September 2023

Dear TD / Senator, Re: **Draft Planning Bill 2022**

I would like you to take action on my behalf concerning a clause in the draft Planning and Development Bill 2022, as it runs counter to the purpose of the Bill and does not reflect the knowledge-based society that I expect to be available to me in Ireland.

The stated purpose of the Planning Bill 2022 is to “Provide the legislative framework for the proper spatial planning and **sustainable development** of the State, to operate at national, regional and local levels”.

The European Commission’s science body, the Joint Research Centre, found that nuclear fission is a sustainable source of clean energy, and is as sustainable as offshore wind energy.

As nuclear fission is sustainable, it goes against the purpose of the Bill to include clause 164, which states: “Nothing in this Act shall be construed as enabling the authorisation of development consisting of an installation for the generation of electricity by nuclear fission”.

This alone is sufficient grounds for removal of this clause

Even Clause 37K of the original 2006 Act - from where Clause 164 was taken - was introduced as a last-minute amendment because, although the Minister of the day accepted there was no need for it, he thought it was “a good idea to put down a political marker”.

Such a nakedly political, anti-nuclear marker runs counter to the accepted science and supports a shameful situation where research into all sustainable options is being restricted.

For example, the authors of the Department of the Environment’s September 2022 Report on Ireland’s Energy Security[[1]](#footnote-1) excluded the option of nuclear energy from the study because nuclear energy is not permitted here.

In summary, Clause 164 would not help Ireland to achieve sustainable development, restricts research into Ireland’s clean energy options, and is anti-science.

Please take effective action on my behalf to have it deleted from the final Bill.

Yours faithfully,

**Is nuclear fission sustainable?**

In 2021, nuclear fission was assessed as sustainable by the European Commission’s Joint Research Centre (JRC) with respect to the ‘do no significant harm’ criterion of Regulation (EU) 2020/852 (‘Taxonomy Regulation’). The JRC concluded that “there is no science-based evidence that nuclear energy does more harm to human health or to the environment than other electricity production technologies already included in the EU Taxonomy as activities supporting climate change mitigation.”

The Joint Research Centre 2021 report is here: [technical assessment of nuclear energy with respect to the ‘do no significant harm’ criteria of Regulation (EU) 2020/852 (‘Taxonomy Regulation’)](https://ec.europa.eu/info/sites/info/files/business_economy_euro/banking_and_finance/documents/210329-jrc-report-nuclear-energy-assessment_en.pdf)

**Ireland’s position on nuclear fission?**

A majority of Ireland’s MEPs approved nuclear’s inclusion in the Green Energy taxonomy. Mairead McGuinness, Ireland’s Commissioner in charge of Financial Services, Financial Stability and Capital Markets Union, welcomed the outcome of the vote. Although Ireland is clearly within its rights to consistently declare that the Government has no plans to develop nuclear, Ireland also correctly acknowledges nuclear energy to be sustainable, in accordance with the science. Clause 164 is also somewhat in contradictory in that considerable amounts of Ireland’s current, and predicted future, electrical energy imports are based on nuclear fission generated electricity, notably from the UK and France.

**Impact of removing Clause 164**

Removal of clause 164 would not absolve nuclear fission of the requirement to fully comply with all relevant planning, environmental and other legislation (including this 2022 Planning Bill, when it is enacted). However, it would allow Ireland to study all low carbon energy options objectively and make critical decisions while in possession of the available facts, unlike the current situation. We cannot reasonably claim to be a knowledge based economy when our legislation consciously acts against us having such knowledge.

1. <https://www.gov.ie/en/consultation/dbe14-review-of-the-security-of-energy-supply-of-irelands-electricity-and-natural-gas-systems/> [↑](#footnote-ref-1)