

Wokingham Borough Council
Shute End
Wokingham,
Berkshire
RG40 1BN

Date : 06th June 2025
Ref : AWE_W_0021 – 251086

Sent via email: development.control@wokingham.gov.uk

Dear Sir/ Madam,

251086 - Outline application for the proposed development of up to 63 dwellings with 50% delivered as affordable homes. (All matters reserved except for means of access.) at Land at Stanbury House Basingstoke Road Spencers Wood RG7 1AJ.

I write in respect of the above planning application (the Application) which has recently been brought to our attention. I wish to formally register an objection on behalf of AWE plc (AWE) and the Ministry of Defence (MOD). In summary, AWE and the MOD consider that the Proposed Development should be refused planning permission because the introduction of substantial residential accommodation within the detailed emergency planning zone (DEPZ) for AWE Burghfield, is directly contrary to public safety, emergency planning advice, national and local planning policy.

Background to AWE

AWE is a Non-Departmental Public Body wholly owned by the MOD and operator of two licensed nuclear sites at Aldermaston (AWE A) and Burghfield (AWE B). These sites are critical to UK defence and the delivery of the Continuous At Sea Deterrent (CASD). They are the only sites in the UK which design, manufacture, maintain, and when required, disassemble our nuclear warheads. They are unique and irreplaceable sites, and their long-term operability must be ensured.

MOD has consistently sought to ensure that constraints on delivering this nationally and internationally important capability are minimised. The success of the UK's defence nuclear enterprise remains a critical national endeavour, requiring significant and sustained investment and support from HM Government.

The demands placed on the AWE A and AWE B sites by the MOD are not static. The risks that CASD must respond to are dynamic, and the sites must be capable of responding to MOD's evolving requirements of them. The Government's commitment to investing in AWE has been consistently set out since 2005 and this position has not changed. This commitment was most recently detailed in the March 2024 Command Paper published by the Secretary of State for Defence entitled "Delivering the UK's Nuclear Deterrent as a National Endeavour"¹.

The investment programme at AWE B includes, but is not limited to, new builds along with refurbishment, consolidation, and modernisation of existing key facilities.

¹ [Delivering the UK's Nuclear Deterrent as a National Endeavour](#)

The significance of CASD, and the irreplaceable nature of AWE A and AWE B in delivering it, inform the precautionary approach that must be applied in the case of all planning applications and appeals for development which would impact or potentially impact AWE's operations.

REPPIR and the DEPZ

The Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPIR) requires AWE to assess the likelihood and impact of a radiation emergency to the public and provide West Berkshire District Council (WBDC) (as the relevant local authority with the statutory responsibility under REPPIR for off-site emergency planning for AWE A and AWE B) with the required information to establish the DEPZ around AWE A and AWE B.

The DEPZ is the area where WBDC is required to have planned in detail how they, the emergency services and other organisations would respond in the unlikely event of a radiation emergency arising from AWE. This emergency planning is formalised in an off-site emergency plan (OSEP) which clearly defines the key actions that should be taken in the event of an incident.

A key principle of REPPIR is that the person responsible for preparing the OSEP must consider the “necessity of avoiding, so far as possible, the occurrence of serious physical injury to any person”². In line with REPPIR, new development should where possible be located outside of the DEPZ. This is supported by the precautionary approach and is also in line with the nuclear safety concept of ‘Defence-in-Depth’³.

While WBDC currently has an adequate OSEP in place, the Office for Nuclear Regulation (ONR), as the statutory regulator responsible for the enforcement of REPPIR as it applies to UK nuclear sites, is concerned the OSEP is under strain. ONR wrote to WBDC in November 2023 informing them that the ONR will carry out a series of “targeted formal regulatory interventions” to ensure the necessary improvements to the OSEP are made. Enforcement action against WBDC is possible if improvements are not effectively achieved and sustained. If improvements are not able to be achieved by WBDC and the OSEP is deemed inadequate, ONR may look to AWE to restrict operations until such time that WBDC can address their concerns or, in an absolute worst-case scenario, stop AWE from working with ionising radiation. Such restrictions would pose an intolerable impact to AWE's operations, CASD, and as a consequence, national security.

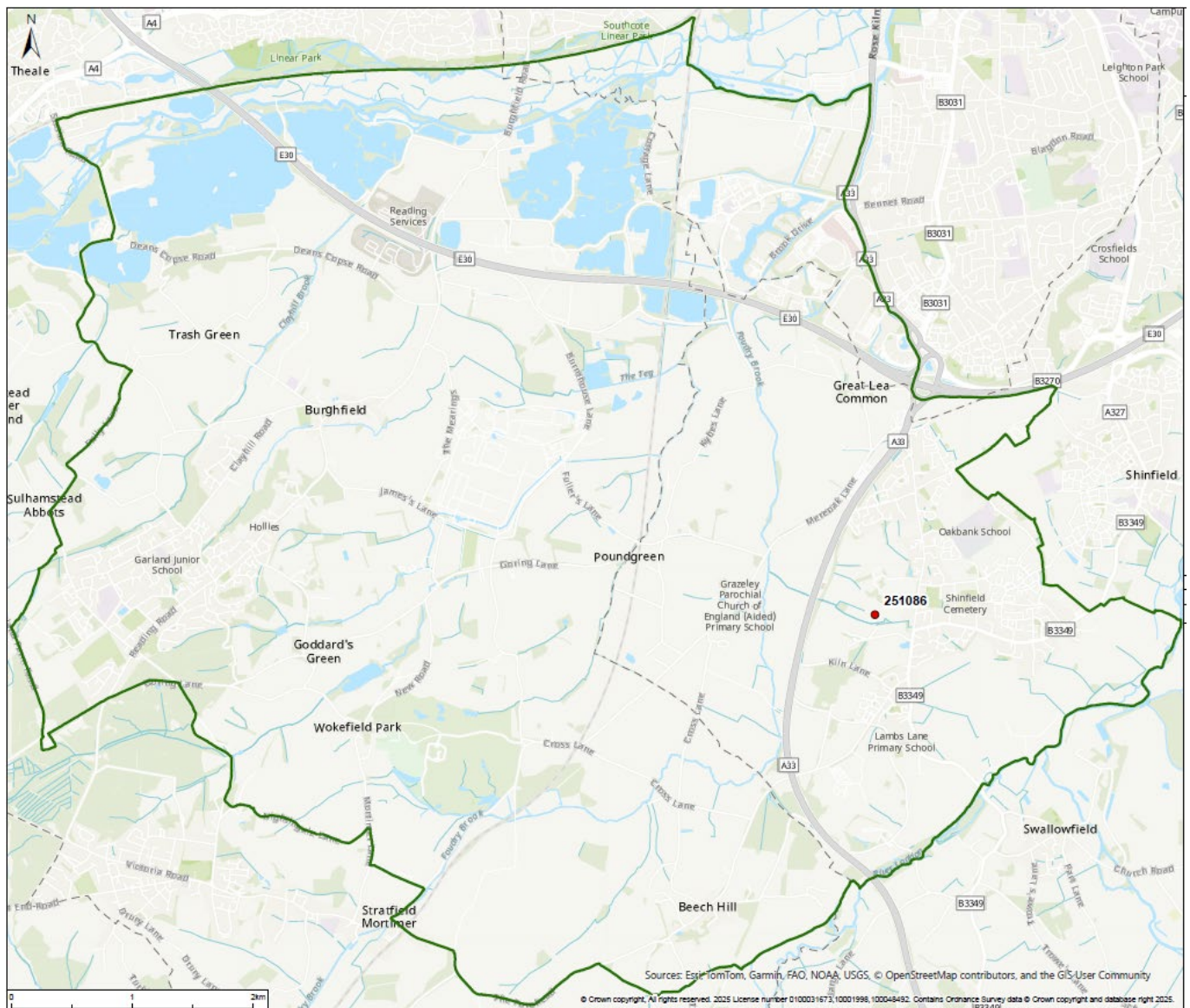
Before turning to the relevant policies applicable to any decision on the Application, it is necessary to highlight inaccurate terminology within the Application documents. The Applicant acknowledges that the Site is inside the DEPZ but states that the Site is located outside the Urgent Protection Action Zone (UPAZ). There is no such Zone referred to in REPPIR 2019. AWE and MOD do not recognise the use of this term and the only zone which is of relevance to the Site is the DEPZ. If this development was to go ahead, then as matters are today the Site would be subject to emergency planning requirements including the application of urgent protective actions at the commencement of a radiation emergency. This is the factual situation which needs to be considered in the decision-making process. The applicant makes reference to the applications reference 143279 (iLAP – O/2014/2101) and 192883, determined in 2018 (on appeal) and 2019 respectively. The applicant highlights that at the time of determination of application reference 192883 the area of DEPZ was increased which resulted in encompassing the application site, as such the application was rejected. The applicant fails to highlight the fact that ONR in November 2023 highlighted the strain on OSEP to WBDC as stipulated in the paragraphs above. As such while considering the current application the Local Authority has to give due consideration to the added pressure on the already strained OSEP.

² REPPIR, Schedule 7, para 1(c).

³ [Defence in Depth in Nuclear Safety | IAEA](#)

Conflict with the Adopted Development Plan

As shown in the diagram below, the Proposed Development (red star) is located in the AWE B DEPZ (dark green line).



The statutory development plan relevant to the determination of this Application is the Core Strategy Development Plan Document (2010-2026) adopted by Wokingham Borough Council (WBC) in January 2010 and the Managing Development Delivery document adopted by WBC in February 2014 (the MDD).

Policy TB04 of the MDD is particularly relevant to the Application. This reads as follows:

1. Development will only be permitted where the applicant demonstrates that the increase in the number of people living, working, shopping and/or visiting the proposal (including at different times of the day) can be

safely accommodated having regard to the needs of “Blue light” services and the emergency off-site plan for the Atomic Weapons Establishment site at Burghfield.

2. The applicant will need to provide this information where the proposal exceeds the scale of development detailed below for the consultation zone as defined on the Policies Map.

Consultation Zone (Distance from AWE Burghfield)	Scale of development
Inner (0 - 1.5 km) <i>This corresponds with the Detailed Emergency Planning Zone (DEPZ) for the site</i>	<i>All residential or non-residential applications where one or more additional person may live, work, shop and/or visit (all applications except house extensions, shop fronts, advertisements, Listed Building, Conservation Area consent, prior notifications and telecommunications).</i>
Middle (1.5 – 3 km)	<i>All residential or non-residential applications where 50 or more additional people may live, work, shop and/or visit.</i>
Outer (3 - 5 km)	<i>All residential or non-residential applications where 500 or more additional people may live, work, shop and/or visit.</i>

Paragraph 3.18 of the supporting text to Policy TB04 reads:

“The boundaries of the consultation zones may be changed by ONR during the plan period to take account of implications of development both on the AWE sites and within their vicinity together with updates on the resident population.”

The Proposed Development is within 3km from AWE B, it proposes adding 63 dwellings and is located within the DEPZ for AWE B (as shown on the map above) following its expansion as a consequence of REPIR coming into force in 2019. Policy TB04 specifically states that the ‘Inner’ consultation zone is intended to correspond to the DEPZ.

The supporting text to policy TB04 refers expressly to the potential cumulative effects of any population increases surrounding AWE B. Paragraph 3.17 states that the LPA will work with other local authorities in the consultation zones surrounding AWE B to monitor the potential cumulative effects of any population increase surrounding the installations.

Paragraph 3.18 acknowledges that the boundaries of the consultation zones may be updated during the plan period. The ‘Inner’ consultation zone for Policy TB04 should therefore reflect the most up-to-date DEPZ, with the consequence that the Proposed Development falls within the ‘Inner’ consultation zone. This means that the applicant must demonstrate that the Proposed Development can be safely accommodated having regard to the OSEP for AWE B.

Policy TB04 is a restrictive policy which puts the burden on the Applicant to demonstrate that a proposal in the AWE B DEPZ can safely be accommodated. In order to do so, TB04 requires the applicant (and decision-maker) to have regard to both (a) the needs of ‘blue light’ services, and (b) the needs of the AWE B OSEP. The purpose of the policy is clearly to secure public safety and the integrity of AWE B and the OSEP. It is consistent with national

policy principles on protecting public safety in the NPPF and reflective of the PPG's express consideration of the risks around population increases in safety consultation zones such as the DEPZ.

Further residential development in the DEPZ puts more people at risk of being involved in a radiation emergency. As explicitly recognised in national planning guidance: *"such cumulative development, by whatever means, leads to a rise in population within the consultation zone and a proportionate increase in the consequences should a major accident occur."* Increasing population increases the societal risk: that is not just putting more people at risk of receiving a dose above background levels, it also exposes new populations to all the consequences that would flow from activation of the OSEP and being caught up in a radiation emergency and gives rise to additional risks of harm to the existing population from an increased strain on emergency resources.

Increased residential development within the DEPZ adds further strain to an already overstretched OSEP, increasing the risk that the OSEP will become inadequate.⁴ Overburdening the OSEP has the potential to exacerbate the harm that would be caused to the population of the DEPZ, should a radiation emergency occur and poses a serious risk to AWE's ability to continue performing its vital role in responding to the needs of CASD, in clear breach of paragraph 102(b) NPPF. The risk of OSEP inadequacy is not a remote and distant risk, it is a real risk, that is present now and the ONR is stepping-up its regulatory oversight. The situation arising from increasing population in the DEPZ is getting worse not better.

As part of its onsite mitigation measures, the Applicant has offered to install and manage weather monitoring and reporting equipment but only for a period of 10-years or when the site is removed from DEPZ, whichever is sooner. The Applicant's Planning Statement⁵ states;

- "a. If the local authority agree that a local weather station will enable quicker decisions to remove shelter advice from the estate when it is upwind of any release, we propose to provide the location, plinth, power and internet for the LA/AWE to install an automatic weather station in a secure enclosure on site to measure the direction and speed of the wind at the site of the proposed development. Such stations are available from various suppliers and are usually customised to requirements. Typically, measurements include 27th March 2025 5 wind speed and direction, air temperature, relative humidity, barometric pressure and precipitation.*
- b. An illustrative example is the MesoPRO™. This is a highly accurate, durable, research-grade meteorological monitoring station, designed for a wide variety of demanding environmental applications. Remote monitoring and data collection are implemented via an industrial 4G LTE cellular network modem (see <https://www.campbellsci.eu/mesopro>).*
- c. This would provide real time wind speed and direction and enhance understanding of where the plume may be (and importantly where it is not)."*

Similar mitigation measures were presented by the appellant at the Land at Hayes Drive planning appeal Public Inquiry, (see reference at footnote 4) and which has been recovered by the Secretary of State. AWE's and MOD's position on the inadequacy of the proposed measures (and as presented at the Public Inquiry) equally apply to the Application:

- (1) the monitoring stations will simply provide an additional datapoint with which STAC and SCG can make those decisions, which will remain reliant upon AWE and UKHSA data;
- (2) the monitoring takes place once the emergency alert has been triggered. It is not there to protect the residents from radiation;

⁴ At the recent Public Inquiry into the Land at Hayes Drive planning appeal both WBDC and the ONR were united in their evidence that the OSEP is reaching the point of inadequacy. PINS REF: APP/X0360/W/24/3354607

⁵ Stanbury House AWE Development Specific Emergency Plan

- (3) the proposed mitigation scheme is untested. It is wholly unclear if it is even workable;
- (4) the proposed condition requires the installation of an air monitoring system that is installed and operated in accordance with a strategy approved by the local planning authority, and the maintenance of that strategy in perpetuity. Such a strategy will be dependent on third parties for its effective operation, notably the emergency planners that will be responding to an emergency at AWE B and could therefore put the monitoring data to effective use. It is unclear how the condition could be enforced against these third parties so as to ensure that the monitoring system remains effective for its stated purpose in the event of an emergency.

For each of the reasons set out above any proposed condition securing the monitoring measures would not comply with the relevant tests at paragraph 57 of the NPPF.

The Emerging Local Plan.

The Wokingham Borough Local Plan Update, proposed submission plan, includes proposed policy SS7: Development in the vicinity of AWE. Main modifications are due to be published shortly. In line with the National Planning Policy Framework paragraph 49, local planning authorities may give weight to relevant policies in emerging plans according to the stage of preparation. Increased weight can therefore be given to this policy which is replicated below:

1. *Development proposals within consultation zones surrounding AWE Burghfield and AWE Aldermaston as set by the Office for Nuclear Regulation or other relevant national and local agencies, and exceptionally beyond, will be managed in the interests of public safety, emergency response, and national security and defence requirements.*
2. *Development proposals will be refused unless all the following criteria are met:*
 - a) *The development, individually or cumulatively:*
 - i. *Will not pose an external hazard to the current and future operation of AWE Burghfield and/or AWE Aldermaston; and*
 - ii. *Will not adversely affect the current or future operation and security of AWE Burghfield and/or AWE Aldermaston.*
 - b) *The increase in the number of people living, working, shopping and/or visiting the proposal (including at different times of the day), individually and cumulatively:*
 - i. *Will not have an unacceptable risk to human health; and*
 - ii. *Will not have an adverse impact on the AWE Off-Site Emergency Plan.*
3. *The assessment of development proposals will in particular have regard to the following:*
 - a) *The nature, character and vulnerability of the proposed use;*
 - b) *The potential increase in population;*
 - c) *The scale of proposed development;*
 - d) *The location of the proposed development; and*
 - e) *Any specific advice from the emergency planners, AWE plc, and the Office for Nuclear Regulation.*

As explained in further detail below, the position of AWE and MOD is that the applicant has not demonstrated that the Proposed Development can be safely accommodated having regard to the OSEP for AWE B. The Application is therefore contrary to Policy TB04, and emerging policy SS7 and this fact should be given substantial weight.

National Planning Policy Framework (NPPF)

Whilst it is acknowledged that paragraph 3 of the NPPF requires the framework to be read as a whole, we draw attention below to specific areas of relevance to AWE.

Section 8 of the NPPF sets out policy on promoting healthy and safe communities. Paragraph 102 of the NPPF states that:

*“Planning policies and decisions should promote public safety and take into account wider security and defence requirements by [...] (b) recognising and supporting development required for operational defence and security purposes, and **ensuring that operational sites are not affected adversely by the impact of other development proposed in the area**” (emphasis added)*

This paragraph does not include any qualifications (for example, a reference to “materially affect” or “unduly affect”) and therefore *any* adverse effect on a defence site should be treated as being contrary to the NPPF. In this case, whilst chances of a radiation emergency at AWE B are very low, the potential impact on the local population would be high and an appropriate and proportionate step is, to where possible, avoid new development being located within the DEPZ.

It is notable the risks not only apply to any new population but also to existing populations, where the burden of managing existing residents and workers would come under more pressure if new housing increased populations and therefore the complexity of any emergency response. Importantly there are currently other applications for new residential development within the DEPZ of AWE B. It is therefore important that the Application is considered within this wider context and the cumulative impact of population increase within the DEPZ. We would reiterate the proposed development would add a substantial number of new dwellings within the DEPZ for AWE B which would hinder blue light services and pose an unacceptable additional burden on already strained OSEP.

It is clear from part b) of Paragraph 102 of the NPPF that planning decisions need to ensure that operational defence sites like AWE B are not adversely affected. This is particularly important when there are no alternative sites in the UK which can undertake the activities carried out at AWE B.

Section 15 of the NPPF sets out the policy on conserving and enhancing the natural environment and introduces the agent of change principle which seeks to prevent existing businesses having unreasonable restrictions placed on them. Paragraph 200 states: *“Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”*

Appeal Decisions

The cumulative adverse impact of large-scale development inside the DEPZs for AWE A and AWE B has been recognised by a number of planning inspectors in recent planning appeals relating to residential development. In this instance, AWE and MOD consider that the previous decisions are highly relevant in the consideration of this proposal.

Accordingly, AWE A and AWE B should not have unreasonable restrictions placed on them as a consequence of additional residential and other development in the DEPZ and this is possible if additional pressure is placed on the OSEP. The continuing operation of AWE A and AWE B is of the upmost importance for national security and defence commitments. The appeal decisions that AWE and MOD believe to be of significant relevance in the context of the proposed development and, the AWE A and AWE B sites are provided in Annex A.

Conclusion

The Proposed Development is located inside the AWE B DEPZ and would substantially add to the population within. The current planning application does not comply with Policy TB04, nor emerging policy SS7, as the applicant has failed to demonstrate that the proposed development can be safely accommodated within the existing OSEP for AWE B. Furthermore, the applicant has not provided any detailed analysis of how the Proposed Development would have no implications on AWE B, which is required by policy. This non-compliance with Policy TB04 should be given substantial weight.

While it is acknowledged that the applicant has provided a development specific emergency plan and a radiological impact assessment, the proposed development in itself would put considerable unacceptable burden on the already Strained OSEP.

Cumulative impacts of other developments within the DEPZ on the OSEP must be considered and not just the impact of one development. The impacts of cumulative development may not always be immediately apparent, and it is not possible to evidence a tipping point where an OSEP which is adequate becomes inadequate. Cumulative development, by whatever means (except for the purposes of development of the AWE sites and facilities themselves), within a DEPZ leads to a rise in population within the DEPZ and a proportionate increase in the consequence should a radiation emergency occur.

While AWE and MOD acknowledge the need for housing delivery, the continuing operation of AWE B is of the upmost importance for national security and defence commitments. In line with the NPPF, it is essential that AWE B should not have unreasonable restrictions placed on it as a consequence of additional residential and other development in the DEPZ and this is a material risk if additional pressure continues to be placed on the OSEP. Through its contribution to the maintenance of the UK's CASD, AWE B is of critical national importance in ensuring national security AWE B is a unique site and a key component in the delivery of CASD. Its critical national and international security importance cannot be overstated and its ability to operate now and in the future need to be protected. The DEPZ for AWE B is just 7% of the area of Wokingham Borough and adherence to policy TB04 does not prevent Wokingham delivering its local housing provision. In the worst-case scenario of ONR concluding that the OSEP is inadequate and cannot be made adequate, AWE would have to cease working with ionising radiation, with stark consequences for the CASD and national security as a whole. This risk should be given substantial weight.

AWE and MOD conclude that any potential benefits associated with the current planning application are significantly outweighed by the matters outlined above. Weighing all of the relevant factors, the Application should be refused. Development Plan policy does not support it, national policy does not support it and the clear weight of material considerations does not support it. AWE and MOD therefore strongly object to the planning application and would invite WBC to refuse the planning application.

Notwithstanding the submissions made in this letter, we would strongly urge that any decision on the application is not issued until after the Secretary of State issues a decision on the Land at Hayes Drive appeal. This is critical in order to take into account the most up to date ministerial decision on a relevant development and in the context of the decision's importance to national security.

Yours sincerely,

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Annex A:

Appeal Decision Examples

- Land approximately 150 metres south of Brimpton Lane and west off Blacknest Lane, Brimpton Common (Appeal Ref: APP/W0340/W/24/3346878)
- 25 Heath End Road Appeal (Appeal Ref: APP/H1705/W/24/3345746)
- Benham's Farm Appeal (Appeal Ref: APP/W0340/W/24/3342596)
- Recreation Road Appeal, (APP/W0340/W/24/3344580)
- The Hollies Appeal (APP/W0340/W/22/3312261)
- Sunnyside Village Stores Appeal (APP/W0340/W/24/3343072)
- Shyshack Lane Appeal (Appeal Ref: APP/H1705/W/23/3326959)

Appeal Decisions

The following appeal decisions illustrate the importance of considering cumulative impacts of each proposed development in the DEPZ Boundary, in the context of other existing and proposed developments. These are listed in reverse date order, the most recent decision being first.

1 Land approximately 150 metres south of Brimpton Lane and west off Blacknest Lane, Brimpton Common (Appeal Ref: APP/W0340/W/24/3346878)

- 1.1. This appeal related to the refusal by West Berkshire District Council of a planning application for the change of use of the land to a residential site for occupation by Gypsies and Travellers, including the siting of 1 mobile home and 1 touring caravan plus 1 dayroom. The Inspector refused the appeal on 5th March 2025.
- 1.2. One of the main issues in the appeal (which AWE and MOD participated in) was the impact of the proposed development on the OSEP for AWE A. The Inspector's decision is helpful in explaining how even a relatively small-scale development could adversely impact the OSEP.
- 1.3. We would highlight the following paragraphs in particular:

'53. The scale of the proposal is modest but would add to the population within the DEPZ. More specifically, it would add to the population of vulnerable persons inside the DEPZ, as residents inside caravans and mobile homes are treated as vulnerable in accordance with REPP19 and the Approved Code of Practice. Half of those residents would be vulnerable individuals. Although a radiation emergency at AWE A is very unlikely, and even if one did occur, the likely radiation doses that individuals at the appeal site or elsewhere in the DEPZ would experience would also be low. The requirements of the REPP19 regime are precautionary and seek to mitigate the remote risk of a nuclear incident and its potential to result in harm to the surrounding population. Even so, the proposal would see people placed in an area where there is a known risk, and there would be a complex multi-agency response to an incident.

54. The consequences report for AWE A confirms the actions that people are instructed to take in the event of an incident. There is a short period of 13 minutes for anyone in the DEPZ to be warned and to go into adequate shelter.

55. In emergency planning terms, the appeal site is relatively isolated. A dayroom is proposed. This would need to be adequate to accommodate the intended occupants for 48 hours while radiation monitoring takes place. The submitted plan shows that this would be brick built and contain toilet and washing facilities. The submitted layout does not, however, show any sleeping or cooking facilities or provision of a landline. A planning condition is suggested to secure these details, but I am not satisfied that the size and layout of the proposed dayroom could accommodate sleeping and cooking facilities for each of the intended occupants as the available space is modest and affected by opening doors. Unlike in the Pelican Road decision⁴, the suggested planning condition would not therefore secure an adequate shelter on the appeal site.

[...]

61. On its own the proposal is unlikely to materially impact the effectiveness of the OSEP, but it would add to the collective effect of incremental, unplanned development that could lead to the OSEP being found inadequate. The precise tipping point is unclear, but the situation is of concern given the objection from AWE and MoD and the improvements needed to the OSEP so that it responds to the expansion of the DEPZ and the needs of the existing population, including from development without permission, but not yet built. The risk of an inadequate OSEP would be that AWE A could not continue to work with ionising radiation or limitations could be placed on how and when it could carry out such activities. If that scenario were to arise, then AWE's operability to support the CASD would likely be adversely affected. It would not be in the national and international interest to reach this point."

2 25 Heath End Road Appeal (Appeal Ref: APP/H1705/W/24/3345746)

- 2.1. This appeal is in relation to a refusal by Basingstoke and Deane Borough Council for erection of a new mixed-use building and associated parking at 25 Heath End Road, Baughurst, Hampshire RG26 5LX, which lies within the DEPZ for AWE A. The Inspector refused the appeal on 23rd October 2024. The key issue was the effect of the proposed development on public safety, with particular regard to the AWE A OSEP.
- 2.2. The Inspector has set out a number of concerns in relation to public safety and AWE A but we would highlight the following paragraphs:

"4. The appeal site lies within the Detailed Emergency Planning Zone (DEPZ) area of AWE Aldermaston. Within this zone, development would potentially be adversely affected if a radiological incident with significant off-site consequences occurred at the AWE.

5. Policy SS7 of the Basingstoke and Dean Local Plan (2011 – 2029) (2016) (LP) requires that development in the land use planning consultation zones (DEPZ) surrounding AWE Aldermaston be managed in the interests of public safety. The policy sets out that development will only be permitted where the Off-Site Nuclear Emergency Plan (OSEP) can accommodate the needs of the population in the event of an emergency.

[...]

7. The supporting text to LP Policy SS7 advises that the ONR's decision whether to advise against a particular development will be based on the extent to which the OSEP can accommodate the additional population. The ONR have advised against the development on the basis that the emergency planners have not provided adequate assurance that the proposed development can be accommodated within their off-site emergency planning arrangements.

8. Although small-scale, the proposal would increase demand on the resources available to implement the OSEP in the event of a radiation emergency. This demand would be above the needs of existing people requiring assistance in the event of an evacuation and would put increased pressure on rest centres. This additional demand on services could jeopardise the effectiveness of the plan as a whole in contradiction of the objective of LP Policy SS7.

[...]

11. I conclude that, while the risk is very small and the size of the development modest, it would have an adverse effect on public safety with regard to the off-site nuclear emergency planning arrangements for the AWE. It would be contrary to LP Policy SS7. It would also be contrary to the Framework where it states decisions should promote public safety including appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security”.

3 Benham’s Farm Appeal (Appeal Ref: APP/W0340/W/24/3342596)

- 3.1. This appeal related to the refusal by WBDC of a planning application for nine custom build houses within the DEPZ for AWE B, within the outer consultation zone defined under Policy CS 8. The Inspector refused the appeal on 23 August 2024. Again, the impact of the proposed development on the DEPZ and OSEP was one of the key issues at the appeal (which again AWE and MOD participated in and whether or not the proposal would accord with policies which seek to minimise the potential impact on public safety and emergency services.
- 3.2. The approach taken by the Inspector was the impact of even small residential schemes on the OSEP is highly relevant, with cumulative impacts needing to be considered. We would highlight the following paragraphs in particular:

“19. The proposal in this case would introduce a further nine households into the DEPZ. These would be substantial-sized dwellings of at least four bedrooms, with triple garages located on generously sized plots. Using the Council’s suggested ratio of 2.4 persons per property, the proposal would likely introduce at least 21 further people into the DPEZ. On its face this is a small number. However, the absolute and cumulative impacts cannot be understated. This would knowingly be another nine households who would need to be informed and supported if a disaster scenario happened, and would put further strain on ‘blue light services’ and other public bodies such as the Council in implementing the OSEP. In this respect, the objections raised by the Emergency Planning Officer at the Council, and by the ONR and AWE/MOD should be afforded significant weight against the proposal.

20. Whilst I fully respect the views of Dr Pearce and his professional experience, ultimately the responsibility for managing and regulating the potential risks from the AWE B site, and responding to emergencies, lies with the local authority and associated bodies such as the ONR, the AWE, and the MOD. On the basis of the

evidence before me, I find that the risks to public safety are adverse effects which weigh against the grant of permission in this case.

21. Accordingly, I find that the proposal would conflict with Policy CS8 of the WBCS, which seeks to minimise the potential impact on public safety and emergency services in relation to the Aldermaston Atomic Weapons Establishment (location AWE B) Burghfield. It would also conflict with Paragraph 101 of the Framework in terms of failing to promote public safety.”

4 Recreation Road Appeal, (APP/W0340/W/24/3344580)

- 4.1. This appeal related to the refusal by WBDC of a planning application for a new, detached dwelling within the DEPZ for AWE B, within the outer consultation zone defined under Policy CS 8. The Inspector refused the appeal on 27 August 2024.
- 4.2. Again, the impact of the proposed development on the DEPZ and OSEP was the main issue at the appeal (which again AWE and MOD made representations in respect of). Paragraph 3 of the decision also notes that WBDC in that appeal considered the status of emerging Policy SP4 to have “*minor weight (i.e. more than limited weight)*”
- 4.3. We would highlight the following paragraphs in particular:

“12. The proposed LPR policy SP4 details these current zones, as now determined by the regulators. This policy is not yet adopted., which somewhat limits the weight attached to it. It nonetheless reflects the current DEPZ that the emergency planning services , and other agencies involved in an AWE radiation emergency response, not use to assess the impact of new development on the OSEP. It also indicates the direction of travel of future planning policies that would continue to govern this issue.

13. The appellant’s suggestion that the appeal proposal can be justified due to its small scale, and subsequent negligible effect on the OSEP, is one that could be easily repeated throughout all areas of the DEPZs. This would result in cumulative development that would significantly erode the effective management of the consultation zones surrounding the AWEs, contrary to the interests of public safety.”

5 The Hollies Appeal (APP/W0340/W/22/3312261)

- 5.1. This appeal related to the refusal by WBDC of a planning application for 32 new dwellings within the DEPZ for AWE B. The appeal was initially allowed by an Inspector on 8 August 2023 but was subsequently quashed by the High Court following a challenge brought by AWE (supported by MOD, WBDC and ONR) pursuant to section 288 of the Town and Country Planning Act 1990. The inquiry was re-convened with a new Inspector who allowed the appeal on 18 November 2024.
- 5.2. Again, the impact of the proposed development on the DEPZ and OSEP was one of the key issues at the appeal. This appeal proceeded by way of a public inquiry with AWE/MOD, ONR

and WBDC all putting forward expert witnesses on the likely impact of the development. The appeal is particularly notable as it represents the first time that AWE, MOD and the ONR have participated in a planning inquiry of this nature, underlining the seriousness of its concerns regarding the proliferation of development in the DEPZ.

- 5.3. Although the appeal was ultimately allowed, the Inspector's analysis of the public safety position (at paragraphs 12 to 39) warrants careful reading. The Inspector notes at paragraph 30 that he considers that the addition of new residents would not in itself have a material impact on the overall emergency response. However, in paragraph 31 he goes on to state that he accepts:

"that the OSEP is not infinitely scalable and that incremental, unplanned development could, over time, erode the effective management of the land use planning consultation zones and be detrimental to public safety. In that sense, I agree with the Inspectors in the Shyshack Lane appeal, the Benham's Farm appeal and the 132 Recreation Road appeal. However, such concerns do not arise in the present case due to the fact that the appeal site is the only remaining allocated site within the DEPZ. As such, the circumstances of this appeal are unlikely to be repeated elsewhere in the DEPZ."

- 5.4. It is therefore clear that the Inspector accepted the overall concerns raised by WBDC, AWE, MOD and ONR regarding the impacts of cumulative development within the DEPZ but concluded that the risk of cumulative development in this particular instance was limited given that The Hollies site represented the last allocated site within the DEPZ; the clear implication is his decision may well have been different had the site been unallocated.

6 Sunnyside Village Stores Appeal (APP/W0340/W/24/3343072)

- 6.1. This appeal related to WBDC's refusal of a planning application for the erection of two new dwellings within the DEPZ for AWE B, in the outer consultation zone for the purposes of Policy CS 8. The appeal was refused on 2 December 2024. Again, the impact of the development on the DEPZ and OSEP was a key issue.

- 6.2. The Inspector expressed concern regarding the cumulative impacts of development, noting at paragraph 8 that:

"Whilst the impact of the proposal may be modest, it would incrementally increase pressure upon the resources available to implement the OSEP in the event of a radiation incident. The argument that the impact would be small could be made for any individual development, but the cumulative effect of numerous proposals, over time, could significantly undermine the effectiveness of the off-site emergency planning arrangements, which would be harmful to the interests of public safety."

- 6.3. The Inspector therefore concluded that the proposal would conflict with Policy CS8, as well as paragraphs 102 and 200 of the NPPF.

7 Shyshack Lane Appeal (Appeal Ref: APP/H1705/W/23/3326959)

- 7.1. This appeal related to the refusal by Basingstoke and Deane Borough Council of a planning application for the erection of three new residential dwellings c.500 metres from the

boundary of AWE A and within the DEPZ for AWE A. The Inspector refused the appeal on 8 December 2023.

7.2. The main issue in the appeal (which AWE and MOD participated in) was the impact of the proposed development on the OSEP for AWE A. The Inspector's decision is helpful in explaining how even a relatively small-scale development could adversely impact the OSEP.

7.3. We would highlight the following paragraphs in particular:

'11. Although relatively small-scale, the proposal would increase demand on the resources available to implement the OSEP in the event of a radiation emergency. This demand would be above the needs of existing people requiring assistance in the event of an evacuation and would put increased pressure on rest centres. Furthermore, increased demand would increase the requirement for any long-term accommodation required for evacuated members of the public. Therefore, placing people in an area where there is a known risk would contribute to the complicated response required from emergency services. Increased demand on services, at such a time, could jeopardise the effectiveness of the plan as a whole in contradiction of the objective of policy SS7.

12. The suggestion that individual development could be justified on the basis that it alone would be small in scale and have a negligible, if any, effect on the preparation and delivery of the OSEP is an argument that could be easily repeated. This approach would result in incremental development that would over time significantly erode the effective management of the land use planning consultation zones surrounding the AWE to the disbenefit of public safety. The proposed development would place a greater burden on the OSEP, which is already under pressure based on the comments of the ONR.

[...]

15. Consequently, the chance of a release of radioactive material is low and if it were to happen the level of exposure would also be low. However, whilst comforting, this does not take into account the key purpose of the REPPIR to reduce exposure during a radiation emergency through the effective deployment of the OSEP. Furthermore, it is noted that ONR identifies that "there must be robust emergency preparedness and response arrangements in place for radiological emergencies, however unlikely they may be".

16. Also, these points do not account for the effect of an emergency event to the emergency services and the local population. The demands on emergency resources would be substantial creating short term and possibly long-term efforts to effectively manage such an emergency. This would need to take into account social, economic and environmental affects, that could require the local environment and community many years to fully recover. Furthermore, the anticipated low emission and exposure effects of any release would not diminish the statutory requirement for a robust OSEP to be in place, or the need for such a plan to be of sufficient rigor to ensure it can be delivered effectively in the interests of protecting public safety.

17. Accordingly, I find that the proposal would adversely impact on the functioning of the OSEP contrary to the interests of public safety. Hence, it would conflict with LP policy SS7 and paragraph 97 of the National Planning Policy Framework (the Framework) which, among other matters, states that planning decisions should promote public safety and take into account wider security and defence requirements'.

7.4. The reasoning of the Inspector in this appeal provides a clear reason as to how even a single new dwelling will have an adverse effect on the operation of the OSEP.