

Link response to consultation on Fusion energy facilities: new National Policy Statement and proposals on siting

2 July 2024

This consultation response (in the form of a letter below) is on behalf of nature coalition Wildlife and Countryside Link ([Link](#)).

Sent to: fusionregulation@energysecurity.gov.uk

To whom it may concern,

Thank you for the opportunity to respond to this consultation on [Fusion energy facilities: new National Policy Statement and proposals on siting](#).

This is the full Wildlife and Countryside Link (Link) response to this consultation on siting fusion energy facilities. Link has also responded to questions 3, 9, 10 and 12 through the online survey, but this letter provides additional evidence on top of the online response.

Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 83 organisations to use their joint voice for the protection of the natural world and animals. The following Link members support this consultation response: Bat Conservation Trust, Campaign for National Parks, CPRE – The countryside charity, Open Spaces Society, the Royal Society for the Protection of Birds (RSPB), the Wildlife Trusts, and the Woodland Trust.

Our key messages in relation to the proposals set out within this consultation are:

- **We disagree with the proposal in this consultation (regarding siting fusion energy facilities) – and in a [previous consultation](#) on siting new (fission) nuclear power stations beyond 2025 – to shift nuclear siting policy to an open-sited developer-led approach.** A strategic, spatial approach to planning infrastructure enables better environmental assessment, in particular the assessment of indirect and in combination effects and the consideration of alternatives, and supports better strategic environmental mitigation. Strategic spatial planning of infrastructure

provides wider benefits, including visibility and scrutiny opportunities to local authorities and local communities, and more certainty to developers about potential regions for development. The proposed move away from a strategic spatial approach for identifying nuclear sites is also inconsistent with the Government's wider approach to planning energy infrastructure (for example, through the Strategic Spatial Energy Plan (SSEP)) and counter to the advice of the National Infrastructure Commission to develop spatial plans for infrastructure. In our view, the alternative open-sited approach proposed in this consultation is not well justified, especially given the large potential environmental impacts of this type of infrastructure. If the next Government proceeds with a developer-led approach, there should be clear guidance and support from Government to ensure any proposed developer-led approach to siting fusion energy projects joins up with the SSEP.

- **The strategic site assessment criteria set out in this consultation document are not sufficient to ensure appropriate sites are selected by developers** for fusion energy facilities. The 'Safety and Security' criteria, in particular Flood Risk and the 'Environmental Protection' criteria, should be made exclusionary, rather than discretionary. We welcome the existing 'Environmental Protection' criteria, including on protected landscapes, but we urge the next Government to add species, in particular protected species, Local Wildlife Sites, and irreplaceable habitats, for example ancient woodland, as site assessment criteria. Strong planning protections for Local Wildlife Sites and irreplaceable habitats should be included in National Policy Statements as they are important for nature's recovery and their protection should be considered at the outset of infrastructure planning. Including them in the exclusionary assessment criteria would also enable this to happen.
- On Biodiversity Net Gain (BNG), we welcome the consultation document's commitment to embed BNG into proposed EN-8. **The next Government should go beyond a 10% mandatory minimum biodiversity net gain and increase the current 30-year maintenance period** for all NSIPs, including fusion energy facilities, to ensure the delivery of genuine gains for nature from these often environmentally damaging projects.
- **We disagree with the consultation's approach to proposed EN-8 which will not allow full consideration of reasonable alternatives at a strategic spatial level. This prevents robust and specific comparison of alternative sites and assessment of indirect and in combination effects.** Due to the proposed open-sited approach, consideration by DESNZ in the Appraisal of Sustainability (AoS) and Habitats Regulations Assessment

(HRA) of the proposed fusion energy NPS and the consideration by developers in Environmental Impact Assessment (EIA) and any HRA required when bringing forward projects will be necessarily high-level and non-spatial, because no specific sites will be identified. This means that the consideration of reasonable alternatives at the strategic level will not be specific or comprehensive or be able to compare alternative sites (this is acknowledged in the consultation document), which could mean that harm to the natural environment is not always avoided as well as or as much as it could be. In addition, without identifying specific sites, environmental assessments are unable to assess indirect and in combination effects with any specificity.

- We have several additional environmental concerns regarding the implementation of this proposed policy, if the next Government is to proceed with this proposed open-sited developer-led approach. Currently, developers do not always provide the right environmental information during the pre-application stage of the NSIP planning process. In addition, advising individual developers on the application of the site assessment criteria will require capacity, resources and expertise from statutory consultees, including the Environment Agency and Natural England. As DLUHC [has acknowledged](#), statutory consultees in the planning system are under-resourced, making it difficult to provide comprehensive advice in a timely manner. In this context, **we are concerned that the proposed process where developers apply the site assessment criteria and screen sites at the pre-application stage, with advice from regulators as appropriate, will not be robustly conducted and not result in the identification and appropriate consideration of environmental concerns during the developer-led site assessment process.** If the next Government proceeds with this new developer-led approach to siting nuclear power stations, it should address the additional burden on statutory consultees by sufficiently funding these key advice bodies.
- Finally, we note that it is difficult to comment on proposals for siting and planning facilities for a technology such as fusion energy that does not currently exist in practice. As such, there is limited information about how it will work, with implications for its siting requirements and potential environmental impacts.

Thank you again for the opportunity to respond to this consultation. If useful to discuss this response or for further information, please contact Emma Clarke from Wildlife and Countryside Link at emma.clarke@wcl.org.uk.

Wildlife and Countryside Link (Link) is the largest nature coalition in England, bringing together 83 organisations to use their joint voice for the protection of the natural world and animals. Wildlife and Countryside Link is a registered charity number 1107460 and a company limited by guarantee registered in England and Wales number 3889519.

For questions or further information please contact:

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The following Link members support this response:

Bat Conservation Trust

Campaign for National Parks

CPRE – The countryside charity

Open Spaces Society

Royal Society for the Protection of Birds (RSPB)

The Wildlife Trusts

Woodland Trust