

**Site Address: Campsfield House
Detention Centre, Langford Lane,
Kidlington**

14/00344/F

Ward: Kidlington North

District Councillor: Cllrs. A. Rose and D. Williamson

Case Officer: Caroline Roche

Recommendation: Approval

Applicant: Mitre Care and Custody

Application Description: Proposed first floor extension to plant/boiler room building to create sprinkler water tank housing

Committee Referral: Major (due to site area) **Committee Date:** 24 April 2014

1. Site Description and Proposed Development

1.1 The application relates to the Campsfield House Detention Centre located on Langford Lane, Kidlington. The overall site area is 2.68 hectares and it is located to the south of the Prison Service training centre and ambulance station located on Evenlode Crescent. The site lies within the Oxford Green Belt and is within 2km of Rushy Meadows Site of Special Scientific Interest (SSSI). There are no other significant constraints to the site.

1.2 The proposal seeks planning permission for a first floor extension over an existing single storey flat roof building located close to the north eastern corner of the site, close to the Reception building. The extension will add 3 metres to the height of the existing building, the overall height being 6 metres. It would measure 12.1 metres in length and 6.8 metres in width. The additional space would provide secure storage for the pumps and water storage tanks for the sprinkler system that is in the process of being installed. The new extension is located above the existing water main riser and existing plant room. The sprinkler system is being installed following a fire in October 2013 and subsequent recommendations from the Fire Officer. The sprinkler system would improve detainee safety and prevent loss of operational capacity at the centre.

Planning History

1.3 The site has a long planning history. The list below provides a summary of the planning history.

13/00692/F – Single storey extension to provide additional sports facilities – permitted

12/01762/F – Proposed 3 no. single storey extensions to provide additional facilities to include closed visit interview rooms, extension to short stay unit, extension to Regime area and relocate portacabin – permitted

08/01942/F – New multi-faith education and workshop unit – permitted

04/01393/GD – Outline. Proposed extension to the immigration removals centre involving the erection of 2 no. new buildings and utilising the existing access from the public highway – Objections from the Council

97/02141/GD – Two additional storage units – No Objections

96/00911/GD – Erection of one temporary accommodation unit – Refused

96/00853/GD – Erection of two temporary accommodations units (portacabins) –

Objections

95/00325/GD – single storey extension to store building – permitted

01/01434/GD – Erection of two temporary portacabins – No objections

00/01684/GD – Demolition of 2 no. existing buildings and erection of single storey modular building together with extension of the existing lay-by to provide additional parking spaces

2. Application Publicity

2.1 The application has been advertised by way of letter to the Prison Service and Ambulance station (as neighbouring land owners), site notice and a press notice. The formal consultation period expires on 17 April 2014.

To date no letters have been received in relation to the application.

3. Consultations (full responses can be seen on the Council's website)

3.1 Kidlington Parish Council: No comments received to date.

Cherwell District Council Consultees

3.2 None

Oxfordshire County Council Consultees

3.3 None

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

4.2 Other Material Policy and Guidance

National Planning Policy Framework

Submission Cherwell Local Plan (January 2014)

The Submission Local Plan has been through public consultation and was submitted to PINs in January 2014 for Examination to take place in June 2014.

The Submission Local Plan does not have Development Plan status but is a material planning consideration. The Plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case:

ESD16: Character and appearance of the Built Environment

5. Appraisal

5.1 The key issues for consideration in this application are:

- Principle of development in Green Belt
- Visual and neighbour impact
- Other Issues

Principle of development in Green Belt

5.2 The key issue in this case is compliance with Green belt Policy. Policy GB1 of the adopted Cherwell Local Plan only allows for developments which preserve the openness of the green belt and do not conflict with the purposes of including land within it. If development is considered to conflict with the openness of the Green Belt and the purposes of including land within the Green Belt an assessment has to be made as to whether there are exceptional circumstances that override the concerns.

5.3 The proposed development is set well within the site and is surrounded by existing buildings. Whilst the building is increasing in height by 3 metres it remains lower than many of the other buildings within the site. As such it is not considered that the proposal has an adverse affect on the openness of the Green Belt and as a result Policy GB1 is complied with.

5.4 Paragraph 89 of the National Planning Policy Framework (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 an above the size of the original building*”. The original buildings on the site have been extended significantly in the past and a number of new buildings have been constructed therefore it is concluded that the proposal is in conflict with basic Green Belt policy and guidance set out in the NPPF. This is notwithstanding the fact that the openness of the Green Belt would not be unduly affected by the extension as referred to above.

5.5 However, paragraph 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 outweigh the potential harm.

5.6 There is clearly a need to improve the fire safety standards in the facility, as has been recommended by the fire officer in order to comply with the 2013 Fire Act. The location of the extension is restricted by the location of the existing plant room and the dimensions of the extension are commensurate with the requirements. It is considered that these safety requirements are sufficient to constitute ‘very special circumstances and as such the guidance in the NPPF is complied with.

Visual and Neighbour Impact

5.7 Given the location of the extension within the site, its scale and design and the lack of close-up public views into the site it is unlikely to have any adverse impact on the visual amenities of the area. The extension is in keeping with the design and scale of other buildings on the site. For the same reasons the extension is unlikely to have any adverse impacts on the neighbouring land uses of the prison service and ambulance station. The closest residential properties are located in Evenlode Crescent approximately 220 metres from the proposed extension. Due to this separation distance and intervening buildings and land uses the extension will not affect residential amenities. The proposal is considered to comply with Policies C28 and C31 of the adopted Cherwell Local Plan.

Other issues

- 5.8 Due to the nature of the development there has been no consultation with the Local Highway Authority or other consultees. It is not considered that there are any other material considerations relevant to the assessment of this proposal.

Engagement

- 5.9 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen through the assessment of the application, as such there has been no communications with regard to the application. It is considered that the duty to be positive and proactive will have been discharged through the efficient and timely determination of the application.

Conclusion

- 5.10 The proposal is considered to comply with Policy GB1 of the adopted Cherwell Local Plan and officers consider that 'very special circumstances' exist in order to justify the development within the Green Belt and as such consider there is compliance with guidance contained within the NPPF. No adverse visual or neighbour impact is likely to arise as a result of the proposal and it therefore complies with Policies C28 and C31 of the adopted Cherwell Local Plan.

6. Recommendation

Approval subject to;

- a) **The expiration of the consultation period (17th April), and the consideration of any further consultation responses; and**
- b) **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 planning application forms and the following approved plans; S.589/01, S.589-04 and S.589-05. 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 materials to be used for the external walls and roof 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 C28 of the adopted Cherwell Local Plan.

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.