Planning Inspectorate

Inquiry Administration – Campsfield IRC

Town & Country Planning Act 1990 (Section 293D application)

Dated: 27 October 2026

Application Reference No: CROWN/2026/0000004

Applicant: Home Office

Local Planning Authority: Cherwell District Council

Rule 13 Party: Coalition to Close Campsfield (CCC)

Site address: Campsfield Immigration Removal Centre (IRC), Evenlode Crescent, Kidlington OX5 1GN

Inspector: Mr C Parker, BA(Hons) PGCert MA FRGS MRTPI IHBC

The Town and Country Planning (Crown Development Applications) (Hearings and Inquiries) Rules 2025 (herein the CDA Rules 2025)
The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025 (herein the CDA Order 2025)
Town and Country Planning Act 1990, as amended

The planning file can be found here: CROWN/2026/0000004 - Application information – Find a Crown development application

1. I write with regard to the above matters, and in response to correspondence from Principal Parties – that is the Applicant, the Local Planning Authority, and the Rule 13 Party.

2. This letter will be published on the Crown Development Application website, as detailed above.

Background

3. By letter of 4th June 2026, the Secretary of State directed under s293H(7) that the information listed in Annex A[1] to the letter;

   (i) relates to national security or security measures and

   (ii) would, if publicly disclosed, be contrary to the national interest.

[1] 260602 Annex A - Secretary of State Direction - Sensitive Information Application Documents

4. The direction concluded that the information is sensitive for the purposes of section 293H(7) and article 54 of the *Town and Country Planning (Crown Development Applications) Procedure and Written Representations) Order 2025* ('the 2025 Order').

5. The Direction, in Annex A, treats eight documents as wholly sensitive:

   (i) the Indicative Plant Level Plan

   (ii) the Official Sensitive PRA Appendices

   (iii) Planning Appendix C NE

   (iv) the Lighting Assessment

   (v) the Ecological Impact Assessment

   (vi) the BNG Metric

   (vii) the Transport Assessment appendices and

   (viii) the Ecology Lighting Review.

6. It also requires partial redaction of many documents, including but not limited to; the Design and Access Statement, the plans, the Transport Assessment, the Flood Risk Assessment, the drainage and SuDS material, the Landscape and Visual Impact Assessment and the Construction Environmental Management Plan.

7. Section 319A requires the Secretary of State to determine whether proceedings on an application under section 293D are to be considered at an inquiry, at a hearing or on written representations. Section 320(1) gives the power to hold a Local Inquiry.

8. In this instance, consideration of the case is by means of a Local Inquiry. This is due to open on Tuesday 15 December 2026. The treatment of evidence at such an inquiry is governed by section 321 – with my emphasis added:

> *'(1) This section applies to any inquiry held under section 320(1), paragraph 6 of Schedule 6 or paragraph 5 of Schedule 8.*
> *(2) Subject to subsection (3), at any such inquiry oral evidence shall be heard in public and documentary evidence shall be open to public inspection.*
> *(3) If the Secretary of State is satisfied in the case of any such inquiry—*
>
> *(a) that giving evidence of a particular description or, as the case may be, making it available for inspection would be likely to result in the disclosure of information as to any of the matters mentioned in subsection (4); and*
>
> *(b) that the public disclosure of that information would be contrary to the national interest, he may direct that evidence of the description indicated in the direction shall only be heard or, as*

the case may be, open to inspection at that inquiry by such persons or persons of such descriptions as he may specify in the direction.
(4) The matters referred to in subsection (3)(a) are— (a) national security; and (b) the measures taken or to be taken to ensure the security of any premises or property.
(5) If the Secretary of State is considering giving a direction under subsection (3) the Attorney General may appoint a person to represent the interests of any person who will be prevented from hearing or inspecting any evidence at a local inquiry if the direction is given.
(6) If before the Secretary of State gives a direction under subsection (3) no person is appointed under subsection (5), the Attorney General may at any time appoint a person as mentioned in subsection (5) for the purposes of the inquiry.'

9. Moreover, the CDA Rules 2025 set out that, with regard to the definitions of the Rules, a security direction means a direction given by the Secretary of State under section 321(3) of the TCPA.

10. The Planning Practice Guidance on Crown development addresses the relationship between a direction under section 293H(7) and an inquiry. Paragraph 056 (Reference ID 44-056-20250512) states:

> *'As part of the Inquiry the Secretary of State can issue a further direction under section 321 of the Town and Country Planning Act 1990, which prohibits the public disclosure of the sensitive information as part of the Inquiry process. Section 321 provides that the Attorney General can appoint a person to act as a "special advocate" to represent the interests of any person who will not be allowed to hear or inspect the evidence at an inquiry.*
>
> *Only 'open' information (information which is not sensitive) will be published or referenced in any report prepared by the Inspector, a 'closed' report would also be prepared which included or references sensitive information, but this will only be disclosed to those with necessary security clearance.'*

Material at the Inquiry

11. In terms of evidence at an Inquiry, a party which wishes to rely on material as evidence at the inquiry must make it available for public inspection. Section 321(2) requires documentary evidence to be open to public inspection, subject only to a direction under s321(3).

12. That is so even where the material falls within Annex A, because on my reading of the Order the Direction does not apply to evidence at the Inquiry. Indeed, the 2025 Rules are to the same effect: they make an exception only for closed evidence, which is evidence subject to a direction under s321(3).

13. Under Rule 21(16), the Inspector may take a document into account only if it is disclosed at the Inquiry.

14. It follows that the Annex A material can be relied on in determining the Application only if:

    (i) the Applicant puts it in evidence and it is disclosed at the inquiry, in which case it will be open to public inspection or

(ii) a direction is made under section 321(3), in which case it will be closed evidence.

15. In this instance, as no direction has been made under s321(3) TCPA by the Secretary of State MHCLG, public access to that evidence can be restricted only by a direction under s321(3). In the absence of such direction all information submitted at the Inquiry stage will be in the public domain.

16. Without a direction under s321(3), the Inspector may rely only on information disclosed at the inquiry. Rule 21(16) makes disclosure a condition of taking any document into account, and that includes the unredacted version of the Application which the Inspector holds. Once disclosed, the material is open to public inspection under s321(2).

17. The 2025 Rules make an exception to that condition only for closed evidence, which by Rule 2(1) is evidence subject to a direction under s321(3). Rule 27 then limits the disclosure of closed evidence. Since no direction under section 321(3) has been made, there is no closed evidence and the exception does not apply.

18. Legislation has made provision for a closed material procedure at planning inquiries in s321(3) to (6), and the 2025 Rules contain the detailed procedural rules. There appears to be no equivalent provision in s293H. This reinforces that, without a direction under s321(3), as the Inspector, I cannot rely on Annex A material which has not been disclosed at the Inquiry.

19. For the avoidance of doubt, in the absence of a direction under s321(3) TCPA, it is my intention that **only the 'open documents'** – that is those documents in the public domain and as published on the CDA website (link at the top of this letter) - **will be taken into account in determining the planning application made under s293 TCPA.**

20. If the Applicant considers that there is information contained within the redacted application documents – that is those subject to the security direction under s293H – then such information would need to be submitted to the Inquiry.

21. To be clear, the Applicant decides what evidence to put before the Inquiry. There are no rules of disclosure in planning inquiries, and as the appointed Inspector I cannot compel an Applicant to disclose the Annex A material. Further, as the Inspector I may take into account only material disclosed at the Inquiry (Rule 21(16)).

22. Accordingly, should the Applicant choose to not put any of the Annex A material in evidence before the Inquiry, then I must determine the application on the basis on the evidence which is publicly before the Inquiry only. That evidence would determine whether the Applicant's case is made out in respect of the main issues I have identified.

Open evidence and representations

23. The principal parties should be aware that any representations – both written and presented orally at the Inquiry – will only be afforded weight in the decision-making where they are based on the open documents.

24. I recognise that proceeding on the basis of the open documents only might be unsatisfactory in practice, both for the third parties, who may be unable to test parts of the case for the development, and for me as the Inspector, who may have to decide significant issues on evidence which cannot be fully examined.

25. However, in the absence of a direction made under s321(3), the Inquiry will only consider public documents and any planning decision will only be made on public open documents.

Planning Conditions and Obligations

26. It is well established that a planning condition is lawful only if it is imposed for a planning purpose, fairly and reasonably relates to the development permitted, and is not so unreasonable that no reasonable planning authority could have imposed it.

27. The s293 Direction covers only the Annex A material and does not extend to details submitted after the decision. How sensitive details are to be handled when conditions which rely on such information are discharged will need to be considered in the wording of each condition. In this respect, it would help if the principal parties could consider this when suggesting conditions.

28. In terms of the justification for any obligations, as the appointed Inspector, I can only conclude that a condition is necessary, or that an obligation meets the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010, on the evidence before the Inquiry.

Summary

29. I trust that the above explanation, whilst lengthy, aids the parties in understanding the approach I am adopting in this case.

30. To reiterate, it is not my intention to hold any closed sessions at the Inquiry. The evidence I will be considering is only that in the public domain as can be found on the CDA website for this case. Parties should prepare and present their cases on that basis.

C Parker
INSPECTOR