

TEAM MANAGER,
NEW WORKS AND RECORDS,
HIGHWAY MAINTENANCE DIVISION

TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

3 FEBRUARY 2017

TOWN & COUNTRY PLANNING ACT 1990 SECTION 247
PROPOSED PERMANENT CLOSURE OF ANDOVER DRIVE, PYE BANK
CLOSE, PARTS OF GRAY STREET AND FOX STREET, AND ASSOCIATED
FOOTPATHS, SHEFFIELD, S3

1.0 PURPOSE

- 1.1 To seek authority to support and progress the Stopping-Up Order proposed to facilitate the planning application for the enabling works for the proposed new Woodside School, Pitsmoor, Sheffield, S3.

2.0 BACKGROUND

- 2.1 Sheffield City Council has applied for planning consent (ref. 16/04814/RG3) for enabling and engineering works to facilitate future development (as a school) of the site shown on the plan in Appendix A. This will necessitate the Stopping Up of all the roads and footpaths shown black-hatched and black-edged respectively on the plan. The Council's Capital Delivery Service (who are project managing the school scheme) have engaged the Highway Records team within the Council's Highway Maintenance Division to make an application for a permanent Highway Stopping Up Order, under Section 247 of the Town & Country Planning Act 1990, to the Department for Transport's National Transport Casework Team (NTCT).
- 2.2 The proposed development does not currently have planning consent (although a decision is expected in March 2017), so the Section 247 application to the NTCT will be *subject to* planning consent. In any case, the NTCT will not make an Order until there is a planning consent.

3.0 CONSULTATIONS

- 3.1 In this particular case, the City Council as Local Highway Authority are not consulting statutory utilities and other relevant bodies. However, as part of the process of planning the development and making the planning application, the Council as applicant will have needed to consult the utilities, and to have had discussions with them concerning the re-siting and protection of their equipment where necessary. It is understood that the

NTCT will back this up with their own consultation on receipt of the Section 247 Stopping Up Order application.

- 3.2 Relevant Ward Councillors have been informed of the Stopping Up proposal.
- 3.3 At the time of writing this report, the Highway Records team are not aware of any objections in response to these consultations.

4.0 LEGAL IMPLICATIONS

- 4.1 The Council's Legal Services team have been consulted and have advised that, assuming that it is necessary to Stop Up the areas of highway to enable the development to be carried out (should it get planning consent), then it is appropriate for the closure to be processed using the powers of Section 247 of the Town & Country Planning Act 1990.

5.0 HIGHWAY IMPLICATIONS

- 5.1 The site of the proposed development was formerly a Council Housing estate – all the houses within the planning redline were vacated and demolished around ten years ago, but the roads and footpaths which served the estate remained *in situ*.
- 5.2 Andover Drive, Fox Street, Gray Street and Pye Bank Close are all-purpose adopted public highways.
- 5.3 Some of the forecourt/parking areas and footpath links within the site were never adopted, remaining the maintenance responsibility of Sheffield City Council Housing. However, they have remained *in situ* and available for the public to use, and it is therefore possible that they have acquired public rights over the course of time. For this reason, they are also included in the Stopping Up application.
- 5.4 The only affected street currently in use by through vehicular traffic is Gray Street. The likely effects of the closure of this road are being assessed as part of the wider consideration of the planning application. However, it is observed to be lightly trafficked, and therefore the diversion of that traffic to Fox Street/Andover Street (or other routes which drivers may choose) is not expected to cause any problem.
- 5.5 Part of the network at the northern end of the site is currently in daily use by pedestrians (particularly at school times) as a step-free walking route between Andover Street, Pye Bank Drive and Pye Bank Road. The planning application (and thus the associated Section 247 Stopping Up application) shows this facility being retained by virtue of a re-aligned step-free route to be constructed as part of the development. (It is likely that

there will be a period during construction when no step-free route is available at this location – the alternatives will be the existing stepped route between Andover Street and Pye Bank Drive, or a longer step-free route via Nottingham Street).

- 5.6 On this basis, the loss of the sections of highway proposed by this Section 247 Order application should not affect the public's enjoyment of the area, or have a detrimental effect on the surrounding highway network and its users. The Council as Local Highway Authority is satisfied that it is necessary to close the sections of highway shown black-hatched and black-edged on the plan at Appendix A in order to fully implement the proposed development.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 There are no particular equal opportunities implications arising from the proposals in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 There are no particular environmental implications arising from the proposals in this report.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There will be no nett increase in financial liability on the Highway Maintenance Division of the Council as a result of the proposed Order.
- 8.2 Any increase in ongoing Highway maintenance costs as a result of the development will be covered by a commuted sum. That, and any other costs relating to the proposals, will be paid by the developer.

9.0 CONCLUSION

- 9.1 Based on the above information, I have no objections to the proposed Order, as shown on the plan included at Appendix A.

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the permanent closure of Andover Drive, Pye Bank Close, parts of Gray Street and Fox Street, and associated footpaths, as shown black-hatched and black-edged on the plan attached at Appendix A, subject to:
- (a) planning consent being granted; and

(b) satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected.

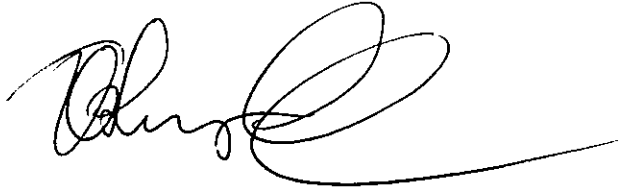
10.2 Authorise the Director of Legal & Governance to take all necessary action to make an application for this closure to the NTCT under the relevant sections of the Town & Country Planning Act 1990.

Richard Day
Principal Engineer
Highway Records & Address Management
Highway Maintenance Division

3 February 2017

REPORT APPROVED BY TOM FINNEGAN-SMITH
HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

Signed

A handwritten signature in black ink, appearing to read 'Tom Finnegán-Smith', with a long horizontal flourish extending to the right.

Date

3 February 2017



APPENDIX A: Woodside School site, Sheffield S3
Town & Country Planning Act 1990 Section 247
Proposed permanent Closure of
Andover Drive, Pye Bank Close, part of
Gray Street, part of Fox Street,
and associated footpaths.

HR/4006

Scale: 1:1,250 @ A4

