

TEAM MANAGER,
NEW WORKS AND RECORDS,
HIGHWAY MAINTENANCE DIVISION

TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

4 NOVEMBER 2016

TOWN & COUNTRY PLANNING ACT 1990 SECTION 247
PROPOSED PERMANENT CLOSURE OF SOHO STREET AND PART OF
SUMMERFIELD STREET, SHEFFIELD S11

1.0 PURPOSE

- 1.1 To seek authority to support the Stopping-Up Order proposed to facilitate the planning application for the new development on the site of the former Gordon Lamb car dealership site on Summerfield Street and Napier Street, Sheffield, S11.

2.0 BACKGROUND

- 2.1 An application for a permanent Highway Stopping Up Order under Section 247 of the Town & Country Planning Act 1990 has been made to the Department for Transport's National Transport Casework Team (NTCT) by architects acting for a developer of the former Gordon Lamb car dealership site on Summerfield Street and Napier Street, Sheffield, S11.
- 2.2 A planning application (reference 16/01362/FUL) has been made for erection of 7, 8, 9 and 10 storey buildings comprising 150 student cluster units (447 bed spaces), 237 studio/apartments, retail space and cafe/restaurant, with new access, car parking accommodation and landscaping works, including works to the Porter Brook embankment. In conjunction with this, the applicant is seeking permanent closure of Soho Street, and part of Summerfield Street, as shown hatched on the plan attached at Appendix A.
- 2.3 The NTCT has contacted the City Council in respect of this highway closure application as one of its statutory consultees.
- 2.4 The proposed development does not currently have planning consent (although a decision is expected later in November 2016), so the Section 247 application to the NTCT is *subject to* planning consent, and any response which SCC may make to that application is also subject to planning consent subsequently being obtained. In any case, the NTCT will not make an Order until there is a planning consent.
- 2.5 The applicant asserts that, in order to facilitate the development it is necessary to permanently Stop Up the areas of highway shown by hatching on the closure plan attached at Appendix A.

3.0 CONSULTATIONS

- 3.1 In this particular case, it is not the role of the City Council as Local Highway Authority to consult statutory utilities and other relevant bodies. However, as part of the process of making the Section 247 application to the NTCT, the applicant will have needed to consult the utilities, and have discussions with them concerning the re-siting and protection of their equipment where necessary. It is understood that the NTCT back this up with their own consultation.
- 3.2 At the time of writing this report, the Council is not aware of any formal objections in response to these consultations.

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services have been consulted and have advised that, assuming that it is necessary to stop up the subject 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 Soho Street and Summerfield Street are both all-purpose Adopted Public Highways in the Sharrow area of Sheffield.
- 5.2 Summerfield Street links Ecclesall Road with Cemetery Road. The strip of verge which is currently proposed for closure, at the back of the western footway, was dedicated and Adopted in 1989 to facilitate a widening scheme – but the scheme never went ahead, so the strip is no longer required as Highway. Both Transport Planning and Highways Development Control have previously been consulted regarding its closure, and raised no objection.
- 5.3 Soho Street was formerly a 65m long side street off Summerfield Street. Most of its length was formally closed in 1961, leaving a stub end of length 14m and width 13m remaining as Public Highway, which is now proposed for closure. (This stub end was obliterated on the ground by the previous development on the site, but officers can find no evidence of formal closure, therefore this part of the closure proposal is really for rationalization of records, and to prevent the possibility of any future enforcement action against the landowners).
- 5.4 The proposed closures will not reduce any existing useable carriageway or footway widths. The loss of these pieces of highway should therefore not affect the public's enjoyment of this area. The closure is necessary for the approved development and it is considered that it will have no detrimental effect on the surrounding highway network and its users.

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 increase in financial liability on the Highway Maintenance Division of the Council as a result of this highway legal 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 proposed closure of Soho Street and part of Summerfield Street, as shown hatched 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 notify NTCT of this decision.

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

4 November 2016

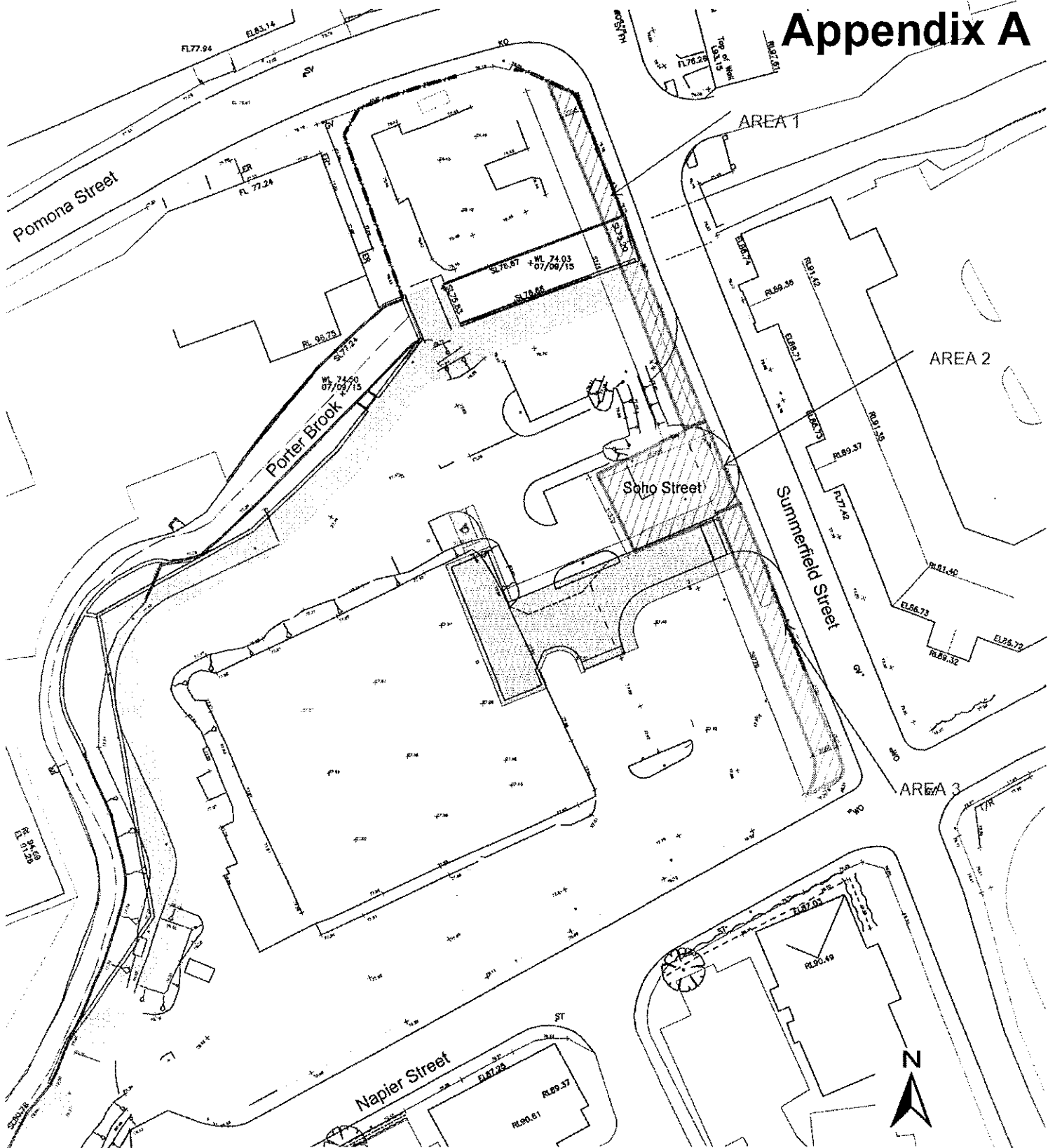
REPORT APPROVED BY TOM FINNEGAN-SMITH
HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

Signed.....

Date..... 7 November 2016

HIGHWAY AT SHEFFIELD IN THE CITY OF SHEFFIELD

Appendix A



Key	Scale 1:500 @ A3	National Transport Casework Team	Signed by Authority of the Secretary of State
Highway to be stopped up		Department for Transport	on 2016
New highways to be provided		Plan No: NATTRAN/Y&H/S247/2480	Signature.....
Footpath to be provided			DAVE CANDLISH An Official in the National Transport Casework Team Department for Transport