

Solent Gateway 2

Section 51 Advice Log Version: 29 July 2026

This document comprises a record of the s51 advice that has been given by the Planning Inspectorate to the applicant (Associated British Ports (ABP)) 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.

Selent Gateway 2 – Applicant meeting index	
Date of meeting	Meeting overview
21 August 2025	Link to Inception meeting note
29 October 2025	Updated Pre-application Prospectus
4 February 2025	Project update meeting
15 July 2026	Planning and Infrastructure Act 2025 updates

Solent Gateway 2 – Log of s51 given to the applicant

Meeting date: 21 August 2025

Topic	s51 advice given	Applicant regard to s51 advice given
Programme Document	The Inspectorate advised the applicant to expand the main issues section of the Programme Document to specifically address ecological designations and related issues. The document should also include expected meeting timings with the Inspectorate around key project milestones. The Inspectorate advised that the Programme Document should be updated as the project evolves and that future updates following non-statutory consultation may be beneficial. The Inspectorate advised the applicant to ensure the Programme Document is hosted and maintained on the project website.	
Project Programme	The Inspectorate advised the applicant to refine and narrow the anticipated timings for the Adequacy of Consultation Milestone, draft document review and application submission to assist resource planning. Future meetings with key stakeholders should also be included in the Programme Document.	

Demonstrating Regard to Advice	The Inspectorate advised the applicant to ensure that regard to section 51 advice is clearly demonstrated within the application documents.	
Crown Land	The Inspectorate advised that Crown Land matters should continue to be progressed and would be revisited as the project develops.	
EIA Scoping	The Inspectorate advised the applicant to submit its Scoping Report before the start of December to avoid holiday periods and maximise consultation effectiveness.	
GIS Data	The Inspectorate advised the applicant to provide the GIS shapefile at least 10 days before submitting the Scoping Request.	
Evidence Plan Process	The Inspectorate advised that Evidence Plan meetings could be a useful mechanism for engaging with Natural England and progressing agreement on compensatory measures.	
Submission Date	The Inspectorate advised the applicant to provide a projected submission month rather than a quarter or season as the programme becomes more refined.	

Email update: 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 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: • 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.	
Meeting date: 4 February 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Draft document review	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. 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	
Planning reform and SG2 response	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 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. 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.	
Ecological Compensation, Mitigation and Enhancement (E-CME)	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.	
Planning consent	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).	
Land and rights	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.	
Discussion and AOB	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. 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.	
Email update: 15 July 2026		
Topic	s51 advice given	Applicant regard to s51 advice given
Planning and Infrastructure Act 2025 updates	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 17 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	
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Solent Gateway 2 – Log of s51 advice given to others		
Person s51 advice given to	s51 advice given	Applicant regard to s51 advice given
Hythe and Dibden Parish Council	The Inspectorate advised that an assessment of traffic effects ('alone') should be provided for a scenario whereby the A326 scheme is absent. Should the applicant decide to include some highways improvement works within the proposed development as embedded mitigation, the effects of such works (for example, noise or dust) would need to be assessed where relevant. The cumulative effects (whether beneficial or adverse) of the proposed development with the A326 Improvement Scheme should be assessed in line with the Inspectorate's advice on cumulative effects assessment.	