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14 August 2026

Consultation: Draft National Policy Statement for Fusion Energy Generation (EN-8)

Introduction

This is an organisational response submitted on behalf of Nuleaf (the Nuclear Legacy Advisory Forum). We are the Local Government Association (LGA) representative body on legacy wastes and decommissioning. Nuleaf is directly supported by 100 local authorities and national park authorities across England and Wales and speak on these issues for the wider local government community. We have a remit encompassing all aspects of the management of the UK's nuclear waste legacy.

Our primary objectives are:

- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.

Nuleaf welcomes the opportunity to respond to the consultation on the draft National Policy Statement for Fusion Energy Generation (EN-8).

Summary



We support the development of a dedicated National Policy Statement for fusion energy and recognise the value of providing a clear planning framework for an emerging technology that has the potential to contribute to the UK's future energy system. We particularly welcome the lifecycle approach adopted within the draft NPS, including consideration of decommissioning and the management of radioactive materials and wastes.

We believe the final NPS would be strengthened by:

- providing greater clarity on the rationale for a separate fusion energy NPS and how fusion differs from nuclear fission;
- placing stronger emphasis on early, transparent and ongoing engagement with local authorities, communities and other stakeholders;
- recognising the importance of cumulative environmental, infrastructure and socio-economic impacts;
- strengthening provisions relating to the management, treatment, storage and disposal of radioactive materials and wastes throughout the lifecycle of a fusion energy facility;
- giving greater consideration to socio-economic benefits for host and neighbouring communities and the role of strategic and regional planning bodies;
- improving consistency with relevant provisions and terminology used within EN-7, where appropriate; and
- providing greater clarity on the government's open-sited approach and the relationship between EN-8 and devolved policy frameworks.

These themes reflect the interests and experience of local authorities and underpin the detailed comments set out in this response.

Such changes would improve the clarity, effectiveness and practical application of EN-8, while supporting public confidence, informed decision-making and the responsible deployment of fusion energy infrastructure.

Overall, Nuleaf's position is that the draft EN-8 is broadly supported, but **should be strengthened to better reflect local authority interests, community confidence, radioactive waste management, cumulative impacts and long-term stewardship considerations throughout the lifecycle of fusion energy infrastructure.**

Part A: Scope and clarity

Question 1

Does draft EN-8, when read alongside EN-1 (and other relevant National Policy Statements), provide a clear, coherent and appropriate planning framework for fusion energy infrastructure?

Response: Partially

Nuleaf considers that draft EN-8 provides a generally clear and coherent planning framework and successfully establishes fusion energy generation within the wider Energy NPS framework. We support the technology-neutral and output-agnostic approach, which provides flexibility as fusion energy technologies continue to develop.

However, the final NPS would benefit from several improvements:

Rationale for a dedicated fusion NPS

EN-8 should more clearly explain the rationale for a dedicated policy framework for fusion energy generation and how fusion energy differs from nuclear fission. As fusion energy remains an emerging technology, many communities and stakeholders may have limited awareness of its characteristics and regulatory framework and may associate it with nuclear fission. A clearer explanation at the outset of the NPS would improve transparency and support informed participation in the planning process.

Fusion energy siting approach

Nuleaf recommends that EN-8 includes a dedicated section describing the Government's open-sited approach to fusion energy development, similar to the siting discussion provided in EN-7. This would provide greater clarity

regarding developer responsibilities and the consideration of relevant assessment criteria.

Consistency with EN-7

Where appropriate, greater consistency should be achieved between EN-7 and EN-8 in terminology and structure. This would improve clarity for applicants, regulators, local authorities and communities, particularly where future proposals may involve both fusion and fission technologies. For example:

- Fusion energy, fusion energy infrastructure and fusion energy regulators
- Interim storage of radioactive materials and/or waste
- Coastal and other landform change
- Water quality, water resources and marine environment

Geographical coverage and devolved policy

The NPS would benefit from clearer explanation of its geographical application and its relationship with devolved planning and energy policy frameworks, particularly in Scotland. This would assist applicants, regulators and stakeholders in understanding the extent of the policy's applicability and avoid any implication that the approach reflects a UK-wide policy position.

Commitment to review

Nuleaf welcomes the commitment to review EN-8 at least every five years. In light of the emerging nature of commercial fusion energy deployment, Nuleaf supports regular review of EN-8 and encourages Government to continue working with local authorities, fusion energy regulators and the fusion energy sector to ensure that planning and regulatory arrangements evolve alongside operational experience.

Part B: Role, scope and assessment principles

Question 2

Do Sections 1 and 2 of draft EN-8 provide sufficient clarity on the role, scope and assessment principles of the fusion energy National Policy Statement?

Response: Partially

Nuleaf welcomes the explanation of the relationship between EN-8, EN-1 and the wider planning framework and supports the commitment to periodic review.

However, several areas would benefit from further clarification:

Scope

The NPS should clarify that the scope of fusion energy infrastructure includes facilities for the treatment, packaging and interim storage of radioactive materials and wastes arising from operation and decommissioning. It should also clarify the exclusion of research facilities from the NSIP regime.

Nuclear Regulatory Taskforce

The NPS should acknowledge the work of the Nuclear Regulatory Taskforce and reflect its emphasis on proportionality, risk-based regulation and effective regulatory coordination. These principles are particularly relevant to fusion energy given its distinct hazard profile and evolving regulatory framework.

Cumulative impacts

The NPS should include explicit consideration of cumulative impacts. Whilst Section 2.6 considers the development of multiple fusion devices, it does not adequately address the cumulative environmental, infrastructure and socio-

economic impacts associated with multiple developments or co-location with other energy and industrial infrastructure. This approach would align more closely with the wider Energy NPS suite, including EN-7.

Part C: Assessment considerations

Question 3

Are the approaches set out for each consideration adequate and appropriate for all fusion energy infrastructure, making clear what, if anything, is required beyond the requirements of EN-1?

Response: Partially

Nuleaf supports the overall assessment framework but considers several aspects should be strengthened.

Stakeholder engagement and public confidence

The draft NPS gives limited consideration to the role of local authorities, communities and the wider public in supporting the successful deployment of fusion energy infrastructure. Public understanding of fusion energy is likely to be limited and confidence will be critical to successful delivery.

Nuleaf recommends that EN-8 places greater emphasis on early, meaningful and ongoing engagement with local authorities, communities and stakeholders throughout project development, operation and decommissioning. Particular attention should be given to matters of public interest such as safety, emergency preparedness, management of radioactive materials and waste, environmental impacts and socio-economic effects.



Socio-economic impacts

The NPS should place greater emphasis on securing socio-economic benefits for host and neighbouring communities and not solely the delivery of the project itself. Consideration should include how fusion energy developments contribute to wider regional objectives, infrastructure provision and economic development.

Combined authorities and strategic planning

The NPS should recognise the growing importance of combined authorities, strategic planning and emerging Spatial Development Strategies. Early engagement with local and regional planning bodies would support consideration of the wider economic and infrastructure opportunities associated with fusion energy development.

Radioactive waste management

Nuleaf welcomes the inclusion of radioactive waste considerations but believes the NPS should more clearly reflect waste hierarchy principles and the full range of available waste management routes.

The NPS should:

- recognise opportunities for reuse, recycling and recovery of suitable waste streams;
- clarify expectations regarding treatment, packaging and interim storage infrastructure;
- consider both on-site and off-site waste management arrangements; and
- distinguish clearly between interim storage during operation and any longer-term storage proposals following cessation of generation and completion of decommissioning.

These issues are important to host and neighbouring communities and should be addressed consistently throughout the lifecycle of fusion energy infrastructure.

Part D: Environmental assessments

Question 4

Are the environmental assessments (Appraisal of Sustainability and Habitats Regulations Assessment) for draft EN-8 reasonable and appropriate?

Response: Partially

Nuleaf recognises that the Appraisal of Sustainability and Habitats Regulations Assessment are strategic assessments undertaken at policy rather than project level. Overall, they provide a reasonable assessment of many environmental effects associated with fusion energy infrastructure.

However, the assessments would benefit from greater consideration of radioactive waste management and associated infrastructure requirements.

In particular, greater attention should be given to:

- treatment, packaging and interim storage infrastructure;
- differences between waste categories and associated management routes;
- opportunities to apply waste hierarchy principles, including reuse and recycling where appropriate (low level waste); and
- the implications of waste management arrangements throughout the full lifecycle of a fusion energy facility.



Nuleaf therefore considers that the environmental assessments would benefit from a more comprehensive assessment of radioactive waste management issues.

Part E: Further comments

Question 5

Do you have any other comments on draft EN-8?

Response: Yes

References to EN-6

Where EN-8 refers to provisions in EN-6 relating to radioactive materials and waste, consideration should be given to reflecting the more recent provisions contained within EN-7 (sections 2.6.8- 2.6.14) to ensure consistency across the Energy NPS framework.

Climate change adaptation

Nuleaf suggests amending Criterion C in paragraph 2.5.2 from "higher temperatures" to "temperature extremes". This would ensure resilience assessments consider both high and low temperature risks associated with climate change.

Safeguarding and consultation zones

Greater clarity is required regarding whether fusion energy facilities may give rise to safeguarding requirements, consultation zones or other land-use planning constraints, and how such information will be communicated to local



planning authorities. This will be important for plan-making and development management functions.

Building capability

Nuleaf welcomes the Government's commitment to support the development of fusion knowledge amongst planning authorities and other statutory stakeholders. We would welcome further information on progress in this area, particularly in relation to radioactive waste management and decommissioning considerations.