

Andrew Lewis
Public Protection & Development Management
Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

16 September 2014

Our Ref: SE/CL/2014/37284/C

Dear Andrew,

App Ref: 14/00238/DISC
Site: Building 583, Heyford Park, Camp Road, Upper Heyford,
Bicester, OX25 5HD
Proposal: 'Clearance of conditions 4 (Community Use Agreement)'

Thank you for consulting Sport England in respect of the details relating to the above planning condition.

Planning permission (13/00343/F) was granted on 27 June 2014 for "Retention and change of Use of building 583 and associated open space to Class D1/D2 including erection of entrance canopy, other external alterations including partial demolition works and associated infrastructure and landscaping works".

The permission was granted subject to 22 conditions. Condition no. 4 reads:

"Use of the School facilities 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. The agreement shall apply to the indoor sports hall, playing fields and other outdoor sports facilities and include 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 considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

The stated reason for the condition is:

Sport England, SportPark, 3 Oakwood Drive, Loughborough, Leicestershire, LE11 3QF,
T: 020 7273 1777, E: planning.southeast@sportengland.org, www.sportengland.org

“To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport.”

The document submitted in pursuance of the condition is entitled “COMMUNITY USE AGREEMENT AS SET OUT IN THE S106 DEED OF VARIATION, JUNE 2014”. Therefore, it would appear that the contents of the document have already been agreed by the District Council and the submission of this application is a formality.

It is not possible to comment on Part 1 of the document as a copy of neither the Principal Agreement nor the annexed plan has been provided as part of this application.

With the exception of management responsibilities, Part 2 of the document addresses all of the other matters and is considered to be satisfactory for the purpose of complying with condition 4 of the planning permission. The Council will need to satisfy itself that appropriate management responsibilities have been properly documented (perhaps in the Principal Agreement), prior to formal discharge of the condition.

If you would like any further information or advice please contact the undersigned at the address below.

Yours sincerely

Raymond Cole

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Planning Manager
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