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| infrastructureconsenting@gov.wales | Redgrave Court  Merton Road  Bootle  Merseyside  L20 7HS  [Contact@onr.gov.uk](mailto:Contact@onr.gov.uk)  Unique ref: 2024/55057 |
| 18 December 2024 |

Dear Owen Struthers

**Implementing the Infrastructure (Wales) Act 2024 – ONR’s Consultation Response**

Thank you for the opportunity to comment on the above named consultation. The Office for Nuclear Regulation (ONR) is the UK’s independent nuclear regulator for safety, security and safeguards. Our mission is to protect society by securing safe nuclear operations.

We have a key role within the planning system administering the Government’s policy on the control of population around licensed nuclear sites. We fulfil this function throughout the entire life cycle of the installation through consultation with local authorities. This ensures that until the installation is delicensed, the basis for site licensing is preserved through constraints placed on the surrounding population by controls on future development.

The Chief Nuclear Inspector’s September 2011 report into the Fukushima Accident made a recommendation relating to the planning control system. Recommendation FR-5: The relevant Government departments in England, Wales and Scotland should examine the adequacy of the existing system of planning controls for commercial and residential developments off the nuclear licensed site.

Due to the terms of the devolution settlement we understand that ONR cannot have a duty placed upon us by Welsh Ministers, and so cannot be identified as a statutory consultee. Therefore we support the proposals in the consultation with the intention that, in practice, we will be consulted where appropriate and that guidance will be forthcoming to encourage developers to contact us on a voluntary basis to ensure we are aware of public consultations that are of interest to us. We would welcome the opportunity to work with you in developing your guidance.

We hope you find this helpful.

Yours sincerely

Sarah Brown

Head of Policy