

**Campsfield House, Langford Lane,
Kidlington**

12/01762/F

Ward: Kidlington North

District Councillor: Cllr Rose
Cllr Williamson

Case Officer: Paul Ihringer

Recommendation: Approval

Applicant: Care and Custody Ltd

Application Description: three single storey extensions

Committee Referral: Major

1. Site Description and Proposed Development

- 1.1 Campsfield House is an Immigration Removal Centre (IRC) located on Kidlington's northern boundary and just to the south of London Oxford Airport. It was acquired by the UK Border Agency in 1993 having formerly been a young offender's institution. Aside from bedroom accommodation (single, double or multi occupancy) the centre provides a number of facilities including: a library; sports hall; welfare office; visitor centre; IT room; multi faith prayer room; chapel; shop; health care centre; and dining room.
- 1.2 The most significant extension to the building complex took place prior to the first occupation of the centre by the Immigration Service (see GD.CHS. 1/93). The development included a new visitor centre and a large accommodation block (133 beds). There have been a number of further additions and alterations in the intervening years, including the introduction of a number of portacabins. A development of similar proportions to that approved in 1993 was opposed by the Council in 2004 (see 04/01393/GD) - the application was withdrawn prior to it being examined at a public inquiry in 2005. At present, the IRC can currently house a maximum of 216 detainees. 26 of the allocated spaces form the short stay unit.
- 1.3 Planning permission is currently being sought for three relatively modestly proportioned single storey extensions. The largest of these, to the rear of the main group of buildings, would increase the size of the short stay unit, providing a minimum of 10 additional bed spaces in 4 new rooms. In addition, the following supporting facilities would be provided: regime office; chaplaincy office; DSM Office; store; toilet and shower room. Aside from the extra capacity, this part of the development will allow for greater separation between those entering and those leaving the facility. Last year the Centre operated at 95% of its potential capacity; this figure is unlikely to change in the future (i.e. the development will result in an additional 9-10 detainees being on the site at anyone time).
- 1.4 As a result of these proposed works a portacabin will have to be relocated. The applicant is proposing to move it to the south east corner of the site in close proximity to three other portacabins.

- 1.5 Permission is also being sought to extend off a corridor which fronts a courtyard. Also located to the rear of the site, the four rooms created would be used as a barbers (relocated from another part of the centre) and for recreational uses such as music and arts and crafts. The final part of the development is to increase the size of the 'legal corridor'. The two small rooms created would be used by both UK Border Agency staff and the detainees' legal representatives as interview rooms.
- 1.6 The proposed works will necessitate the reconfiguration of part of the existing internal layout as well as changes to external entrances and windows.

2. Application Publicity

- 2.1 The application has been advertised by way of neighbour letter, site notice and press notice. The final date for comment was the 1st February 2012. No correspondence has been received as a result of this consultation process.

3. Consultations

3.1 Kidlington Parish Council: Object

"The Parish Council has no objection to the enhancement of facilities for the existing inmates of Campsfield House, but objects to any new building for an increased capacity at the site.

"The Council does not believe that there is justification for increased capacity at this site and therefore does not believe that there is justification for special circumstances to allow further development in the Green Belt."

Oxfordshire County Council Consultees

3.2 Highways Liaison Officer: No objections

3.3 Drainage Officer: No objections subject to condition

"Where surface water is being put directly into the public surface water sewer, Thames Water will need to give permission to the developer to increase the discharge into the sewer. Where possible, increases in surface water run off should be attenuated or dealt with on the developed site in order to maintain the current levels of water in the public surface water network. SUDs methods need to be considered in the first instance."

4. Relevant National and Local Policy and Guidance

4.1 Development Plan Policy

Adopted Cherwell Local Plan (Saved Policies)

GB1: Development in the Green Belt

C28: Layout, design and external appearance of new development

C31: Compatibility of proposals in residential areas

South East Plan 2009

CO4: Green Belt

SP5: Green Belts

BE1: Management for an urban renaissance

T4: Parking

4.2 Other Material Policy and Guidance

National Planning Policy Framework

5. Appraisal

- 5.1 The key issue in this case is compliance with Green Belt policy. Paragraph 89 of the NPPF lists the type of development that is acceptable in the Green Belt. The only criterion that could be of potential relevance in this case is that which refers to the extension of a building that would not “*result in disproportionate additions over and above the size of the original building*”. As the building has been significantly extended in the past, it is concluded that the proposed development is in conflict with basic Green Belt policy and guidance. This is notwithstanding the fact that the openness of the Green Belt will not be unduly affected by the extensions, which are of an acceptable design, and which will be largely obscured from the immediate area surrounding the Centre by other parts of the facility.
- 5.2 However, paragraphs 87 and 88 of the NPPF re-affirm previous Government guidance which states that this policy objection can be overcome if there are ‘very special circumstances’ which clearly outweigh the potential harm.
- 5.3 The purpose of the short stay unit is to acclimatise new detainees and to prepare those who are about to be repatriated, for life outside of the Centre. During these stressful periods, it is seen as essential to keep these two particular groups apart, not only from the rest of the detainees but each other, as those leaving can sometimes have a negative influence on the new arrivals. Indeed, HM Chief Inspector of Prisons was critical of the lack of separation when undertaking a recent inspection.
- 5.4 The other two parts of the proposal are perhaps less controversial in that they are focussed on improving conditions for the detainees during their stay and revamping the legal facilities by adding another two interview rooms to the six that are already in use.

- 5.5 In order to receive the necessary funding from the UK Border Agency, the operators of Campsfield House not only had to demonstrate a legitimate need, they also have to show that they have considered every reasonable alternative in achieving the changes sought e.g. the potential reconfiguration of the existing space. Convinced by the merits of the funding application, the UK Border Agency has given the go-ahead subject to planning permission being granted.
- 5.6 Although officers note the misgivings expressed by Kidlington Parish Council, it has been concluded that as the harm to the openness of the Green Belt will be very limited as a result of the proposed works (including the repositioning of the portacabin), the 'very special circumstances' demonstrated above are sufficient to overcome the policy objection. The development is therefore considered to accord with Policy GB1 of the adopted Cherwell Local Plan.
- 5.7 Given that the proposed works will result in limited additional vehicle movements to the site, it is unsurprising that the local highways authority has not raised any objections or requested that any additional parking spaces be provided.
- 5.8 Based on the assessment above, it is recommended that planning permission should be granted, as the development accords with Policies GB1, C28 and C31 of the adopted Cherwell Local Plan and Policies CO4, SP5, BE1 and T4 of the South East Plan 2009 and Government guidance contained within the National Planning Policy Framework.

Engagement

Good communications were maintained between the case officer and the applicant's agent during the application process. The Council has therefore discharged its duty to be proactive in its negotiations with the applicant.

6. Recommendation

Approval, subject to the following conditions:

- 1 That the development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following approved plans: S.541/01; S.541-02; S.541-03; S.541-04; S.541-05; S.541-06; S.541-07; S.541-08a; S.541-09a; S.541-10; and S.541-11a.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority, and in accordance with Government guidance contained within the National Planning Policy Framework.

- 3 That the brick to be used for the external walls of the development hereby permitted shall match in terms of colour, type and texture those used on the existing building.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the materials used on the existing building and to comply with Policy BE1 of the South East Plan 2009 and Policy C28 of the adopted Cherwell Local Plan.

- 4 Prior to the commencement of the development hereby approved, a detailed scheme for the surface water and foul sewage drainage of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter, and prior to the commencement of any building works on the site the approved surface water drainage scheme shall be carried out and prior to the first occupation of any building to which the scheme relates the approved foul sewage drainage scheme shall be implemented. All drainage works shall be laid out and constructed in accordance with the Water Authorities Association's current edition "Sewers for Adoption".

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy NRM4 of the South East Plan 2009, Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

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. Although the development is considered to contravene Green Belt policy and guidance, the applicant has presented a very special circumstances case which overcomes this policy objection. Furthermore the extensions are of a design, size and style that are appropriate and will not unduly impact on the neighbouring properties or compromise highway safety. As such the proposal is in accordance with Government advice contained within Policies CO4, SP5, BE1 and T4 of the South East Plan 2009 and Policies GB1, C28 and C31 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. 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.

Statement of Engagement

In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.