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Mr. Roger Moreland
Burnham Against Non-sustainable Development
2 Appleberry Place, Burnham-on-Crouch,
CM0 8QN

Email: roger.moreland@googlemail.com

Your Ref:

Our Ref: **EN0110046**

Date: 19 November 2026

Dear Mr. Moreland

Dengie Peninsula Energy Park

Thank you for your email and the comments provided on the applicant's scoping request for the Dengie Peninsula Energy Park proposed development.

As you are aware, Dengie Peninsula Energy Park Ltd. asked the Planning Inspectorate on behalf of the Secretary of State for its opinion (a scoping opinion) as to the information to be provided in an Environmental Statement (ES) relating to the proposed development. To inform the Scoping Opinion, the Planning Inspectorate must consult with the prescribed consultation bodies.
This email sets out the Planning Inspectorate's position regarding consultation as part of the process of adopting a scoping opinion, including an explanation of its obligations and approach to non-prescribed consultation bodies, as described in Advice Page 'Nationally Significant Infrastructure Projects: Advice on EIA Notification and Consultation'.

The Planning Inspectorate, under the terms of Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), has a duty to consult:

- a body prescribed under section 42(1)(a) (duty to consult) of the Planning Act 2008 and listed in column 1 of the table set out in Schedule 1 to the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 [(as amended by the Infrastructure Planning (Miscellaneous Provisions) Regulations 2024)] where the circumstances set out in column 2 of that table are satisfied in respect of that body;
- the Marine Management Organisation, where the proposed development would affect, or be likely to affect, areas specified in section 42(2);
- each local authority that is within section 56A (local authorities for purposes of section 56(1)(b)); and
- if the land to which the application, or proposed application, relates or any part of that land is in Greater London, the Greater London Authority.

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The Planning Inspectorate also has a duty to notify certain bodies under Regulation 11 of the EIA Regulations of their duty under the EIA Regulations to make available to the applicant information they possess which is considered relevant to the preparation of the ES.

The Planning Inspectorate can also exercise its discretion to consult with non-prescribed bodies, as detailed in in Advice Page 'Nationally Significant Infrastructure Projects: Advice on EIA Notification and Consultation'.

Burnham Against Non-sustainable Development was not identified by the Planning Inspectorate as a consultation body for the Dengie Peninsula Energy Park consultation as it does not meet the circumstances test in the first bullet point above. Nor is it identified as one of the non-prescribed consultation bodies for which we exercise our discretion to consult.

Nevertheless, in accordance with 10(9)a of the EIA Regulations, the Planning Inspectorate must take into account "any information" provided about the proposed development before adopting a scoping opinion. If any such information is identified within your correspondence, it will be taken into account. However, your correspondence is not being treated as a consultation response, will not be appended to the Scoping Opinion and will not receive a substantive response. It will be forwarded to the applicant for information.

Please note that at present, the Dengie Peninsula Energy Park is at the pre-application stage. The applicant is encouraged to undertake a wide consultation and/ or engagement during pre-application in line with published guidance on gov.uk:

https://www.gov.uk/guidance/planning-act-2008-introduction-to-national-infrastructure-planning-guidance-july-2026

An individual or body can become involved in the Planning Act 2008 process in a number of ways. I refer you to our Advice Pages, which are available on the Advice page collection on gov.uk:

https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes

In particular, Advice Page 'Nationally Significant Infrastructure Projects: The stages of the NSIP process and how you can have your say' gives information about how to become involved in the Planning Act 2008 process.

A link to the applicant's website for the proposed development can be found on the Find a National Infrastructure Project website at the following link:

Dengie Peninsula Energy Park - Project information

I trust this information has been helpful; however, should you have any further queries regarding the national infrastructure planning process please contact us via the project mailbox.

Kind regards

Harriet Thomas

Harriet Thomas
Environmental Advisor
on behalf of the Secretary of State

This communication does not constitute legal advice.
Please view our Privacy Notice before sending information to the Planning Inspectorate.