

Date: 22/01/2026

Horsham District Council
Parkside
Chart Way
Horsham
West Sussex
RH12 1RL

Dear Sirs

PENNTHOPE SCHOOL, CHURCH STREET, RUDGWICK, HORSHAM
ALL WEATHER SPORTS PITCH (DC/19/2573)
DISCHARGE OF CONDITION 7

I am writing on behalf of Pennthorpe School Trust Ltd in respect of the above planning permission granted on 3 August 2020. This letter provides further information and context to the submission by Enplan dated January 2026 for the discharge of condition 7 with a further amendment to the Community Use Agreement.

Condition 7 of extant permission DC/19/2573 requires the submission and approval of a Community Use Agreement (CUA) to govern community access to the facility. The school has worked proactively with the Local Planning Authority (LPA) to discharge this condition and submitted previous iterations of the CUA and the associated Operational Management Plan (OMP) in April 2024 and February 2025.

Despite these efforts, it has become evident that implementing community use in accordance with access to additional facilities as requested by Sport England is not feasible to deliver in a manner that is both safe and sustainable. The school therefore seeks to discharge Condition 7 with further amendments to the Community Use Agreement reducing the hire cost to a price lower than that of other, larger schools in the area which offer access to sports pitches as well as changing and toilet facilities. This is to reflect that the facilities offered to the community users at Pennthorpe are the pitch and car park only. This would allow the facility to be used safely and efficiently for educational purposes, while maintaining opportunities for community engagement where reasonably practicable.

Safeguarding Concerns.

Pennthorpe is a preparatory school catering for pupils aged 2-13. The school typically operates from 7.30 a.m. to 7:00 p.m. on weekdays. In addition, events also take place outside of these times, for example: sports days on weekends, or year group overnight camps on the sports pitch. Due to the location and accessibility of the MUGA, the layout of the school and the operational times of the school, community use of toilet and changing facilities associated with the MUGA would present a material safeguarding risk that would be contrary to the school's statutory duty of care to safeguard its pupils. As an educational institution, Pennthorpe has a statutory

duty under the Children Act 2004 and the Department for Education's *Keeping Children Safe in Education* guidance to ensure a secure environment for pupils.

Accessibility and Security

As shown in the image below, access to the sports pitch is shown via the red highlighted route from the front gate off Orchard Hill. The main school campus is bound in yellow, and this campus is secured via fencing, and controlled access points highlighted in pink. These security measures allow our students to freely move between classes and activities within this yellow boundary with minimal supervision and in a safely controlled environment.

Providing public access to school facilities other than the MUGA, even outside of the school's operation, would breach this security perimeter and allow easier access for members of the public. If access to changing and toilet facilities were to be provide, in the absence of permanent 24hr onsite staff, employment of on-site supervision or staff would be required during community use periods to mitigate any safeguarding and security risks .

- This would represent a significant financial and operational burden that is disproportionate to the scale of likely community demand. Without this supervision, the school would be unable to ensure the safety of pupils, property, and equipment.



Financial non-viability

Operating the MUGA for the community is financially unsustainable. Based on the amended hire rates (£30 per hour) set out in the latest revision of the Community Use Agreement, the potential revenue would be insufficient to cover:

- Staffing and supervision,
- Insurance, liability and administrative overheads (e.g DBS checks);

- Utilities and maintenance

As a charitable trust, the school must prioritise its educational provision and ensure that resources are directed to its core charitable purpose. Furthermore, recent fiscal changes following the 2025 Budget, specifically the removal of VAT exemptions and business rate relief, have significantly increased operation costs across the sector. The school operates on very tight budgets, and any requirement to fund additional infrastructure and supervision for community use would be unsustainable.

Requiring access for community users to additional school facilities other than the MUGA itself would therefore impose an unreasonable and disproportionate burden on the school at a time when many independent institutions are facing structural financial pressures that threaten their viability.

Safeguarding and the NPPF

Paragraph 95 of the National Planning Policy Framework (December 2024) states:

“It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- A) Give great weight to the need to create, expand or alter early years, schools ... through the preparation of plans and decisions on applications;”*

Authorities should consider applications that will broaden choice in education and should ensure that school places are available in a way that does not compromise safety, particularly the safeguarding of children.

Paragraph 135 states:

“Planning policies and decisions should ensure that developments:

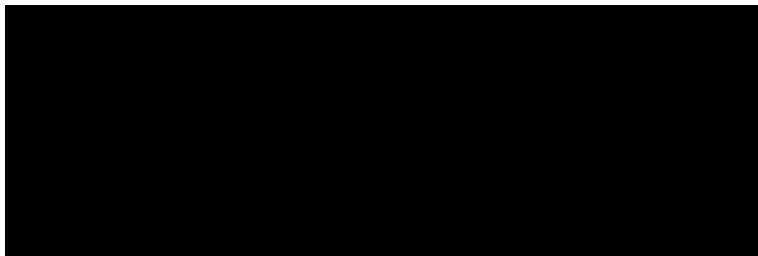
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁵¹; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Pennthorpe has successfully provided this safe, inclusive and accessible environment for pupils aged 2 to 13 for decades, whilst continuing to engage with the local community, its residents and businesses through initiatives like “Innovation Week”. The agreement of the CUA and discharge of the condition will allow the school to continue fulfilling this role to the pupils and in the community, without compromising safety and safeguarding.

The school is not disputing the public benefit of community use or attempting to remove this facility from public use; it simply wishes to maintain security and safeguarding so that the relationship with the local community may continue in a sustainable manner.

The school remains committed to working collaboratively with the Council and the local community to allow opportunities for community access.

Yours Sincerely,



Franklin Neathercoat BEng IEng MICE
Governor

