|  |  |
| --- | --- |
| 3 April 2025 | Redgrave CourtMerton RoadBootleMerseysideL20 7HSContact@onr.gov.ukUnique ref: 2025/12641 |
| nuclearnps.consultation@energysecurity.gov.uk |

To whom it may concern,

**6 February 2025 - Consultation on the National Policy Statement for Nuclear Energy Generation EN-7 and ONR response**

Thank you for the opportunity to comment on the National Policy Statement for Nuclear Energy Generation EN-7 via this further consultation exercise. This response letter, and the attached appendix, supplement the earlier ONR response to the National Policy Statement for new nuclear power generation: new approach to siting beyond 2025 8 March 2024 [onrs-response-to-the-governments-national-policy-statement-for-new-nuclear-power-generation-080324.docx](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.onr.org.uk%2Fmedia%2Fri2eepa5%2Fonrs-response-to-the-governments-national-policy-statement-for-new-nuclear-power-generation-080324.docx&wdOrigin=BROWSELINK).

We appreciate the continued openness to ONR advice and meaningful engagement from DESNZ in this policy development process. In turn, this has helped government to realise the policy intent of greater flexibility in the planning system whilst preserving the integrity of both ONR’s advisory role in the planning regime; and our statutory role in providing regulatory oversight of the nuclear sector.

Thank you again for consulting us and we would be very pleased to discuss any of our responses with you in more detail as necessary.

Yours sincerely



**Sarah Brown**

**Head of Policy**

**Appendix**

|  |  |
| --- | --- |
| **Second round consultation questions** | **ONR response**  |
| **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
* Agree
* Undecided
* Disagree
* Strongly disagree
* Not enough information
 | We note the government’s policy approach and would highlight that ONR’s approach to nuclear site licensing has no lower limit threshold as first stated in ONR’s comments to question 5. of the first consultation exercise: [onrs-response-to-the-governments-national-policy-statement-for-new-nuclear-power-generation-080324.docx](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.onr.org.uk%2Fmedia%2Fri2eepa5%2Fonrs-response-to-the-governments-national-policy-statement-for-new-nuclear-power-generation-080324.docx&wdOrigin=BROWSELINK). |
| **Question 1a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)  |  |
| **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
 | ONR agree the policy is future-proofed and note the government’s intent to review the NPS every 5 years. This provides an opportunity for reasonable adjustments to be made to the policy based on operational experience (see also answers to question 5. & 6. below). |
| **Question 2a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)  | N/A. |
| **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

  | Please see our responses to questions 5. and 6. below. |
| **Question 3a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)  | N/A. |
| **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

  | ONR is content with this proposal. |
| **Question 4a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, 150 words)  | The NPS criteria establish site suitability in terms of the planning regime. Whether the criteria are exclusionary or discretionary they ultimately provide the basis for recommendations by the relevant body i.e. the Planning Inspectorate, to the SoS who is responsible for planning decisions described in EN-7 process. ONR must be mindful of SoS decisions regarding ‘site suitability’ and, latterly, decisions to grant, or not to grant a Development Consent Order (DCO), as both have a bearing on ONR’s decision making with respect to applicants successfully completing the nuclear site licence application process.  |
| **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

  | We note that such a decision is a matter for government policy and doesn't impact our regulatory decision making**.** |
| **Question 5a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, 150 words) | We endorse the intended evidence based approach to the future policy considerations referenced above. |
| **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).  | We note the following text from [EN-7 National Policy Statement for nuclear energy generation](https://assets.publishing.service.gov.uk/media/67a4d7c30e720adbd4f6adf4/national-policy-statement-en7-nuclear.pdf):-2.8.41 The applicant should engage with the Office for Nuclear Regulation as part of discussions concerning Emergency Planning for a Nuclear Site Licence application, on any measures that will be required to secure a Nuclear Site Licence and in so doing satisfy the site suitability criteria which the Office for Nuclear Regulation will advise the Examining Authority on as part of their review of an application for Development Consent.We also note the text at paragraph 2.7.6 of the **National Policy Statement for Nuclear Energy Generation EN-7**, extracted below for ease of reference.“…….. Within this National Policy Statement, the Health and Safety Executive will determine whether a proposed site satisfies the Semi-Urban Population Density Criterion; the Office for Nuclear Regulation will no longer carry out this function…..”This paragraph also references that the detailed provisions of this criterion, including population density thresholds, are presently set out in Land Use Planning and The Siting of Nuclear Installations, Office for Nuclear Regulation Guidance Document, NS-LUP-GD001[[1]](#footnote-2).Further to this second consultation exercise, ONR would be pleased to engage with government, and HSE colleagues, in exploring whether the portal for the work HSE will undertake in respect of SUPDC under EN-7, might also benefit from being the repository for the methodology presently hosted on the ONR’s webpages.  |
| **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

  | Yes. ONR welcomes the positive engagement of policy makers in England and Wales in respect of our role in respect of EN-7 as it is to be implemented in England and Wales. This planned interaction will enable ONR’s to harmonise its early engagement guidance for nuclear site licensing with the NPS EN-7 requirements to be implemented on the ground in both countries. |
| **Question 7a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)  | N/A. |
| **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

  | Single Point of Contact (SPoC) details for each of the legislative and regulatory bodies referenced in **EN-7 National Policy Statement for nuclear energy generation** would be helpful in the context of early engagement with relevant bodies across the wider framework. ONR’s early engagement SPoC is: Contact@onr.gov.uk. HSE also provides such details as does MOD:2.7.9 The applicant must engage at an early planning stage with the Health and Safety Executive (npd@hse.gov.uk ) to assess whether the proposed site is likely to satisfy the requirements of the Semi-Urban Population Density criterion[[2]](#footnote-3).2.7.20 The applicant should contact the Defence Infrastructure Organisation, which is part of the Ministry of Defence, to discuss the suitability of any proposed sites and development proposals. DIO-Safeguarding-Statutory@mod.gov.uk[[3]](#footnote-4) .  |
| **Question 8a** (OPTIONAL): If you would like to explain your response, please use the text box (free text, max 150 words)  | ONR’s early engagement for nuclear site licensing[[4]](#footnote-5) references the other legislative and regulatory regimes, together with ONR’s interfaces with them, as part of the nuclear site licensing process. We consider that ONR’s approach could be complemented by the same approach being adopted by those bodies responsible for other processes within the wider legislative and regulatory framework for new nuclear.  |
| **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.  | ONR will continue its engagement and dialogue with the DESNZ NPS policy team. |
| **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
 | Regulator. |
| **Question 10 a** (OPTIONAL): Please use the text box below to state any other sectors or interests you represent (free text, max 150 words)  |  |

1. <https://www.onr.org.uk/our-work/what-we-regulate/other-regulationslegislations/land-use-planning/>The methodology described in this document may be of use to applicants. The ONR formal review date for this document has been extended to June 2025 to allow time for the finalising of this National Policy Statement, EN-7. [↑](#footnote-ref-2)
2. [EN-7 National Policy Statement for nuclear energy generation](https://assets.publishing.service.gov.uk/media/67a4d7c30e720adbd4f6adf4/national-policy-statement-en7-nuclear.pdf). [↑](#footnote-ref-3)
3. [EN-7 National Policy Statement for nuclear energy generation](https://assets.publishing.service.gov.uk/media/67a4d7c30e720adbd4f6adf4/national-policy-statement-en7-nuclear.pdf). [↑](#footnote-ref-4)
4. [Early regulatory engagement on new nuclear projects | Office for Nuclear Regulation](https://www.onr.org.uk/generic-design-assessment/early-regulatory-engagement-on-new-nuclear-projects/) [↑](#footnote-ref-5)