

FIRST SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
10th November 2020

Agenda Item 6

Application Ref. 20/00670/FUL

Kings School, First Avenue, Kidsgrove

Since the publication of the main agenda two further objections have been received raising the following concerns;

- The school has a poor record of following agreements and planning requirements,
- If the facility is funded by Newcastle Borough Council then it should be owned by the Council,
- A signed and legally binding Joint Use Agreement should be presented before a decision is made,
- The development is contrary to Policy C22 - Protection of Community Facilities of the Local Plan on the basis that there is no Joint Usage Agreement with neighbouring Kidsgrove Sports Centre,
- The school has resulted in the closure of Kidsgrove Sports centre and is also contrary to Policy CSP5 of the Core Spatial Strategy, and
- The application should be deferred or refused without a signed Joint Use Agreement.

Officers Comments

The main agenda report sets out that the principle of the development will only be acceptable and in accordance with development plan policies and the guidance and requirements of the NPPF if a Joint Community Use Agreement (JCUA) is secured by a suitably worded condition – see condition 3 of the officer's recommendation.

In terms of when the JCUA needs to be in place (a signed and completed agreement), the standard condition drafted and recommended by Sport England requires that the use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority and a copy of the completed approved agreement has been provided to the Local Planning Authority. On this basis there are no grounds to require the (JCUA) to be signed and completed before a decision is made. Furthermore, it will be the responsibility of the Local Planning Authority to enforce against any breach of this or any other condition should non-compliance take place.

The RECOMMENDATION remains as set out in the main agenda report.