

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE
12 JUNE 2019

PROPOSED STOPPING UP OF PART OF A CUL-DE-SAC 'STUB' OF SYLVESTER STREET, SHEFFIELD CITY CENTRE

1.0 PURPOSE

- 1.1 To seek authority to approve the proposed Stopping Up Order for the permanent closure of part of a cul-de-sac 'stub' of Sylvester Street in the city centre area of Sheffield, S1.

2.0 BACKGROUND

- 2.1 An application to make a Highway Stopping Up Order, under Section 247 of the Town and Country Planning Act 1990, has been made to the Department for Transport's National Transport Casework Team (N.T.C.T.).
- 2.2 N.T.C.T. has contacted the City Council, as a statutory consultee, in respect of the proposed closure.
- 2.3 Sheffield City Council has conditionally granted planning consent (reference 18/01760/FUL) for erection of a 5 to 14 storey mixed use development comprising 335 residential units with ancillary communal facilities, ground floor commercial space, landscaping and car parking at Sylvester Street, Sheffield, S1.
- 2.4 The applicant contends that, in order to facilitate the development, it will be necessary to permanently stop up the area of highway shown by hatching on the closure plan included as Appendix A.

3.0 CONSULTATIONS

- 3.1 In this particular case, it is not the role of the City Council to consult the statutory organisations and other relevant bodies. However, as part of the process of making the application to N.T.C.T., the applicant should have consulted the usual sources and been in discussion with affected parties concerning the resiting and protection of their equipment. It is understood that the N.T.C.T. also make their own consultations as appropriate. At the time of writing this report the Council had not received notification of any objections.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal & Governance has been consulted and has advised that, assuming the subject area of highway needs to be stopped up to facilitate the approved development, it will be appropriate to process the closure using the powers contained within Section 247 of the Town & Country Planning Act 1990.

5.0 HIGHWAY IMPLICATIONS

- 5.1 Sylvester Street is an unclassified all-purpose adopted public highway. The area proposed for permanent closure is the end-most part of a small cul-de-sac 'stub' off the main part of the street, which appears on site to be unnamed, but which for the purposes of highway record keeping is recorded as being part of Sylvester Street.
- 5.2 The developer asserts that the proposed permanent closure is necessary to facilitate the development.
- 5.3 The approved plan for the development does show part of the proposed Stopping Up area to be re-used as part of a "New pedestrian route from Sylvester Street to Mary Street". However, the understanding of the Highways Development Management Officer is that the planning consent is for the new pedestrian route to be provided, controlled and maintained by the landowner (in effect a "permissive path" rather than a highway). Therefore it is correct that the subject land be Stopped Up as Highway and that the new route should not be shown on the Stopping Up Order plan.
- 5.4 On that basis, the Council is satisfied that:
- it will be necessary to close the piece of highway shown hatched on the plan attached as Appendix A in order to facilitate the development;
 - the removal of that land from the highway will not have a detrimental effect on users of the surrounding highway network, or affect the public's enjoyment of the area.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposal in this report.

7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 No particular environmental implications arise from the proposal in this report.

8.0 FINANCIAL IMPLICATIONS

- 8.1 There will be no increase in financial liability on the Council as a result of this proposed Stopping Up Order.
- 8.2 The costs associated with, and arising from, the permanent highway closure and consequent works to build the development on site, will all be met by the applicant.

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 objection to the proposed Stopping Up of part of the cul-de-sac 'stub' of Sylvester Street in the city centre area of Sheffield, S1, as shown by hatching on the plan included as Appendix A.
- 10.2 Authorise the Director of Legal & Governance to notify N.T.C.T. of this decision.

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

12 June 2019

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


Signed.....

Date.....

HIGHWAY AT SHEFFIELD IN THE CITY OF SHEFFIELD



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Key	Scale 1:500 at A3	National Transport Casework Team	Signed by Authority of the Secretary of State
Highway to be stopped up		Department for Transport	on.....
		Plan No: NATTRAN/Y&H/S247/3773	Signature.....
			DAVE CANDLISH An Official in the National Transport Casework Team Department for Transport