



West Berkshire Local Plan Review 2022-2039
Proposed Submission Representation Form

Ref:

(For official use only)

Please complete online or return this form to:	Online: http://consult.westberks.gov.uk/kse
	By email: planningpolicy@westberks.gov.uk
	By post: Planning Policy, Development and Regulation, Council Offices, Market Street, Newbury, RG14 5LD
Return by:	4:30pm on Friday 3 March 2023

This form has two parts:

- Part A - Your details: need only be completed once
- Part B - Your representation(s): please fill in a separate sheet for each representation you wish to make

PART A: Your Details

Please note the following:

- *We cannot register your representation without your details.*
- *Representations cannot be kept confidential and will be available for public scrutiny, however, your contact details will not be published.*
- *All information will be sent for examination by an independent inspector*
- *All personal data will be handled in line with the Council's Privacy Policy on the Development Plan. You can view the Council's privacy notices at <http://info.westberks.gov.uk/privacynotices>*

	Your details	Agent's details (if applicable)
Title:	Mr	
First Name:*	Paul	
Last Name:*	Hinton	
Job title (where relevant):	Senior Town Planner	
Organisation (where relevant):	Defence Infrastructure Organisation	
Address* <i>Please include postcode:</i>	St George's House Defence Infrastructure Organisation Head Office DMS Whittington Lichfield Staffordshire WS14 9PY	
Email address:*	[REDACTED]	
Telephone number:	[REDACTED]	

**Mandatory field*

Part B – Your Representation

Please use a separate sheet for each representation

The accompanying guidance note available at: <https://www.westberks.gov.uk/lpr-proposed-submission-consultation> will assist you in making representations.

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s) as there will **not normally** be a subsequent opportunity to make further representations, **further submissions will ONLY be at the request of the Inspector, based on the matters and issues they identify for examination.***

Your name or organisation (and client if you are an agent):	Defence Infrastructure Organisation
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Please indicate which part of the Local Plan Review this representation relates to:

Section/paragraph:	12.11
Policy:	DM33
Appendix:	
Policies Map:	
Other:	

1. Legally Compliant

Please see the guidance notes for an explanation of what 'legally compliant' means.

Do you consider the Local Plan Review is legally compliant?

Yes

 ✓

No

Please give reasons for your answer:

2. Soundness

Please see the guidance notes for an explanation of what 'soundness' means.

Do you consider the Local Plan Review is sound?

The soundness of the LPR should be assessed against the following criteria from the National Planning Policy Framework (NPPF)

Please tick all that apply:

NPPF criteria	Yes	No
Positively Prepared: The plan provides a strategy which, as a minimum, seeks to meet the area's objectively assessed need and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where practical to do so and is consistent with achieving sustainable development		
Justified: the plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence		
Effective: the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground		
Consistent with national policy: the plan should enable the delivery of sustainable development in accordance with the policies of the NPPF		X

Please give reasons for your answer:

Please see attached letter.

3. Complies with the Duty to Co-operate

Please see the guidance note for an explanation of what 'Duty to Cooperate' means.

Do you consider the Local Plan Review complies with the Duty to Co-operate?

Yes

No

Please give reasons for your answer:

4. Proposed Changes

Please set out what change(s) you consider necessary to make the Local Plan Review legally compliant or sound, having regard to the tests you have identified above (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why this change will make the LPR legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached letter.

5. Independent Examination

If your representation is seeking a change, do you consider it necessary to participate at the examination hearing session(s)?

Yes

No

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Whilst we consider soundness can be achieved by way of an additional policy as suggested in our representations, should the Council not recommend such changes we would wish to reserve our right to explain in person our concerns to the Inspector at the forthcoming Examination in Public.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

6. Notification of Progress of the Local Plan Review

Do you wish to be notified of any of the following?

Please tick all that apply:

Tick

The submission of the Local Plan Review for Independent Examination	✓
The publication of the report of the Inspector appointed to carry out the examination	✓
The adoption of the Local Plan Review	✓

Please ensure that we have either an up to date email address or postal address at which we can contact you. You can amend your contact details by logging onto your account on the Local Plan Consultation Portal or by contacting the Planning Policy team.

Signature		Date	3 rd March 2023
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Your completed representations must be received by the Council by 4:30pm on Friday 3 March 2023.



Defence Infrastructure Organisation

St. George's House
Defence Infrastructure Organisation Head Office
DMS Whittington
Lichfield
Staffordshire WS14 9PY

Telephone: [REDACTED]

E-mail: [REDACTED]

Planning Policy Team
Development and Regulation
West Berkshire District Council
Market Street
Newbury
RG14 5LD

DELIVERED BY EMAIL: planningpolicy@westberks.gov.uk

3rd March 2023

West Berkshire Local Plan Review Proposed Submission (Regulation 19) Consultation

Dear Sir/Madam,

We thank the Council for the opportunity to comment on the above Consultation. Please find set out below specific representations submitted on behalf of the Secretary of State for Defence on the consultation. Please note that these comments should be read in addition to those to be provided by colleagues in respect of MOD Safeguarding interests. The comments set out below relate to wider MOD estate related interests.

We would be grateful if you could acknowledge their receipt, by return.

1. Background

- 1.1 The Defence Infrastructure Organisation (DIO), on behalf of the Ministry of Defence (MOD) welcomes the opportunity to comment on the West Berkshire Local Plan Review Proposed Submission (Regulation 19) Consultation. The DIO is the estate expert for defence, supporting the armed forces to enable military capability by planning, building, maintaining, and servicing infrastructure on behalf of the MOD.
- 1.2 The MOD has significant land interests within the area covered by West Berkshire, including both of the Atomic Weapons Establishments (AWE) at Aldermaston and Burghfield, Denison Barracks and RAF Welford. These are important operational defence sites with an enduring requirement to support national defence outputs.

2 National Planning Policy Framework

- 2.1 The Council will be aware of the requirements of paragraphs 97 and 187 of the National Planning Policy (NPPF) as quoted below:

“97. 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.”

“187. Planning policies and decisions should ensure...Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.”

3 Representations

- 3.1 Whilst not directly referencing paragraph 97 of the NPPF paragraph 12.11 of the West Berkshire Local Plan Review 2022-2039 explains that planning policies and decisions should recognise and support development required for operational defence and security purposes. This paragraph forms the supporting text for proposed policy DM33.
- 3.2 Policy DM33 supports development where it directly sustains the functioning of each of the AWE sites as Government research and defence establishments. DIO **supports** this Policy.
- 3.3 Denison Barracks and RAF Welford are operational defence sites and for the same reasons as DM33, these sites should also have a local plan policy that supports development at these sites where it is required for operational defence and security purposes. Please see enclosed plans of these two sites.
- 3.4 As currently proposed Policy DM33 of the Local Plan is very helpful to the decision maker when dealing with development proposals that sustains the function of each of the AWE sites. Whereas at Denison Barracks and RAF Welford the decision maker would have before them a defence related policy but would be unable to afford it weight as it directly relates to two different establishments, albeit establishments that also fall within the description of paragraph 97 of the NPPF and with the same purpose to provide defence outputs.
- 3.5 Paragraph 16d) of the NPPF sets out that Plans should ‘contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals’. We contend that whilst the principle of Policy DM33 is correct, the absence of a similar policy does not assist the decision maker when it comes to making decisions for any future planning applications for developments at both Denison Barracks and RAF Welford.
- 3.6 To ensure that it is clear to the decision maker how to react to development proposals at Denison Barracks and RAF Welford, and for consistency with the approach the Plan takes for the other two defence sites at Aldermaston and

Burghfield, DIO requests that an additional policy for these two sites is also included in the Local Plan.

- 3.7 Paragraph 4.41 of the West Berkshire Local Plan Review 2022-2039 quite rightly quotes parts of paragraphs 97 and 187 of the NPPF in regard to the need to protect the ongoing day-to-day needs of defence sites, and to ensure that they are not affected adversely by the impact of other development proposed in the area, and to ensure that unreasonable restrictions are not placed on them as a result of development permitted after they were established.
- 3.8 These paragraphs support the provision of policy SP4 (Atomic Weapons Establishment Aldermaston and Atomic Weapons Establishment Burghfield) whose purpose is, amongst other considerations, to prevent developments that pose an external hazard to the AWE sites. While Denison Barracks and RAF Welford do not have a defined Detailed Emergency Planning Zone (DEPZ) like they do at the AWE sites, they are however, also at risk from third party developments that could affect adversely the operations of these sites and place unreasonable restrictions on them contrary to paragraphs 97 and 187 of the NPPF. For the same reasons as paragraph 4.41 and the purpose of policy SP4 the Plan should also include a policy that protects the day-to-day needs of Denison Barracks and RAF Welford.
- 3.9 As explained above, for consistency in decision making, all defence related sites must be treated in the same way. While we recognise policy SP4 is specific to the DEPZ and therefore including Denison Barracks and RAF Welford within this Policy would be ambiguous, a sentence could be included within a specific new Policy for these two sites within the Plan. This should include provision that non-defence related development in the areas around a defence site will not be supported where it would adversely affect defence related operation or capability.
- 3.10 With the above in mind and for the avoidance of doubt DIO considers that the following Policy should be included within the submission version of the Plan:

Development within and effecting Denison Barracks and RAF Welford

- a) ***Development within Denison Barracks and RAF Welford will be supported where it directly sustains the functioning of these defence establishments.***
- b) ***Non-defence related development in the areas around a defence site will not be supported where it would adversely affect defence related operation or capability.***
- 3.11 DIO also considers that the following text would be suitable to support the above recommended Policy:

Denison Barracks and RAF Welford provide important outputs that support national defence activities. The NPPF outlines that planning policies and decisions should recognise and support development required for operational defence and security purposes, ensuring that operational sites are not affected adversely by the impact of other development proposed in the area and existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.

4 Conclusion

- 4.1 DIO is supportive of the principle of policy DM33 which recognises the important land use role of defence establishments but has significant concerns that the Plan is not covering wider MOD interests and therefore is ambiguous by focusing on only two of the four defence sites within Plan area. Whilst we appreciate the particular consideration of AWE given the operations carried out at Aldermaston and Burghfield the Plan as currently written is inconsistent by providing support for future operational developments at the two AWE sites but is unclear to the decision maker on how to consider defence related activity and capability development proposals at Denison Barracks and RAF Welford in a fair and consistent way. Neither does the Plan make provision to protect Denison Barracks and RAF Welford from third party development proposals in the same way as it does for the two AWE sites.
- 4.2 Accordingly, as currently written the West Berkshire Local Plan Review would fail to meet the criteria of paragraph 16 of the NPPF.
- 4.3 The inclusion of DIO's recommended policy in addition to Policies SP4 and DM33 would enable the decision maker to consistently and fairly apply the following principles across all defence sites within the Plan area in accordance with paragraphs 97 and 187 of the NPPF by:
- recognising and supporting development required for operational defence and security purposes,
 - ensuring that operational sites are not affected adversely by the impact of other development proposed in the area, and
 - ensuring unreasonable restrictions are not placed on them as a result of development permitted after they were established.
- 4.4 Incorporation of this Policy, in addition to Policies SP4 and DM33 for AWE would ensure that for defence requirements the Plan would contain policies that are clearly written and unambiguous and which are evident to the decision maker how to react to development proposals for all defence establishments within the Plan area in accordance with Paragraph 16d) of the NPPF.

We would be grateful to receive further consultations as the Local Plan progresses and the opportunity to make further comments as necessary.

Yours faithfully

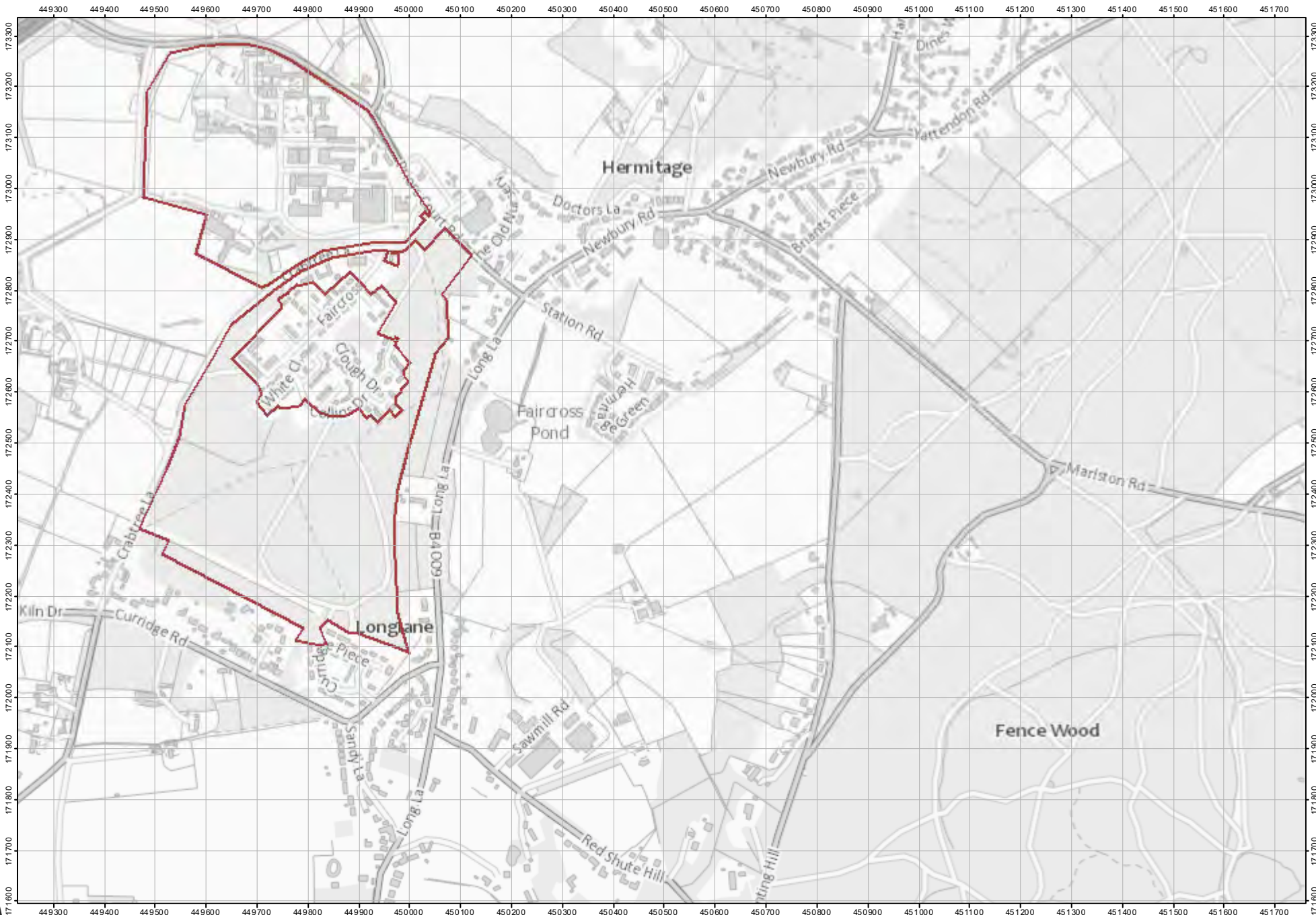
Paul Hinton
Senior Town Planner
Estates

Enc. Location plans of Denison Barracks and RAF Welford



LOCATION

Denison Barracks



LOCATION RAF Welford

KEY

