

HASTINGS DEVELOPMENT MANAGEMENT PLAN

APPENDIX 1

MAIN MODIFICATIONS

MM1 Deletion of Policy FB12 – Land south of Upper Wilting Farm for the development of wind turbines

MM2 Modification of Policy HN6 – Former Convent of Holy Child Jesus, Magdalen Road

Planning permission will not be granted for development within the curtilage of the Former Convent of the Holy Child Jesus unless it is enabling development which would secure the long term suitable use and future of the existing Listed Buildings.

Planning permission for enabling development will not be granted unless such development would:

- a) Secure the management in perpetuity of the whole site as a single entity and as a place of special significance;
- b) Secure the ongoing management of the whole site, including the respectful protection and enhancement of the Nuns' Cemetery;
- c) Subject to any need to provide affordable housing, be the minimum amount of development required to secure the long term future of the existing buildings and the site as a whole;
- d) Follow genuine investigation of the potential for securing the long term future of the buildings without the need for enabling development and follow the exploration of unrestricted disposal of the site on the open market;
- e) Convincingly demonstrate that it would be the only realistic source of sufficient subsidy to secure the suitable long term future of the Listed Buildings;
- f) Minimise the harm to other public interests;
- g) Provide an appropriate amount of affordable housing (for which see Policy H3 of the Hastings Planning Strategy), even if this increased the overall number of units to be provided; and where
- h) The public benefit of securing the future of the heritage assets through enabling development decisively outweighed the harm or otherwise caused by the scheme.

The Local Planning Authority will liaise closely with Historic England on any scheme submitted including the sharing with them of any viability assessments or financial assessments submitted to support any development proposals.

In addition, planning permission will not be granted for enabling development unless:

- 1) The impact of the development is precisely defined at the outset, through the granting of full, rather than outline, planning permission;
- 2) The achievement of the heritage objective is secured through the use of a Section 106 agreement or by other enforceable means;

3) The heritage assets concerned are repaired to an agreed standard, or the funds to do so made available, as early as possible in the course of the enabling development, and in any event, before completion or occupation of any new build;

New supporting text paragraph after Policy HN6:

These Listed Buildings and their curtilage are a vitally important heritage asset in St Leonards and in the Borough as a whole. Their inclusion in a Conservation Area emphasises even more their historic and architectural importance. The Council is therefore keen to secure their suitable long term future which the provisions of the Policy are designed to achieve. Enabling development is, however, undertaken as an exception to the usual planning policies which apply and this justifies the rigour of the Policy. The Council will therefore work closely with the developer and monitor the implementation of an approved scheme, acting promptly if necessary to ensure that all conditions and obligations are met.

The Council is also mindful of the need to protect the setting of nearby Listed Buildings and of the Conservation Area as a whole when considering any new development proposals for the site.

The general principles set out above will, where appropriate, be applied in the case of any other proposals for enabling development elsewhere in the Borough.

The Council will also take into account Historic England's adopted and emerging guidance on heritage assets and in particular advice on development in relation to heritage assets, protecting views and settings. (insert weblink)

Through its pre-application service, the Council will provide informal guidance as to what constitutes enabling development in terms of the above Policy. Where development proposals are not considered to be enabling development after consultation with the Council, such proposals will be assessed against other relevant policies in the Plan.

MM3 New Policy concerning Design etc

The number of dwellings set out in the Proposed Allocations Policies is purely indicative, showing what might be achieved on each site. Of principal and greater consequence for every scheme, however, will be matters which include design, height, mass, appearance of the proposed building(s), layout (including the provision of a safe and convenient access), trees, biodiversity, green infrastructure and relationship with the surroundings including nearby buildings and views of the Borough's natural and historic assets (including Hastings Castle). These considerations, rather than indicative numbers, will provide the guidelines to ensure a development worthy of the site and its surroundings. For development within Conservation Areas, the Council will insist on schemes of distinctive design, quality and character consistent with the statutory requirement to pay special attention to the desirability of preserving or enhancing the character or appearance of the Area. A similar approach will be taken with regard to any scheme which would affect the setting of a Conservation Area. The Council will advise and work with prospective developers from the inception of each scheme to ensure a development of distinction.

MM4 Deletion of Policy GH1 – Allocation of Robsack A, Church Wood Drive, for residential development

MM5 Modification of Policy SH1 – Allocation of land adjacent to Sandrock Park, The Ridge for residential development, to include additional land to the south as shown on the plan accompanying the Statement of Common Ground (HBC/7) with any suitable amendment to its western boundary.

Addition of 2 criteria to the Policy, as follows:

- a) Lodge Cottage shall be retained in any overall development proposal and restored and/or extended to provide for its viable future use; and
- b) Vehicular access to the enlarged site shall be agreed with the Highways Authority (East Sussex County Council); this may involve use of the principal access to the proposed allocation SH1 or by separate means; should no separate access to the enlarged site be practicable to the satisfaction of the Highways Authority, access through the main, larger part of the site would not be unreasonably withheld.

MM6 Modification of Policy HTC2 Cornwallis Street Car Park

Planning permission will be granted for residential development (possible net capacity of 10 dwellings) on the Cornwallis Street Car Park provided that the development includes:

- v) a children's play area, "pocket park" or similar open recreational space.

MM7 Deletion of Policy CVO1 – Allocation of Land at Victoria Avenue for residential development.

MM8 Deletion of Policy CVO3 – Allocation of Land at the Rear of Old London Road for residential development