



Keuper Underground Gas Storage Facility Material Change 1 - EN0310001

Keuper Gas Storage Limited

Section 51 Advice Log Version: 20 January 2026

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 (Keuper Gas 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 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	
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Date of meeting	Meeting overview
24 January 2025	Inception meeting
17 February 2025	Email advice to applicant
14 July 2025	Project update meeting
20 January 2026	Project update meeting

Project name -s51 Advice Library	
Topic	Meeting date: 24 January 2025
Inception meeting	Inception meeting note
Topic	Email date: 17 February 2025
Consultation and publicity requirements	Regulations 10 to 14 of The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (Changes to DCOs Regs) confirm the consultation and publicity requirements for a proposed application for a material change to a Development Consent Order (DCO). The Planning Inspectorate does not provide legal advice; therefore, you may wish to seek your own advice on this matter.
Requirement to submit an updated Environmental Statement	Regulation 17 of the Changes to DCO Regs lists the parts of the Environmental Impact Assessment Regulations (EIA Regs) that apply to applications for a material change. We note that Regulation 22 of the 2017 EIA Regs (Reg 18 of the 2009 EIA Regs) confirms that the applicant is required to submit an updated Environmental Statement (ES) with the application, to publicise the updated ES and to advise people how they can respond.
Preliminary Environmental Information (PEI) & Advice note seven	With regard to the scope of any Preliminary Environmental Information (PEI), the Planning Inspectorate provides general advice in section 8 of Advice Note Seven: Environmental Impact Assessment: process, preliminary environmental information and environmental statements . To clarify, the Scoping Opinion will advise what the updated ES should cover.
Topic	Meeting date: 14 July 2025
Good design	The Inspectorate advised the applicant to ensure the design approach is fully explained and justified demonstrating regard had to the National Policy Statements, as well as published advice on good design within submitted documents. Making this information fully available at the point of submission will front load the examination process (if required).

Statement of Engagement	<p>The Inspectorate advised where reference is made to the environmental statement (ES) to accompany the material change application the applicant may wish to amend the reference to the 'updated ES.' This would align with regulations 8(2)(b) and 22 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA regs).</p> <p>Paragraph 2.6.1.4 of the statement of engagement references regulation 19 of The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. The Inspectorate notes that this paragraph quotes a deadline of no less than 28 days for the receipt of representations. Regulation 17 confirms that an application for a material change shall be treated as a 'subsequent application' for the purposes of the EIA regs. As such the applicant may wish to refer to regulation 22(3) which sets out the requirements for notifying consultees and publishing an application for a material change where an updated environmental statement is provided with the application. Namely regulation 22(3)(a)(x) that states a deadline of no less than 30 days for receipt of representations. The Inspectorate highlighted a requirement in regulation 22(3)(b)(ii) to publish the notice of the application once in a national newspaper.</p>
Consultation	<p>The Inspectorate asked the applicant if it intends to make a request to the Secretary of State (SoS) under Regulation 10 of The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 for permission to exclude certain parties from consultation. The applicant advised that this is not their current intention.</p> <p>The Inspectorate asked the applicant if it has engaged with the Health and Safety Executive (HSE) in relation to the proposed changes. The applicant advised that discussions have not yet commenced. The Inspectorate emphasised the importance of early engagement with HSE to assist a smoother examination in due course (if required). signposted the applicant to the Hynet North West Hydrogen Pipeline project where the HSE had engaged in multi-partite meetings. The Inspectorate further advised that presently it does not meet with the HSE to discuss strategic matters.</p>

Hazardous substance consent and other consents	<p>The Inspectorate asked the applicant when it intends to make an application to the relevant Local Planning Authority (LPA) Cheshire West for an amendment to the hazardous substance consent in accordance with The Planning (Hazardous Substances) Regulations 2015. The applicant advised that it plans to do so in the near future, ahead of the submission of the DCO application. The Inspectorate advised that doing this in good time would be beneficial to ensure that key discussion is had before the application is submitted to front load the examination process.</p> <p>The Inspectorate advised it is helpful to include a document "Consents and Licences Required Under Other Legislation" with applications to identify other consents and licences required, together with information on timescales.</p>
The Planning and Infrastructure Bill	<p>The applicant asked if The Inspectorate could offer advice as to whether there are any changes under the proposed Planning and Infrastructure Bill that could potentially impact the project. The Inspectorate advised that it is unable to provide advice at this juncture, but recommended the applicant keep abreast of developments as the bill moves through parliament towards Royal Assent.</p>
Topic	Meeting date: 20 January 2026
Programme update	<p>The applicant presented the programme update and confirmed it still intends to submit the application towards the end of March 2026. The Inspectorate requested a confirmed date to plan resource.</p>
Issues tracker	<p>The Inspectorate advised it is useful to use an Issues Tracker to organise information. The Inspectorate referred the applicant to the template in the 2024 Pre-application Prospectus and offered a further conversation on this document.</p>
Application documentation	<p>Statement of Changes</p> <p>The applicant intends to submit a Statement of Changes as required under regulation 16(2)(i) of The Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011. The applicant asked whether a tabulated format is acceptable. The Inspectorate queried whether the table would include a column identifying the impact of each change. The applicant will consider this.</p>

	<p>Plans and Drawings</p> <p>The applicant confirmed it will only submit plans, drawings, and sections relevant to the change. The Inspectorate advised that it may be helpful to explain the reasons for excluding other plans, where appropriate.</p>
	<p>Explanatory Memorandum</p> <p>The applicant confirmed it will not seek Compulsory Acquisition powers. The Inspectorate advised that the Explanatory Memorandum should clearly set out the reasons for this.</p>
	<p>Draft Amendment Order</p> <p>The Inspectorate advised that the Draft Amendment Order must be submitted in both PDF and Word formats and aligned with the Statutory Instrument validation template.</p>
	<p>Consents and Licences</p> <p>The Inspectorate advised the applicant to provide an updated Consents and Licences document, including a tracked-changes version.</p>
	<p>Habitats Regulations Assessment Screening Report</p> <p>The applicant confirmed that the Habitats Regulations Assessment Screening Report will explain why a full assessment has not been undertaken. As the Inspectorate must make a recommendation to the Secretary of State, it offered further discussion before submission to ensure that the Screening Report contains all necessary information.</p>
	<p>Biodiversity Action Plan</p> <p>Although formal Biodiversity Net Gain metrics are not required, the applicant will address biodiversity matters within the submitted documents. The Inspectorate supported this approach.</p>
	<p>Cavern Integrity Report</p> <p>This new document will incorporate work undertaken with the Inspectorate to address issues identified in the Non-Material Change decision. The applicant intends to use a tabulated format to show how each issue has been resolved. The</p>

	<p>report will include all current information and research findings.</p> <p>Policy Compliance Document</p> <p>The Inspectorate advised that a Policy Compliance document would be helpful. The applicant will incorporate this within the Planning Statement.</p> <p>Pipeline Statement</p> <p>The Inspectorate advised the applicant to clearly explain in the Pipeline Statement why no electricity grid connection statement, gas connections or pipeline are required.</p> <p>Statements of Common Ground</p> <p>The applicant confirmed that none are currently agreed. In response to the Inspectorate's query, the applicant confirmed that any updated positions will be reflected within the application documents.</p>
<p>Draft documentation review</p>	<p>The Inspectorate asked whether the applicant intends to use the draft documentation review service. It clarified that, as this is a Material Change, the project falls outside the Pre-Application Prospectus service, but the Inspectorate can still review draft documents and provide advisory comments. To meet the applicant's intended submission timeline and manage resources, the Inspectorate would need to receive any draft documents by early February 2026, should the applicant wish to use this service.</p> <p>The applicant asked whether the Inspectorate could review the list of documents, indexes, and schedules of appendices within the application. The Inspectorate confirmed that applicants receive an application index prior to submission and agreed to consider the request to review the documents and index, responding after the meeting.</p>
<p>Consultation</p>	<p>The applicant summarised the consultation held in October–November 2025, the feedback received, and resulting design changes such as flare size. It also outlined planned future engagement with the local community.</p> <p>The Inspectorate noted the newsletters planned for February 2026 and asked whether the applicant would include information explaining the Material Change process and how</p>

	the public can engage. The applicant agreed and will seek to include this.
Payment of fees and submission	<p>The Inspectorate advised that the latest fees are available on the Inspectorate's website.</p> <p>The Inspectorate confirmed that the practicalities of submission will be covered in the pre-submission letter the applicant will receive. Further, the Inspectorate stated that it would require 28 days to review the application once submitted.</p>
Relevant Representation period	<p>The Inspectorate queried what the applicant plans in terms of Relevant Representations (RR) period. The applicant indicated that the intention is for the RR period to begin in May 2026 and to run for 30 days. The Inspectorate advised that it would be helpful if this could be managed through the Inspectorate's project page. The Inspectorate advised that as per <u>The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (Regulation 4 (2)(a)(b))</u> and <u>The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 22)</u> the applicant is required to advertise the material change application two times within a local paper and once within a national newspaper.</p>