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| Application No: 08/02511/F | Ward: Launton | Date Valid: 11.12.08 |
| Applicant: | The Home Office UKBA | |
| Site Address: | Part of A Site, DSDC, Bicester, Piddington | |

Proposal: Demolition of existing buildings and erection of an Immigration Removal Centre including an Accommodation Building (seven wings plus a Central Facilities Block) a Gate House, Visitor Centre and Energy Centre, car parking, access road, 5.2m fence and ancillary hard standing and landscaping.

1. Site Description and Proposal

The application site covers approximately 14 hectares and is located to the east of the B4011 adjacent to the junction with Widnell Lane (leading to Piddington) and Palmer Avenue (leading to Arncott). The site would be accessed via the existing access to A site adjacent to the level crossing. The site is the same as that proposed in 2002 for an accommodation centre for asylum seekers.

The site is currently occupied by two sets of conjoined Nissen huts and a large warehouse building. A high voltage electricity cable crosses the western side of the site. An area of trees/shrubs is also located on this side of the site shielding views from the B4011. There are other trees and hedgerows within the site. MOD uses will remain to the north, east and south of the proposed use.

The proposal is to construct an Immigration Removals Centre (IRC) which is designed to house 800 single males, who may be asylum applicants, immigration offenders or foreign national prisoners who have served their sentences. It will be constructed to Category B prison standards enclosed by a 5.2 metre high security fence. The detainees will arrive at the IRC from asylum screening centres, ports, arrest teams, reporting centres or by secure transport. They will be either asylum seekers whose application to remain have failed, illegal immigrants or foreign national prisoners whose sentences are complete but are being removed from the country. The length of stay will vary but will on average be 6-8 weeks.

The proposal is to construct the removal centre as a single building with a central facilities block linked to seven accommodation wings and a sports hall. A copy of the masterplan and a 3D perspective are attached as Annex A.

The development proposed consists of :-

- A series of interconnected 3 storey residential blocks with association areas and showers and with direct access to their own exercise yard.
- A central facilities block, also 3 storeys, containing reception and discharge areas, kitchen, facilities management and stores, areas for visits, healthcare facilities and UKBA and operations offices.
- A fence 5.2 metres high comprising solid sheet steel to 2.8 metres and mesh above topped by 30cm of razor wire a gatehouse (2 storeys).
- A visitor centre (single storey) with 30 space car park.
- Energy building containing a range of heating technology and water chillers and

- heaters.
- A staff car park for 270 cars.

The proposals provide 23,765sq. metres of floorspace. The main buildings will be 16.2 metres high at the ridge of the pitched roofs which contain clerestorey windows (east facing). It is intended that the buildings will be constructed in buff and brown brickwork with grey metal roofing.

For security reasons the submission does not include the internal layout of the buildings. Internally detainees are provided with access to the internet and to television, phones, newspapers and a range of purposeful activities. Sports and faith facilities are provided. The buildings include a 20 bed medical facility, a dental suite, dispensary and GP consultants rooms.

The new centre would employ 528 full-time equivalent skill made up of 58 managers, 320 detention custody officers, 70 healthcare staff, 40 regime staff, 20 clerical staff and 20 Home Office employees.

The application is accompanied by the following:-

- A planning statement
- Design and access statement
- Energy statement
- Site contamination statement
- Landscape and visual assessment
- Arboricultural report
- Drainage and surface water strategy
- Lighting assessment
- Ecological impact assessment
- Archaeological assessment
- Transport assessment (and addendum)
- Travel Plan
- Statement of community involvement

2. Application Publicity

The application has been advertised by means of site notice, and press notice.

29 individual letters of objection have been received from residents of Arncott, Ambrosden, Piddington, Merton, Bicester, Boarstall, Blackthorn, Lower Heyford, Caversfield and Oxford. Their comments include the following concerns:-

- The need for this facility is not proven
- Inappropriate rural location – lighting and noise
- Harm wildlife habitat
- Water supply concerns
- Concern about safety – history of protests and escapes at Campsfield
- What will happen to the centre if the numbers of immigration detainees fall
- Transportation infrastructure inadequate – unsustainable
- Impact upon flood drainage
- Impact upon rural economy – diverting employment creating difficulty for local businesses to recruit staff

- Traffic problems
- Size and prominence in rural landscape
- Raises similar issues to accommodation centre application which CDC objected to
- Visible from Lower End Piddington
- Inefficient landscape screening
- Orientation of roof windows will be clearly visible from Piddington
- Concern about roof coloration
- Construction disturbance
- Rat-running through Piddington, Arncott and Blackthorn
- Relationship of centre to high voltage electricity lines

Letters of objection have been received from the Oxford and District Labour Party and the Oxford and District Trades Union Council who raise concern about the excessive size of the building, its unsustainable location, light and noise pollution, contrary to employment policy. They also, like many of the objectors above raise non-planning matters about the humanity of detention, affect upon human rights and the cost of the development and its operation.

A lengthy letter has been received from an organization known as the Coalition Against Bullingdon Immigration Removal Centre (CABIRC). I attach their letter as Annex B.

3. Consultations

- (i) **Oxfordshire County Council** as strategic planning authority considers that the development is contrary to the principles of sustainability guiding the location of development in Policies SP3 and C01 of the draft South East Plan as proposed to be changed and Structure Plan Policy G1 and E1.

1. It considers the proposed development is contrary to the principles of sustainability guiding the location of development in Policies SP3 and CO1 of the draft South East Plan as proposed to be changed and Structure Plan Policies G1 and E1. However, on balance, it considers that these policy objections are outweighed by a national need to increase the capacity of UKBA's detention estate, the operational requirements of a detention centre and the difficulty of locating the use in an urban area and therefore would not object to the development of an immigration removal centre in this location.
2. If the district is minded to approve the application, permission should be subject to:
 - a) a legal agreement(s) to secure appropriate contributions to the improvement of Bicester Fire Station, the implementation of a Travel Plan, provision of minibus services, the costs of traffic monitoring and any subsequent identified highway mitigation measures and a routing agreement for construction traffic and vehicles bringing detainees to and from the site and;
 - b) conditions to require the development to achieve an excellent BREAM rating; the installation of a comprehensive fire detection and sprinkler system in **all** buildings; provision of pedestrian/vehicle access to the minimum standards in building regulations document B5; comprehensive on-site water supplies and associated equipment; access to and use of space in a purpose designed, secure control room/incident centre when managing any on site incident – this would include infrastructure

requirements e.g. ICT; and, prior to operation, the development of an agreed, comprehensive multi-agency concept of operations and the provision of detailed incident procedures plus any necessary multi agency training and contingency planning.

- (ii) The concerns about the implications for the fire and rescue service are repeated in a letter from Oxfordshire County Council concerning impact upon their services. They confirm that most of their services do not expect this development to have an impact as it is a self contained unit. They would need running costs if the development will require on site educational support, social services involvement or library provision. With regard to the fire service the County Council indicate that the following items will need to be addressed:

A full sprinkler system should be provided as part of this application rather than the partial system proposed. Comprehensive fire detection and sprinklers throughout all buildings (not just bedrooms and common areas as indicated in 5.5).

The upgrading of Bicester Fire Station (capital funding issue) to allow for a revised staffing method will require capital expenditure in the region of £250,000 with the step change in staffing being in the order of £1M revenue effect per annum. This is sought on the basis of the additional burden this proposal would place on overall Fire and Rescue infrastructure.

Comprehensive on site water supplies and associated equipment including a ring main (accessible in the detainee free zone) and dry rising mains in appropriate locations.

The County Council will also wish to seek to secure a legal agreement for appropriate financial contributions to mitigate the effects of this development if implemented, before any planning permission is granted.

This matter is being discussed between Oxfordshire County Council and the applicant.

- (iii) **Buckinghamshire Fire and Rescue** notes that the development has significant implications for their service which may be required to support Oxfordshire to attend incidents. They suggest that Bicester Fire Station should be improved, that an incident strategy should be formulated and that an assessment of the need for an automotive fire suppression sprinkler system should be made.
- (iv) **Aylesbury Vale District Council** raise no objection in principle to the proposal which is noted to be both on a brownfield site which will be screened to a large extent by existing military buildings. This view is offered on the basis that Cherwell District Council is satisfied that it accords with Development Plan Policy or that there is an overriding justification that would lead your Council to support the application. They seek controls preventing the use of the complex as an open centre. They ask for careful attention to materials, especially roof materials and external lighting as it will be visible at a distance from Muswell Hill.
- (v) **Piddington Parish Council** comments are attached as Annex C
- (vi) **Blackthorn Parish Council** comments are attached as Annex D

(vii) **Ambrosden Parish Council** has no objections to the plans. They comment that there will be vigorous objections should there be any future proposal to change the use from removal centre to detention centre.

(viii) **Arcott Parish Council** comment as follows:

- The report states that the area is now classified, according to 'Cherwell District Landscape Assessment, as 'within degraded urban fringe type landscape area where the influence of built development is unmistakably urban', yet later says 'A Removal Centre is not a use that is suited to an urban location' – The area around Arcott/Ambrosden/Piddington/Blackthorn is unmistakably rural, we seek assurance that the District Council supports this view. If not then the building of an IRC in an 'urban' environment needs to be challenged.
- Traffic:
 - Construction – Need to be assured will not use villages at all.
 - Secure Vehicles – Routeing Order must enforce use of A41-B4011.
 - Staff – Will undoubtedly use villages to get to work, including Arcott. Arcott PC need to be engaged to plan traffic calming measures at all access/exit points to the village, and throughout. To include:
 - Ploughly Road – humps need to be replaced with something that works.
 - Vehicle Activated Signs deployed
 - 30mph speed limit signs throughout village
 - Extension of 30mph zone to include new development south of Upper Arcott, including humps/chicane
- What assurances are given that the IRC will not be downgraded from a secure unit to an open centre in the future?
- Bicester Garrison has plans to expand into some of its disused sites, possible creating a super-Garrison. Will CDC consider this when considering the IRC Planning Application?
- There will undoubtedly be activists outside the centre, like Campsfield, what consideration has been given to funding of extra police/ambulance service etc?
- What assurances can be given over the security of the buildings and possible breaches of security?
- The IRC is to be included on the existing (S5) bus route. What plans are there to increase the frequency of this service to cope with the increased usage to avoid a decrease in service to villagers?
- The junction of Palmer Avenue and A4011 is dangerous now, with the increased traffic it will be even worse – a condition of planning must be to

create a roundabout at this junction.

- The junction of the A41/Ambroseen turn is extremely dangerous now and is likely to receive more traffic with the increase in staffing at the IRC. A condition of planning must be to create a roundabout at this junction.

Whilst the Open Meeting and the Parish Council have no reason to object to the planning application, the impact on this rural area will be immense, primarily from an increase in traffic.

- (ix) **Environment Agency** object on the basis of an unsatisfactory flood risk assessment. Subsequent meetings have been held between the Environment Agency and the applicant's agents. We await confirmation that this matter has been satisfactorily resolved.
- (x) **Cherwell District Council's Head of Building Control and Engineering Services** agrees that the site is in Flood Zone 1 (and therefore at the lowest risk of fluvial flooding) and that the ground in this locality is not suitable for effective soakage. On-site attenuation is therefore necessary and full details will be necessary. He is satisfied that an acceptable foul sewage disposal system is achievable but notes that discussions continue with Thames Water.
- (xi) **Thames Water** recommend that the applicant should ensure that the storm flows are attenuated into the receiving public network through an off site storage. They do not raise any objections to the foul drainage proposals. They have no objection on water supply grounds.
- (xii) **Cherwell District Council's Environmental Protection Officer** is content that issues of possible contamination can be adequately dealt with by a condition on any approval.
- (xiii) **Cherwell District Council's Landscape Planning Officer** comments:-

The site is very flat, low lying and generally well screened even in winter. It is sited in a relatively built up area comprising various MOD buildings. There is also a row of electricity pylons running the length of the site which inevitably create existing visual impact. The buildings encircle the site on its north and east sides.

The south side has a thick hedgerow along Widnell Lane providing substantial screening. The west side has a belt of planting which screens it immediately adjacent to the site boundary. The only place where there will be some visibility is from the approach from the north along the B4011. There are no public foot paths in the immediate vicinity. There will be no change in views for the residents of Piddington. In my opinion the photomontages give an accurate picture of the impact of the proposed development. The only impact will be from the B4011 where the roofs of the development will be visible above the storage areas. The storage may change but there will be some on-site planting to help mitigate this. Most of the existing vegetation is to be retained and there will be some enhancement planting. The site entrance from the B4011 is in need of particular improvement.

On the basis of my observations and the information and visual images given in the Landscape and Visual Assessment Report and Design and Access Statement I can see no grounds for objecting to this application on the grounds of visual impact.

- (xiv) **Cherwell District Council's Ecologist** considers that the ecological report is satisfactory. Protected species will need appropriate licensing arrangements for movement if necessary. – No comments yet received from Natural England.
- (xv) **The Council's Head of Planning and Affordable Housing Policy** comments that:

DCLG Circular 02/2006 on Crown Application of the Planning Acts states that new C2A development such as a prison, secure hospital or immigration detention centre require:

“A large area of ground. Such uses need good road links for staff, visitors and deliveries and space for car parking as well as good public transport links. They also provide a significant number of long-term jobs for local people. For these reasons such institutions may not easily be accommodated within existing residential land allocations. The Secretary of State considers that the physical requirements and employment generating aspects of these schemes are an important consideration and that despite their residential classification, location on land allocated for employment uses is appropriate”.

The site comprises former Defence land in a rural location. It lies outside the District's built-up areas and is not allocated for employment or any other specific use in any part of the Development Plan (RPG9, saved policies of the Oxfordshire Structure Plan 2016 and the Cherwell Local Plan 1996).

The applicant notes (planning statement, para 7.7) that planning policies at national, regional and local levels: PPS1, PPG13, RPG9, Structure Plan Policies G1 and G2 and the emerging South East Plan all encourage development in sustainable locations that foster accessibility to employment, housing, retail and other services, and avoid unnecessary travel. They state that in general terms the policies support development located in urban rather than rural areas. It is agreed that the siting of the proposed facility in this rural location would not accord with the general thrust of national, adopted Development Plan, and emerging regional policy.

The Planning Inspector who considered a previous proposal for an open accommodation centre for asylum seekers on the site concluded that all the land within the site should be regarded as previously developed land, but that this in itself was not a sufficient reason for developing in a rural location. Although the land is no longer owned by the MOD and the definition of previously developed land has changed since the earlier application was considered, the site has a clear and historic relationship with surrounding MOD land and is likely to remain to be considered as previously developed.

Justification for the proposed development lies in the national need for additional removal centre spaces. The planning statement states that the removal estate consists of 10 centres with 2,533 bed spaces and that this needs to increase to

at least 4,000 bed spaces in order to support the delivery of the UK Border Agency's (UKBA) strategy. UKBA forecasts that the total medium term requirement is likely to be in the range of 3,300 to 4,200 beds. The target of at least 4,000 relates to the priorities of the Government's national strategy for enforcing immigration laws. It is clear, therefore, that the development is proposed in the national public interest.

On this basis, there is no planning policy objection to the proposed development subject to other detailed matters being acceptable. This includes there being no objection from the Highway Authority and the securing of a robust and enforceable Travel Plan in view of the intention to employ significant numbers of staff (528) in what is a relatively isolated rural location.

(xvi) **Oxfordshire County Council's Highways'** interim comments are:-

It is clear that the detention centre is located such there will be a high generation of car trips and it is difficult to see that the proposal meets the ambitions of PG13 even with the mini bus services being proposed. However, it is acknowledged that more centrally placed locations are probably not available and arguably not appropriate for such uses.

It is considered the TA assesses the trip generation and likely impact in a fair way and it shows there is unlikely to be any capacity problems on the highway. The monitoring and possible mitigation measures in Blackthorn are considered appropriate although clearly the nature and effect of such measures are unknown at present.

The current application varies considerably from the previous asylum seeker centre which allowed detainees free access and the length of stay and on site facilities were greater. The previous concerns of the highway authority do not arise in large extent by this current application.

Providing a suitable Section 106 is entered into by the applicant the Highway Authority does not feel any concerns could be sustained at appeal and therefore raise no objection to the proposal.

(xvii) **Oxfordshire County Council's County Archaeologist** raises no objection but requests a planning note about any archaeological finds made.

4. Relevant Planning Policies

Relevant national planning policy is set out in PPS1 (Delivering Sustainable Development) PPS7 (Sustainable Development in Rural Areas) and PPG13 (Transport). As recounted above in the HPAHP's comments Circular 02/2006 provides some guidance on prison development.

Regional policy is provided in RPG9 (Regional Strategy for the SE) and the emerging South East Plan which encourage development in sustainable locations.

The relevant policies of the Oxfordshire Structure Plan are:- G1, G2, G3, G5, G6, T1, T2, T8, EN1, EN2, EN9, E1 and E3. Relevant saved policies of the adopted Cherwell Local Plan are: - EMP4, TR1, C2, C7, C9 and C28.

The Non-Statutory Cherwell Local Plan 2011 contains the following relevant policies:- EMP4, TR1, TR2, TR4, TR11, EN1, EN6, EN11, EN15, EN24, EN25, EN31, EN34, D4 and D9.

5. Appraisal

The key issues to be considered in this case are:-

- The history of previous applications on this site
- Assessment against planning policy
- Sustainability
- Design and visual impact on the countryside
- Highway/transport issues
- Employment
- Technical issues such as energy efficiency, drainage and infrastructure capacity
- Ecological impact

Planning History

Members will be aware that in May 2002 the Home Office submitted a Circular 18/84 consultation in respect of a proposed immigration accommodation centre for asylum applicants on this site. The Council objected to the proposal in July 2002 and a Non-Statutory Public Inquiry was held in December/January 2002/3. The Deputy Prime Minister granted planning permission for that development in August 2003. I attach a copy of his decision letter as Annex E. It will be recalled that the Council challenged that decision in the High Court and the Court of Appeal but was not successful in that challenge.

It should be noted that the Secretary of State agreed that:-

- (i) that proposal was contrary to Structure Plan Policy G1 of the Structure Plan (para 12);
- (ii) that the traffic generation was not excessive or inappropriate (para 13);
- (iii) the provision of a mini-bus service overcame concern about conflict with Structure Plan Policy G2 (para 14);
- (iv) that the proposal would not cause demonstrable harm to the character of the landscape (para17)

In dealing with need he concluded that the need to trial accommodation centres weighed positively in his decision (para 21). He also agreed that it was previously developed land (para 24) and that the re-use of such land is an important objective in helping to create sustainable patterns of development. In dealing with the impact of the development on the character of the area the Secretary of State places weight on Cherwell District Council's Landscape Assessment document which describes the land as being within 'degraded urban fringe type landscape unless the influence of built development is so great that the character has become unmistakably urban'. He then deals with issues which are to the secure nature of this proposal are not as relevant (impact on local services and pedestrian safety).

Finally, in dealing with the planning history the HDCMD draws attention to the over 2200 objections received to that previous case and less than 30 in this case.

Assessment Against Planning Policy Sustainability

It is not possible to merely follow either our assessment against policy in relation to the previous scheme, or the Secretary of States because this scheme is substantially different. The main differences are the scale of the proposal (800 detainees against 400) and substantially greater workforce, the 'closed' nature of the establishment, and the size of the buildings (3 storey rather than 2).

Notwithstanding the above comments as this is large scale development within a countryside setting (outside of the principle fabric of development in Oxfordshire) the proposal is contrary to Policies G1 and G2 of the Structure Plan. The general strategy is to concentrate development in locations where the need to travel (particularly by private car) is reduced. The siting of the proposed facility in this rural location, which is poorly served by public transport, would not accord with the general thrust of national, adopted (and saved) Development Plan policies or existing and emerging regional policy. Therefore, if the Council considers that the proposal is approvable it will need to treat the application as a departure from the Development Plan, which may lead to it being 'called-in' by the Secretary of State.

The applicants argue that a removal centre is not a use that is suited to an urban location for the following reasons:

- It occupies a large site and located in an urban area would prevent a more appropriate use being developed on the land.
- It is a secure location with no public access which is better located out of an urban area.
- The detainees do not make use of the external facilities offered by the town centre.

The HDCMD is not enamoured by this approach as the facility visited by the Development Control Team Leader and two Members at Colnbrook was within an urban location albeit adjacent to another detention facility. Of more significance perhaps is the advice contained in Circular 02/06 quoted in the HP & AHP comments at 3 (xv) above. The applicants argue that that advice does not limit such development to urban locations (although it could have said so). It does say however that the employment generating aspects of the schemes are important. In the HDCMD's opinion this means that they would be located where well served by public transport. This site is not unless exceptional efforts are made to provide dedicated transport for staff. When considering the accommodation centre similar arguments were put forward. The Secretary of State concluded that the mini-bus arrangements then offered were sufficient to outweigh this concern. The HDCMD has some concern about the offer currently with the Council on these matters but it is hoped that this can be improved upon before Committee and in Section 106 negotiations.

The site is undeniably previously developed land, any argument to the contrary was extinguished by the Secretary of State's decision upon the previous proposal.

In the previous decision the need for the trial of an accommodation centre played a significant role. The applicants make a substantial case with regards to need which is attached as Annex F. Whilst the need for such establishments, and the quantities of need

is criticised by CABIRC and related objections, the Council cannot contest Government policy. In their opinion such detention facilities are necessary and this development is necessary to fulfill their requirement. The Council must consider if in planning terms this site is appropriate. It will be seen that in the previous appeal decision (para 19 Annex E) the Secretary of State argued that it was not necessary for the applicant to demonstrate convincing reasons why it is necessary for such a proposal to be located in a non-urban location. The Secretary of State previously considered that the Home Offices' need was a "very important consideration and (he) places great weight upon it" (para 45). At para 47 he says that in that case the need for a trial outweighed the sustainability concerns. In your officer's view the Secretary of State would be likely to conclude in a similar way in this case, if he intervenes following a call-in or refusal. Bedford and this site at Bullingdon represent the only sites currently scheduled to meet the need and both are considered necessary.

The HDCMD therefore advises that the Council should not contest the proposal on need grounds, and moreover that need may overcome the sustainability concerns about this site.

Design and Visual Impact in the Countryside

The buildings are large, being 3 storeys high and with a pitched roof, but the surrounding sites have good quality trees and other screening material, which will successfully screen the buildings from many directions. The buildings are also to be sited within MOD land which will continue to contain large scale warehouse buildings and tall open storage, so even where the buildings are seen they are within a less than pristine rural landscape. The applicant has submitted a comprehensive landscape and visual assessment report that has been critically examined by both landscape and planning staff. It will be seen at 3 (xiii) above that the landscape officer considers that there are no grounds for objecting to the application on grounds of visual impact. The HDCMD shares that view. The criticism of the scheme by residents of Lower Piddington has been carefully analysed, but retained MOD buildings and existing trees will prevent significant views of the buildings being obtained from the easterly direction.

The roofs of the building will however be more prominent when approaching the site from the north, on the B4011 Bicester-Thame Road when a view across the largely unscreened MOD site. The HDCMD has asked the applicants to hold discussions with the MOD and adjoining land owners concerning off-site planting on this side as insufficient land exists on the application site to provide effective additional screening. The roofs of the building will also be visible as one approaches from the west along Palmer Avenue from Arcott and from the slopes of Muswell Hill at much greater range to the south-east. Given the advice received the HDCMD advises that landscape impact is unlikely to succeed as a grant of refusal.

In design terms the buildings form a large scale set of linked institutional buildings of modern appearance. Their siting within the site has been determined by the shape of the site, the high voltage cables, existing woodland and hedgerows. The form and layout is determined by the desire, for operational reasons, to divide the facility into self contained wings. The design is also influenced by its function as a place of detention, necessitating solidity, security, one point of secure entry, secure fenestration, fencing and damage resistant materials. It is proposed to be constructed in brown and buff brickwork with aluminium standing – seam roofing. The other buildings (gatehouse, visitors building and energy building and sports hall) all have a continuity of design and material to produce a well conceived group. A carefully designed landscaping scheme will soften/screen views and help to break up the large scale of the car park. This is helped by existing vegetation

on site that can be retained and by planting on the retained MOD site which is unaffected by the proposal.

Concern has been expressed about the impact of external and internal lighting. The clerestorey windows in the roof of the accommodation wings are criticised by residents of Piddington, but whilst it may be possible to glimpse these it is not considered that this would be disturbing.

The application is accompanied by an environmental lighting assessment. It is explained that the exterior lighting has been specifically designed to provide sufficient light for the access roads and car parking. It is envisaged that much of this would be switched off after 10pm. Any lighting around the perimeter fence can also be switched off as infra-red security lighting and CCTV will maintain security. Exercise yards will also be lit to allow winter time use but will be switched off when not in use. The use of full cut-off luminaires will eliminate any problem of sky-glow and light trespass beyond the site boundary and can be kept to a minimum. The submitting experts assess the impact as negligible to slight and the HDCMD sees no reason to disagree with this conclusion.

Transport and Highway Issues

The application is accompanied by a comprehensive transport assessment, and an addendum written to respond to queries raised in the pre-application consultation phase. As a result of that Oxfordshire County Council consider that there are unlikely to be any highway capacity issues. They do not consider that roundabouts are necessary on the A41 or B4011 as proposed by Arncott PC. They do however seek some mitigation measures in Blackthorn (to inhibit short-cutting to the A41) if it is proven necessary. This would be secured through a Section 106 agreement.

To overcome their concerns about the unsustainable location the County Council seek an extended travel plan to provide alternative means for staff and visitors to access the site other than the private car. Your officers consider this essential and continue to press for an improvement over the existing offer. It is possible that the UKBA could combine with the Prison Service to provide an enhanced service for both sites.

Employment

Arguably the site is already an existing acceptable employment site to which policy EMP4 of the adopted and Non-Statutory Cherwell Local Plan relates. To accord with that policy the new development should be one that can be carried out without undue detriment to the appearance and character of the rural landscape and without harming the amenities of settlements. This policy did not envisage development of such a scale, but nevertheless these qualifications are met in the HDCMD's opinion, and it remains the sustainability of the location which is at question.

In the current economic climate the concerns expressed by some correspondence about the difficulty of obtaining sufficient staff, or the impact upon the labour market, are probably misplaced and overtaken by the events of the last few months. Undeniably they will recruit from a large area and consequently the requirement for a good staff transport system is re-emphasised.

Other Technical Issues

- (i) Energy efficiency - The proposal includes an energy sustainability report. The building is to be designed to attain a BREEAM excellent rating by making use of solar water heating, ground source heating and the possible use of biomass boilers, wind generation and the use of photovoltaic cells are not proposed. Grey water and rainwater recycling are intended.
- (ii) Drainage/water – The applicants anticipate being able to overcome the Environment Agency's concerns before the Committee meeting – a verbal update on this will be given. The scheme is unlikely to have any impact upon flooding in Piddington as it is downstream of the village.

Water supply has been investigated given the comments of some villagers, and yet the no objection from Thames Water on water supply grounds. It would appear that whilst Thames Water will supply this site, and do supply many in the surrounding villages, the existing MOD site and some houses and farms outside of Piddington are served from another private source. That supply which may be experiencing low pressure will be unaffected and separate from that servicing the proposed development.

- (iii) Infrastructure capacity – Members will recall that a major concern about the accommodation centre proposal was the impact upon local services – education, medical, library, social services etc. Mostly such concerns do not arise in this secure unit, as the provision of such matters is internal and does not affect the public facilities. Two issues have however been raised with the applicants.

Firstly with regards to medical provision, this is largely met on site. But concern was expressed about the potential impact upon secondary health care i.e. John Radcliffe Hospital if more serious medical emergencies arose. It has been clarified that there has been discussions between UKBA and the Department for Health. In future years PCT allocations will explicitly include persons detained in removal centres. This should ensure that adequate funding is available to provide necessary off-site capacity. The views of the PCT and John Radcliffe are awaited.

The second issue concerns the impact upon the Oxfordshire Fire and Rescue Service. It will be seen in 3 (i) and (ii) above that there is concern that this large facility will cause the service to change the Bicester Fire Station from a retained crew to a full time crew with consequent needs to adopt the existing building and with review impacts. Those concerns have been passed to the UKBA and a response is awaited. If necessary further meetings will be held with the parties before or after the Committee consideration of this application.

Ecological Impact

A detailed ecological impact assessment has been submitted.

The overall evaluation of the existing site as a habitat is that the hedges and grasslands of the western end form a mosaic of interconnecting habitats of some biodiversity value but are of no more than local value. A large population of Great Crested newts was found in water tanks on the site. A grass snake, various bird species, four bat species and black hairstreak butterflies were all identified on site.

Two sections of species rich hedgerows require removal and would require mitigation as does the impact upon the growth of foraging areas for the Great Crested newts (their breeding water areas are largely unaffected by the proposal). Bats are roosting in some of the buildings to be removed. A license for their removal will be necessary.

Extensive mitigation measures are described. The comments of Natural England are awaited.

6. Recommendation

Approve Subject to:

- (i) departure procedures**
- (ii) the completion of a legal agreement with the County Council concerning green travel plan matters and off-site traffic calming measures, road signing and construction traffic routeing**
- (iii) the withdrawal of the objection of the Environment Agency**
- (iv) the receipt of comments from Natural England and the medical authorities**
- (v) finalisation of the position with regards to the need for the Section 106 agreement to include contributions towards the improvement of Bicester Fire Station and/or a condition re: sprinkler systems and;**
- (vi) the following conditions:**
 - 1. SC1.4 Duration Limit 3 years**
 - 2. SC2.0 Materials**
 - 3. SC2.10 Floor Levels**
 - 4. SC3.0 (a)-(c) Landscaping Scheme**
 - 5. SC3.1 Implement Landscape Scheme**
 - 6. SC3.2A Retained Tree**
 - 7. SC3.3A Scheme Submitted to Protect Retained Trees**
 - 8. SC5.5 Security fence details**
 - 9. SC3.16 Details of services**
 - 10. SC4.3 Access details**
 - 11. SC4.12 Internal access road and parking areas**
 - 12. SC4.14C Cycle parking**

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|-----|---------|---|
| 13. | SC4.21A | Surface water/foul water disposal |
| 14. | SC4.25A | Balancing pond |
| 15. | SC6.14A | Use of Buildings restricted to secure immigration removal centre and no other use in C2A |
| 16. | SC8.13 | Land contamination |
| 17. | SC9.4 | Ecological mitigation measures |
| 18. | SC9.9 | Impact study on water supply |
| 19. | SC9.10 | Construction compound |
| 20. | SC9.12 | BREEAM excellent |
| 21. | SC5.5 | lighting scheme (in general accordance with the environmental lighting assessment by NEP lighting consultancy submitted with the application) |

Planning Notes:

O1
V1
X1

SUMMARY OF REASONS FOR THE GRANT OF PLANNING PERMISSION AND RELEVANT DEVELOPMENT PLAN POLICIES

The Council, as local planning authority, has determined this application in accordance with the development plan unless material considerations indicated otherwise. The development is considered to be acceptable on its planning merits as whilst contrary to the sustainability requirement of Structure Plan Policies G1 and G2 contains sufficient arrangements to overcome these concerns As such the proposal is in accordance with Policies G1 and G2 of the Oxfordshire Structure Plan 2016 and Policies EMP4, TR1, C2, C7, C9 and C28 of the adopted Cherwell Local Plan. For the reasons given above and having regard to all other matters raised, the Council considers that the application should be approved and planning permission granted subject to appropriate conditions, as set out above.

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