

H2NorthEast

Section 51 Advice Log Version: 16 July 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant H2NorthEast 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 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 to the applicant by the Planning Inspectorate
- regard to any s51 advice given to others by the Planning Inspectorate

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

H2NorthEast – Applicant meeting index

Date of meeting	Meeting overview
17 December 2024	<u>Inception Meeting:</u> • The proposed development • The pre-application service offer • Next step 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, 120KB).
22 September 2025	<u>Project Update Meeting:</u> • Introductions • Update on the proposed development • Update on pre-application/non-statutory consultant process • Next steps • AOB
29 October 2025	<u>Advice provided by email to the Applicant by the Inspectorate:</u> Pre-application Prospectus Update
16 July 2026	<u>Advice provided by email to the Applicant by the Inspectorate:</u> 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.

H2NorthEast – Log of s51 advice given to the applicant

Meeting date: 17 December 2024

Topic	s51 advice given	Applicant regard to s51 advice given
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, 120KB).	
Pipeline routing finalisation	The Inspectorate advised on the importance of finalising the route ahead of submission and seeking to avoid requesting changes to the red line boundary once the application has been submitted.	
Engagement	The Applicant has been engaging proactively in early conversations with potential stakeholders and conducting various assessments as the project was originally earmarked to be decided through the Town and Country Planning Act 1990 regime, so a higher degree of engagement work has been undertaken than would be expected for a project at this stage. The Applicant is also aware spatially and temporally of other NSIP projects	

	nearby and is also having regular contact with those parties regarding its application and the cumulative effects with others. The Inspectorate advised the Applicant to seek to avoid or minimise any consultation and examination overlaps with those projects. Engagement with affected parties is ongoing and will be targeted specifically throughout the pre-application process, to provide updates on the progress of the project and how each party will be affected. The Inspectorate advised of the importance of early discussions with landowners to assist the examination in due course. The Applicant confirmed that it is seeking to reach voluntary agreements and agree Protective Provisions as soon as possible.	
Pre-application fee payment – Timing in relation to scoping	The Inspectorate advised on the importance of ensuring that the pre-application fee is paid before the request for a Scoping Opinion is made. The relevant invoice would be issued as soon as possible after the meeting to request the relevant fees.	
Programme document	The Inspectorate commented on the generally good compliance of the Programme Document with the pre-application guidance and reminded the Applicant to publish the Programme document on its website. The Inspectorate	

	advised the Applicant to include more detail around Statement of Community Consultation (SoCC), including dates for SoCC consultation, in line with the guidance. The Inspectorate advised the Applicant to avoid the scoping consultation concurrently with a non-statutory consultation, as it may lead to confusion regarding who to submit comments to. Ideally the non-statutory consultation period will take place after the Scoping exercise has been completed. The Inspectorate advised earmarking time in the Programme Document for further targeted consultation after the Statutory Consultation has been completed as is common practice for linear projects, and this should be undertaken prior to the Adequacy of Consultation Milestone being submitted. The Inspectorate highlighted the importance of scheduling sufficient time to review any draft documents in the programme document to give the Applicant enough time to implement any necessary changes before the application submission date. The Inspectorate reminded the Applicant that the Programme Document should be	
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	updated in due course to include any Planning Performance Agreements or Discretionary Advice Agreements.	
Land and rights	The Inspectorate advised the Applicant to provide regular updates throughout the pre-application stage on likely amounts and types of acquisition powers being sought in the draft Development Consent Order as this is a matter which impacts on the appointment of the Examining Authority in due course.	
Guidance and pre-application prospectus	The Inspectorate advised the Applicant to ensure it is checking the most up to date guidance and prospectus information as revisions are being added regularly. The Inspectorate advised the Applicant when organising the Shapefile to consider the transfer method and possibly perform a trial run to ensure the transfer of data can be performed smoothly, and that more information on this can be found in Advice Note 7.	

Meeting date: 22 September 2025

Topic	s51 advice given	Applicant regard to s51 advice given
Service Level	The Planning Inspectorate advised the applicant that, unless a project is formally withdrawn, it is not possible to pause the pre-application process. As such, pre-application services will continue to be provided and associated fees will remain applicable. The Inspectorate explained that the applicant could request to change its service level to the basic tier, which offers a reduced level of support at a lower cost. The applicant asked about the benefits and limitations of switching service level. The Inspectorate referred to the pre application prospectus, which outlines the scope of each tier. It was noted that the basic tier includes up to three meetings per year but does not include access to draft document reviews or multi-party meetings. The Inspectorate advised of the three months' notice period set out in the prospectus for a change in tier and advised the applicant to make the request as soon as possible, if a change is likely.	

Communication	The Planning Inspectorate encouraged the Applicant to maintain regular communication and to provide updates as the project progresses.	
Scoping Report	The applicant asked the Inspectorate whether, if the project was withdrawn and later re-submitted, the original scoping report could still be used or if a new report would be required. The Inspectorate advised the applicant to seek its own advice on this matter, but it is likely that a new scoping report would be necessary. The Inspectorate agreed that the quality and relevance of the scoping report is time limited, and highlighted that as time passes, the applicant may need to consider updating the information.	
Meeting date: 29 October 2025		
Topic	s51 advice given	Applicant regard to s51 advice given
Pre-application prospectus	The Inspectorate has advised that, following a 6-month review of our services, our Pre-application Prospectus has been updated: 2024 Pre application Prospectus. The update log at the 4 bottom of the page	

	summarises 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: • 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 right negotiations tracker in 1 of 2 available templates, irrespective of the service tier they have subscribed to. • Clarified expectations of 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 updated programme document or issues tracker is not provided, on time, to inform a meeting agenda.	
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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 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 s55(4)(e) of the PA2008 to be provided in a submission version of this expanded advice log template	