Update on MoJ Proposed New Prison at Grendon Underwood: 15th and 16th Feb 2021
Reminder: What we are trying to avoid!
A huge thank you to all

An amazing response!

Also chat box review
Tonight

• Prison case study – Full Sutton
• Comparison, to date, with Full Sutton
• MoJ Strategy
• Local housing case studies
• Do’s and don’ts in responding to planning applications
• Update on recent activities
• Expert help
• Plans going forward
• Q and A
Wheel of Activity

Next steps

Case Studies

Expert help

MoJ Strategy

Recent activities

Do’s and don'ts
Case Study: Full Sutton (East Yorkshire)

• Know the ‘enemy’
• Similar situation to Grendon (rural location and existing prison on site)
• Consultation – two public sessions held in 2017, as exhibitions
• Better opportunity to interact at consultation than we had
• 139 attendees in total and only 22 comment forms completed
• Difference in opinion as to how the consultation was run!
Case Study: Full Sutton (East Yorkshire)

• Pre-planning application – scoping exercise
• Outline planning application submitted on 2 May 2017
  • Indicative plans and details
  • For 1,017 prisoner places
  • Max 39,000 sq ft
  • 27 documents submitted with others submitted later
  • Some strong objections from two very local PCs but others weak
  • Only 57 public objections
  • One petition with 164 signatures
• Approved on 25th July 2017 but with 25 conditions
Case Study: Full Sutton (East Yorkshire)

• Bottom line – MoJ had obtained outline planning approval

• Further submission on 18th Dec 2018 with significant changes
  • Another outline submission with indicative plans and Reserved Matters to follow
  • Had 2nd consultation (estimated 110 attendees and 33 responses)
  • 46 documents submitted at submission
  • Prisoner numbers up to 1,440, from 4 to 6 accommodation blocks
  • Different design and layout
  • 11 to 17 buildings
  • From 39,000 to 59,000 sq ft (maximum 39,000 sq ft had been a condition)
Case Study: Full Sutton (East Yorkshire)

- Public outcry and over 3,183 objections to planning application **but too late**
- Standard template letters used (2?)
- MoJ seemed to have answers to all objections
- Further and multiple additions to the planning details to further define plans and mitigate problems
- Approved on 13\textsuperscript{th} Sept 2019 with essentially same 25 conditions
- Further documents submitted during 2020 – outstanding matters
Comparison with Full Sutton

<table>
<thead>
<tr>
<th>Factor</th>
<th>Full Sutton</th>
<th>Grendon Underwood</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-planning application</td>
<td>Yes</td>
<td>Yes (July 2020)</td>
</tr>
<tr>
<td>Consultation</td>
<td>Face to face exhibitions in 2 halls</td>
<td>Zoom session at our invite</td>
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<tr>
<td>Comments after initial consultation</td>
<td>22</td>
<td>3,700 (1,000 in Bucks)</td>
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<tr>
<td>Support of MP</td>
<td>Not identified</td>
<td>Yes, strong support</td>
</tr>
<tr>
<td>Support of Local Council</td>
<td>No</td>
<td>Yes at ‘corporate’ level</td>
</tr>
<tr>
<td>Support of local councillors</td>
<td>Not identified</td>
<td>Yes, strong support</td>
</tr>
<tr>
<td>Initial, outline planning application</td>
<td>57 plus one petition with 164 signatures</td>
<td>?</td>
</tr>
<tr>
<td>Second planning application</td>
<td>3,183 objections but using just two standard letters (3,183=2)</td>
<td>?</td>
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MOJ Strategy

• Select a site and start planning
• Pre-planning application to scope requirements
• Tokenistic consultation
• Outline planning application
• Obtain approval
• Modify plans to meet their intended goal for the site
• Mitigate, mitigate, mitigate any objections
• Our response – focus, focus, focus
MoJ Strategy

• Modify plans to meet their intended goal for the Grendon site
  • Site tight for space and poor layout
  • Additional accommodation block(s) (1,440 to 1,680)
  • Relocate football field?
  • Relocate car park?
  • Need to obtain more land
  • Expansion of HMP Springhill?

• Now at a critical stage in the process
Local Case Studies

• Three local housing developments
  1. Broadway (up to 82 houses)
  2. Behind Hall Cottages (up to 60 houses)
  3. Sports field at Springhill (up to 72 houses)

• All rejected for a number of reasons

• Balance between positive and negative factors

• Appeals also rejected for 1 and 2, 3 appeal in progress

• Many useful insights through reviewing these applications
Legal Guidance on Planning Application Objections

• Objecting to a planning application, general points:
  • Normally have 21 days, PC can request an extension
  • Normal for objections submitted prior to the decision to be accepted
  • Need to be relevant
  • More quality objections, the greater the impact
Planning Application Reviews

• Framework for the process
  • National Planning Policy Framework (NPPF): (guidelines)
  • Local Plan
• Case by case basis
• **Balance of advantages vs disadvantages**
• MoJ main claims
  • Part of national plan
  • Economic
• **Local response – emphasise disadvantages**
Legal Guidance on Planning Application Objections

• The Do’s:
  • Do object, must be relevant to planning aspects
  • Do concentrate on aspects unacceptable in the development
  • Do object, the greater the number of objections the greater the impact

• The Don’ts:
  • Don’t organise a petition, will carry no weight
  • Don’t use a standard template letter, carries less weight (3,183=2)
  • Don’t include matters that are not planning considerations, e.g. property values, absconders from other prisons
  • Don’t suggest an alternative site
Summary of Recent Actions

• We are not giving up without one hell of a fight!
• Being objective and focussed – a number of areas that count
• Enthusiastic, PC knowledge with help from experts
  • Regular meetings
  • Major input – valuable info and guidance
• Contacted other organisations for support
• Open to ideas and suggestions – have reviewed many and utilised some
• Positive feedback from experts about our approach and status
Consultation Stage

• Disappointing, felt let down
• No statutory requirement to hold consultation
• We did ‘call them out’
• Response on our questions ‘tokenistic’
• Majority of questions not addressed
• Responses plus complaints sent from Working Party
Summary of Recent Actions

• Magnificent effort by the Working Party and contributions from many residents

• Three main approaches considered:
  • Political
    • Greg Smith MP
    • FoI requests
    • Buckinghamshire Council
  • Legal – some preliminary investigations
  • Planning
    • Team of local experts working together (planning, prison knowledge, contract engineering, ecologists and wildlife experts, general help)
    • Lots of research in various areas (case studies, archaeology, ecology, Heritage assets, planning rules, contacts, gathering information including facts and figures)
Next Steps

• Regular meetings and updates in and around Working Party
• Resident update tonight – crucial
• Keeping up the momentum is key
• Watching brief for the planning application
• Review documents – experts and Working Party
• Planning statement (34; 108 pages)
• Devise strategy for responses – focus
• THIS IS THE MOST CRITICAL STAGE
Next Steps

• Strategy for responses
  • What documents submitted?
  • Identify key areas to focus objections on, which would carry most weight, e.g.?
    • Submission vs NPPF and Local Plan
    • Heritage assets – impact on setting - Grendon Hall and Lawn House
    • Ecology – what level of survey carried out and any mitigation stated?
    • Scale of development
    • Visual impact
    • Access to public transport
    • Light and noise pollution
Next Steps

• Please be patient during review
• Communication to residents of the preferred areas to target objections
• Zoom session plus distribute a ‘Tool kit’
• Objective and data driven where possible
• Write objections in own style (not a literary competition!)
• A local resident, 20 years in Whitehall, has offered to help draft letters
• Likely to be reviewed at Planning Committee (strategic?)
• Residents can attend (presumably will be online)
Next Steps

• Objections:
  • The whole family can object – no fixed age limit
  • Own style and different to others
  • Quality and quantity count

• ‘Tool Kit’
  • Every household
  • How to access Portal to see docs
  • Main areas to focus on
  • How to object, online plus other means
  • Anything else you can think of?
Summary

• Outline planning application expected shortly
• This is a CRITICAL stage
• Review period extension to be requested
• Application docs to be reviewed immediately
• Inform residents and wider community of objection areas to focus on
• ‘Tool kit’ to help
• Strength in numbers
Questions and Answers

Comments
Back-up Slides
Site Selection

**Mandatory Requirements** were that sites would be:-
- a minimum of 12 hectares developable area; and  Y
- in the preferred area of search with a requirement for at least one location in each region.  Y

**Secondary Requirements** were that sites should be:-
- sufficiently flat;  N
- have good access to public transport and the motorway/trunk road network;  N?
- accessible for construction without major enhancement of existing transport infrastructure;  Y
- not significantly overlooked so as not to compromise security;  Y
- capable of connection to utilities without unreasonable cost; and  N
- outside floodplains.  N?
Site Selection at Full Sutton

**Tertiary requirements** were that sites would preferably be:-

- previously developed / brownfield; **N**
- a suitable shape for prison development; **N**
- manageable in terms of ground conditions / contamination; **N**
- not prejudiced by major ecological or historic designations; and **N**
- not affected by significant public rights of way or other similar issues. **N**

2.6 It is evident that **the application site meets a majority of these broad criteria** having regard to the current use of land to the east of the application site as a prison. It was on the basis of these conclusions, and technical and design work undertaken in the latter part of 2016 and early in 2017, that the Secretary of State announced on 22 March 2017 that a new prison would be proposed at Full Sutton.
Planning Approval Conditions: 2017 Examples

- Standard timescale restrictions
- Square footage of floor area
- Full details before starting work
- Lighting scheme
- Water and foul waste drainage details
- Restrictions on building near/over an existing sewer
- Pumping station restrictions
- Noise, including traffic
- Hours of working
- Emissions
- Contamination
- Outline travel plan
Heritage Assets

• **Grendon Hall**
  • Built around 1885 by Rector of Grendon Underwood, Randolphe Pigott
  • Acquired by the Ministry of public works in 1939
  • Summer of 1941 Special Operations Executive requisitioned the building as a special training school for agents operating in Europe
  • In 1942 SOE developed its own radio communication network
  • At height 300 permanent staff and 150 trainees
  • After the war used as a training school for daughters of displaced Polish people, closed in 1951
  • Prison department acquired the site in 1952
  • HMP Springhill opened in 1953, HMP Grendon in 1962
  • Listed in 1985
Heritage Assets

- Lawn House, formerly Rookery Farm/Grendon Hall Farm
- Built in 17th century
- 12 acres of land
- Three ponds
- Great crested newts – registered site
- Grade II listed in 1985
- House itself 110m from prison boundary
- Main pond 110m from prison boundary
- Badger set shared with prison land
The planning application for the new prison is made in outline, although the applicant is seeking approval of the means of access to the site, and the amount of development, at the outline planning application stage. The detailed layout of the development, its external appearance, and the detail of all landscaping works are reserved for later approval by the Local Planning Authority (LPA) under the Reserved Matters Applications. Section 4.0 of this Planning Statement explains in more detail the scope of the outline planning application, and the documents that describe the proposals.
The MoJ submitted an OPA for a new prison on the same site as the current application site in April 2017. The application sought permission for the construction of a new Category C prison within a secure perimeter fence together with access, parking, landscaping, and associated engineering works. The application assumed that the proposed prison would accommodate 1,017 Adult Male prisoners. The maximum amount of floor space which it was thought would be need to deliver the buildings associated with the new prison was 38,217 sqm (gross external area (GEA)).
The application sought permission at the outline stage for the means of access to the site. That was proposed via a new access spur to be constructed from the existing HMP Full Sutton estate road. A temporary construction access was also proposed from Moor Lane.

By establishing a maximum GEA, anticipated site capacity (1,017 prisoners), and the proposed means of access, the MoJ and the Local Highway Authority (LHA) were able to carry out a robust assessment of the potential impacts of the development on the local highway network within Full Sutton, Stamford Bridge and elsewhere. That was contained within the Transport Assessment (TA) prepared by Atkins according to a scope and methodology that had been discussed and agreed with the LHA.
All other detailed matters were ‘reserved’ for later approval. The ‘reserved matters’ comprised (i) the external appearance of the proposed buildings; (ii) the site layout and (iii) landscaping. Whilst these were not for approval at the OPA stage, the application was nonetheless supported by a variety of illustrative plans and drawings, including an indicative site layout plan, and indicative building designs. It was also supported by a landscaping strategy which was based on the strategic landscaping zones shown on the indicative site layout plan. These illustrative drawings and plans provided the basis on which the applicant was able to carry out robust assessments of the potential environmental, landscape, amenity and other impacts of the development, including within the Landscape and Visual Impact Assessment (LVIA)
On this basis we conclude that the 2017 outline planning consent constitutes a material consideration in the determination of the current application, and should be afforded considerable weight in the decision making process. It provides a ‘fall-back’ position against which the current proposals should be considered, but, equally, the amount of development that it permits provides a benchmark from which to assess any different impacts arising from the increased floor space that is now proposed. The most obvious areas where this is relevant relate to the increase in vehicle movements associated with an increase in the capacity of the prison, and the potential for different impacts on landscape and visual amenity considerations.
Moreover, the 2017 consent is an outline planning consent and, whilst the illustrative material provided a robust basis for the assessment of the potential impacts of the development on landscape, amenity and other matters, site layout is not fixed so that the reserved matters applications could show a different arrangement of buildings within the application site from that illustrated by the material submitted in support of the outline planning application. Moreover, the design of the buildings was not fixed, other than in relation to maximum height parameters.

The principal change is that the current proposal seeks permission for a greater amount of floor space (albeit that is expressed as a maximum, so that a planning permission would authorise any amount of floor space up to that figure). It is therefore relevant to consider whether the potential increase in floor space to the maximum amount that is now sought would lead to materially different effects and impacts such that they would indicate that planning permission should not be granted.
Organisations and Others Contacted

- BBOWT
- Council for Protection of Rural England (CPRE)
- Wildlife Trust
- Council for British Archaeology
- Listed Property Owners Club
- Natural England
- Historic England
- Three planning consultants
- Howard League
- Bucks Council
- Lucy Fraser MP
- Other Bucks MPs
Wildlife

• Impact of noise and light pollution on wildlife?
• Great crested newts, frogs, toads, grass snakes
• Badgers
• Deer, roe deer, muntjac, foxes, rabbits, hares, hedgehogs
• Bats – at least 4 species
• 65 species of birds, 14 on the red list, 12 on the amber list
Wildlife

- Multiple species of butterflies and moths
  - Scarlet tiger moths
  - Hummingbird Hawksmoth
  - Painted lady butterfly
  - Marbled white butterflies

- Lesser stag beetles

- Wild flowers
  - Lady’s smocks (Cuckoo flower – Cardamine pratensis)
  - Tragopogon pratensis, Jack-go-to-bed-at-noon, goats beard
  - Lesser and greater stitchworts
Absconders from HMP Springhill

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<th>Number of Absconders</th>
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<tr>
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<td>10</td>
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<tr>
<td>2016-2017</td>
<td>5</td>
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<tr>
<td>2017=2017*</td>
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<tr>
<td><strong>Total</strong></td>
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*March to October only

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<tr>
<th>Year</th>
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<td>2018</td>
<td>13</td>
</tr>
<tr>
<td>2019</td>
<td>9</td>
</tr>
<tr>
<td>2020</td>
<td>8</td>
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<tr>
<td><strong>Total</strong></td>
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