

Development Management &
Compliance
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Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

Our Reference: LUP-2109
Case Ref: 250517

26 September 2025

Dear Sir/Madam

Planning Application 250517

Advice

1. The proposed development is located in Detailed Emergency Planning Zone ("DEPZ") of the Atomic Weapon Establishment Burghfield ("AWE(B)").
2. We have not been provided with adequate assurance that the proposed development can be accommodated in the existing off-site emergency planning arrangements (or an amended version thereof) for the DEPZ.
3. The applicant's proposed "Development Specific Emergency Plan" ("DSEP") planning condition/s106 obligation is inappropriate and unworkable.
4. Consequently, the Office for Nuclear Regulation ("ONR") **advises against** the proposed development.

Background

5. The Radiation (Emergency Preparedness and Public Information) Regulations 2019 ("REPP19") impose duties on local authorities who host relevant nuclear sites to make emergency plans for radiation emergencies.
6. REPP19 requires a host local authority to first determine a DEPZ around a relevant nuclear site and then to make an adequate Off-Site Emergency Plan ("OSEP") for that DEPZ. The OSEP must mitigate, so far as is reasonably practicable, the consequences of a radiation emergency outside the operator's premises.
7. West Berkshire District Council ("WBDC") hosts the AWE(B) site in its jurisdiction. WBDC has determined a DEPZ for AWE(B) and has produced an OSEP. This

DEPZ extends into the local authority area of Wokingham Borough Council (“The Council”).

Planning Context

8. The local policy context is as follows:

- Policy TB04 of the Adopted Managing Development Delivery Local Plan (February 2014) requires a demonstration that a proposed development can be safely accommodated in the OSEP; and
- Policy SS7 of the Emerging Local Plan (undergoing examination) requires that a proposed development not have an adverse impact on the AWE OSEP.

Development Specific Emergency Plan

9. The applicant has submitted a DSEP. The scope and purpose of the DSEP is set out in section 1.2,

- a. The intent of the plan is to reduce burden on the Local Authority (LA) Off-Site Emergency Plan (OSEP) by supplementing and reinforcing (and not conflicting with) LA messaging before and during an event, and providing resource and assistance to the local population as appropriate.*
- b. The requirement on the LA regarding this plan is limited to granting approval of the plan under planning condition / s106 obligation...*

10. The NPPF states that any planning obligation must be “*necessary to make the development acceptable in planning terms*”. It follows that, if the DSEP was secured by means of a planning condition or s106 obligation, then the proposed development would have been determined to not be acceptable on its own. This would be because the development could not be safely accommodated within the OSEP and did not comply with policy TB04.

11. The proposed DSEP provides for the following (this is a non-exhaustive list):

- A “site” team with an emergency response role;
- Personal protective equipment;
- An emergency coordination centre;
- An emergency refuge room;
- A facility suitable for use as a radiological monitoring unit;
- Radiological air monitors; and
- A metrological station.

12. In effect, the complexity and wide-scope of the DSEP would create parallel radiation emergency response arrangements for the development site. These arrangements would be outwith the pre-existing legal framework for radiation emergency response arrangements and ONR’s regulatory vires.

13. By creating such parallel arrangements, the planning condition would enable the subversion of REPP19. An example of this can be found in section 1.3(f) of the

DSEP, where the Applicant asserts that the “MC team” are not REPP19 emergency workers (and so exempt from the legal obligations this designation entails) **solely because the DSEP does not form part of the REPP19 OSEP**. The Applicant, thus, demonstrates that this planning condition, if granted, would enable them to depart from the requirements of REPP19. Consequently, this planning condition is inappropriate.

14. A DSEP of this complexity would, if granted, be a novel and untested means of securing public safety. There are cogent reasons to doubt whether it could be effectively delivered, many of which have been raised in the consultation response from the Council’s own emergency planning function. Consequently, it is wholly unclear if this planning condition is workable.
15. There would be an obvious repercussion to accepting this DSEP as sufficient mitigation for the proposed development: every future planning application would include a bespoke site emergency plan. The cumulative effect of granting these planning applications would be to create islands of bespoke arrangements outside of regulatory control throughout the DEPZ. The safety of an ever greater population would become dependent on this novel and untested approach, with ever greater consequences were it to prove unworkable.
16. Lastly, we draw your attention to the recent decision of the Secretary of State on a proposed development in Wokingham Borough and in the AWE(B) DEPZ (APP/X0360/W/24/3354607). In that case, the appellant proposed a planning condition to install and operate radiological air monitors in accordance with a strategy agreed with the local planning authority. The Secretary of State determined that this condition did not meet the relevant tests.

Yours faithfully / sincerely,


Eamonn Guilfoyle
Principal Inspector, EP&R Workstream Lead – Land Use Planning, ONR