

Aldbrough Hydrogen Storage - EN030003

Aldbrough Hydrogen Storage Limited

Section 51 Advice Log

Version: 30 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 (Aldbrough Hydrogen Storage 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 advice 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 meeting	Meeting overview
17 November 2022	<p><u>Inception Meeting:</u></p> <ul style="list-style-type: none"> • The Proposed Development • Scoping Boundary • Proposed NSIP • Activities to date • Consenting Programme • Stakeholder Engagement and Consultation <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: View meeting note (PDF, 123KB).</p>
4 April 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project Update • Scoping • Consenting Programme <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: View meeting note (PDF, 96KB).</p>
18 October 2023	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Non-Statutory Consultation • Project Update • Consenting Programme <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: View meeting note (PDF, 116KB).</p>
9 April 2024	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project and Programme Updates • Any other business • Specific decisions/follow up required <p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this</p>

	can be viewed at: View meeting note (PDF, 120KB).
9 October 2024	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project and Programme Update • Pre-Application Service commencement and expectations • Feedback received at Statutory Consultation • Consultation with Health & Safety Executive including the approach to Hazardous Substances Consent and a potential multi-partite meeting • Draft Document Review – Preparation and timing
17 January 2025	<p><u>Draft Document Feedback</u></p> <p>The Inspectorate has provided feedback from the Draft Document Review, which has been published. View Draft Documents Feedback (PDF, 170KB)</p>
4 March 2025	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Programme Document • Adequacy of Consultation Milestone • Draft Document Feedback • Service tier • Submission date
02 April 2025	<p><u>Multi-Party Meeting with East Riding of Yorkshire Council and the Health and Safety Executive:</u></p> <ul style="list-style-type: none"> • Past NSIPs • Statement of Common Ground with the Health and Safety Executive • Interrelationships with other projects • Service Tiers
30 July 2025	<p><u>Project Update Meeting:</u></p> <ul style="list-style-type: none"> • Project and Schedule update • Design Updates under consideration • Consultation & Engagement update • Red Line Boundary update • Adequacy of Consultation Milestone

Aldbrough Hydrogen Storage Project - s51 Advice Library	
Topic	Meeting date: 17 November 2022
Scoping – Optionality	The applicant outlined that with regards to the pipeline corridor to connect the underground storage caverns to the proposed Humber Low Carbon Pipelines project, there are three potential proposed routes that the applicant intends to scope on, with the green route preferred. The Inspectorate expressed a preference for scoping to be on a single option, to avoid unnecessary consultation but stated that the degree of optionality was for the applicant to determine, subject to satisfying the requirements of Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
Planning Act 2008 Nationally Significant Infrastructure Project – Criteria in relation to Hydrogen	<p>The applicant explained its reasoning as to why it considered the project falls within the Planning Act 2008 criteria. This is because the hydrogen storage exceeds the thresholds set out in section 17 of the Planning Act 2008, in both working capacity and maximum flow rate. The applicant pointed out marine works, the pipeline and other associated development will also be included in the DCO.</p> <p>The applicant also confirmed it considered that s.235 of the Planning Act 2008 supports hydrogen as a “gas” on the basis that the definition includes natural gas but is not listed as being exhaustive. The Inspectorate confirmed that it could not provide a legal opinion or legislative interpretation and suggested the applicant discussed the matter directly with the Department for Business, Energy & Industrial Strategy (BEIS).</p>
Topic	Meeting date: 4 April 2023
Information provided by the applicant in relation to proposed scope of the Application, Scoping, and the Consenting Programme.	<p>A meeting note is available for this meeting on the National Infrastructure Planning Website and this can be viewed at: View meeting note (PDF, 96KB).</p> <p>An update was provided by the applicant in relation to the proposed scope of the Application, Scoping, and the Consenting Programme. The Inspectorate did not provide identifiable advice on these matters falling within the scope of its duty under section 51 of the Planning Act 2008.</p>
Topic	Meeting date: 18 October 2023
Early Adopters Programme	The applicant enquired about the Early Adopters Programme (EAP) which is currently ongoing with seven pre-application cases and the ten components that form part of this trial. Following this enquiry, the applicant

	subsequently asked if it would be possible to view templates of EAP documents. The Inspectorate was not able to give a definitive answer, but it is understood that advice given would be reflected in s51 advice published under the duty.
Scoping – Late Comments from Local Authorities	Due to resourcing constraints Environmental Impact Assessment Scoping comments from East Riding of Yorkshire Council were outstanding but the applicant understood that the Local Authority will shortly be submitting some comments. The Inspectorate made clear that these would be processed as late Scoping responses and published on the National Infrastructure Website once received, in line with standard practice.
Draft Document Review – Documents and timeline for review feedback	<p>The applicant asked which documents would be expected at a Draft Documents Review and the Inspectorate made it clear this was a decision for the party making an application for Development Consent. However, the applicant was advised that it can be helpful to see the project description chapter of the Environmental Statement, and the HRA.</p> <p>Other documents might be worth consideration of inclusion of submission for a Draft Document Review were suggested to be a draft Development Consent Order, Explanatory Memorandum, Land Plan, Work Plan, Book of Reference, Statement of Reasons and the Consultation Report. The Inspectorate confirmed that their standard but not guaranteed timeframes for Draft Document Review is six to eight weeks.</p>
Topic	Meeting date: 9 April 2024
Applicant – Special Purpose Vehicle	Equinor and SSE are in the process of establishing a new Special Purpose Vehicle company to act as the applicant for the project. The timing of this change in relation to the Statutory Consultation was queried by the Inspectorate and the applicant confirmed that the new company would be identified as the applicant for the Statutory Consultation.
Stakeholder Engagement – Health and Safety Executive and the Aldbrough Community Liaison Group	<p>The Inspectorate asked about the applicant's engagement with the Health and Safety Executive. The applicant advised that there had been a previous meeting which was held last year and that there is another planned for May 2024.</p> <p>The applicant reminded the Inspectorate that outside of the Development Consent Order (DCO) process, it regularly meets with a local interest group (Aldbrough Community Liaison Group) to provide consistent information about project as well as other matters connected to the Aldbrough site.</p>

Topic	Meeting date: 9 October 2024
Submission date	<p>The Inspectorate made the applicant aware that there has been feedback from other Hydrogen projects about the lack of Hydrogen availability in the UK at present, and asked if this would impact this project and cause a delay to timescales. The applicant replied that the government is looking at business models to support Hydrogen and is carrying out an independent review of the market, but it is unlikely there will be any impacts on the project timescales. The Inspectorate advised that the applicant may wish to ensure this is clearly reflected in the documentation submitted as part of the submission of an application for development consent.</p>
Review of Programme Document	<p>The Inspectorate reiterated that the Programme Document must be maintained throughout and published on the applicant's website.</p>
Review of Programme Document – Adequacy of Consultation	<p>In relation to the Programme Document (PD), the applicant should ensure that the PD contains the Adequacy of Consultation Milestone, timescales for any meetings with the Inspectorate (including the multi-partite meeting) and dates for the submission of draft documents for review. The Inspectorate advised that the Adequacy of Consultation documentation should be submitted at least 3 months prior to submission to enable the applicant to amend if needed.</p> <p>The applicant queried what it will need to submit and the Inspectorate advised the applicant to refer to the Prospectus and to submit a statement on how it has conducted the consultations. The applicant confirmed that it would use the S55 checklist and append supporting documents to this. The Inspectorate confirmed that this approach appears to be sensible.</p>
Review of Programme Document – Project Update Meetings and Multi-party meetings	<p>The Inspectorate advised of the information, and timescales, it needs to consider attendance at a multi-partite meeting, in line with the Pre-Application Prospectus.</p>
Review of Programme Document – Pre-Exam & timeframe	<p>The Inspectorate noted that the Programme Document currently anticipates 3 months as the timescale for the pre-examination stage but advised that 4 months is a more reflective time period at present.</p>
Embedded risk review process	<p>The applicant asked if the Inspectorate could elaborate on this as it is referenced in the Prospectus. The Inspectorate explained that the new pre-application process contains</p>

	steps that are designed to help minimise risk, such as the introduction of Programme Documents, Adequacy of Consultation Milestones and Issues/Risk tracking. It is expected that the pre-application stage is frontloaded and applicants seek to resolve as many issues as possible ahead of the submission of the application.
Statutory Consultation	The Inspectorate queried if the Planning Performance Agreement (PPA) with East Riding of Yorkshire Council covers examination and post decision stages or if it is just for pre-application stage. The applicant agreed to review this and the Inspectorate advised the applicant to consider how it could support the continued engagement of key parties throughout the process.
Statutory Consultation – Key Themes	Following the applicant's update on key themes arising from the recent statutory consultation, the Inspectorate reminded the applicant of the requirement to clearly demonstrate regard to the comments, as well as advice provided by the Inspectorate, in the application documents.
Statutory Consultation	The applicant must ensure that it clearly demonstrates how it has applied the mitigation hierarchy in the application documents, e.g. addressing the comments from Natural England received during the statutory consultation.
Habitats Regulation Assessment and Marine Conservation Zone Report	The applicant should consider sharing the draft Habitats Regulations Assessment and Marine Conservation Zone Report with Natural England again prior to submission, in order to try to seek agreement on key matters.
Draft Document Review	<p>The applicant queried if it could submit a Marine Conservation Zone Report with its draft documents to be reviewed by the Inspectorate. The Inspectorate advised that although having advance sight of the document may be beneficial, the Inspectorate could not offer comments on it as it falls outside of the scope of the standard pre-application service. The Inspectorate also advised that the applicant must provide a firm submission date for the draft documents so it can prepare for resourcing and also noted the 6 week review period.</p> <p>When submitting draft documents for review, the applicant should provide well progressed and ideally final versions of documents, rather than early drafts. This will enable the Inspectorate to provide more meaningful comments on the submitted documents.</p>

Topic	Email date: 17 January 2025
Draft Document Feedback	View Draft Documents Feedback (PDF, 170KB)
Topic	Meeting date: 4 March 2025
Programme Document (PD)	The Inspectorate noted that it would be useful for the applicant to set out in the PD what work is being undertaken in the time gap between the Inspectorate providing draft documents feedback and the applicant finalising the Development Consent Order application.
Adequacy of Consultation Milestone (AoCM)	<p>The Inspectorate explained the importance of the applicant including in the Programme Document when it will be submitting its AoCM to assist the Inspectorate in resourcing this milestone.</p> <p>The Inspectorate advised that the AoCM has been introduced as one of the five mandatory components for all tiers to help derisk the process. In order to assist the applicant's preparation of the document, the Inspectorate advised the applicant to consider how other recent applicants had presented their AoCM:</p> <p>EN010147 Botley West Solar Farm AoCM</p> <p>EN010157 Peartree Hill Solar Farm AoCM</p> <p>EN060006 Hynet North West Hydrogen Pipeline AoCM</p> <p>EN010151 Beacon Fen Energy Park AoCM</p>
Draft document feedback	The Inspectorate reiterated the feedback given about how the applicant should consider its approach to data protection in the consultation report. The applicant confirmed that it will add some additional information to explain how it deals with data protection in the report. The Inspectorate advised that any data that could potentially identify a living person will be redacted before publishing, in line with the General Data Protection Regulation.
Draft document feedback	The Inspectorate also reiterated the feedback about making it clear in the consultation report all parties that were consulted during the consultation.
Service tier	The applicant asked whether it would be possible to switch to the basic pre-application service tier. The Inspectorate advised the applicant to familiarise itself with what each tier offers, as set out in the prospectus, and to be aware of the timescales for changing tier (the Inspectorate noted that it needed at least 3 months' notice for this). The Inspectorate

	<p>advised the applicant to make any request to change tier in writing as soon as possible.</p> <p>Post-meeting note - The applicant has informed the Inspectorate since the meeting that they intend to stay on the standard tier.</p>
Submission date	The Inspectorate advised the applicant to consider the implications of submitting the Development Consent Order application in December 2025.
Topic	Meeting date: 02 April 2025
Past NSIPs	The Inspectorate advised that most of the documents for Preesall Saltfield Underground Gas Storage on the Inspectorate's website have been archived but may still be available on the National Archives web archive service. The decision documents including the Secretary of State's decision letter and the Examining Authority's Recommendation Report remain available on the Planning Inspectorate's project page .
Statement of Common Ground (SoCG) with the Health and Safety Executive (HSE)	The Inspectorate explained the importance of having early discussions and sharing material with the HSE to come to an agreement on as many issues as possible, including in respect of any Hazardous Substances Consent application to be submitted as part of any future Development Consent Order application, to assist with examination. The Inspectorate also explained that it is helpful for the SoCG to identify main areas of dispute, and the likelihood of any disputes being resolvable, as well as what has been agreed on.
Interrelationships with other projects	The Inspectorate noted that it would be beneficial to have a document setting out interrelationships with connecting/related infrastructure.
Service tiers	The Inspectorate reminded the applicant that there was a limit on how many meetings are allowed under the standard service tier of pre-application service and to factor this into considerations about the Inspectorate's involvement at future Multi-Party Meetings.
Topic	Meeting date: 30 July 2025
Project and Schedule Update	The applicant explained that the design review had resulted in several changes to the proposed design of the project to

	<p>be considered. The implications of these changes have meant that submission of the application is proposed to be in March 2026.</p>
Design Updates	<p>The applicant notified the Inspectorate of several potential design changes that were being considered. Most notably, these are:</p> <ul style="list-style-type: none"> • An increase of 5 metres to the roof height of the compressor building. • An additional elevated cold vent stack to the hydrogen relief system. • An updated drainage system to take account of the latest Environment Agency flooding guidance. <p>The Inspectorate informed the applicant that it could not give a view on the significance of the changes to the design, but it could provide advice as to how the applicant should deal with the specific changes prior to submitting their application.</p> <p>With reference to the changes in building heights, the Inspectorate stated it would be helpful for the applicant to explain how the new heights interact with other pre-existing infrastructure in the area for the Landscape and Visual Assessment.</p> <p>The Inspectorate also advised the applicant when documenting the changes to the design that it would be helpful to understand if the changes had been resultant of consultation feedback. If it had, it would be important to demonstrate this in the consultation report and Adequacy of Consultation Milestone (AoCM) report in respect of how these responses have affected or influenced the design scheme.</p> <p>The Inspectorate advised the applicant to consider consultation on the changes ahead of the submission of the application, in line with the pre-application guidance, and to ensure this is addressed in the AoCM and consultation report. If the applicant did not consider further consultation to be necessary, it should fully explain the rationale for this, including any local authority agreement to the approach in both the AoCM and consultation report.</p> <p>The Inspectorate also advised the applicant to consider whether the changes would affect the outcome of the current scope of the Environmental Impact Assessment following the issuing of the scoping opinion and statutory consultation. For example, the Inspectorate stated that the applicant should consider whether the mentioned changes</p>

	<p>may have a materially worse or different environmental impact.</p>
Design Review	<p>The Inspectorate enquired whether the project, including the changes to the design, had been subject of an independent design review. The applicant stated that it had not, but that it had been engaging with the design officer at East Riding of Yorkshire council and that part of that discussion had been about the scope of a design review moving forward.</p> <p>The Inspectorate advised the applicant that this was an area that was covered in the Inspectorate's good design page. It also highlighted the importance of the applicant demonstrating how the design of the project has evolved following engagement with key parties within the design approach document which could assist a smoother examination.</p> <p>The applicant enquired whether the Inspectorate could provide or suggest any good design approach documents. The Inspectorate advised it could not provide "good" example documents as these opinions could be subjective. However, it did highlight some similar projects such as the Outer Dowsing Offshore wind project and Cory decarbonisation project that had engaged in the design approach document elements of the early adopter projects, where the applicant could view the draft documents and advice given by the Inspectorate.</p>
Health and Safety Executive	<p>The Inspectorate enquired whether the applicant had been continuing its engagement with the Health and Safety Executive (HSE). The applicant advised that further engagement would take place shortly to discuss the design changes. The applicant is intending to submit a safety demonstration plan which should be complete by the end of September 2025, and that this would be the proposed time to engage with the HSE.</p> <p>The applicant advised that it is considering issuing a request for a further multi-party meeting between themselves, the HSE, and the Inspectorate as it would be helpful for the Inspectorate to hear the views of the HSE directly. The Inspectorate advised the applicant to be aware of the timescales involved in setting up such a meeting and that the Inspectorate's role would primarily be as an observer. It also advised the applicant to continue its engagement with the HSE and to try and resolve as many issues as possible with the HSE before submission of the application.</p>

<p>Adequacy of Consultation Milestone</p>	<p>The applicant informed the Inspectorate that it intended to submit its AoCM report by the end of November 2025. The applicant enquired whether it could identify any consultation that was planned but was yet to take place.</p> <p>The Inspectorate informed the applicant that the Inspectorate's comments would be based on consultation that had been previously undertaken and would not capture any future consultation. Ideally, the consultation would be complete to allow the Inspectorate to give its view on the entirety of the applicant's pre-application consultation.</p> <p>The Inspectorate advised the applicant to review the pre-application guidance, and that the AoCM should be a short summary statement that includes the views of the local authorities. The Inspectorate advised the applicant to include any concerns the local authorities may have about the consultation within the AoCM, including its response to the concerns, rather than these concerns being raised for the first time at acceptance stage, as this would allow for any concerns to be addressed.</p> <p>The applicant enquired whether the expectation is that they need to consult the local authority on the AoCM report itself, not just on the consultation undertaken, before submitting it to the Inspectorate. The Inspectorate advised that this was a matter for the applicant to consider.</p>
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