



Ministry
of Justice

The New Prisons Programme: Full Sutton Ditch Application

Public Consultation

February 2021

Welcome

Thank you for visiting our consultation website and accessing information on our proposal for a new ditch course to be formed on land at Moor Lane, adjacent to the existing HMP Full Sutton in East Riding of Yorkshire.

In September 2019, East Riding of Yorkshire Council granted outline planning permission to the Ministry of Justice for the development of a new Category C prison, comprising six houseblocks and a range of supporting buildings, on land adjacent to the existing HMP Full Sutton. The new prison is part of the Government's 'New Prisons Programme' which was announced by the Prime Minister in Summer 2019 and at the recent Spending Review. The Government has committed over £4 billion capital funding to make significant progress in creating 18,000 additional prison places across the prison estate by the mid-2020s.

The site currently has a ditch course running through it from east to west. As part of the new prison development, a new ditch alignment needs to be formed to accommodate the various buildings to support the prison, and is designed to support the local water vole population. Material submitted with our outline planning application to East Riding of Yorkshire Council in 2018 showed, indicatively, the alignment of a new ditch along the eastern, southern and western peripheries of the application site. Since the grant of outline planning permission, detailed proposals for the new ditch have been designed and now need to be approved by East Riding of Yorkshire Council.

We have therefore submitted an application for full planning permission to the council for the creation of a ditch course. In this consultation, we shall describe the proposed works and explain why a planning application for the new ditch has come forward before the detailed designs for the wider prison development.

The planning application for the new ditch was submitted to East Riding of Yorkshire Council on 6 October 2020. The application was reported to planning committee on 14 January 2021 and was recommended for approval. The planning committee decided to defer the determination of the application so that the Ministry of Justice could carry out this consultation to give residents and other stakeholders a further opportunity to view the proposals and comment on them.

The planning application documents can be accessed by entering the application reference number 20/03340/STPLF on East Riding of Yorkshire Council's planning application website here:

<https://newplanningaccess.eastriding.gov.uk/newplanningaccess/>

The Site

The proposed new prison site is next to the existing prison at HMP Full Sutton. The Ministry of Justice owns both the existing prison and the site on which the new prison is to be built. The site is to the west of the village of Full Sutton and is about 12 miles east of York. It lies within the administrative boundary of East Riding of Yorkshire Council.

The new prison is to be built on land to the west of HMP Full Sutton and to the south and east of Moor Lane, from which the site is accessed. The land is bounded by Moor Lane and extends as far as the southern boundary of the existing prison. The land is generally well-contained within field parcels defined by hedgerows and mature trees. A belt of trees has been planted to the western side of the existing prison's access, parking and energy centre, so that those features are not visible from the west.

The site comprises agricultural fields, a balancing pond and woodland. A drainage ditch runs east to west from the balancing pond before entering a culvert at the western end of the site, which then passes beneath Moor Lane.



Red line boundary of the proposed development area

The Planning Context

In 2018 the Ministry of Justice submitted an outline planning application to East Riding of Yorkshire Council for development on the site. The application number was 18/04105/STOUT and the description of the development was as follows:

“Outline planning application for the construction of a prison 59,500 sqm GEA within a secure perimeter fence together with access, temporary access, parking, landscaping and associated engineering works (outline application with access and scale being considered)”.

The application was made in ‘outline’, meaning that the Ministry of Justice sought approval for the means of access and the amount of floorspace required to support the delivery of a six houseblock prison. The detailed layout of the development, its external appearance, and the detail of all landscaping works were reserved for later approval by the local planning authority. These are known as ‘reserved matters’.

The outline planning application was supported by an Illustrative Layout Plan and by an Indicative Landscape Planting Strategy. Both documents showed the location and alignment of the proposed secure perimeter fence and Landscape Planting Zones, within which landscaping would be provided to help filter views of the new prison from the south and west.

Both plans also assumed that the existing ditch course would be culverted. They also showed, illustratively, that the section of ditch course to be culverted would be replaced by way of a new ditch course running around the southern periphery of the site, running outside the Indicative Planting Zones.

An ‘Ecological Impact Assessment’ that accompanied the outline planning application identified a suite of ecological mitigation works to be carried out in order to minimise the impact of the new prison development on biodiversity. A key element of the ecological mitigation works is the creation of the new ditch to replace that which is to be culverted, and with the new ditch to be established in such a way that it will provide a suitable habitat to support a population of water vole.

The outline planning application was approved by East Riding of Yorkshire Council in September 2019. Since then, the Ministry of Justice has reviewed its programme for completing the detailed design of the new prison, seeking the necessary planning approvals from East Riding of Yorkshire Council and then constructing the new facility in time for it to begin accepting its first residents in around late 2024 and early 2025.

Having done so, the Ministry of Justice has concluded that it is necessary to accelerate the design and delivery of certain key infrastructure works, including the formation of the new ditch alignment. Consequently, it has been necessary for MoJ to progress the detailed design of the ditch and submit an application for full planning permission for its formation now, instead of the ditch details forming part of submissions for the approval reserved matters, and discharge of planning conditions, later this year. Had the MoJ not have taken this step, safeguarding the biodiversity of the site would be at risk, and the requirement for prison places to be ready for use in late 2024 / early 2025 would not be met.

The Planning Application and Proposed Works

The planning application seeks full planning permission for the formation of a ditch. It is accompanied by drawings and other supporting information that describe the works that are to be carried out, and explain how the ditch will be formed, and managed, to provide suitable ecological habitat.

The planning application confirms that the new ditch will follow a route that is generally consistent with that which was shown illustratively as part of the outline planning application. The new ditch will run southwards from the existing balancing pond in the eastern part of the site. It will then turn west to follow the southern boundary of the site, and then northwards, following the western site boundary. The ditch will then re-join the existing ditch course at the point at which it enters the culvert under Moor Lane.

The ditch is designed with a uniform channel width and appropriate bank gradients. During the construction phase of the ditch, clear ground will be retained adjacent to both banks to allow for construction works to take place. Once the ditch is formed, only one such strip of clear ground will be required to allow maintenance of the watercourse and its habitat. The other strip will be able to be planted as part of the landscaping of the new prison.

There is a pond located outside the MoJ's land to the west of the alignment of the new ditch. There is at least 10 metres between the pond and the new ditch so that there is no risk of the two becoming linked, or of potential flooding of the pond leading to flooding of the ditch. Indeed, the ditch will include measures that will control its water levels.

The ditch design is aligned to the content of the Illustrative Site Layout Plan and Indicative Landscape Planting Strategy which were submitted with the outline planning application for the new prison. The planning application includes a drawing that overlays the proposed ditch alignment onto the Illustrative Site Layout Plan. This demonstrates that the new ditch, and the corridor within which it will sit, can generally be accommodated on the site outside the areas shown as indicative Landscape Planting Zones in the outline planning application.

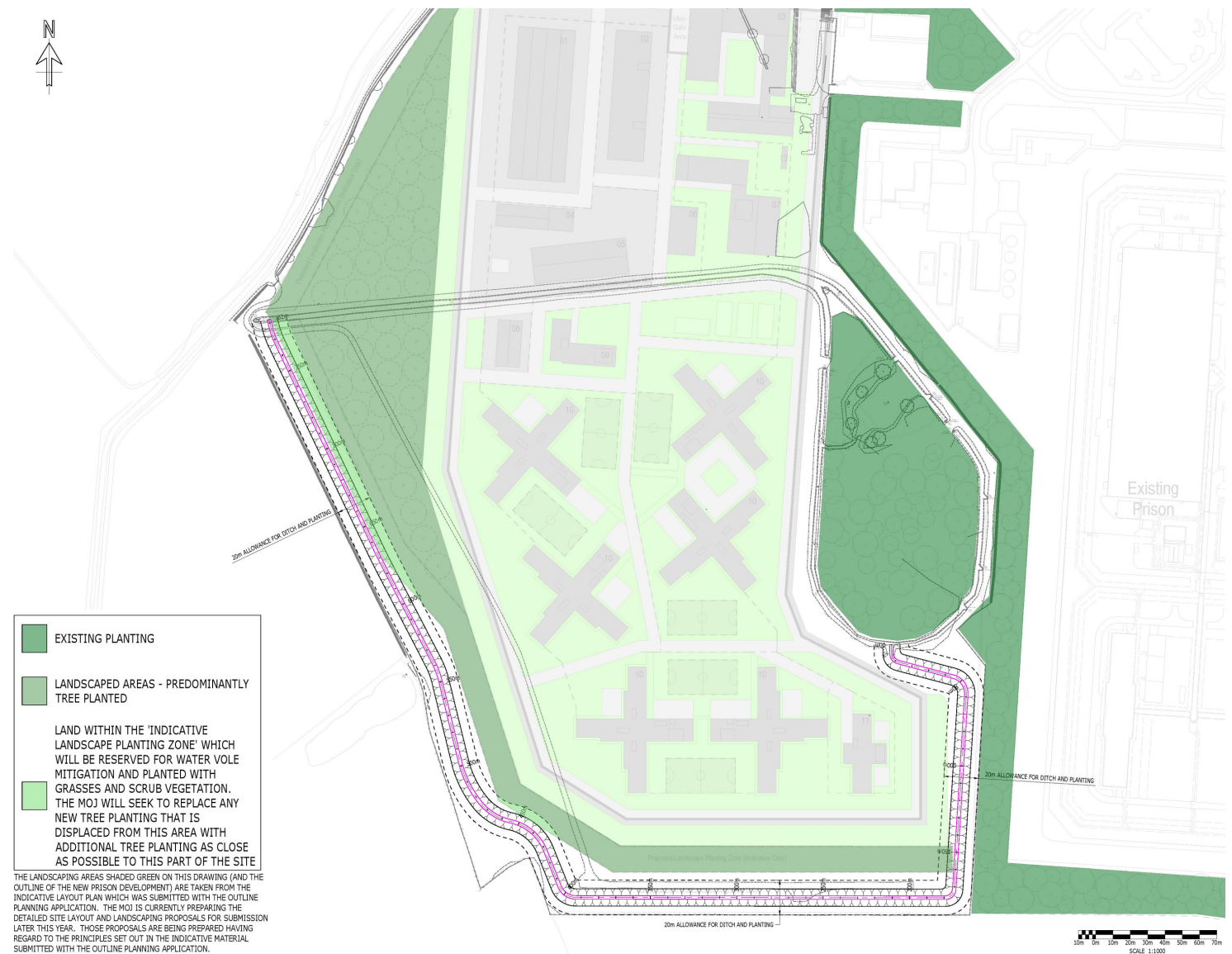
There are two areas where the ditch corridor would encroach slightly into the Indicative Landscape Planting Zones:

- i) a sliver of land on the western side of the site; and
- ii) a small section of land where the southern and western sections of the Landscape Planting Zones would meet.

In both cases, the ditch would not have any material impact on the outer edge of the Indicative Landscape Planting Zones. There is some encroachment into the Indicative Landscape Planting Zones during the construction of the ditch but, when the ditch has been completed, the land outside its eastern bank may be planted.

The reserved matters submissions, which will include detailed landscaping proposals, are currently being prepared and will be submitted to East Riding of Yorkshire Council for approval later this year.

Illustrative Image of Proposed Works



Outline Specification

OUTLINE SPECIFICATION

Note: All works are to be undertaken in accordance with the Full Sutton New Ditch Habitat Creation and Management Plan (Ref 1620010005).

Site Preparations – Pre Ditch Formation

- Where necessary - erection of temporary post and wire fencing (e.g. post and stained wire to BS 1722 Part 3) to protect existing vegetation that is to be retained and to demarcate a working area to be utilised during construction works. This shall include a temporary 5 m construction access route as shown in the Site Layout Plan opposite and which would be covered with a temporary wearing course.
- Breaking out of any hard materials or structures within the footprint of the new drainage ditch or stand-offs established for construction and maintenance access. Arisings to be removed and re-used elsewhere on site.
- Backfilling of any resultant voids/reduced levels caused during removal of hard materials/structures with suitable soil materials to match in-situ soils nearby. Backfill material shall be sourced from elsewhere on the site.
- Removal/stripping of existing vegetation along the alignment of new ditch by either mechanical methods (e.g. turf cutting) or chemical means (e.g. spot application of glyphosate-based herbicide or suitable alternative). Any arisings to be disposed of on site or taken to a suitable licensed waste management facility.

Formation of New Ditch

- Once site preparations have taken place the new ditch shall be excavated in the location indicated in the Site Layout Plan opposite and in accordance with the Indicative Ditch Profile illustrated below.
- Soils recovered from the excavation of the ditch shall be temporarily stockpiled or placed directly on the newly formed ditch sides as construction of the ditch progresses. Soils shall be placed at an even thickness of 200 mm, and any large stones or root removed prior to light compression of the substrate to ensure stability.
- Soils excavated from the base of the existing ditch and which contain marginal aquatic propagules shall be placed on the newly formed marginal shelves within the new ditch.
- Subsoils and mineral soils arising from the ditch excavation shall be utilised in the backfilling and reinstatement of the existing ditch. This material shall be either stockpiled temporarily or placed directly into the existing ditch as described below.
- Any areas of slumping or erosion apparent shall be remedied prior to commencement of seeding works.

Seeding Operations

- The sides of the newly formed ditch would be hydro-seeded with a suitable grass mix containing species suitable for intermittent drought and the stabilisation of slopes, including:
 - Meadow grasses (*Poa trivialis*, *P. pratensis*) Cocksfoot (*Dactylis glomerata*)
 - Sweet grasses (*Glyceria fluitans*, *G. notata*) False oat-grass (*Arrhenatherum elatius*)
 - Tufted hair-grass (*Deschampsia caespitosa*) Sweet vernal-grass (*Arrhenatherum odoratum*) Yorkshire fog (*Holcus lanatus*)
 - Creeping soft-grass (*H. mollis*)
 - Creeping bent (*Agrostis stolonifera*)
 - Timothy (*Phleum pratense*)
 - Marsh foxtail (*Alopecurus geniculatus*)
 - Meadow foxtail (*A. pratensis*)
 - Purple moor-grass (*Molinia caerulea*)
- The gel suspension in which the seed would be spread would be of suitable viscosity to ensure it adheres to soiled slopes and shall incorporate an anti-desiccant and seeding fertiliser to aid rapid greening and stabilisation of slopes.

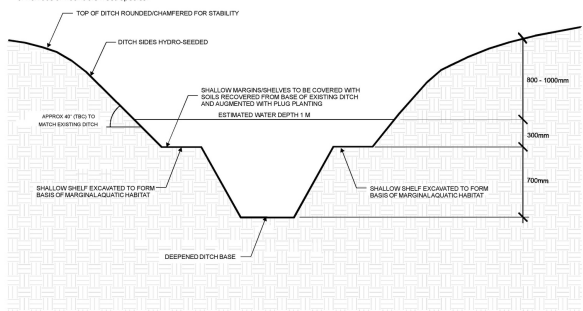
Marginal Aquatic Species

Following hydro-seeding of the sides of the new ditch, marginal aquatic species will be introduced through a combination of translocation of aquatic soils from the existing ditch and plug planting of material, in accordance with the Full Sutton New Ditch Habitat Creation and Management Plan (Ref 1620010005).

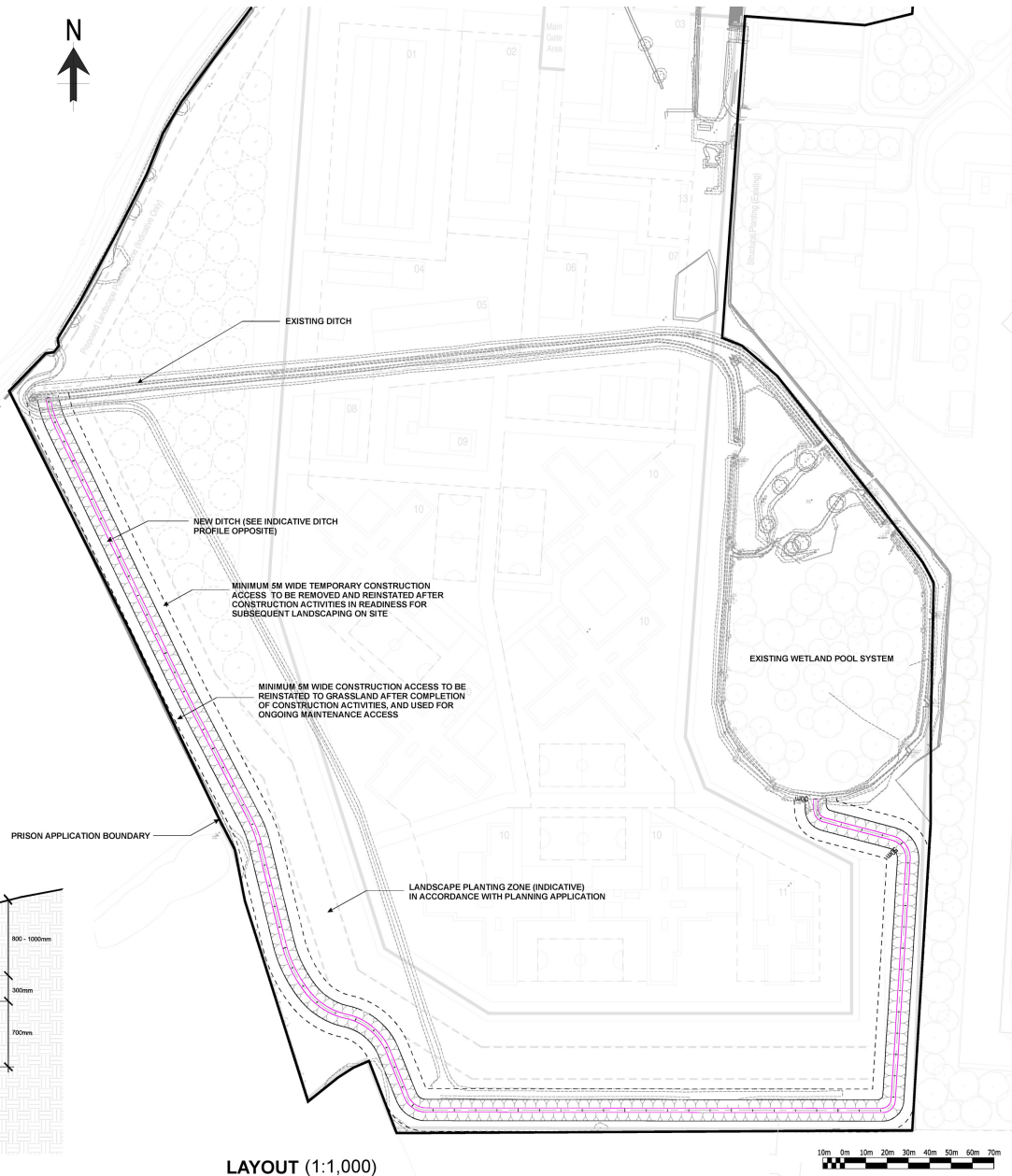
Aftercare

An initial 5 year aftercare period shall apply to the newly formed ditch, during which time maintenance operations shall be in accordance with the Full Sutton New Ditch Habitat Creation and Management Plan (Ref 1620010005).

- Inspection of the newly created ditch for signs of slumping, soil wash or erosion and completion of any remedial measures as necessary.
- Re-seeding and/or overseeding of areas that have patchy or failed germination.
- Re-seeding as necessary in accordance with original specification.
- 3 year cycle of rotation cutting of ditch sides to retard scrub or tree growth.
- Inspection of marginal aquatic shelves and identification of any selective dredging or vegetation clearance necessary, including treatment of noxious or notifiable weed species.



INDICATIVE DITCH PROFILE (NTS)



LAYOUT (1:1,000)

Next Steps & Have Your Say

We hope that the information available here has been helpful in describing the proposals for the formation of a new ditch in connection with the new prison at Full Sutton.

Some of you will have submitted comments to the Local Planning Authority already. Those comments remain with the Local Planning Authority and will be taken into account by Officers when reporting the application to Planning Committee (which we expect to be in March).

This consultation gives you another opportunity to comment on the proposals, direct to the Ministry of Justice. You can send your feedback to the Ministry of Justice by 20:00 on Sunday 21 February 2021. Following this, the Ministry of Justice will prepare a 'Statement of Community Involvement' (SCI) and submit this to East Riding of Yorkshire Council. The SCI will report on the points raised in the comments received, and will provide the Ministry of Justice's responses to those matters. The SCI will be reviewed by the Council before it determines the planning application. Whilst your comments will be reported, your details will remain confidential.

Comments can be sent to us directly by email at the following address:

fullsuttonenquiries@justice.gov.uk.

Alternatively, as a planning application has been submitted, you can send comments to East Riding of Yorkshire Council directly. Please enter the application reference number 20/03340/STPLF on the Council's planning application pages here:

<https://newplanningaccess.eastriding.gov.uk/newplanningaccess/>





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