

Wokingham Borough Council
Shute End
Wokingham,
Berkshire
RG40 1BN

Date : 21st January 2025
Ref : AWE_W_0014 – 243226

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

Dear Sir/ Madam,

243226 - Screening Opinion application for an Environmental Impact Assessment for the proposed development of up to 63 dwellings with associated access and landscaping at Land west of Stanbury House, Basingstoke Road, Spencers Wood, Reading, RG7 1AJ.

I write in respect of the above request for a Screening Opinion which has recently been brought to our attention. I wish to formally raise concerns on behalf of AWE plc (AWE) and the Ministry of Defence (MOD). It is welcomed that the submission acknowledges that this site is located within the Detailed Emergency Planning Zone associated with AWE Burghfield and that it will be necessary to consider the impact of the proposal on the adequacy of the AWE off site emergency plan as part of any future submission, however AWE wish to make it clear that at this time they would be looking to strongly object to any future planning application seeking permission for the extent and forms of development stated in the screening opinion.

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.

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

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

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 Urgent Protection Zone (UPZ) and Detailed Emergency Planning Zones (DEPZ) around AWE A and AWE B.

The DEPZ is the area where local authorities are 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) produced by WBDC 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.

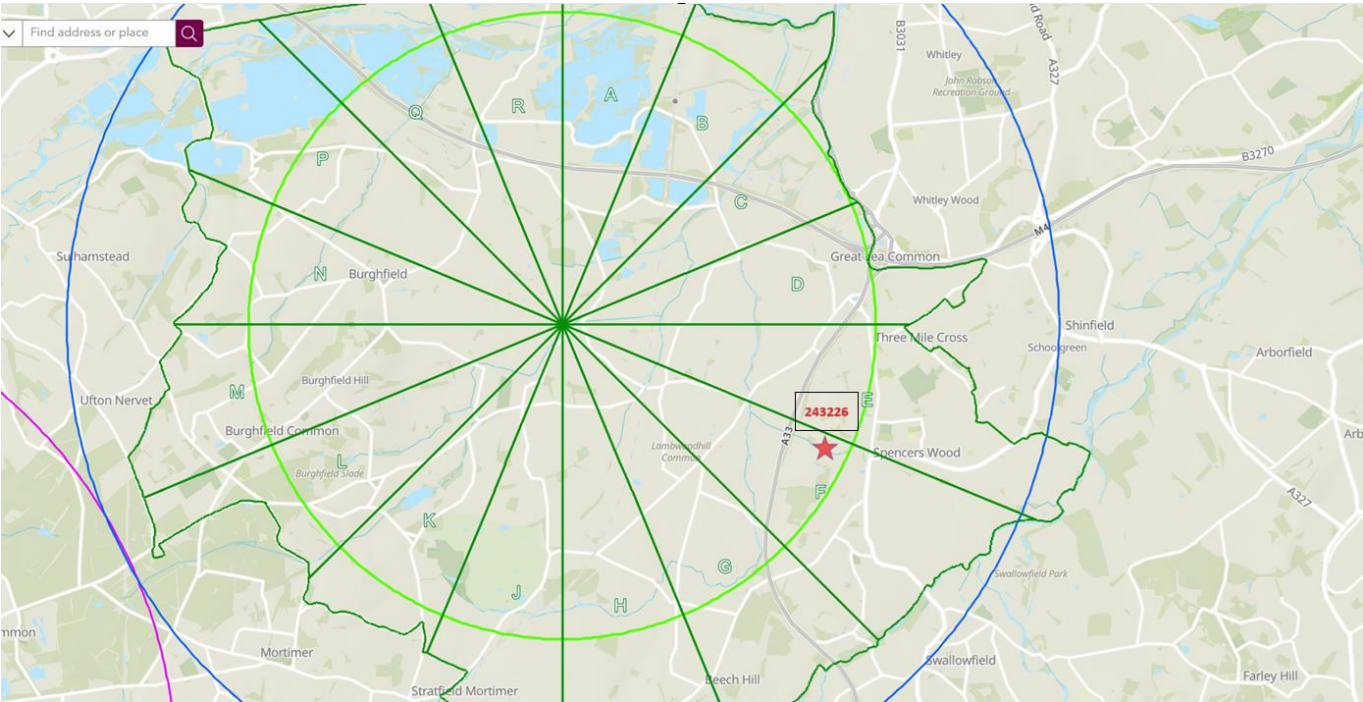
While WBDC currently has an adequate OSEP in place for AWE B, the Office for Nuclear Regulation (ONR), as the statutory regulator responsible for the enforcement of REPPIR as it applies to UK nuclear sites, is concerned the OSEP is under strain. ONR wrote to WBDC in November 2023 informing them that 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.

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).

² REPPIR, Schedule 7, para 1(c).

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



The statutory development plan relevant to the determination of this future application is the Core Strategy Development Plan Document (2010-2026) adopted by Wokingham Borough Council (WBC) on January 2010 and the Managing Development Delivery document adopted by WBC 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) This corresponds with the Detailed Emergency Planning Zone (DEPZ) for the site	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).
Middle (1.5 – 3 km)	All residential or non-residential applications where 50 or more additional people may live, work, shop and/or visit.

Outer (3 - 5 km)	All residential or non-residential applications where 500 or more additional people may live, work, shop and/or visit.
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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.”

Although the Proposed Development (red star) is more than 2.5km from AWE B, it is located within the UPZ (light green circle) and DEPZ (dark green line) for AWE B (as shown on the map above) following its expansion as a consequence of REPPIR coming into force in 2019. Policy TB04 specifically states that the ‘Inner’ consultation zone is intended to correspond to the DEPZ and 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 from time to time, 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.

Significant weight should also be given to the local plan update and particularly policy SS7 which deals with development in the vicinity of AWE.

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 future application is considered within this wider context and the cumulative impact of population increase within the DEPZ.

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 relatively small-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 future consideration of this proposal.

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

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.

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.

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’.

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.

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 UPZ and 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 utmost importance for national security and defence commitments.

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

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.

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.”

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

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.

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)*”

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.”

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

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.

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.

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.”

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. The Inspector ultimately concluded that the significant weight to be attached to the delivery of market and affordable housing on an allocated site outweighed the adverse impacts on the operational capability and capacity of AWE B.

The Inspector in the Hollies at paragraph 37 of the decision noted there was no evidence of a direct impact on AWE from the development; such as consideration by AWE of curtailing activities or pressure from ONR to do so. AWE and MOD strongly argue this is not the correct approach. If such evidence of impact of one development on AWE's operations were to exist, the threat to AWE's operations would have already materialised and it is imperative to avoid reaching this point given the national and international importance and irreplaceable nature of the AWE sites.

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

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.

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.”

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

Conclusion

The Proposed Development is located inside the AWE B UPZ and DEPZ and would add to the population within. It is the current position that the future planning application would not comply with Policy TB04 nor emerging policy SS7

While it is acknowledged that the Proposed Development is in effect phase 2 sitting just to the west of and adjoining the 57 new homes previously granted on the eastern part of the Stanbury House Site (original outline permission

O/2014/21 and reserved matters approvals 212914 and variation 221904) AWE and MOD's concerns relate to the cumulative and independent impact of the development and similar developments coming forward within the DEPZ.

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. 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.

Yours sincerely,

Andrew Dale

Andy Burnett-Dale
Head of Estate Strategy & Planning AWE plc

Reply to: F6.1
Tel No: 0118 981 4111
Email: Andy.Burnett-Dale@awe.co.uk