

PTIS ITEM 90 (b) (ii)

Rye Town Council

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Sent: 11 November 2010 15:49
Subject: Planning Committee Meeting, 18.11.10 - agenda item 6

Planning applications RR/2004/3202/P & RR/2004/3206/L (page 22 on)

Rye Library and Adult Education Centre, Lion Street, Rye

Demolition of modern extensions, art block, toilets and air raid shelters.

Conversion into 3 residential units and new building for two flats.

I am writing to you on behalf of Rye Town Council in your capacity as a member of the Planning Committee.

Your Officer briefing makes reference to a draft Section 106 Legal Obligation Agreement, the main thrust of which is to preserve the eastern section (that which fronts the highway) of the FE Centre building (Grade II) for community use.

The Town Council's concern is that the current owner, Sussex Coast College Hastings has advised users of the facility (including the WEA) that it is not accepting bookings for dates after 31 January 2011. The College has not indicated whether it has some other (appropriate) community use planned after this date and the suspicion is that the College is of the opinion that the sale of the whole site will be less problematic if there are no activities on it.

In addition to the concern that the current users of the FE Centre will not be inclined to return once re-established at alternative accommodation, the fear is that once the Library (Grade II) has relocated from this site to the former Woolworth store in the High Street (probably January 2011) the site could remain empty and neglected for some time. Abandoned sites attract those intent on criminal damage and deteriorate quickly – the impact of which would be exacerbated due to the site's prominent position within the Conservation Area, next to the Town Hall (Grade II) and St Mary's Church (Grade I).

Unfortunately, the Draft Section 106 Legal Obligation Agreement (signed by the College but not RDC nor ESCC) does not address this real concern. Clause 2.4 states that the Agreement (which binds the Owner and Occupier of the site – and their successors) shall not take effect until planning permission has been granted and that permission has been implemented by the carrying out of a 'material operation'. The lapse of time between the granting of planning permission and relocation of the Library (Jan 2011) – the cessation of bookings within the FE Centre (31 January 2011) – the site going on the open market – the completion of the sale - and the eventual commencement of a 'material operation' could be considerable.

During this period the site might rapidly become an eyesore. This could be avoided if Rother District Council was able to find a way of ensuring that community activities continue to be carried out on the site – primarily within the eastern section of the FE

Centre – at all times. Could the Agreement proposed be re-drafted so that it comes into effect at a point prior to the carrying out of a 'material operation' – for example, from the date planning permission was granted or, if necessary, the actual relocation date of the Library?

A further concern is that if the College is 'allowed' to cease community use within the eastern section on 31 January 2011 there could not only be no community use up to the point of a 'material operation', a new owner of the site is unlikely to be in a hurry to permit the reintroduction of 'community use' whilst a residential housing development is in progress (despite what it might stipulate within the 106 Agreement). Since the proposed planning permission will be for 3 years, if a new owner commenced a 'material operation' on the site just before those years had expired, this could potentially mean there being no community use on the site from 31 January 2011 for around 4 years.

To summarise, the Town Council considers that a way needs to be found to ensure that the community use currently in place at the FE Centre continues without interruption. If this cannot be achieved the Rye Citadel could find itself with a prominent, run down site, devoid of community use, for up to 4 years – perhaps beyond.

Thank you for your attention.

Richard Farhall
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