

Address: Alfred Sutton Primary School, Wokingham Road, Reading RG6 1JR

Application No: 241207/NMA

Proposal: Application for a Non-Material Amendment Following a Grant of Planning Permission 14/0968 - Removal of Condition 15 (Community Use agreement)

Case Officer: Anthony Scholes

Proposal: Non material changes relating to -

- Removing the original condition 15 which required a community use agreement to be prepared in consultation with Sport England for the use of the multi-use games area (MUGA)

Full condition:

“15. The development shall not be occupied 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. The agreement shall apply to the approved hard play areas and included details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considered necessary in order to secure the effective community use of the facility. The development shall not be used at any other time other than in strict compliance with the approved agreement.

Reason: To ensure the provision of community use of the facilities. LDF Core Strategy Policy CS31 (Additional and Existing Community Facilities)”

The request for the amendment was made by the applicant (on behalf of Reading Borough Council's school's team) to remove the condition on the basis that suitable facilities are available within the area, and that the management of the community use agreement would place an unnecessary burden on the school.

Objections Received (Summary):

Applications under S96A are not applications for planning permission, so are not covered by the publicity requirements as set out in the DMPO.

No external comments were received.

In addition, the LPA consults internally and publishes a pre-valid, and valid applications list to Councillors. On the 16th of September, the application appears on the pre-valid list, and on the 7th of October, the application appeared on the valid list. No Councillor comments were received.

Council's leisure services were also consulted. No response was received.

Relevant Planning History:

140968 - School expansion onto adjacent playing field. New build teaching block incorporating relocated Crescent under 5's playgroup and School Nursery. Extension to admin. block, plus associated external works. - Permitted 21 October 2024

160996 - Provision of an additional temporary classroom and toilet for a temporary period until 31 December 2016 and permanent footpath link between Alfred Sutton Primary School and Maiden Erlegh Free School. - Permitted 19 August 2016

201862 - Retention of 1 no. double-stack demountable modular double classroom unit and temporary macadam playground for a further 5 years - Permitted 3 June 2021

Appraisal:

The original planning permission granted consent for the expansion of the school grounds over the playing field. An objection was received at the time from Sport England. The community use agreement, which was put forward by the applicant sought to overcome the Sport England objection. The overwhelming need for additional school places, and the statutory requirement for Reading to provide such places was considered at Planning Applications committee in September 2014 to outweigh the harm to the playing field, and the LPA sought to approve notwithstanding the objection from Sport England, and the potential call-in by the Secretary of State. No such call-in was forthcoming.

Following the granting of the above planning permission, and prior to commencement of the use, the area designated as community use 'MUGA' was in use as a temporary teaching spaces in accordance with 160996 & 201862 respectively. The temporary building is to be removed/ was removed in November 2024. As such, though the permission for the school expansion has been implemented, the use of the MUGA has never been provided, and as such the community use agreement was never implemented. There would therefore be no loss of a MUGA for community use, merely a non-provision thereof.

The original condition sought to offset the loss of playing fields through the provision of a hard-surfaced multi-use facility which would be a more flexible space than the original playing field. The applicant has demonstrated, that there are a number of MUGA spaces for hire through neighbouring sites, and that these are undersubscribed. The information provided clearly demonstrates that though a loss of playing field was offset through a potential community use agreement, no such agreement was completed, nor has the facility been available since 2014. There is sufficient space for the community to use space within the site, and as a Council operated school, in future a community use agreement could be struck over the space should a need arise. As such, the condition is considered appropriate to be removed at this time.

Conclusion:

The changes as proposed are considered to be acceptable non-material alterations to the approved scheme.

Recommendation:

Approve non-material amendment. Although Section 96(A) of the Act does not allow for the original decision to be re-issued, it does allow the modification of, or imposition of, conditions. In this respect it is considered appropriate to delete the original condition 15 of planning permission 140968.

INFORMATIVES

1. This is a deletion of condition 15. All other conditions relating to 140968 will continue to apply and this decision and the original permission will need to be read together.

2. In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute a material change to the approved planning permission.