. Insufficient data can lead to a longer examination. The experience gained from utilising a higher tier service, could also help inform which tier was suitable for the applicant's other proposed developments.</p>
Topic	Meeting date: 23 October 2024
Programme Document - Feedback	<p>The following feedback was provided by the case team to the Applicant by email:</p> <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

	<p>Prospectus, is demonstrating regard to advice. As such this should be clearly reflected in the application documents.</p> <ul style="list-style-type: none"> • The Applicant must ensure that the Programme Document (PD) is hosted and maintained on the Applicant's website. • Whilst the PD sets out that the Statement of Community Consultation (SoCC) will be developed ahead of Statutory Consultation, it would be helpful if the dates were listed in the table setting out the submission timeframe. • Whilst the Inspectorate acknowledges that key milestones are some time in the future ie statutory consultation in Quarter 1 2025, draft document review in Q4 2025, and submission in Q2 2026, it would be helpful if these timeframes could be narrowed, and the updated PD published, in due course. • It is not clear from the PD whether the Applicant has allowed time for a further period of targeted/full consultation, after the statutory consultation has been undertaken. Given the linear nature of the project the Inspectorate advises the Applicant to consider whether a further consultation period prior to submission would be necessary and if so, add possible timescales to the PD. • It would be helpful if the PD could provide approximate timescales for future project update meetings with the Inspectorate. It would also be helpful to list any meetings with key stakeholders to enable those parties to deploy resources effectively.
Topic	Meeting date: 21 January 2025
Non-Statutory Consultation Feedback in relation to Interrelationships with other projects / proposed development along corridor	<p>The Inspectorate enquired about the consideration being given and associated feedback provided as part of the consultation to other projects along parts of the corridor that was the focus of the latest consultation.</p> <p>The applicant indicated it was aware of a number of other projects within the corridor of their project and continues to monitor these and engage with third party developers as appropriate. Where consultation feedback has commented on interactions with other developments or raised concerns regarding the potential for cumulative effects, this is being considered and will be assessed as appropriate through the EIA process.</p>
Draft Documents	The Inspectorate advised that the applicant should consider finalising its consultation programme (Adequacy of Consultation Milestone (AoCM)), including any subsequent targeted consultation following the statutory consultation,

	<p>before submitting draft documents for review. Submitting more advanced versions of documents can support more meaningful advice from the Inspectorate.</p>
<p>Consultees for the non-statutory consultation of July / August 2024 (routeing options)</p>	<p>The applicant carried out a localised non-statutory consultation on the routeing options within a targeted consultation zone. This localised consultation zone and therefore the consultees within it were not identical to the earlier non-statutory public consultation, with some not being consulted on this occasion, and other new parties being consulted for the first time.</p> <p>The applicant advised that this approach has been taken to ensure the affected communities and relevant consultees affected by each corridor were provided with equal consultation opportunities. The same parameters were applied to identifying the consultation zones for both the non-statutory consultation 2023 and localised non-statutory consultation 2024 and consultation strategies were shared and consulted on with the host local planning authorities in advance of consultation.</p> <p>The Inspectorate advised that the applicant should clearly explain its approach to identifying the consultees for the non-statutory consultation in the AoCM and Consultation Report.</p>
<p>Consultation Overlap</p>	<p>The Inspectorate advised that in situations where the applicant is aware of other projects carrying out consultation in the same vicinity, it should try to minimise consultation overlap. This will assist the local communities (to reduce misunderstanding over discrete projects) and will also be beneficial for the resources of local authorities. It is also important for the applicant to be aware of other project timescales, and seek to avoid examination overlap, where possible.</p>
<p>S46 Notification</p>	<p>The applicant advised that it plans to commence an 8 week statutory consultation between February and April 2025 and that all host local authorities have been consulted on the draft SoCC.</p> <p>The Inspectorate advised that the s46 notification must be provided either before, or on the date on which the statutory consultation commences.</p>
<p>Route Corridor</p>	<p>The Inspectorate asked if the route optionality would be a topic for statutory consultation.</p> <p>The applicant confirmed that the corridor would not be the subject of statutory consultation as they will present a preferred route alignment. The applicant explained that the preferred corridor had been identified and consulted on during non-statutory consultation 2023, with the potential</p>

	<p>alternative corridor consulted on during localised non-statutory consultation 2024. Following this an overall corridor decision has been made and a preferred route alignment identified. This would be described in the statutory consultation documents. There will be opportunity to provide feedback on and request changes to the preferred route alignment during statutory consultation. The applicant will also continue to review previous work, including the selection of the preferred corridor.</p>
Substations	<p>The applicant confirmed that the project will connect to two new substations, at Birkhill Wood and High Marnham. These substations had previously not been part of the proposed development and are progressing under the Town and Country Planning Act 1990 (as amended) (TCPA). However the applicant now intends to include the substations in the DCO application and will be presented in the statutory consultation materials.</p> <p>There have also been consultation exercises undertaken in relation to the substations outside of the DCO consultations.</p> <p>There will be powers sought to build the substations under the TCPA, but they will remain as a component of the DCO as a precautionary measure.</p> <p>If one, or both, of the applications for the substations are granted prior to the application for a DCO and land rights secured, then they could be removed. Works at the substations to allow connection would remain in the DCO in any event.</p> <p>The applicant will continue to keep the Inspectorate updated to provide clarity under various scenarios.</p> <p>The Inspectorate understands the applicant's position and acknowledges that this approach is not unique to this project.</p>
Substations in context of scoping opinion	<p>The Inspectorate advised that it is not uncommon for project descriptions to change between scoping and submission. Scoping is not mandatory; however, the EIA Regulations do require an Environmental Statement (ES) to be 'based on' the most recent scoping opinion. On the basis that the applicant does not intend to re-scope, the Inspectorate advises that the ES should detail how the project description and the scope of the assessment has changed and provide evidence of agreement with key consultees. If additional project components are included, we would anticipate that the assessment would incorporate additional elements as opposed to not including elements that were required within the scoping opinion. However, if there are requirements in the scoping opinion that have not been addressed then the</p>

	<p>applicant should provide clear justification for this and evidence of any agreement with the relevant stakeholders.</p> <p>At acceptance, the Inspectorate would consider whether the ES is based on the adopted scoping opinion where the development is broadly as was previously described and would check that there is adequate information to understand the environmental effects of any additional features or changes. The Inspectorate cannot comment on the adequacy of an ES prior to submissions of an application.</p>
Potential delays to the examination process	<p>The applicant asked if the Inspectorate could provide any comfort towards a short (circa 3 months) pre-examination period.</p> <p>The Inspectorate advised that the length of pre-examination period is determined by factors outside of the Inspectorate's control. The following were cited as having the potential to avoid a prolonged pre-examination period:</p> <ul style="list-style-type: none"> • Sticking to the application submission date. • Presenting a high-quality application, reducing any need for post acceptance s51 advice. • Progressing land agreements and protective provisions ahead of the submission of the application. • Minimising the likelihood of a change request, especially one which may trigger the compulsory aquation regulations. <p>As such, whilst the Inspectorate cannot commit to a set pre-examination period, as some matters are outside of its control, the pre-examination period will not be unnecessarily prolonged.</p> <p>The Inspectorate highlighted the recent webinar held in relation to good design for NSIPs. This builds on the good design advice page. The applicant should demonstrate its regard to these in its design documents submitted with the DCO application.</p>
Mitigation hierarchy	<p>Whilst EN-1 also sets out that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, it is important that the applicant clearly demonstrates how the mitigation hierarchy has been applied, and relevant Statutory Nature Conservation Bodies agreement with the approaches taken, in the application documents.</p>