



PLANNING COMMITTEE: 9th June 2020
DEPARTMENT: Planning Service
DIRECTOR OF PLANNING: Peter Baguley

APPLICATION REF: N/2020/0035 and N/2020/0075

LOCATION: Thoroughfare at Jeyes Jetty (Drapery and College Street Entrances)

DESCRIPTION: Planning and Listed Consent Applications for the installation of gates at the entrance and exit of Jeyes Jetty

WARD: Castle Ward

APPLICANT: Northampton Borough Council
AGENT: N/A

REFERRED BY: Head of Planning
REASON: NBC is the applicant

DEPARTURE: No

APPLICATIONS FOR DETERMINATION:

1. RECOMMENDATION

N/2020/0035 – Planning Application

1.1 APPROVAL subject to the conditions as set out below and for the following reason:

The proposed development and would not have a significant adverse impact upon the character and appearance of the surrounding area or the amenity of local residents and businesses. Whilst there would be some harm to the historic environment, this would not be significant and would be outweighed by the public benefits of the scheme. As a consequence, the proposal is in conformity with the requirements of the National Planning Policy Framework, Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy, and Policies 1 and 32 of the Northampton Central Area Action Plan.

N/2020/0075 – Listed Building Consent Application

1.2 APPROVAL subject to the conditions as set out below and for the following reason:

The proposed works would not have a significant adverse impact upon the adjoining Grade II Listed Building's setting and features of special and historical interest as required by the National Planning Policy Framework and Policies BN5 and S10 of the West Northamptonshire Joint Core Strategy.

2. THE PROPOSAL

- 2.1 The planning application proposes the installation of gates at either end of Jeyes Jetty that leads from Drapery to College Street.
- 2.2 The gate positioned at the Drapery end of the alleyway would fill the entranceway completely and be inwardly opening and fitted with a FB1 mortice lock.
- 2.3 The gate positioned at the College Street entrance would be 3.05m in height and 2.25m in width, with the gate opening being 1.2m. The gate would be set back from the College Street footpath by 1.2m to allow adequate clearance. The gate would be fitted with a push bar to allow emergency exit from the inside. A decorative panel and side infill panels will shroud the push bar from the outside. The existing Council waste bin would be removed.
- 2.4 The corresponding Listed Building Consent application (N/2020/0075) is submitted as the gates would be attached to the side wall of 6-7 Drapery, which is a Grade II Listed Building.

3. SITE DESCRIPTION

- 3.1 The application site comprises of an alleyway, Jeyes Jetty, located adjacent to 6-7 Drapery and 8-12 College Street. The building to the north, facing Drapery, was occupied by Jeyes Pharmacy, established by the Jeyes Brothers in 1810 and occupied the site until 1969. It is this association with the Jeyes business which gives the jetty its name.
- 3.2 The site is located within the town centre and Central Area as defined by the Central Area Action Plan and lies within All Saints Conservation Area. The surrounding area is mixed commercial uses with a number of listed buildings, and locally listed buildings are located within the vicinity of the site.

4. PLANNING HISTORY

- 4.1 The building to the north of the alleyway has been granted planning permission on 4th December 2019 for the partial demolition of the retail unit and conversion into 14no. apartments and 1no. retail units with alterations to the shop front (N/2019/0932).

5. PLANNING POLICY

5.1 Statutory Duty

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted West Northamptonshire Joint Core Strategy (2014) and the Central Area Action Plan.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works 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.

Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.2 National Planning Policy Framework

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:

Paragraph 17 sets out core planning principles that include seeking to secure high quality design and a good standard of amenity for existing and future occupiers; encouraging the effective use of land by using brownfield sites; managing patterns of growth to make fullest use of sustainable transport methods and in sustainable locations.

Paragraph 56 seeks to ensure good design is a key aspect of sustainable development and should contribute to making places better for people.

Paragraph 129 identify and assess the particular significance of any heritage asset that may be affected by a proposal.

Chapter 12: Conserving and enhancing the historic environment – advises on the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the wider social benefits that the conservation of the historic environment can bring and the positive contribution that conservation of the heritage asset can make to sustainable communities.

Paragraphs 132 to 134 advise that great weight should be given to the asset's conservation. Any harm or loss through alteration should require clear and convincing justification. Where a proposed development would lead to substantial harm or total loss of significance of a designated heritage asset, consent should be refused, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development would lead to less than substantial harm, this harm should be weighed against the public benefits, including securing its optimum viable use.

5.3 West Northamptonshire Joint Core Strategy (2014)

The West Northamptonshire Joint Core Strategy (JCS) provides an up to date evidence base and considers the current Government requirements for plan making as it has been prepared in full conformity with the NPPF. Policies of particular relevance are:

Policy S10: Sustainable Development Principles
Policy BN5: The Historic Environment and Landscape

5.4 Northampton Central Area Action Plan 2013

The Central Area Action Plan (CAAP) provides specific planning policy and guidance for the town centre and adjoining areas where significant regeneration and investment is proposed in the period up to 2026 and is in conformity with the objectives of the NPPF. Relevant policies include:

1 – Promoting Design Excellence
32 – Drapery

5.5 Other Material Considerations

All Saints Conservation Area Management Plan

6. CONSULTATIONS/REPRESENTATIONS

Comments received are summarised as follows:

- 6.1 **NBC Conservation** – The gating of the jetty is proposed due to the extent of criminal activity and anti-social behaviour which takes place along its length. The need to gate the historic jetty is unfortunate. However, the design of the gates will enable some visibility along the length of the historic route. The proposal will result in a level of harm to the historic significance of the route and its contribution to the street pattern which is considered to be less than substantial which needs to be weighed against the public benefit of the proposal.
- 6.2 **Northamptonshire Police** – Northants Police has no objection to the application to gate Jeyes Jetty. Adequate signage is required within the alley to indicate the direction of travel should persons need to evacuate any one of the premises with fire exits along the length of the alley. Currently the alley houses a number of wheeled Euro bins which will need to be relocated prior to this work being completed and adequate provision for wheeled bins outside of the alley should be demonstrated by tenants prior to the gate being erected at College Street. Unless this can be adequately demonstrated storage of such bins within the alley may continue which will compromise the security this measure has been designed to achieve.
- 6.3 **Northamptonshire Fire and Rescue** - With 5 businesses identified in the Cabinet Report of 16 October 2019 being affected by this proposal and only one exit from the jetty by means of a push bar (to facilitate safe escape in the event of fire) at College Street. There is no means of escape provision at the Drapery gate. Would ask that sufficient fire safety signage is installed inside the Jeyes Jetty clearly indicating the direction of travel in an emergency is towards College Street exit and not towards the Drapery.
- 6.4 **NBC Town Centre manager** – Fully supports the proposal and states that the closure of the jetty will have minimal impact on local residents, shoppers, visitors and businesses in and around the town centre. The pedestrian links between College Street and the Drapery will be maintained via Gold Street, Swan Yard and Bradshaw Street. The jetty has for many years been a location where anti-social behaviour occurs on almost a daily basis which impacts on the general public going about their day to day activities. The anti-social behaviour includes serious and violent crimes and gating off the jetty will make the area around the Drapery including the bus interchange, a safer and more attractive place for the general public and support the local businesses in and around the jetty.
- 6.5 **Town Centre Conservation Area Advisory Committee** – the jetty is an important part of Northampton heritage, and part of the All Saints Conservation Area. It has a prominent entrance in Drapery and College Street. It is important that the gates reflect the historical nature of the site. The Committee agreed that the latest amendments were an improvement on the original proposal but noted that there was still room for improvement. The arrowhead detail proposed for the College Street proposal should also be used on the Drapery entrance.
- 6.6 **NBC Environmental Health** – no objections to the proposal. The only observations relate to the use of the alleyway for refuse storage, and conveying of business waste to kerbside. Alternative arrangements need to be made for each business owner using this area for refuse storage. Would suggest that all business owners are contacted and have keys to enable access for refuse and bins to ensure that there will be no accumulations in this area, and to prevent pest control issues arising from waste.
- 6.7 **NCC Highways** – No objections to the proposal.
- 6.8 **Historic England** – no comments.
- 6.9 Comments were received from a local investor with interests in 6-7 Drapery supporting the closure of the alleyway for public pedestrian access but commented regarding the design of the Drapery entrance and felt that the design needed further thought. They also raised concerns regarding access to bin storage and means of escape for the local residents and asked that suitable arrangements be made prior to the installation of the gates.

- 6.10 Objections and observations received from 8no. Northampton residents and are summarised as follows:
- Disagree with blocking piece of history completely away.
 - Consider using decorative strong metal or clear toughened glass/composite retaining views but removing access.
 - Include reference to historical significance.
 - Provide lighting and CCTV in the jetty illuminating the red brick walls.
 - Alleyway is overlooked street and just needs cleaning.
 - Alleyway should be renovated and turned into a tourist feature.
 - Consider a Victorian or Georgian frame more in keeping to Drapery.
 - Barring this off will only make the town more ugly and unattractive.

7. APPRAISAL

Crime and Anti-Social Behaviour

- 7.1 The principle of introducing of the gates was agreed by Cabinet of the Council in October 2019 following a 12-week public consultation carried out in 2019, due to the extent of criminal activities and anti-social behaviour which take place along its length. The results of the consultation found that over 70% of the 188 respondents supported the complete closure of the alleyway with over 73% agreeing that there are suitable alternative routes.
- 7.2 The application as originally submitted, saw the Drapery gate set back from the front elevation of the buildings by 0.69m creating a recess capable of accommodating two individuals. Following discussion with the applicant, the position of the gate was relocated in order for it to be flush with the building frontages on Drapery. This removed the recess created by the development that would have given rise to possible anti-social activities.
- 7.3 The original proposal also consisted of round upright bars clad behind diamond section of heavy duty mesh. This design would have restricted visibility along the alleyway and would represent a harsh visual feature detrimental to the character and setting of the area.
- 7.4 Following discussions with the applicant, the design of the gates was amended in order to improve visibility along the alleyway from each entrance allowing better surveillance.
- 7.5 The principle of removing the thoroughfare for the general public is considered to be acceptable as there are alternative routes to link the Drapery with College Street, while allowing a more secure environment to serve the adjacent businesses and local residents on the upper floors.

Impact on Heritage Assets and Design

- 7.6 The building to the north fronting Drapery is Grade II listed and the building to the south facing College Street is included on the Local List of important building. The jetty is within the All Saints Conservation Area. There is an existing hanging sign for the jetty at the Drapery entrance and a decorative arch to College Street entrance, both of which are to remain.
- 7.7 Jeyes Jetty is a historical pedestrian route and is clearly identified on historic maps. The jetty is one of a number of similar pedestrian routes within the town centre which form part of the towns historic street pattern and are important in heritage terms. Notwithstanding the gates, the jetty would remain in place and would continue to be used by identified residents and business users. The gates are removable and works reversible and it is considered that any harm to heritage assets would be less than substantial.
- 7.8 Furthermore, the header panel at the College Street entrance as originally proposed was removed and replaced with a decorative panel with links to the design of the existing archway and reference to the historic significance of the area. The specific details of the decorative plate are yet to be

finalised and a condition should be included on any permission to ensure that the details are appropriate.

- 7.9 The gates are proposed to be attached to the adjacent listed building. However, it is not considered that the proposal would cause significant harm to the setting of the listed building and the works would be reversible. The Conservation Officer has no objection to the principle of the proposal.

Amenity

- 7.10 Businesses and other properties could use the proposed gate at the College Street end as an emergency exit where a push bar lock would be introduced. As per comments from Northamptonshire Fire and Rescue, adequate signage to clearly indicate the direction of travel should be installed before the installation of the gates.

Refuse Storage

- 7.11 Several large wheeled bins are currently located within the alleyway belonging to businesses in the area. Comments received from Northamptonshire Police, Environmental Health and the developer of 6-7 Drapery require the storage of refuse to be addressed with access provided for residents of the new residential development and existing businesses. Discussions with interested parties are ongoing and as such, a condition should be included with any permission to address the ongoing access, storage and waste arrangement with a management strategy. Having discussed the issues with the applicant, a pre commencement condition has been agreed for a Waste Management Strategy to be submitted to and approved by the Local Planning Authority to ensure that the outstanding matters are addressed prior to the installation of the gates.

8. CONCLUSION

- 8.1 The proposed works would result in harm to the heritage assets but the harm is considered to be less than substantial and is outweighed by the public benefits of the proposal. Therefore, the proposal is considered acceptable and the grant of planning permission and listed building consent.

9. CONDITIONS

N/2020/0035 Planning Application

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.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: SP/00/4C, SP/00/02D and SP/00/03.

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

3. Prior to the commencement of the development hereby permitted, a Waste Management Strategy which shall include details of storage and siting of refuse within Jeyes Jetty for adjacent businesses and residents shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented thereafter.

Reason: In the interests of amenity in accordance with the requirements of Policy S10 of the West Northamptonshire Joint Core Strategy.

4. Details of the decorative panel located at the College Street entrance hereby approved shall be first submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: In the interests of the historic environment in accordance with Policy BN5 of the West Northamptonshire Joint Core Strategy.

Informative

As per comments from the Northamptonshire Fire and Rescue Service, prior to the installation of the gates, sufficient fire safety signage is to be installed inside the Jeyes Jetty clearly indicating the direction of travel in case of an emergency.

N/2020/0075 Listed Building Consent Application

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

Reason: To comply with Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: SP/00/4C, SP/00/02D and SP/00/03.

Reason: For the avoidance of doubt and to accord with the terms of the listed building consent application.

10. BACKGROUND PAPERS

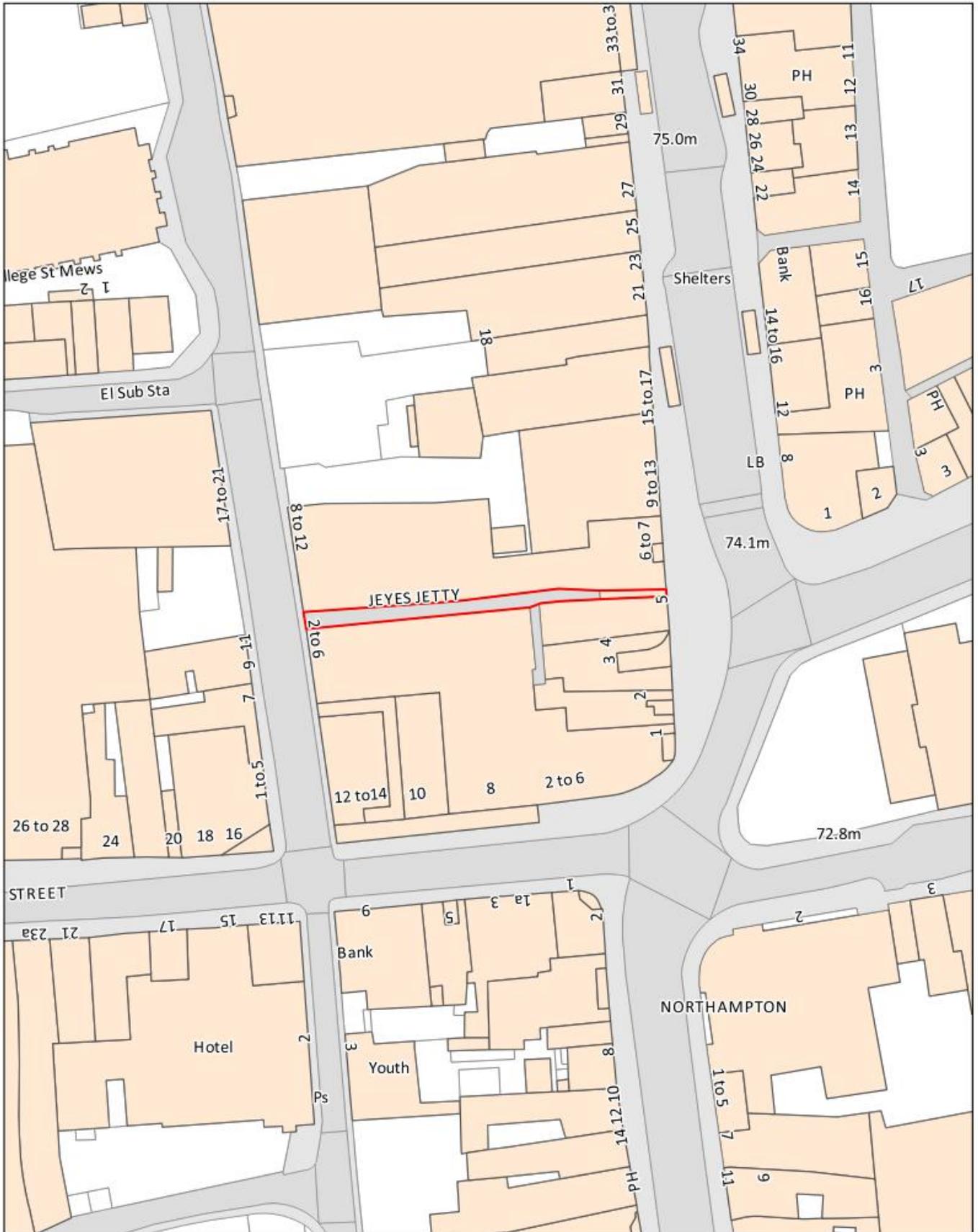
- 10.1 N/2020/0035 and 0075

11. LEGAL IMPLICATIONS

- 11.1 None.

12. SUMMARY AND LINKS TO CORPORATE PLAN

- 12.1 In reaching the attached recommendations regard has been given to securing the objectives, visions and priorities outlined in the Corporate Plan together with those of associated Frameworks and Strategies.



Title: **Thoroughfare at Jeyes Jetty**

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Scale: 1:750

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