



Information Provided for Ashby Town Council Planning Committee by the Friends of Ashby Bath Grounds

Planning Application 14/00107/FULM - Erection of five dwellings; demolition of existing bowls pavilion and cricket pavilion; erection of bowls pavilion, changing rooms and store with access improvements and creation of cricket pavilion (access off Station Road)



We have the following concerns about the application to build five three storey 'villas' on the Bath Grounds:

- **The lack of sustainability of the application.**
- **The area is designated as a Sensitive Area where development would not normally be permitted.**
- **There will be a reduction of Recreational Open Space when there is already an under provision in the Town.**
- **The negative effects on heritage assets and the conservation area.**
- **Potential Flooding Risk.**
- **Uncertainty of the Community Benefit referred to in the application.**

We are also concerned about the failure by the Developer to properly consult the Community on these proposals. The developer held an exhibition of his plans in May 2012 but has not made it clear how they have been revised in the light of feedback. Indeed, we understand that the plans for the Cricket Club and Bowls Club pavilions do not meet the clubs' current requirements.

Lack of Sustainability

The National Planning Policy Framework defines sustainable development as *"meeting the needs of the present without compromising the ability of future generations to meet their own needs."* We fully support the objective and contend that the development does not meet any of the three NPPF defined dimensions of sustainable development: economic, social and environmental.

Economic role: As the developer states, the houses will make 'a very small contribution to the delivery of sustainable housing', but in this case there are material considerations such as reduced recreational space and impact on heritage assets which suggest that the overall economic impact

will be negative, e.g. reduced tourism. Alternative sites with a greater economic impact are available.

Social role: Whilst five families may benefit from this development, it does not support the future community's health, social and cultural well-being. It will also impact negatively on the lives of current and future residents of the neighbouring elderly persons sheltered housing in Bamburgh Close.

Environmental role: The housing development would be environmentally damaging, resulting in the permanent reduction of a beautiful open space near the centre of the Town which is a tourist attraction and has been used for many years by a very large number of residents for informal and formal recreation.

Sensitive Area

The Bath Grounds is designated as a Sensitive Area and as such development would not normally be permitted which would adversely affect or diminish the present open character. We contend that the impact of the five houses will be significant on the open character of the Bath Grounds.

The proposed housing area is not "small" as claimed. The development would result in the loss to public access of over 12% of the total area of the current Bath Grounds and a much greater percentage if only the parts not occupied by private clubs (pavilions, the bowling green and cricket pitch) are considered.

At present the Bath Grounds are surrounded by trees with very little direct sight lines from and to existing houses. The three storey houses will be clearly visible from the whole of the Bath Grounds and dramatically change the 'countryside within a town' character of the Bath Grounds.

Building on this part of the sensitive area is also likely to set a precedent for building on the adjoining areas also designated as sensitive and in private ownership, namely "Bullen's field" and the playing fields East of Prior Park Road. There is a particular danger of this as Bullen's field would be seen as an "infill site" between existing housing. Such development would be devastating for the Ashby environment.

Reduction of Recreational Open Space

According to the NWLDC Open Space Assessment (2008), the Bath Grounds is the second most visited recreation site in the district. Furthermore, Ashby was identified as having a deficit of recreation space (2.99ha) and was rated only the 17th parish in the District for provision of recreation space per person. These deficits are likely to have increased significantly since the 2008 assessment as there has been substantial further housing development in Ashby.

We believe that improving the Bath Grounds and making better use of the opportunities they provide could go some way to alleviating this deficit. The proposed development will have the opposite effect, increasing Ashby's recreation ground deficit by 0.77ha (25%).

Retained local plan policies, emerging core strategy policies and the National Planning Policy Framework all state that development on recreational space should be safeguarded and only developed in exceptional circumstances. This strongly supports the environmental and social dimensions of sustainability.

The same policies identify the limited circumstances when development can take place on recreational space (listed below). None of these apply in this case:

- a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements – the assessment shows that the reverse is the case; or*
- b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location – no such additional provision is being proposed; or*

c) *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss* – the houses are not part of the plans for the pavilions and any benefit clearly does not outweigh the loss.

Negative Effect on Heritage Assets and the Conservation Area

The developer's own Heritage Impact Assessment states that the development will have a negative impact on both the grade I listed Ashby Castle and the Bath Grounds, which is classed as a Heritage Asset. The Assessment goes on to say that the Royal Hotel and Rawdon Terrace will 'benefit from the enhanced setting generated by the residential development. The residential scheme has been designed to ensure that it makes a positive contribution and unashamedly contemporary new addition to the wider setting of the Royal Hotel.' The visual impression above clearly demonstrates this is not the case.

The National Planning Policy Framework requires, when weighing applications that affect heritage assets, either designated (Royal Hotel, Castle) or non-designated (Bath Grounds), a judgement be made having regard to the scale of any harm or loss and the significance of the asset. We urge the Town Council to make a judgement in favour of retaining the whole of the non-designated asset (Bath Grounds) and avoiding negative impacts on designated heritage assets (Castle).

Development would not normally be permitted within Conservation Areas, or where it would affect the setting of such areas, which would:

a) *Be detrimental to the character and appearance of the Ashby Conservation Area in terms of scale, proportions, massing, layout, setting, detailing and materials of construction* - the design is contemporary and pays no attention to the historic architectural vernacular within the Ashby Conservation Area; or

b) *Be detrimental to the setting of buildings which contribute positively to the character and appearance of the Conservation Area* - the houses will be plainly visible from the Royal Hotel whereas currently the view to the east runs all the way to the green hedge and the castle beyond; or

c) *Result in the loss of open space and important views within, into and out of the area* - there is clearly a loss of open space and existing views towards the Grade II* listed Royal Hotel and Rawdon Terrace from Prior Park Road and the footpath leading under the Cattle Arch would be lost.

Flooding risk

The National Planning Policy Framework makes it clear that *'Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding'* and local policies state new development will be directed towards land at the lowest risk of flooding within the District; with priority given to land within Flood Zone 1.

The housing development is in Flood Zone 2 and on the fringe of Flood Zone 3a. There are reasonably available sites for this size of development with a lower probability of flooding, i.e. Flood Zone 1, and so this application should not be permitted.

The use of Flood Zones 2 and 3a for recreation, amenity and environmental purposes is acceptable where an effective means of flood risk management has been provided.

Uncertain Community Benefit

The developer states that it is not anticipated that a Section 106 Agreement will be required for the proposal. Consequently, any community benefit claimed to be arising because of the development is not guaranteed and we believe should not be a material consideration for this application.

Friends of Ashby Bath Grounds. 19/3/14.