
**LAND AT FORMER EASTBOURNE SCHOOL –
SALE OF ADDITIONAL LAND FOR PHASE I**

**Responsible Cabinet Member – Councillor Chris McEwan
Economy and Regeneration Portfolio**

Responsible Director – Ian Williams, Director of Economic Growth

Purpose

1. To seek authority for the disposal of an additional area of land at the former Eastbourne School shown on the attached plan (**Appendix 1**).

Summary

2. The Council has sold 2.3 hectares of land shown as area A on the attached plan (Appendix 1) comprising Phase I to the Esh Group for the development of 76 No. dwellings, 60 No. of which will be Affordable Housing.
3. The development of the Affordable Housing is reliant upon Homes & Communities Agency Grant Funding a condition of which is that they are constructed by 31st March 2015.
4. It has emerged that the accommodation for which planning consent has been obtained cannot be constructed to the specification required to secure Homes & Communities Agency Grant Funding on the land sold.
5. An additional 8 square metres of land is required together with 62 square metres for extending the Adopted Highway. The combined area is shown coloured black on the plan.
6. The sale of the land will not create any additional value for the purchasers and it is therefore proposed to transfer the land for the sum of £1. The purchasers have agreed by way of consideration to carry out accommodation works to the Council's retained land in the form of improved access to the hard surface sports pitches, also used as car parking, shown cross hatched on the plan.

Recommendation

7. It is recommended that:

- (a) Cabinet declare the land identified in paragraph 5 surplus to operational requirements and approve the sale by private treaty to the developer of Phase I, and
- (b) Authority to agree the specification of access improvements is delegated to the Director of Economic Growth in consultation with the Portfolio Holder for Economy and Regeneration.

Reasons

8. The recommendations are supported by the following reasons:

- (a) To enable the developer to meet the Housing and Communities Agency funding criteria, and deliver all of the Affordable Housing within their timetable.
- (b) To secure access improvements to the Council's retained land.

Ian Williams
Director of Economic Growth

Derek Watkins: Extension 6319

Background Papers

No background papers were used in the preparation of this

S17 Crime and Disorder	There are no specific Crime and Disorder implications
Health and Well Being	There are no specific implications on Health and Wellbeing
Carbon Impact	The carbon impact of any proposed development will be subject to approval through the planning process
Diversity	The proposal will be of benefit for the provision of Affordable Housing
Wards Affected	Lingfield
Groups Affected	All groups are affected equally
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	There are no implications for One Darlington: Perfectly Placed
Efficiency	There are no Efficiency implications

MAIN REPORT

9. The Council has sold 2.3 hectares of land shown as area A on the plan attached at Appendix 1 to the Esh Group for the development of 76 No. dwellings 60 No. of which will be Affordable Housing which are subsequently to be transferred to Registered Provider's.
10. As part of the planning permission process, it was agreed following representations to revise the layout of the development. A small area of land, approximately 8 square metres needs to be added to one of the Affordable Housing plots and approximately 62 square metres to extend the Adopted Highway. The combined area is shown coloured black on **Appendix 1**.
11. It is understood that in order to receive Grant Funding from the Homes and Communities Agency construction of the Affordable Housing must be completed by 31 March 2015 therefore work on site has already commenced. A planning application for use of the additional land for these purposes is in preparation.
12. The sale of the land does not to provide additional value for the purchasers or, subsequently the Registered Provider's. Most of the land will be returned once a Public Highway to adoptable Standard has been constructed upon it. Failure to sell the land could theoretically mean one Affordable Housing plot is lost, and the garden of another has to be reduced by 1m in length. Therefore it is appropriate to transfer the land for the sum of £1.
13. The purchasers have agreed by way of consideration in recognition of the inconvenience to the Council of having to go through this subsequent disposal process, to carry out accommodation works to the Council's retained land in the form of improved access to the hard surface sports pitches, also used as car parking, shown cross hatched on the plan.
14. The improvements estimated to cost in the region of £10k - £15k will include providing a gate at the end of the Adopted Highway and a suitable surface for vehicles taking access to the cross hatched area but, at this time, the full specification and layout has not been determined.
15. The sale and change of use, of the land being former school playing fields is also subject to approval by the Department for Education and Sport England. Initial discussions indicate this will be forthcoming.
16. The purchasers will also meet the Council's legal and surveyors costs in the matter.

Planning Comment

17. Planning permission will be required for change of use of the additional land.

Financial Implications

18. There are no specific financial implications that need to be drawn to the attention of Members other than those set out in the report.

Legal Advice Corporate Landlord Advice

19. There are no specific legal matters that need to be drawn to the attention of Members other than those set out in the report.

Corporate Landlord Advice

20. The disposal proposed is required to ensure delivery of the Affordable Housing and is considered beneficial in supporting the economic, social and environmental objective of this redevelopment.
21. The disposal and accommodation works to the Council's retained land is considered to represent best consideration for the Council in line with S.123 of the Local Government Act 1972.

Equalities Considerations

22. In seeking to dispose of this additional parcel of land, the potential impact on people with protected characteristics under the Equality Act 2010 is considered to be no greater than the impact on any other group or individual.

Outcome of Consultation

23. There has been no formal consultation exercise with the public on this matter but there will be another opportunity for public consultation as part of the planning application process in respect of the change of use of the additional land (as explained in paragraph 10).