

Report of Chief Planning Officer

Report to Director of City Development

Date: 12th February 2015

Subject: Deputation to Council – Friends of Inkwel Gardens

Are specific electoral Wards affected? If relevant, name(s) of Ward(s): Chapel Allerton	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

- Jonathan Parker, representing the Friends of Inkwel, gave a deputation speech to Council on 15th January 2015 regarding the building of flats on green space used by members of their community and the threat that building would pose to the community through the use of the space which adjoins the building occupied by Inkwel supported by MIND.
- Planning application 14/06905/FU for the building of a block of 9 flats on the land was due to be considered by the North & East Plans Panel on 5th February following a site visit but the application was withdrawn by the applicants just before the meeting. The application was recommended for refusal by officers for 4 reasons.
- The site has no specific designation in the UDP protecting it from development but it is recognised that its development would have a significant impact on a recognised community facility. The Friends of Inkwel Gardens have been advised to explore whether an application should be made to designate the site as a community asset. It is understood that there has been recent confirmation that there is a Public Right of Way across the site and its status has had an impact on the decision to withdraw the current proposal by the applicants.

Recommendations

- The Chief Planning Officer is asked to note the contents of this report and that the Council have taken fully into account, as far as it can, the importance of the site to local people in dealing with the recent planning application.

1 Purpose of this report

- 1.1 To set out the Council's response to the concerns raised by Jonathan Parker on behalf of the Friends of Inkwell in the deputation to Full Council on 15th January 2015.

2 Background information

- 2.1 The full text of the Deputation is set out in the Appendix to this report.
- 2.2 The objections to the flats proposed relate to a planning application (14/06905/FU) to build a detached block of 9 flats on land to the rear of Inkwell (formerly the Shoulder of Mutton Public House) in Potternewton. The land is used extensively in connection with the building to the north occupied by Inkwell supported by MIND and is highly valued by the local community.

3 Main issues

- 3.1 The concerns expressed by the Friends of Inkwell have been carefully considered by Planning officers through the consideration of the planning application. The basis of decision making is that applications should be determined in accordance with The Development Plan unless material considerations indicate otherwise.
- 3.2 Officers recommended that the application be refused in a report to Plans Panel North & East on 5th February. A site visit was held in the morning prior to Panel and the Friends of Inkwell had registered to speak, supporting the officer recommendation, at Panel. In the event the applicants withdrew the planning application shortly before the meeting so the item was not heard and no decision could be made. It is understood that the recent confirmation that a public right of way exists across the site was also a contributory factor to the decision of the applicants to withdraw the application.
- 3.3 The suggested reasons for refusal related to the importance of the existing facility to the health and well-being of users who are a vulnerable section of the community and that the loss is not offset by any mitigation, the adverse impact on character from the development, that it is over development and not safe from a secured by design perspective given the remoteness of some of the car parking.
- 3.4 It should be noted that the site is not protected greenspace in the UDP and the refusal relies partly on Core Strategy policies relating to health and well- being in resisting the principle of development.
- 3.5 It is possible that an alternative, less intensive form of development may be pursued in the future. The community have been advised to explore other avenues to secure the future of the site , including registering it as an asset of community value, rather than just seeking to resist development through the planning process.

4 Corporate Considerations

4.1 Consultation and Engagement

- 4.1.1 The planning application was advertised in the normal way to comply with the requirements of the planning process. Significant public comment was received to the application.

4.2 Equality and Diversity / Cohesion and Integration

- 4.2.1 The impact of the loss of this facility on the local community and specific groups was considered through the application and led to one of the reasons for refusal put forward by officers.

4.3 Council policies and City Priorities

- 4.3.1 The application was considered against the context of the Development Plan including the Core Strategy which aligns with the Council's priorities and policies as then articulated through a spatial plan.

4.4 Resources and value for money

- 4.4.1 There are no direct implications on the Council's resources through the consideration of the planning application.

4.5 Legal Implications, Access to Information and Call In

- 4.5.1 No particular implications.

4.6 Risk Management

- 4.6.1 As the application has been withdrawn there is no risk of an appeal.

5 Conclusions

- 5.1 The application has been withdrawn and the concerns expressed in the deputation dealt with through the consideration of the application and a recommendation to refuse it.

6 Recommendations

- 6.1 The Chief Planning Officer is asked to note this report.

7 Background documents¹

- 7.1 Deputation to Full Council on 15th January 2015.

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

Deputation speech to Full Council – 15th January 2015

My name is Jonathan Parker and I am here today to represent the Friends of Inkwell.

Our objections to the proposed building of flats on a green space currently being used by members of our community are multifaceted, broad-ranging and incorporate a wide range of voices. This is truly reflective of the divergent and extensive value of this site to the local community and mental health service users. Loss of the garden would not only be hugely detrimental in terms of social, environmental and communal value, but poses a solid threat to the continuation of services within the building in a realistic or functional way.

During the time that Inkwell has used the site, the garden has been transformed into a safe, useable and productive space, extending on its former use as a local pub garden. It has become an integral part of Inkwell's services and strategy in (for example, but not exclusively)....

1. Improving physical and mental health, promoting an active lifestyle and assisting recovery.
2. Providing and encouraging positive and meaningful activity, continued education, equipping people with practical and social skills for future employment and to be a more engaged citizen.
3. Enabling and facilitating community engagement, promoting social cohesion, to tackle isolation.
4. Sustainability and income generation: the garden is fundamental to this at many levels including large and small events, outdoor workshops, food production, plus the aesthetic and practical value of the garden to the café and functions.

We recognise that local government or NHS cannot fully fund the range of services that Inkwell offers. Increased financial sustainability is beneficial to Inkwell and to society, but without the garden Inkwell would struggle to maintain our services.

The proposed plans would also have a definite and severe impact on the use of the building and the ability to continue its current functions: the proximity and height of the proposed flats would impact on...

Natural light into the building.

The main space/café, ceramics room, sewing room, office, and some of the studios only have natural light from the windows overlooking the garden. This light would be blocked by a large wall (on plans) thus impacting on light levels for artistic work, the attractiveness and profitability of the main space as a café and venue, and on the cost of lighting. Currently, Inkwell creates a calming, pleasant environment that is sensitive to the needs of users and is conducive to artistic work: this would be lost.

I'd like to thank members of the committee for listening to our deputation today.