

Office for Nuclear Regulation

DEPZ and proposed developments - West Berkshire Council

Date released

21 December 2021

Request number

202111034

Release of information under


Freedom of Information Act 2000 (FOIA)

Information requested

West Berkshire Council is responsible for the preparation of the off-site emergency plan required by the Radiation (Emergency Preparedness and Public Information Regulations) (REPPiR) which came into force in May 2019. They are presently unable to provide the ONR, and by extension those communities living, working and studying within the DEPZ, with the adequate assurance that proposed developments resulting in an increase in population can be accommodated within West Berkshire Council's off-site emergency planning arrangements. As a consequence the ONR, as consultee, and West Berkshire Council's Emergency Planning department is advising against development, in accordance with the ONR's Land Use Planning Policy (<http://www.onr.org.uk/land-use-planning.htm>^[1]).

1. In consideration of the above can the ONR advise if they have to date received any documentation from West Berkshire Council which would effectively change the above statement.
2. Can the ONR provide a copy of the correspondence from West Berkshire Council relating to point 1 above.
3. Can the ONR advise if they are presently reviewing associated documentary evidence, created by West Berkshire Council or representatives on behalf of West Berkshire Council, which would provide them with the adequate assurance that proposed developments resulting in an increase in population can be accommodated within West Berkshire Council's off-site emergency planning arrangements.

Information released

I confirm that under [Section 1](#) ^[2] of the FOIA we hold some of the information requested. We have answered your questions in turn below.

1. In consideration of the statement above can the ONR advise if they have to date received any documentation from West Berkshire Council which would effectively change the above statement.

We do not recognise the statement included in your request, and its phrasing does not accurately describe our role as a non-statutory consultee or our approach to proposed developments in the Detailed Emergency Planning Zones (DEPZs) of AWE Aldermaston and AWE Burghfield.


For clarity, our approach is to consider all planning applications on a case-by-case basis. This is in accordance with discharging our role within the government's Land Use Planning policy; the arrangements for which are detailed on the Land Use Planning pages on our [website](#)^[3].


In practice, this means where a planning application for a proposed development is located in the DEPZ of AWE Aldermaston or AWE Burghfield, and meets our consultation criteria, we seek, where appropriate, adequate assurance from the emergency planning function at West Berkshire Council that the proposed development can be accommodated within their off-site emergency plan for the relevant site.

From 1 April 2021, ONR has been consulted on 54 planning applications relating to proposed developments located in the DEPZ of AWE Aldermaston and AWE Burghfield. We have received the appropriate assurances (within the consultation timescale) from the emergency planners at West Berkshire Council on four applications and these all have the following characteristics:

- They are in the DEPZ of AWE Aldermaston; and
- They do not directly concern new residential developments, but relate to either commercial development, household extensions, or to the discharge of planning conditions.

2. Can the ONR provide a copy of the correspondence from West Berkshire Council relating to point 1 above.

We have [attached seven emails from West Berkshire Council](#) ^[4] in which they gave us the appropriate assurances for the planning applications described above.

Some information has been removed from the emails as it contains personal data. The personal data has been withheld using the exemption [Section 40\(2\)](#) ^[5] of the FOIA. In particular, release of the information would breach principle (a) of GDPR (lawfulness, fairness and transparency) on the grounds that there is no lawful basis to process this data.

3. Can the ONR advise if they are presently reviewing associated documentary evidence, created by West Berkshire Council or representatives on behalf of West Berkshire Council, which would provide them with the adequate assurance that proposed developments resulting in an increase in population can be accommodated within West Berkshire Council's off-site emergency planning arrangements.

We can confirm that we are not presently reviewing any documents created by West Berkshire Council or representatives on behalf of the council intended to provide us with adequate assurance that a proposed development in the DEPZ of either AWE site can be accommodated within West Berkshire Council's off-site emergency planning arrangements.

We are currently being consulted on the following three applications for proposed developments in the DEPZ of either AWE site:

- West Berkshire Council, Planning Application 21/01178/HOUSE;
- West Berkshire Council, Appeal 21/01178/HOUSE; and
- Wokingham Borough Council, Appeal 211057.

We will consider whether we need to seek the appropriate assurances from West Berkshire Council's emergency planning function for each of these applications in due course.

Exemptions applied

Section 40(2)

PIT (Public Interest Test) if applicable

N/A

Link URLs in this page

1. <http://www.onr.org.uk/land-use-planning.htm>
2. Section 1
<https://www.legislation.gov.uk/ukpga/2000/36/section/1>
3. website
<http://www.onr.org.uk/land-use-planning.htm>
4. attached seven emails from West Berkshire Council
<https://www.onr.org.uk/foi/2021/202111034-1.zip>
5. Section 40(2)
<https://ico.org.uk/media/1209/personal-data-of-both-the-requester-and-others-foi-eir.pdf>

