

25th April 2013

PROPOSED CLOSURE OF DURHAM LANE AND PART OF DURHAM ROAD,
SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Stopping-Up Order required for closing Durham Lane and part of Durham Road in the Broomhill area of Sheffield, as shown hatched on the plan attached as Appendix A.

2.0 BACKGROUND

- 2.1 The applicant (Sheffield Children's Hospital Trust) is seeking to close the areas of highway shown hatched on the plan attached as Appendix A. They contend that this closure is necessary to facilitate the extension of their hospital, which has got planning consent number 12/03393/FUL. A location plan is also included as Appendix B.
- 2.2 The hospital is seeking to extend its facilities. It expects shortly to complete the acquisition of all the land needed to develop its proposals. This will include all the land abutting the areas of highway proposed for closure.
- 2.3 The development obtained Planning Consent on 5 February 2013.
- 2.4 As a result, the applicant is seeking the highway closures via the Department for Transport's powers under Section 247 of the Town and Country Planning Act 1990.
- 2.5 The applicant had previously applied for these highway closures under Section 116 of the Highways Act 1980, in the hope that this would provide a quicker way of obtaining the order than waiting until planning consent was obtained. The Highway Authority had agreed with this approach in this particular case, subject to certain conditions. However, in the event, resolving utilities issues took much longer than the applicant had expected, and planning consent was successfully obtained in the meantime. Therefore, the applicant has asked for the application process to be transferred to Town & Country Planning Act powers, as this is a more appropriate way forwards for a development which has obtained planning consent.

3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with the Statutory Undertakers, the Emergency Services and other relevant bodies.
- 3.2 Not all consultees had responded at the time of writing this report but of those who have replied, several have apparatus in the area.

- 3.3 Cable and Wireless initially objected on the grounds that their apparatus was affected, but subsequently withdrew their objection after investigation revealed that it was actually not affected. Yorkshire Water objected on the grounds that their apparatus is affected. The applicant has agreed to pay for the required diversions, and Yorkshire Water have now withdrawn their objection.
- 3.4 Although not objecting, Virgin Media, Northern Power Grid, Amey and BT Openreach all have apparatus in the area. The applicant has been in lengthy discussions with each of these parties and, in each case, has reached agreement to meet their costs for removal/relocation of their apparatus.

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services have been consulted and have advised that, assuming the closure is necessary to facilitate the development which has got planning consent, it would 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 With the completion of the land acquisition by the Children's Hospital, Durham Lane and the part of Durham Road shown hatched in Appendix A will become unnecessary for public use. The alternative route for any through journeys (via Northumberland Road and Clarkson Street) is 130m, as opposed to 108m for the route being closed. In view of the fact that, in most cases, this will be just part of a much longer journey, the additional 22m is not considered to be a significant inconvenience on people's journeys. For pedestrian journeys, the alternative route, although slightly longer, is thought to be safer as it is entirely on footways, as opposed to using the cobbled surface of Durham Lane, which is shared with vehicular traffic despite being only 4m wide in places.
- 5.2 The Council's Traffic Regulations Group had raised a number of issues in relation to the proposed closure, but these have now been considered and addressed through the planning application process, with suitable planning conditions set where necessary.
- 5.3 Use of Section 247 of the Town & Country Planning Act means that the highway closure can only be implemented when work starts on site constructing the development with planning consent.
- 5.4 In view of this, and because the Children's Hospital will own all the abutting land by the time of start on site, the loss of these pieces of highway should not affect the public's enjoyment of this area, and it is considered that it will have no significant 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 liability on the Highway Maintenance revenue budget as a result of these highway closures.
- 8.2 All costs associated with, and arising from, the application for the permanent highway closure and consequent works on site, including signing from the highway if necessary, will be met by the applicant.

9.0 CONCLUSION

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

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed closure of Durham Lane and part of Durham Road in the Broomhill area of Sheffield, as shown hatched on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected.
- 10.2 Authorise Legal Services to take all necessary action on the matter under the powers contained within Section 247 of the Town & Country Planning Act 1990 and to apply to the Department for Transport for an Order to Stop Up the said areas of highway.

Richard Day
Senior Engineer
Highway Records
Highway Maintenance Division

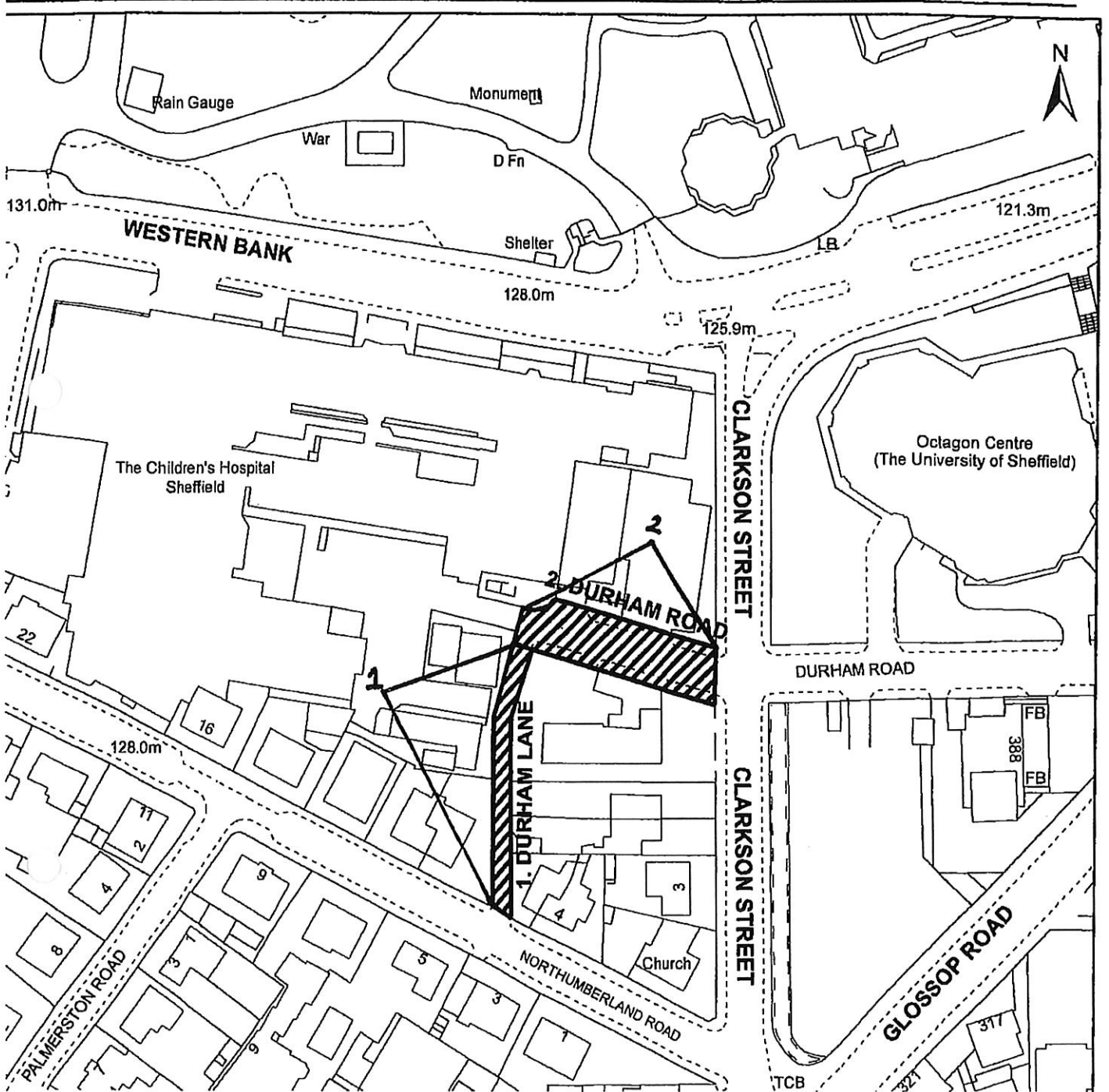
25th April 2013

REPORT APPROVED BY HEAD OF TRANSPORT, TRAFFIC & PARKING SERVICES

Signed

Date

HIGHWAYS AT SHEFFIELD IN THE CITY OF SHEFFIELD



Key

Scale 1:1250

Highways to be
stopped up



National Transport Casework Team

Department for Transport

Plan No: NATTRAN/Y&H/S247/911

OS Grid Ref:

E: 434016, N: 387166

Post Code: S10 2TH

Signed by Authority of the
Secretary of State

on 18 October 2013

Signature *Wach*

VICTORIA POINTER
An Official in the
National Transport Casework Team
Department for Transport