

## Peak Cluster CCS Pipeline

### Section 51 Advice Log Version: 31 March 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 Planning Inspectorate to the applicant Peak Cluster Ltd and their consultants during the pre-application stage. It will be updated by The Planning 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 Planning Inspectorate's draft record of advice before it is published.

The applicant will use this advice log as the basis for demonstrating regard to s51 advice within the application.

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<a href="#"><u>12 March 2026</u></a>	Project Update Meetings <ul style="list-style-type: none"> <li>• Consultation responses</li> <li>• Programme document</li> <li>• Refinement of order limits</li> <li>• Need case</li> <li>• Draft documents</li> </ul>

## Peak Cluster CCS Pipeline - s51 Advice Library

Topic	Advice (Email) 28 October 2025
Pre-application prospectus	<p>The Inspectorate has advised that, following a 6-month review of our services, our <a href="#">Pre-Application Prospectus</a> has been updated: 2024 Pre-application Prospectus. The update log at the bottom of the page summaries the changes and clarifications that have been applied. Applicants 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:</p> <ul style="list-style-type: none"> <li>• 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 rights negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to</li> <li>• Clarified expectations of the 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 update programme document or issues tracker is not provided, on time, to inform meeting agenda</li> </ul>
Topic	Meeting date: 15 December 2025
Scoping and consultation	<p>The Inspectorate advised caution regarding the non-stat consultation being undertaken at the same time as the scoping consultation. Past experience has found that the public may get confused about which consultation they should respond to. The Inspectorate advised that if the non-stat consultation cannot be moved, then a clear distinction should be made during the non-stat consultation to avoid consultation responses being sent to the Inspectorate which it is unable to take into account during production of the scoping opinion.</p>
Scoping	<p>The applicant explained that a new kiln development may be used. The Inspectorate advised that this issue should be looked at in more detail in further meetings.</p>
Associated Development	<p>The Inspectorate noted that the applicant had considered that adding a visitor centre under associated development and advised the applicant to look previous consented Development Consent Orders to see how this issue had been covered.</p>

Surveys	<p>The Inspectorate added that it would find it helpful in future meetings if updates could be provided regarding environmental survey work to understand how far the survey has progressed and if any issues have been identified.</p> <p>The Inspectorate advised that if there were issues with gaining land access for the surveys, the applicant could utilise section 172 of the Housing and Planning Act. The applicant said they would consider this but also use other methods of drones and public rights of way where appropriate.</p>
Programme Document	<p>The Inspectorate advised that instead of using quarters for the time frames the applicant should use a month and a year to make it more specific and to ensure timescales are being followed. This would allow the Inspectorate to allow for publishing. The applicant stated they would take this away and provide a month and year for their Development Consent Order submission.</p> <p>The Inspectorate advised that the applicant needs to publish the programme documents on their website and confirm to the Inspectorate once published.</p> <p>The Inspectorate advised that in the Programme Document months should be used instead of using quarters.</p> <p>The Inspectorate advised the Programme Document should also detail timescales for future meetings with the Inspectorate and key stakeholders to ensuring resourcing can be arranged.</p> <p>The Inspectorate suggested that the next meeting with it should be scheduled after the scoping has been undertaken.</p> <p>The Inspectorate advised that the applicant should review the new pre-application prospectus and make themselves aware of the new pre application templates and advice, these templates could help shape the programme document.  <a href="#">Nationally Significant Infrastructure Projects: 2024 Pre-application Prospectus - GOV.UK</a></p>
Scoping Report	<p>The Inspectorate advised that for the scoping opinion request should include a contact name and details from the applicant.</p>
Consultation	<p>The Inspectorate asked the applicant to start identifying areas in the process where there are strong consultation responses or where general issues arise and highlight any key challenges you are facing to support the pre-application phase.</p>
<b>Topic</b>	<b>Meeting date: 12 March 2026</b>
Consultation	<p>The Inspectorate advised that consultation materials and</p>

responses	<p>communications should clearly direct consultees to submit their responses to the applicant, rather than to the Inspectorate, to ensure the applicant has full visibility of issues raised. It further advised that future consultation should give particular attention to addressing concerns about the adequacy of consultation and stressed the importance of being explicit with councils about where their consultation responses should be sent.</p>
Programme document	<p>The Inspectorate advised that all pre-application activities should be clearly included in the programme document timeline, including draft document review, if required, and any future meetings with the Inspectorate.</p> <p>The Inspectorate clarified that dates included within the programme document are not fixed commitments but are primarily used to support the Inspectorate resourcing and ensure appropriate availability based on anticipated topics.</p> <p>The Inspectorate also noted that consultees may be unclear about what exactly is being consulted on at each stage. It suggested using the programme document to explain what consultation is taking place and what information is being provided at different stages of the project. It also reminded the applicant that the programme document is for all parties to obtain information.</p> <p>The Inspectorate advised that the programme document should clearly explain how the programme will progress and highlight any changes made as a result of consultation.</p> <p>The Inspectorate asked to be notified promptly of any changes to submission dates.</p> <p>It also advised that invoicing would commence from 1 April and noted that information on fee increases is available on the Inspectorate website.</p> <p>The Inspectorate also reminded the applicant that a minimum of three months' notice is required if changing service tiers.</p> <p>The Inspectorate encouraged the applicant to review the <a href="#">pre-application prospectus</a> in full, use the available templates and guidance, and ensure that any additional planned work is reflected within the programme document.</p>
Refinement of order limits	<p>The Inspectorate advised that the applicant should consider if any changes to the red line boundary may result in the need to consult additional bodies. Where changes to technology are being considered, the potential environmental impacts and implications of changes should be assessed. The</p>

	<p>Inspectorate referenced a project that required rescoping due to changes to the red line boundary which were much larger than had originally been scoped. The Inspectorate advised that, if there is any concern, legal advice should be sought.</p>
Need case	<p>The Inspectorate queried how the need case would be addressed in relation to facilities that rely on an existing pipeline. They advised that the need case should clearly explain who will continue operations beyond 2042.</p> <p>The Inspectorate advised the applicant to discuss with their legal team the implications of the 2042 deadline for mineral operations.</p>
Draft documents	<p>The Inspectorate advised the applicant to use the draft document service strategically by submitting documents that are close to a final position, particularly where there are novel or complex elements, to maximise the value of feedback. The applicant should be clear about what they want to achieve from the service, allow sufficient time for the Inspectorate to review, reflect this in the programme, and provide advance notice to support resourcing, noting that the service is optional and paid for by the applicant.</p> <p>The Inspectorate also noted that the <a href="#">pre-application prospectus</a> provides clear information on which draft documents the Inspectorate will review and suggested the applicant review the benefits.</p>