

Ferrybridge Carbon Capture and Storage

Section 51 Advice Log

Version: 12 August 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant (enfinium 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 Planning Act 2008 (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 in connection with the application to the applicant
- regard to any s51 advice given in connection with the application to others

The applicant will submit a final version of this advice log which demonstrates regard to all s51 advice given by the Planning Inspectorate at the pre-application stage as part of the application.

Ferrybridge CCS – Applicant meeting and advice index

Date of meeting	Meeting overview
26 March 2024	Inception Meeting
4 November 2024	Inspectorate comments on the Programme Document
19 February 2025	Project Update Meeting
5 February 2026	Project Update Meeting
16 July 2026	Advice provided by email to the Applicant by the Inspectorate: The Inspectorate provided advice to the applicant in relation to updates to our pre-application services and the legislation governing the development consent application process.
12 August 2026	Project Update Meeting

Ferrybridge CCS – Log of s51 advice given to the applicant

Meeting date: 26 March 2024

Topic	Topic	Topic
Inception Meeting Note	The advice can be found in the meeting note for this meeting (PDF, 101KB)	

Advice date: 4 November 2024

Topic	s51 advice given	Applicant regard to s51 advice given
Inspectorate comments on the Programme Document	• The Applicant must ensure that the Programme Document (PD) is hosted and maintained on the Applicant's website. • It would be helpful for the PD to have a diagram setting out the key milestones during the pre-application stage, to accompany the written information set out in the PD; • The Applicant anticipates October 2025 for its submission date. It would be helpful if the Applicant could keep the Inspectorate updated on any potential change to the specific date referenced in the appended PDF	

	'Programme' – currently 30 October 2025. • It would be helpful if the PD could provide approximate timescales for project update meetings with the Inspectorate. It would also be helpful to list any future meetings with key stakeholders to enable those parties to deploy resources effectively. • The PD does not provide any timescales for the submission of draft documents for the Inspectorate's review, or confirmation of what documents will be submitted. If applicable, the PD should be updated to provide an accurate date for this submission, allowing a six-week period for the Inspectorate's review, ensuring sufficient time before the application submission date to demonstrate regard to the Inspectorate's comments. • The PD does not provide any timescales for the Adequacy of Consultation milestone (AoCM). The pre-application guidance sets out that the AoCM should be early enough to enable applicants to consider how to take any additional engagement that may be needed, but sufficiently towards the end of the pre-application stage to assess the adequacy of	
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	consultation that has been done, therefore no later than 3 months before the intended date for the submission of the application.	
Meeting date: 19 February 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
Non-statutory consultation update	Non-statutory consultation took place in October 2024 with several public events both in-person and online. The project was generally well received. The applicant highlighted an overlap with a neighbouring SSE project and confirmed that it is in communication with SSE to ensure they are not competing when it comes to consultation. No action groups have been confirmed and have not historically been involved with previous Ferrybridge projects. The Inspectorate queried if any responses had been received by local authorities – nothing has been received directly but engagement has continued throughout pre-application since the section 35 direction. The Inspectorate queried whether any feedback had been received from Natural England (NE). No feedback has been	

	received yet, but NE has submitted its first set of costs as part of the Scoping Opinion and engaged with the scoping exercise. The Inspectorate queried the Environment Agency (EA). The applicant highlighted that the EA has been proactive but noted time constraints in 2025. The applicant is aware of the permitting queue for the EA and asked to be prioritised, with permitting being ran in parallel with the DCO application.	
Programme changes	The applicant is considering possible options to increase the capacity for carbon capture on the site. The Inspectorate advised the applicant to consider whether this would require a new Scoping Opinion to be issued for the proposed development, to ensure this does not become an issue at the Acceptance or Examination stages.	
Timeline update	Statutory consultation is now planned for Q3 2025. Environmental surveys will be completed this year, allowing sufficient time for the Adequacy of Consultation Milestone (AoCM) following advice from the Inspectorate. The surveys are ongoing, including consultation with the Coal Authority due to an existing coal mine within the Order Limits.	

	A two-month period has been allocated to the AoCM, with the Inspectorate advising that this should be done at least four months before submission to ensure engagement activities can be completed in time. The Preliminary Environmental Information Report (PEIR) is expected to be complete by Q3 2025.	
Draft document review	The Inspectorate asked when draft documents would be submitted for review and advised the applicant to provide more specific timescales than those currently provided. The Inspectorate further advised for the draft document review to be included in the programme document and timeline. The applicant highlighted that the Planning and Infrastructure Bill may be enacted by the draft document review, so it may not require this service. The Inspectorate also advised that it would be helpful to have well advanced versions of draft documents to ensure that adequate feedback can be provided.	
Adequacy of Consultation Milestone (AoCM)	The Inspectorate advised that with the AoCM planned after statutory consultation, there should be leeway to push the AoCM back if further engagement is required after the consultation period ends – as it will limit	

	the level of advice that the Inspectorate can provide. If the applicant is committed to an AoCM date, then the applicant should be aware that the Inspectorate cannot review a second iteration. The Inspectorate advised the applicant to look at the pre-application guidance if there is a fundamental issue with the consultation.	
Submission date	The applicant highlighted a delay of around six months to the submission date, with submission now expected in Q2 2026, not Q2 2025.	
Good design advice page	The Inspectorate referred the applicant to the good design advice page, published at the end of 2024. It also suggested the applicant view the good design webinar. The applicant noted that the number of technical requirements, resulting from the industrial nature of the project, means it might be more limited in following the good design advice provided.	
Meeting date: 5 February 2026		
Topic	s51 advice given	Applicant regard to s51 advice given

Design changes	The Inspectorate advised that one of the acceptance checks is how the application and environmental impact assessment reflect the advice given in its Scoping Opinion. The Inspectorate noted the applicant's view that the recent and ongoing design changes would not impact the Scoping Opinion. It advised the applicant to document and explain the changes and make them clear in their application.	
Draft documents timing	The Inspectorate advised the applicant to program 6 to 8 weeks for the draft document review, after which they will receive written feedback. The applicant may consider using one of its update meetings to discuss that feedback in more detail. However, the Inspectorate raised concerns that the current timetable of draft document review in June/July 2027 did not allow significant time for any necessary changes resulting from the feedback to be incorporated into the application for the projected submission of August 2027, and advised that the applicant be aware of this potential issue.	
Consultation process	The Inspectorate anticipated that central government would be releasing a 'roadmap' to the changes resulting from the Planning and Infrastructure Act, to provide more detail as to the timing of these changes, and	

	advised that late Spring remained the current expectation for the removal of duties under sections 42 and 47. It agreed with the applicant's approach of proceeding on the basis of the extant legislation until such time as other arrangements are confirmed, and also advised that their current programme, with consultation in September 2026, appeared able to accommodate forthcoming changes. The Inspectorate also reminded the applicant to ensure that its section 46 notice was submitted prior to the start of consultation (assuming that remains the legislative requirement at the relevant time). It advised that best practice is to submit this in advance to ensure that, in the event of corrections being required, they can be resolved without impacts on the consultation process itself. It also noted that transitional arrangements are often tied to key milestones such as the submission of this notice.	
Pre-application service levels	The Inspectorate noted that the applicant was keeping its service tier under review with the possibility of dropping to a basic level of service, and reminded the applicant that this would require three months' notice in writing. The Inspectorate confirmed that there was no set time of the year that this	

	had to take place, and that ongoing fees would be pro-rated from the change of tier level. However, it reminded the applicant that a draft document review was not available at basic tier level, and that a further three months' notice would be required if the applicant wished to upgrade its service level again to use that facility.	
Ferrybridge Next Generation project (Ferrybridge NGP)	The Inspectorate advised that it was not aware of any particular environmental issues from Ferrybridge NGP that the applicant needed to consider in relation to its own scheme. It welcomed the applicant's confirmation that it was in regular communication with the Ferrybridge NGP team and had built in timescales to enable it to review up to date documents before its own application submission. The applicant should also consider monitoring the section 51 advice log for the Ferrybridge NGP project for any updates as that scheme progresses. Due to the potential overlap in consultation periods between the projects, the Inspectorate advised the applicant to include clear explanations of the difference and separation between the two schemes, including their timescales, within its consultation material.	

Other nearby schemes	The Inspectorate noted that a data centre project is being promoted near to the site on former Scottish and Southern Energy land and advised the applicant to consider the water usage and availability implications of that development while undertaking its cumulative impact assessments.	
Advice date: 16 July 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Amended legal framework	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 s44 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	This is noted. The s55(4)(e) response is given here. The s46 and s48 information is expected to be appended to an engagement summary document.

	s55(4)(e) of the PA2008 to be provided in a submission version of this expanded advice log template	
Meeting date: 12 August 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Revised Programme	The applicant gave an overview of the evolution of the carbon capture project design masterplan in light of changes at the Ferrybridge site, which includes additional land acquisition, a third line for Ferrybridge 1 under its s36 consent, and a private wire connection and substations to supply power to a neighbouring data centre. These elements will have impacts on the integration of the proposed carbon capture and storage project and, as such, a new indicative submission date of Q1 2028 was given. The applicant confirmed that it was still intending to carry out a consultation exercise with stakeholders and the wider general public in November 2026 followed by more targeted engagement with specific consultees on technical matters in 2027.	No advice given

Draft Docs	The Inspectorate advised the applicant to ensure that any draft document feedback is considered in the context of ongoing changes to the application documents and programme, and to factor this into the submission date.	This is noted. The programme will be kept under review and PINS informed of any updates in regular PUM meetings.
Section 35 Direction	The applicant is expected to amend its Section 35 direction request so that the description of the proposed development aligns with the proposed development in the DCO application. The applicant confirmed it would not be re-scoping.	No advice given
Environmental Outcomes Report (EOR)	The applicant stated that, due to its revised programme, it shall be submitting the application after Environmental Outcome Reports (EOR) have come into force and asked if further information was available on the transitional arrangements. The Inspectorate advised that it currently has no further information available; the applicant should continue drafting the Environmental Statement in line with existing current legislation and that guidance shall be issued, if and when further information becomes available.	This is noted. EIA will be progressed under the existing legislation. The applicant will monitor for further information about forthcoming changes.
Change application	The applicant confirmed that it is seeking a Non-Material Change application to amend the Ferrybridge Multifuel 2 (FM2) Power	This is noted. NMC application will be progressed under the existing legislation.

	Station. This application is expected to be made later this year. In relation to the Planning and Infrastructure Act 2026, the applicant queried when section 12 (s12) (removing distinction between material and non-material change) may be enacted. The Inspectorate advised there is currently no indication that s12 will be brought into force imminently. Updated guidance is anticipated during 2027.	
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