



Planning Committee Report

Committee Date: 14th March 2023

Application Number: WNN/2022/1310

Location: Thoroughfare, Francis Jetty, Northampton

Development: Installation of metal gates at each end of Francis Jetty to prevent access (Revised scheme)

Applicant: West Northamptonshire Council

Agent: West Northamptonshire Council

Case Officer: Andrew Mackriell

Ward: Castle Unitary Ward

Referred By: The report is referred by the Assistant Director – Planning and Development

Reason for Referral: In the interest of transparency as the application is made by the Council

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS, with delegated authority to the Head of Planning Delivery to approve any amendments to the recommended conditions as deemed necessary.

Proposal

Planning permission is sought for the installation of metal gates at both ends of Francis Jetty which links Bridge Street and Kingswell Street in Northampton town centre.

The reason for the proposal to gate the passageway is to prevent anti-social behaviour.

Consultations

The following consultees have raised **no objections** to the application:

- West Northants (Northampton) Conservation
- Northampton Town Centre Conservation Areas Advisory Committee
- Northampton Town Council (no response to consultation)
- Northants Police Crime Prevention Design Advisor

The Local Highways Authority has been consulted, however, to date, The LHA has not commented on the application. LHA comments will be included in any updates to the addendum, or if applicable, reported verbally to Planning Committee.

Three letters of objection have been received: one from a member of the public and two from local businesses in Bridge Street. In addition, a petition with ten signatories has been received in objection to the proposal to close the Jetty.

Conclusion

The application has been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 5 of the report.

The key issues arising from the application details are:

- Impact on the character and amenities of the area
- Impact on heritage assets, Conservation Area etc.

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations. Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1 APPLICATION SITE AND LOCALITY

1.1 The application site comprises Francis Jetty a historical pedestrian alleyway which links Bridge Street and Kingswell Street.

2 CONSTRAINTS

2.1 The application site is located within All Saints Conservation Area. There is a Grade II listed building, No.32 Bridge Street adjacent to the site.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 It is proposed to install metal gates at each end of Francis Jetty to prevent use of the alleyway for anti-social behaviour. A slightly revised scheme is now before Committee, which proposes a separate gate to be installed at the Bridge Street end, just behind the existing metal archway posts.

4 RELEVANT PLANNING HISTORY

4.1 There is no planning history directly relevant to the proposal.

5 RELEVANT PLANNING POLICY AND GUIDANCE

Statutory Duty

5.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development that affects the

setting of a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving or enhancing the character or appearance of a conservation area.

Development Plan

- 5.4 The Development Plan comprises the West Northamptonshire Joint Core Strategy Local Plan (Part 1) which was formally adopted by the Joint Strategic Planning Committee on 15th December 2014 and which provides the strategic planning policy framework for the District to 2029, the adopted Local Plan (Part 1 – saved policies) and adopted Neighbourhood Plans. The relevant planning policies of the statutory Development Plan are set out below:

West Northamptonshire Joint Core Strategy Local Plan (Part 1) (LLP1)

- 5.5 The relevant policies of the West Northamptonshire Joint Core Strategy Local Plan (Part 1) are:

- Policy S10 – Sustainable Development Principles
- Policy BN5 – The Historic Environment and Landscape

Northampton Local Plan 1997 (Saved Policies)

- 5.6 Due to the age of the plan, the amount of weight that can be attributed to the aims and objectives of this document are diminished, however, the following policies are material to this application:

- E20 - New Development (design)
- E26 - Conservation Areas

Northampton Local Plan Part 2 (2011-2029) (Emerging)

- 5.7 The Local Plan was submitted to the Planning Inspectorate for examination in February 2021. As part of the examination in public, hearings chaired by Government-appointed Planning Inspectors took place in November 2021. The Planning Inspectors have indicated that the plan is capable of being found sound subject to main modifications being made.
- 5.8 Consultation on main modifications took place in July and August 2022. In November and December 2022, consultation on further main modifications took place to address issues relating to two specific sites. Accordingly, the policies in the emerging plan are material considerations in the determination of planning applications and significant weight is attached to all of the policies - with the exception of Policies 41 and 43.
- 5.9 The relevant emerging policies are set out below.

Policy 1 – Presumption for sustainable development
Policy 2 – Placemaking and Design
Policy 6 – Health and wellbeing

Policy 31 – Protection and enhancements of designated and non-designated heritage assets

Policy 33 – Highway network and safety

National Policies

- 5.10 The National Planning Policy Framework (NPPF) sets out the current aims and objectives for the planning system and how these should be applied. In delivering sustainable development, decisions should have regard to the mutually dependent social, economic and environmental roles of the planning system. The NPPF should be read as one complete document. However, the following sections are of particular relevance to this application:

Paragraphs 7-12 - Presumption in favour of sustainable development.

Section 8 - Promoting healthy and safe communities.

Section 12 - Achieving well designed places

Section 16 - Conserving and enhancing the historic environment

Material Considerations

- 5.11 The following documents are material considerations in the assessment of the application:

- Northampton Central Area Action Plan (CAAP) (2013) – Policy 1

6 RESPONSE TO CONSULTATIONS

Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website.

Consultee Name	Position	Comment
J Ballinger	Team Leader – Built and Natural Heritage	There are no objections to the proposal to erect the gates at either end of the passageway from an historic fabric perspective. The gates are not physically attached to the adjacent buildings but are supported on free standing columns. The gates are of a suitable design, similar to that used on Jeyes Jetty elsewhere within the conservation area. It is understood that the need for the gates is due to anti-social behaviour in the alleyway. The passageway does appear to form part of the historic network of streets and routes within the town. It would be preferable for the gates to only be locked during the potential times of anti-social behaviour and to remain open during other times. It is, however noted that the gates are a reversible addition and could be removed in the future without detriment to the historic environment.
Northampton		The Northampton Town Centre

Town Centre Conservation Areas Advisory Committee		<p>Conservation Areas Advisory Committee regrets the need to gate the historic jetty of the town centre but recognises that anti-social behaviour makes it necessary. It appears that the proposals will not adversely affect any historic fabric and would be reversible. The Committee question whether the gates could be opened during the day. It was suggested that access would be needed to clear litter.</p> <p>In response to the revised scheme the NTCCAAC consider that the Kingswell Street end should have the same ornamental design as Bridge Street. Where jetties are being gated, they should have the same design with a panel explaining their history. Previous comments about daytime opening apply.</p>
Highways		Response awaited. Comments will be reported within the update or verbally on the evening of the Committee.

7 RESPONSE TO PUBLICITY

- 7.1 Below is a summary of the third party and neighbour responses received at the time of writing this report.
- 7.2 One letter of objection has been received from someone who works in Northampton town centre and objects to the proposed 24hr closure of the Jetty, commenting that the alleyway should remain open during the day.
- 7.3 One objection received from a nightclub on Bridge Street objecting to the closure of the jetty on the grounds it will affect trade and also staff who use the jetty as a convenient route to St Peters Car Park. Better lighting and CCTV should be considered.
- 7.4 One objection from the owner of an adjoining property who wants to develop the adjoining building and closure of the jetty would prevent access to the redeveloped building and further exacerbate the lack of footfall on Bridge Street, detrimentally affecting businesses and efforts being made to regenerate the area.

8 APPRAISAL

Principle of the development

- 8.1 Francis Jetty is an historic pedestrian alleyway which connects Bridge Street with Kingswell Street in Northampton town centre. Due to its location in an area where there are a number of bars and night clubs associated with the night-time economy of the town-centre, the route attracts anti-social behaviour. Under the provisions of the Anti-Social Behaviour, Crime and Policing Act 2014 a PSPO (Public Spaces Protection Order) has been made to address the situation.

- 8.2 Metal gates with a powder-coated black paint finish are proposed at both entrances to the Jetty. The open railing design of the gates will allow a line of sight along the existing alleyway. The gates themselves represent relatively minor development which will not have a significant impact on the character and amenities of the area. The installation of the gates will effectively close off the passageway for general public use and therefore will reduce opportunities for anti-social behaviour.
- 8.3 Appropriate measures would be in place to allow use of the gates in an emergency. The gate to Kingswell Street would have a push bar on the inside to allow its use as a fire exit. Emergency services would retain key for the gate onto Bridge Street.

Impact on Heritage Assets

- 8.4 Francis Jetty is located in the All Saints Conservation Area of Northampton town centre. Policy BN5 of the JCS and Policy 1 of the CAAP seek to ensure that heritage assets are preserved and enhanced. Policy 31 of the emerging Northampton Local Plan Part 2 relates to the protection and enhancement of designated and non-designated heritage assets.
- 8.5 Whilst concerns have been raised relating to the proposed 24 hour / 7 days a week closure, in this case it is acknowledged that the proposals stem from the need to prevent opportunities for anti-social behaviour in the area. Therefore it is considered that the benefits of reducing opportunities for anti-social behaviour will outweigh any harm to the historic network of passageways in the town centre.
- 8.6 No issues have been raised regarding the adjacent listed building at 32 Bridge Street; the installation of the gates is not considered to result in any significant adverse impact on the wider Conservation Area. In this context the proposals are considered acceptable, the visual impact in the street scene will be acceptable; the installation of gates is potentially reversible should it be possible to review the need for the gates in the future. Accordingly, it is not considered appropriate or expedient to impose conditions on the planning permission regarding the operation or use of the gates.

9 FINANCIAL CONSIDERATIONS

- 9.1 CIL is not applicable to the development.

10 PLANNING BALANCE AND CONCLUSION

- 10.1 The proposed gates will have an acceptable impact in the street scene and will not have an adverse impact on the character of the Conservation Area or the setting of adjacent listed buildings. Installation of the gates will reduce opportunities for anti-social behaviour in the area at all times of the day, not just at night-time. The proposals therefore accord with the aims and objectives of the relevant planning policies set out in the above report.

11 RECOMMENDATION / CONDITIONS AND REASONS

- 11.1 Approve subject to the following conditions:

Time Limit

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

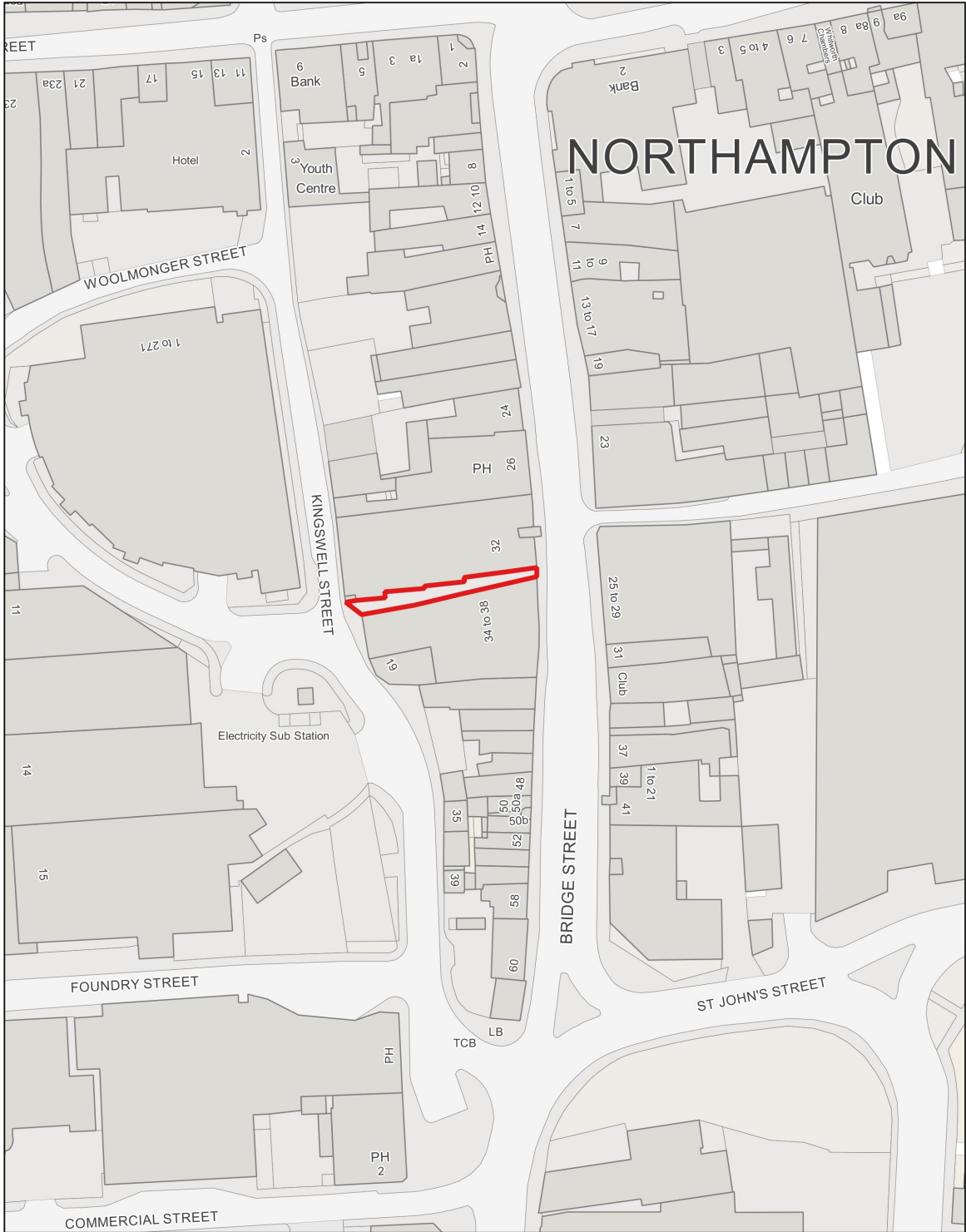
Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

PSPO Map – Location Plan

CS-001-A Proposed gates elevations and block plan

Reason: For the avoidance of doubt and to accord with the terms of the planning application.



NORTHAMPTON



West Northamptonshire Council

Title: **Thoroughfare at Francis Jetty**

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Date: 23-01-2023

Scale: 1:1,000 @A4

Drawn: M Johnson