

Report to: Cabinet

Date of Meeting: 4 February 2019

Report Title: Site at West Marina

Report By: Peter Grace
Assistant Director Financial Services & Revenues

Purpose of Report

To agree to publish a notice of “intended disposal (by long lease) of land consisting or forming part of an open space” in respect of the West Marina site.

Recommendation(s)

- 1. To publish a notice of intended disposal (by long lease) of land consisting or forming part of an open space and consider any objections**

Reasons for Recommendations

1. The Cabinet determined at its meeting on 3 September 2018 that County Gate/Sunley were the preferred developer for the site and that, Carter Jonas, were to negotiate further to agree Heads of Terms in order to make a recommendation to Cabinet.
2. For the Cabinet to determine whether to let the site on a long lease, it is required to consider any objections received where land consists or forms part of an open space. Such objections relate to the loss of open space rather than any specific development proposals which may subsequently be forthcoming.

Background

3. At the Cabinet meeting on 3 September 2018 it was determined that County Gate/Sunley are the preferred bidder and to instruct our agents, Carter Jonas, to negotiate further to agree Heads of Terms in order to make a recommendation to Cabinet.
4. For the Cabinet to determine the future of the site, whether it be freehold sale or by long lease (preferred option), it is required to consider any objections received where land consists or forms part of an open space. As such the terms of any long term agreement will need to be considered in conjunction with the objections received.

Notice

5. It is considered that part of the site falls within the definition of 'land consisting or forming part of an open space' pursuant to the Local Government Act 1972 (the Act). The Act provides that before open space land is disposed of (a long lease qualifies as a disposal) notice of the intention is advertised for two consecutive weeks in a local newspaper. The Act also provides that the Council must consider any objections to the proposal which may be made to them.

The Site

6. The West Marina site is in ownership of Hastings Borough Council and has been largely vacant for over 30 years, following the closure of the former lido. As a result the Council is looking to see the site developed in order to provide a mixed use site (residential and commercial) in line with the Local Development Plan (the strategic planning document already agreed for the borough).
7. The site has the benefit of having a seafront location and is in close proximity to West St Leonards train station. It is however disadvantaged by having both sea and fluvial flooding issues and lying on the outer reaches of the Hastings sea front. The flooding issues and the infrastructure already in place restrict where development can occur on the site.
8. As the Development Plan identifies, Seaside Road is one of the few remaining significant re-development sites on the Hastings/St Leonards seafront. It presents an opportunity to create a high quality development which can help regenerate the area and act as a destination in its own right, as an addition to Hastings and the Old Town. The site is capable of accommodating both apartments and family housing. The site, given its size and location, will be expected to support a varied housing mix and affordable housing.
9. The Council will expect to see a high quality innovative design with particular regard to sustainability. The Grosvenor Gardens Conservation Area sits immediately to the east of this site. Any new development on this site must sustain and enhance the setting of the conservation area.

10. The plan makes particular mention of the “location, scale and massing of housing units should have regard to the outlook of adjacent properties in Seaside Road and Grosvenor Gardens. Opportunities should be taken where possible to exploit the sea views that the site offers. Developers will be expected to create a broad promenade for pedestrians and cyclists behind the seawall running east to west across the site. This should also act as a way of protecting views along the seafront. Improvements to the seawall will be required and the potential for vegetative shingle creation will need to be explored”.
11. The site is considered to be suitable for leisure and recreational uses, particularly those associated with the water. The site could also accommodate small scale kiosk style retail uses normally found at the seaside, a cafeteria and a public house/restaurant.
12. If the Council agrees to the disposal of the site at a future meeting the developer would follow the normal planning procedures now in place for an important development which would include a planning forum and public consultation.

Timetable of Next Steps

13. To progress the next steps would be:

Action	Key milestone	Due date (provisional)	Responsible
Agree Disposal on Heads of Terms	Cabinet to determine	4 March 2019	Assistant Director
Exchange contracts	Finalise Heads of Terms Instruct solicitors Contracts exchanged	Contracts to be exchanged 8 weeks from draft documentation being issued	Estates Manager
Developer to undertake due diligence	Completion is subject to satisfactory soil investigations, full topographical survey and detailed surveys of all services	Surveys to be undertaken within 6 months from exchange	County Gate/Sunley

Planning	Public consultation Planning application submitted Planning consent granted	Planning application to be submitted 12 months from exchange	County Gate/Sunley
Construction	Construction	To commence within 12 months of obtaining satisfactory planning permission	County Gate/Sunley
	Practical completion	To be achieved within 48 months of implementing a consent	County Gate/Sunley

Risk Management

14. These are as set out in the Cabinet report of 3 September 2018. In addition there are uncertainties surrounding Brexit and the impact on the UK Economy and the consequential impact on the property market.

Financial Implications

15. Minimal cost of a public notice.

Local People's Views

16. These are being sought on the long term lease of the site, for mixed use development in line with the agreed local development plan.

17. At such time the developers have a specific development proposal they will need to go through the usual planning consultation processes which will enable local people to put forward their views.

Wards Affected

West St Leonards

Implications

Relevant project tools applied? Yes/No

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	
Crime and Fear of Crime (Section 17)	
Risk Management	Y
Environmental Issues	
Economic/Financial Implications	Y
Human Rights Act	
Organisational Consequences	
Local People's Views	Y
Anti-Poverty	

Additional Information

None.

Officer to Contact

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