

**National Infrastructure Planning Association
Consultation Response
Draft National Policy Statement for Nuclear Energy, EN-7**

Introduction

The National Infrastructure Planning Association (NIPA) was established in 2010 with the aim of bringing together individuals and organisations involved in the planning and authorisation of major infrastructure projects. Our principal focus is the planning and authorisation regime for nationally significant infrastructure projects (NSIPs) introduced by the Planning Act 2008, however, our members work across all consenting regimes and we act as a forum and community for anyone with an interest in the challenge of driving better national infrastructure planning.

In summary, we:

- advocate and promote an effective, accountable, efficient, fair and inclusive system for the planning and authorisation of national infrastructure projects and act as a single voice for those involved in national infrastructure planning and authorisation;
- participate in debate on the practice and the future of national infrastructure planning and act as a consultee on proposed changes to national infrastructure planning and authorisation regimes, and other relevant consultations; and
- develop, share and champion best practice, and improve knowledge, skills, understanding and engagement by providing opportunities for learning and debate about national infrastructure planning.

On Thursday 6 February 2025, the Department for Energy Security and Net Zero published an open consultation to seek views on the draft National Policy Statement (NPS) for nuclear energy generation (EN-7), applicable to nuclear power stations expected to be deployed beyond 2025: <https://www.gov.uk/government/consultations/draft-national-policy-statement-for-nuclear-energy-generation-en-7>.

NIPA welcomes this opportunity to provide views on the proposals set out in the Draft NPS to help inform and shape the next stage of policy development. This response builds on our previous consultation response provided in July 2024 (see below).

Overarching comments on the proposals set out in the Draft NPS

NIPA continues to support the principle of designating a new bespoke NPS for nuclear energy generation beyond 2025 alongside the existing suite of energy NPSs. It will provide a strong policy framework and establish the need, delivering clarity for the consenting process, consistency across England and Wales and certainty for local authorities, other statutory bodies and agencies, investors, applicants and the public.

The consultation was framed with a number of questions (1-10) and these are addressed in turn below.

Responses to Questions

Question 1: To what extent do you agree with the modification of this approach in light of the consultation feedback:

To retain the < 50 MW (electric) threshold in the existing planning framework and to review our position in the future?

Please indicate the extent to which you agree or disagree with the question

- **Strongly agree**

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- Agree
- Undecided
- Disagree
- Strongly disagree
- Not enough information

Question 1a (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)

This aligns with our previous NIPA Consultation Response (17 July 2024)¹. NIPA recommended that the threshold should be set at 50MW to align with other types of onshore energy NSIPs. Whilst not a regulated nuclear technology, this approach would also not preclude fusion proposals below the 50MW threshold from being consented through the DCO process on a case-by-case basis through the giving of a section 35 direction under the Planning Act 2008.

NIPA members from a local authority perspective expressed concerns regarding the expertise and resources required to determine applications for nuclear projects, given the complexities of the nuclear planning, permitting and licensing regimes, and the novel nuclear fission technologies included in EN-7. This means that the final content of EN-7 would benefit from very clear policy, assessment criteria, mitigation and decision-making criteria to assist in guiding local authorities in undertaking an effective engagement role.

Question 2: To what extent do you believe the draft National Policy Statement is adequately future proofed to accommodate advancements in nuclear technologies?

Please indicate the extent to which you agree or disagree with the question

- Strongly agree
- Agree
- Undecided
- Disagree
- Strongly disagree
- Not enough information

Question 2a (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)

We welcome the decision not to add a specific climate change criterion and that phased development for SMR and AMR technology can be deployed under a single consent on the basis that this is tested within any supporting EIA process, and the required nuclear design, permitting and licensing requirements.

Regarding criteria for site selection, the consultation encourages applicants to develop their site selection criteria in line with those contained in EN-6. The exclusionary criteria in EN-6 includes requirements aligned with gigawatt scale nuclear energy deployment, notably the semi-urban demographics assessments undertaken using the Office of Nuclear Regulation (ONR) guidance². This guidance was due to be updated in July 2021 and we would encourage

¹ <https://nipa-uk.org/nipas-consultation-response-fusion-energy-facilities-new-national-policy-statement-and-proposals-on-siting/>

² ONR Guide, NS-LUP-GD-001 Revision 0, Land use planning and the siting of Nuclear Installation, July 2018

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this to be updated to account for proposed SMR and AMR deployment, especially to demonstrate suitability in areas not nominated or promoted as part of EN-6.

It should also be noted that the locations in EN-6 were based on early deployment timescales which no longer apply and the nature, form and scale related to gigawatt nuclear projects which will not necessarily be equally applicable to modular nuclear projects.

Question 3: Are there specific planning or siting considerations that should be addressed to ensure the National Policy Statement remains flexible to deployment of nuclear in diverse locations?

- **Yes**
- ~~No~~
- ~~Unsure~~
- ~~Not enough information~~
- ~~Other~~

Question 3a (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)

Any criteria should be proportionate and fit for purpose. This proportionality should extend to resilience to extreme events and external hazards given the safety requirements following the Fukushima disaster and Weightman report³ which were not considered or drafted into EN-6.

Our comments related to the exclusionary criterion for semi-urban population demographics are covered in Question 5 and not repeated here.

In relation to the discretionary criterion for cooling water, indirect cooling is a viable option for SMR and AMR technology; this is not a barrier should suitable space be available within a site.

Question 4: To what extent do you agree with the proposal to remove the distinction between previously exclusionary and discretionary criteria (see paragraph 1.1.7 (v) for more information)?

Please indicate the extent to which you agree or disagree with the proposal

- **Strongly agree**
- ~~Agree~~
- ~~Undecided~~
- ~~Disagree~~
- ~~Strongly disagree~~
- ~~Not enough information~~

Question 4a (OPTIONAL): If you would like to explain your response, please use the text box (free text, 150 words)

Any nuclear deployment must demonstrate that it can safely operate and remain within the strict licensing and regulatory controls required. Regardless of whether an exclusionary or discretionary naming convention is implemented, any nuclear deployment must satisfy the ONR requirements for semi-urban population demographics.

³ <https://www.onr.org.uk/media/bksbmyi4/final-report.pdf>

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It has been demonstrated that the factors contained within the discretionary criteria are not blockers to deployment (and this does not just extend to nuclear but other forms of major infrastructure too) with the appropriate mitigation and design measures in response to the site-specific nature of the project.

Question 5: The government currently plans to retain the Semi-Urban Population Density Criterion in EN-7. Please indicate the extent to which you agree or disagree with the inclusion:

- Strongly agree**
- Agree
- Undecided
- Disagree
- Strongly disagree
- Not enough information

Question 5a (OPTIONAL): If you would like to explain your response, please use the text box (free text, 150 words)

The current ONR guidance for semi-urban population demographics applies to GENIII technology and has not been updated since 2018. In its current state the guidance is not fit for purpose to be applied to GENIV technologies (population density of 5000 persons per sq km), although we do agree that it is a critical requirement to demonstrate suitability of any site for nuclear deployment. Therefore, we strongly agree that semi-urban population demographics is maintained but that the criterion is proportionate and fit for purpose. Otherwise, numerous suitable sites may be discounted on the basis of failing this exclusionary criterion based on GW+ deployable technology.

Question 6: We are open to revising the Semi-Urban Population Density Criterion in the future. How should this criterion change in the future to better support the deployment of advanced nuclear technologies, and what evidence supports your suggestion? Please reference your sources. Please use the text box to answer (free text, max 500 words).

No response provided.

Question 7: If it's not already addressed elsewhere (for example in EN-1 and the Planning Inspectorate Nationally Significant Infrastructure Project Guidance), are there any specific areas of the draft EN-7 where further clarity or guidance is needed to help ensure successful implementation by developers, planners, and regulators?

- Yes**
- No
- Unsure
- Not enough information
- Other

Question 7a (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)

The role of SMR and AMR technologies is acknowledged in the Consultation Document as having a 'significant potential role' in supplying low carbon energy to the National Electricity Transmission System and to high demand users such as data centres, gigafactories, etc. The potential to support 'high demand users' is not explicit in the updated EN-7 (dated February

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2025) and should be updated to be explicit on the ability for EN-7 to support wider government objectives, e.g. infrastructure to support AI Growth Zones, data centres, gigafactories, etc.

Question 8: Would additional support or information from the government be beneficial and assist developers intending to apply for Development Consent in implementing EN-7 and proceeding through the Development Consent Order pre-application process?

- **Yes**
- ~~No~~
- ~~Unsure~~
- ~~Not enough information~~
- ~~Other~~

Question 8a (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)

Guidance from government on broad expectations for when, in the Generic Design Assessment process for new nuclear projects, it may be appropriate for applicants to apply for development consent, would benefit applicants and the relevant regulators.

Question 9 (OPTIONAL): If you wish to be kept informed of the development of the supplementary information to the National Policy Statement, please share your contact details (email address preferable) in the text box provided (max 150 words) so that we can seek your views.

NIPA would wish to be kept informed of the development of supplementary information prepared in support of the NPS. Please contact us at: info@nipa-uk.org

Question 10: Please identify the single main sector or interest you represent in relation to the siting of new nuclear power stations

- ~~Member of the general public~~
- ~~Local community member in the vicinity of potential or existing nuclear installation~~
- **Organisation responsible for/interested in new nuclear development**
- ~~New nuclear development supply chain organisation~~
- ~~Environmental advocate~~
- ~~Energy business or industry, professional or expert~~
- ~~Regulator~~
- ~~Nuclear energy professional or expert~~
- ~~Academic or researcher~~
- ~~Local authority/government representative~~
- ~~National government representative~~
- ~~Non Government Organisation~~

Question 10 a (OPTIONAL): Please use the text box below to state any other sectors or interests you represent (free text, max 150 words)

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