

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

DoC Decision Notice Condition Not Discharged

Mr Matt Nicolle
C/o Emma Hyett
Surveyors to Education
The Old Barn
Unit 10 Narborough Wood Park
Desford Road
LE19 4XT

Details of Application:

Application Ref: 24/00992/DISCON

Proposal: Application to discharge Condition 6 (Community Use Agreement) from planning application 23/01164/FUL

Location: Redmoor High School Academy Trust Wykin Road Hinckley LE10 0EP

The details submitted with Condition 6 are not acceptable to the LPA and therefore **Condition 6 is not eligible for discharge.**

Condition 6

No development shall commence above foundation level of the building hereby approved 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 include use of the sports hall, fitness suite, changing rooms, external grass playing pitches, non turf cricket wicket and external netball/tennis courts along with access to the car park and shall include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review. The development shall not be used otherwise than in strict compliance with the approved agreement.

C6 Draft Community Use agreement – Received 28 October 2024

Reason: The draft CUA is lacking in mechanisms to ensure community use of the internal and external facilities as required by Condition 6 and therefore does not represent a well-managed safe community access to ensure that the new sport facility and the remaining playing field land provides the sufficient benefit to the development of sport and to accord Policy DM8 of the Site Allocations and Development Management Policies Development Plan Document (2016) and the NPPF (2023). Full details can be found in the officer's report.

As with all decisions you have the right to appeal to the Secretary of State against the Local Planning Authorities decision. Alternatively, a new application can be submitted with a revised Community Use Agreement which ensures that all of the points raised have been addressed. A new fee will apply.

A handwritten signature in grey ink that reads "C. Brown." with a period at the end.

Christopher Brown MRTPI
Head of Planning

Date: 24 February 2025