

Response to 251086 – Land at Stanbury House



**WOKINGHAM
BOROUGH COUNCIL**

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1. Background

- 1.1 This is a development proposed within the Urgent Protective Action (UPA) area and Detailed Emergency Planning Zone (DEPZ) for the Atomic Weapons Establishment (AWE) site at Burghfield.
- 1.2 It entails an additional 63 dwellings should it be approved.
- 1.3 Using an average household figure of 2.4 people, there will be an approximate permanent population increase of 151 people. This does not include the temporary increase of the working population that will be required to construct the site.
- 1.4 I am recommending the Council refuses – based on the report below.
- 1.5 The details of this application, the Development Specific Emergency Plan and the Radiological Impact Assessment have been shared with the AWE Off-Site Planning Group (OSGP), and responses from representatives have been used to form the basis of this report. Information and views are correct at the timing of writing.

2. Policy

- 2.1 Paragraph 102 of the NPPF states:

“Planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

a) anticipating and addressing possible malicious threats and other hazards (whether natural or man-made), especially in locations where large numbers of people are expected

to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security. The safety of children and other vulnerable users in proximity to open water, railways and other potential hazards should be considered in planning and assessing proposals for development; and

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.

- 2.2 Policy TB04 (Development in vicinity of Atomic Weapons Establishment (AWE) Burghfield) of the Wokingham Borough Adopted Managing Development Delivery Local Plan (February 2014) states:

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.

- 2.3 Similarly, Policy HC10 (Development in the vicinity of Atomic Weapons Establishment (AWE) Burghfield) of the Wokingham Borough Council Draft Local Plan (February 2020) states that:

“Development will only be permitted where it is demonstrated 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 the responding agencies detailed in the West Berkshire Council’s AWE Off-Site Emergency Plan (OSEP) for the Atomic Weapons Establishment”

- 2.4 Therefore, as this proposal results in *one or more additional persons living in the DEPZ*, the applicant is required to demonstrate how the development can be safely accommodated within OSEP - having regard to these policies.

- 2.5 The applicant has submitted a Radiological Impact Assessment and a Development Site Emergency Plan as their evidence to do this.

3. Detailed Emergency Planning Zone (DEPZ) and AWE Off-Site Emergency Plan (AWE OSEP)

- 3.1 The expansion of the DEPZ in 2020, as a result of legislation changes, has resulted in significant challenges to all responding agencies capabilities. There are legal requirements placed on responsible agencies and the AWE OSEP in ensuring that it can accommodate all those within the DEPZ in relation to their health and welfare. Therefore, any future increase in the population will only exacerbate this issue. Resources for response and recovery are finite, so further population increase would lead to a degradation of quality and speed of response capabilities.
- 3.2 This was a consideration for the Inspector in APP/H1705/W/23/3326959 Land at 1-9 Shyshack Lane, who dismissed the appeal "...the 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 [Office for Nuclear Regulation]."
- 3.3 There are further recent appeals, all with smaller increases in population than this proposed development, that have been refused by Inspectors. For example:
- 25 Heath End Road Appeal (Appeal Ref: APP/H1705/W/24/3345746)
 - Benham's Farm Appeal (Appeal Ref: APP/W0340/W/24/3342596)
 - Land approximately 150 metres south of Brimpton Lane and west off Blacknest Lane, Brimpton Common (Appeal Ref: APP/W0340/W/24/3346878)
 - Recreation Road Appeal, (APP/W0340/W/24/3344580)
 - Sunnyside Village Stores Appeal (APP/W0340/W/24/3343072)
- 3.4 The Inspectors' decisions highlighted several concerns, for example public safety and the cumulative and adverse impact developments, including small, can have on the DEPZ & OSEP.
- 3.5 The ONR comments included their findings from a multi-agency exercise held in 2023, that the pressures on the OSEP impact on the practical implementation of the OSEP, including the following:
- Arrangements for monitoring for radioactive contamination on or in members of the public as a result of an emergency' (and associated decontamination), known as contamination monitoring.
 - Arrangements relating evacuation holding areas for displaced persons awaiting contamination monitoring.
 - Arrangements for managing the numbers and scale of displaced people, both those outside the DEPZ and unable to return home for any period of time and those inside the DEPZ who require evacuation; and
 - Arrangements for managing those who self-evacuate, especially for ensuring they undergo appropriate contamination monitoring and decontamination.
- 3.6 The applicant has included arguments within the Radiological Impact Assessment regarding the likelihood and severity of a radiation incident impacting this development, and challenging the legitimacy of the DEPZ. These arguments have been previously

rebutted in detail by responding agencies, such as in APP/X0360/W/24/3354607: Land east of Hayes Drive and north of Church Lane – specifically in a document titled: Advice to West Berkshire Council on radiological impact assessments [CD 20.12b], which references evidence submitted by Katmal Limited.

- 3.7 The determination of the DEPZ undertaken by WBDC in March 2020 were upheld in January 2021 following a Judicial Review which was unsuccessfully challenged the process undertaken by WBDC. The challenge was rejected on all grounds.
- 3.8 Under REPPiR 2019, responding agencies need to ensure there is an adequate response plan in place for the entire DEPZ. This is detailed within the Approved Code of Practice (ACOP) (paragraph 26): “Emergency plans should be produced with the aim of keeping the radiation exposure of workers and members of the public that might occur in events, as low as reasonably practicable”. The DEPZ for Burghfield was determined as per REPPiR 2019 and the associated ACOP.
- 3.9 This was a matter highlighted by the Inspector in APP/H1705/W/23/3326959, “the key purpose of the REPPiR to reduce exposure during a radiation emergency through the effective deployment of the OSEP”.
- 3.10 Therefore this report will focus primarily on the the Development Specific Emergency Plan.

4. Impacts on the OSEP from the proposed development

- 4.1 This is an already densely populated area within the DEPZ, with Spencers Wood and Three Mile Cross to the north of this development. These areas already contain large populations, busy roads, large numbers of commercial units and pre-existing vulnerable sites (e.g. schools, caravan parks and care homes), so the concerns listed in 3.5 are applicable here.
- 4.2 The list below is as an example of the issues this development would impact upon the OSEP:
 - a. Addition of population required to shelter
 - b. Increased number of individuals that may need support from services during sheltering period
 - c. Increased number of individuals that may be displaced outside of the DEPZ and require support
 - d. Increase in numbers that may require self- or mass decontamination
 - e. Increase in number that may require access to Radiation Monitoring Unit visit
 - f. Increase in number that may require relocating – including immediate short term at assistance centres and longer term re-accommodation
 - g. Increase in number that may require long term health monitoring

5. Review of the submitted Development Specific Emergency Plan

- 5.1 Whist it is favourable to preparing communities for what to do in an emergencies, it does not mitigate the additional burden placed on the capabilities which make up the OSEP. These capacities have physical limitations.
- 5.2 Residents and communities cannot be forced to be trained or prepared, and as such, this plan is not enforceable and it cannot be relied upon as mitigation. Therefore, crucially it means the Local Planning Authority cannot condition a community emergency plan, because it fails the tests listed in Paragraph 55 of the National Planning Policy Framework (NPPF). This paragraph outlines the six tests that all planning conditions must meet to be considered valid.
- 5.3 Emergency planners also know from experience with our own community resilience work that the preparedness of residents varies, and not all residents will be prepared, no matter the quality of the offer of community resilience training, or resources.
- 5.4 The Office for Nuclear Regulation has raised concerns that the DSEP has no legal basis within REPIR 2019 and there is no guarantee that this plan will be implemented and maintained for the lifetime of development, if planning permission is granted. The OnSEP would sit outside of ONR's regulatory line of sight, so they would not have the required assurances of its initial and, indeed, continuing resilience – as they are able to do with the OSEP.
- 5.5 If the MC performance in relation to emergency preparedness is considered inadequate by paying residents, staff, local authorities, or other response partners – there would be no legal basis for which the ONR, who are the regulatory body, to ensure improvements were put in place.
- 5.6 Similarly, what would happen to the plan if the MC no longer existed? The responsibilities would have to be fulfilled by residents and/or absorbed into the OSEP, both of which would be unacceptable.
- 5.7 As identified in the document, the plan and management company will need close integration with the responsible local authorities' Emergency Planning teams and their respective emergency planning arrangements – to ensure the success of the DSEP. Whilst this makes sense in practice, it places a new burden on LAs to support. LAs and their Emergency Planning teams are already stretched. There is no capacity to support in the development & regular reviewing of this plan and training & exercising of staff & residents. Without the support of Wokingham Borough Council and West Berkshire District Council, and other responding agencies in the OSPG– this plan does not work.
- 5.8 Specific comments relating the plan are provided below:

Reference Figure	Comment
1.1.a	Even if the likelihood is low, the severity is high. For a radiological incident that would affect the public, there is an annual dose of 1 mSv

	over a period of one year following the event (REPIR 2019, Reg 2.1, Para 69).
1.1.b	It is not recommended to increase ventilation without monitoring sampling confirmation. Advice would be provided from SCG that will be cascaded through the Media Briefing Cell to inform the public of best practices.
1.1.d	Who will be confirming the information that is on the leaflets? Will there be a review period to ensure that all information that is provided to residence aligns with local and national arrangements? The local authority already provides prior information to the public in the form of a pre-distributed leaflet and on their website (20230511-WBC_REPIR_booklet_A5.pdf)
1.1.e	There was acknowledgement about the increased strain on local emergency resources, but no mention of mitigations or plans to counter act these issues.
1.1.f.4	What support will be provided for the presentations? Who will conduct the training? What will their qualifications be? Will this include the funding of a location and trained staff to present? How will the Management Company ensure all residents have attended the training?
1.1.f.5 and 2.4.2	There is a contradiction with the weather monitoring station. 1.1.f.5 states that research grade weather station “will” be installed but is contradicted in 2.4.2 by stating only a location, plinth, power and internet will be provided. If this is a part of section 106 (Town and Country Planning Act 1990) for the funding towards the construction of the weather station, then this should be clearly identified with the relevant stipulations.
1.1.f.5	The weather detector should not identify “if the development site is under the plume” as this would have surpassed sheltering time. The Met Office have commented previously how a weather station would not mitigate the pressure on the capabilities which make up the AWE Off Site Emergency Plan, as such this point has been addressed by them.
1.1.f.7	What sponsoring will be provided to improve radiation knowledge? Schools in the area already receive information from responders in preparation for an off-site incident. There is no legal basis or duty for this plan to engage with these existing establishments. Decisions about around the support required by schools, and other educational establishments, during response would be decided by strategic responders based on the specific incident. It would be inappropriate for the Management Company to engage with schools, especially if contradictory or inconsistent advice was being given, compared to the official guidance.
1.2.e	The threshold dose is 1 mSv annual dose for a radiation incident over a period of one year following the event (REPIR 2019, Reg 2.1, Para 69).
1.3 a	Will the training be annual or bi-annual?

1.3.Table	If training is to be provided, they would need trained staff to present to ensure that the information aligns with national/local arrangements.
2.2.a	This states that the information, provided in the welcome pack, “can” be given as a community is established. This information should be provided during the initial stages of house purchase to ensure that residents are aware of the risk.
2.3.a	Using the verb “can” does not imply the sustainability of the information and support provided to residents.
2.3.b	The local authority provides prior information to the public in the form of a pre-distributed leaflet and on their website (20230511-WBC REPIR booklet A5.pdf)
2.4.1	What type of masks will be provided? Personal respiratory equipment that is provided will need to be fit tested to ensure it provides adequate protection for individual wearers. (Fit testing basics - HSE) Equipment has expiry dates – how will the Management Company ensure the correct PPE is provided for the duration of the development?
2.4.3	If there is a change in telecommunication methods (e.g.: discontinuation of landlines), is there a contractual plan to update/improve the dwellings?
2.5.1.b	How to Survive a Nuclear Emergency has different versions, the latest was published in 2018, a year before the updated REPIR (Radiation Emergency Preparedness and Public Information Regulations) of 2019. It is not official guidance issued by an emergency responder or UK Government. As such is not recommended to be included within the emergency plan. The local authority provides prior information to the public in the form of a pre-distributed leaflet and on their website (20230511-WBC REPIR booklet A5.pdf)
2.5.2	The Personal Emergency Plans are aspirational, hence the use of the word ‘encourage’. How will these plans be assessed to ensure they are robust and effective? If there is no quality assurance, the plans will have little value in response, and residents requiring support will still come to responding agencies.
2.6	If training is to be provided, they would need trained staff to present to ensure that the information aligns with national/local arrangements. This document does not state what contract has been proposed to ensure that this training will remain. Any training must be designed specifically for residents – to ensure they have clear actions to take away and implement during response. Educating communities in the AWE risk assessments, consequence reports and how to interpret weather data is unnecessary – and will

	ultimately confuse key messaging if incorrectly interpreted. The response structure, such as the Scientific and Technical Advice Cell along with the Media Advisory Cell will ensure timely and accurate advice is provided to residents, so they will not need to interpret meteorological data themselves.
2.6.b	Has there been an any contractual agreement with Communities Prepared or a similar organisation for training?
3.3.a	How will the management company help the residents follow the Council's advice?
3.3.c.b	Using high pressure power washers on vehicles that have been contaminated with radioactive material could resuspend the material into the air and may cause harm to residents.

Other comments

- 5.9 Consideration should be made about the ventilation systems set up at the new development. Following [building ventilation regulations](#), that require suitable ventilation; nuclear emergency response recommends that members of the public turns of external ventilation devices and close windows and gaps to reduce permeability. Consideration will need to be made in how the houses will be designed so during regular use, are suitably ventilated but also able to prevent the ingress of radioactive particulates during short time frames.

6. Summary

- 6.1 I have received responses from partner agencies within the Off-Site Planning Group – who are concerned that this development will add pressure on to the Off-Site Emergency Plan, and that the mitigating Development Specific Emergency Plan is not sufficient in dispelling these concerns. While there are improvements that could be made to this plan, that are some principles which are unlikely to be overcome.
- 6.2 The DSEP focuses on improving community resilience, which is only one aspect of the Off-Site Emergency Plan. Mitigations are required for the increase pressure placed on all aspects of the plan from this development, examples of which are listed in 4.2.
- 6.3 There is concern around the enforceability of a community emergency plan, as it fails the tests within the NPPF and falls outside the scope of REPPiR2019 and the ONR's remit. Therefore the DSEP could not be conditioned, enforced or implemented in preparation for, in response to, or in recovery to a radiological incident from AWE Burghfield which impacts this location.
- 6.4 Therefore, my response to this application is that this development is within direct conflict with the Council's TB04 policy and Paragraph 102 of the NPPF. Therefore I recommend the Council objects on these grounds.