

Solent Gateway 2

Section 51 Advice Log

Version: 23 February 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 Associated British Ports (ABP) 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.

Solent Gateway 2 s51 Advice Log - Index	
Date of meeting	Meeting overview
<u>21 August 2025</u>	Inception meeting
<u>29 October 2025</u>	Updated Pre-application Prospectus
<u>4 February 2025</u>	Project update meeting

Solent Gateway 2 - s51 Advice Library

Topic	Advice (Email) 23 October 2025
Pre-application prospectus	<p>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 bottom of the page summaries the changes and clarifications that have been applied.</p> <p>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"> • 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. • 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.
Project update meeting – 4 February 2026	
Topic	
Draft document review	<p>The Inspectorate advised that it was the applicant’s choice regarding which documents to submit but advised that given the anticipated impacts to European designated sites, the applicant may wish to consider submitting its Habitats Regulations Assessment (HRA) documents for review.</p> <p>The Inspectorate offered to provide a link to the relevant sections of the prospectus and welcomes the applicant to engage with the Inspectorate if they have any further questions: NSIP: 2024 Pre-application Prospectus - draft document review</p>
Planning reform and SG2 response	<p>The Inspectorate advises that the pre-application process will not be affected by the provisions in the Planning and Infrastructure Act (PIA) until commencement regulations are</p>

	<p>made by government, supporting secondary legislation is ready and government guidance is published. The Inspectorate understands from government that this is unlikely to be before June 2026.</p> <p>The Inspectorate advised that the applicant's plan to carry out a thorough public consultation was sensible pending further information regarding the implementation of PIA.</p>
Ecological Compensation, Mitigation and Enhancement (E-CME)	<p>The Inspectorate recommended that the applicant's E-CME package should be presented so that it clearly distinguishes which policy tests it aims to meet and how the differing policy requirements are to be delivered. The applicant explained it would be designed to deliver compensatory measures for the HRA as well as target other requirements (eg Sites of Special Scientific Interest and Biodiversity Net Gain (BNG)). The Inspectorate advised it should be kept under review in the coming months, as the Government guidance is made available prior to BNG becoming mandatory for NSIPs in May 2026.</p>
Planning consent	<p>The applicant explained that it is considering the potential benefits of twin tracking the DCO application and a planning application(s) for elements of the E-CME package. The Inspectorate advised the applicant that a visualisation of the timeframes of these separate consenting processes would be helpful to see (when more information is available).</p>
Land and rights	<p>The Inspectorate advised the value of maintaining oversight of the applicant's progress in land negotiations, so that the Inspectorate can provide the applicant with the most effective advice.</p>
Discussion and AOB	<p>The Inspectorate would welcome an update on consultation, at the next project update meeting and would take an interest in knowing what designs the applicant is consulting on.</p> <p>The Inspectorate asked if the applicant had considered a need for energy storage or generation. The applicant confirmed that they are currently looking at opportunities.</p>