

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE
1 AUGUST 2018

PROPOSED VARIATION TO HIGHWAY STOPPING UP ORDER FOR PARTS OF
WELLINGTON STREET, CHARTER SQUARE, CHARTER ROW AND FURNIVAL GATE

1.0 PURPOSE

- 1.1 To seek authority to approve the proposed variation to the Stopping-Up Order for parts of Wellington Street, Charter Square, Charter Row and Furnival Gate, Sheffield city centre.

2.0 BACKGROUND

- 2.1 On 9 November 2016, the Council's Head of Strategic Transport & Infrastructure decided to raise no objections to an application for the permanent Stopping Up of parts of the above-named Highways, in connection with the planning application for the proposed new development for the former Grosvenor Hotel site in Sheffield city centre, which is expected to form new headquarters for the HSBC bank, and other retail uses. A copy of the report which led to this decision is attached at Appendix 1 to this report.
- 2.2 That Order was duly made by the Department for Transport's National Transport Casework Team (NTCT) on 28 November 2016. A copy of the Order plan is attached at Appendix 2 to this report.
- 2.3 The applicants (consultants acting for the City Centre Development function of the Council) have now applied to the NTCT for a Variation to the original Order, in respect of several small additional areas which now also need to be Stopped Up, and several areas of the original Order which now do not need to be Stopped Up, due to minor redesign of certain aspects of the development.
- 2.4 In view of the small additional areas to be Stopped Up, NTCT have required full re-advertisement and re-consultation of the Order with the proposed variations. Appendix 3 to this report shows the proposed new Order plan as submitted by the applicant to NTCT, and Appendix 4 shows a plan provided to the Council by the applicant which highlights the differences between the original Order and the proposed variation.

3.0 CONSULTATIONS

- 3.1 In this particular case, it is not the role of the City Council as Local Highway Authority to consult the statutory organisations and other relevant bodies. However, as part of the process of making the application to NTCT, 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

NTCT also make their own consultations as appropriate.

- 3.2 At the time of writing this report, it is understood that the applicants have received some objections from utility companies. However, the applicants believe that all relevant utility issues were actually successfully dealt with during the consultation process for the original Order (which was indeed made without any unresolved objections), and therefore that the current objections are as a result of the utility companies not having fully updated their central records in the light of diversionary works previously undertaken. The applicants are currently in dialogue with the relevant utilities regarding withdrawal of these objections, and are confident that no further diversionary works will be required. In any case, as is standard, the Council's response to this consultation will be "subject to satisfactory arrangements being made with Statutory Undertakers with regards to their mains and services that may be affected". Also, the original Order contains a clause specifically protecting the rights of statutory undertakers, and the proposed variation will not change this.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal & Governance has been consulted and has advised that, assuming the subject areas of highway need to be stopped up to facilitate the development, and that planning consent has been granted, 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 Wellington Street, Charter Square, Charter Row and Furnival Gate are all adopted public highways.
- 5.2 Although there are several small areas of new Stopping Up proposed, in total the variation will mean less highway is Stopped Up overall than in the original Order. The proposed changes are not expected to cause any material difference for public users of the subject highways, when compared with the effects of the original Order.
- 5.3 The proposed changes will bring about differences in the division of maintenance between the Council as Local Highway Authority and the Council as owners and managers of the new development. These changes have been agreed by the Council's Highway Maintenance Division after lengthy dialogue with the applicants.
- 5.4 On that basis, the Council is satisfied that:
- it will be necessary to close the existing highway shown hatched on the plan attached as Appendix 3 in order to facilitate the planning consent;
 - 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 The costs associated with, and arising from, the permanent highway closure and the consequent works to build the development on site, will all be met by the applicant. Therefore, there will be no increase in financial liability on the Council's Highway Maintenance Division as a result of this proposed Stopping Up Order.

9.0 CONCLUSION

9.1 Based on the above information, I have no objections to the proposed variation to the Order, as shown on the plans included at Appendices 3 and 4.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the permanent closure of parts of Wellington Street, Charter Square, Charter Row and Furnival Gate, as shown on the plans attached at Appendices 3 and 4, subject to 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

1 August 2018

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

Signed.....

Date.....

APPENDIX 1

TEAM MANAGER,
NEW WORKS AND RECORDS,
HIGHWAY MAINTENANCE DIVISION

TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE
7 NOVEMBER 2016

TOWN & COUNTRY PLANNING ACT 1990 SECTION 247
PROPOSED PERMANENT CLOSURE OF PARTS OF WELLINGTON STREET,
CHARTER SQUARE, CHARTER ROW AND FURNIVAL GATE

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 Grosvenor Hotel, Sheffield city centre.

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 consultants acting for the Sheffield City Council project team working on the proposed new development for the Grosvenor Hotel site in Sheffield city centre, which is expected to form new headquarters for the HSBC bank, as well as other retail uses.
- 2.2 A planning application (reference 16/03328/RG3) has been made for a mixed use development comprising a six-storey office and retail block, basement car park and service area, and a stand-alone food and beverage/retail unit, with enhanced public realm and formation of new highway between Backfields and Carver Street. In conjunction with this, the applicant is seeking permanent closure of parts of the adopted highways known as Wellington Street, Charter Square, Charter Row and Furnival Gate, 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 and fully realise its potential benefits, 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 to have had 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 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 Wellington Street, Charter Square, Charter Row and Furnival Gate are all adopted public highways.
- 5.2 Should this development get planning consent and go ahead, its impact on the highway in the Charter Square area will, in effect, be a furtherance of the effects of the Council highway improvement scheme currently under construction at that location. Principally, the current highway scheme removes the roundabout, and thus all motor vehicular movements directly between Charter Square and Wellington Street, leaving a through two-way single-carriageway road between Charter Row and Furnival Gate with a high-quality at-grade controlled pedestrian crossing in Charter Square.
- 5.3 Planning application 16/03328/RG3 now proposes that parts of Charter Square (and smaller parts of adjoining Charter Row and Furnival Gate) will be replaced by:
- A private vehicular ramp down to an underground service yard for the development;
 - A 'stand-alone' food and beverage retail unit; and
 - Part of the footprint of the main office and retail building.

5.4 Most of the remainder of Charter Square (with the exception of a footway along the north-western edge) is also proposed to be Stopped Up as highway, but is proposed to remain as public realm, with through pedestrian routes by steps and a ramp. Its status as public realm available for public use at all times except in exceptional pre-advertised circumstances, but maintained separately from highways, is proposed to be protected by planning conditions, and by covenants to be placed on the land if it is transferred out of Council ownership (although it is understood that the intention is for it to remain Council-owned for the time being). Thus, the quality of the public space (and its maintenance regime) is expected to be similar in nature to St Paul's Square and the Peace Gardens. Appendix B shows the proposed public realm layout.

5.5 On this basis, the loss of the sections of highway proposed by this Order 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 hatched on the plan at Appendix A in order to fully construct, and realise the principles of, 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 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 permanent closure of parts of Wellington Street, Charter Square, Charter Row and Furnival Gate, 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.

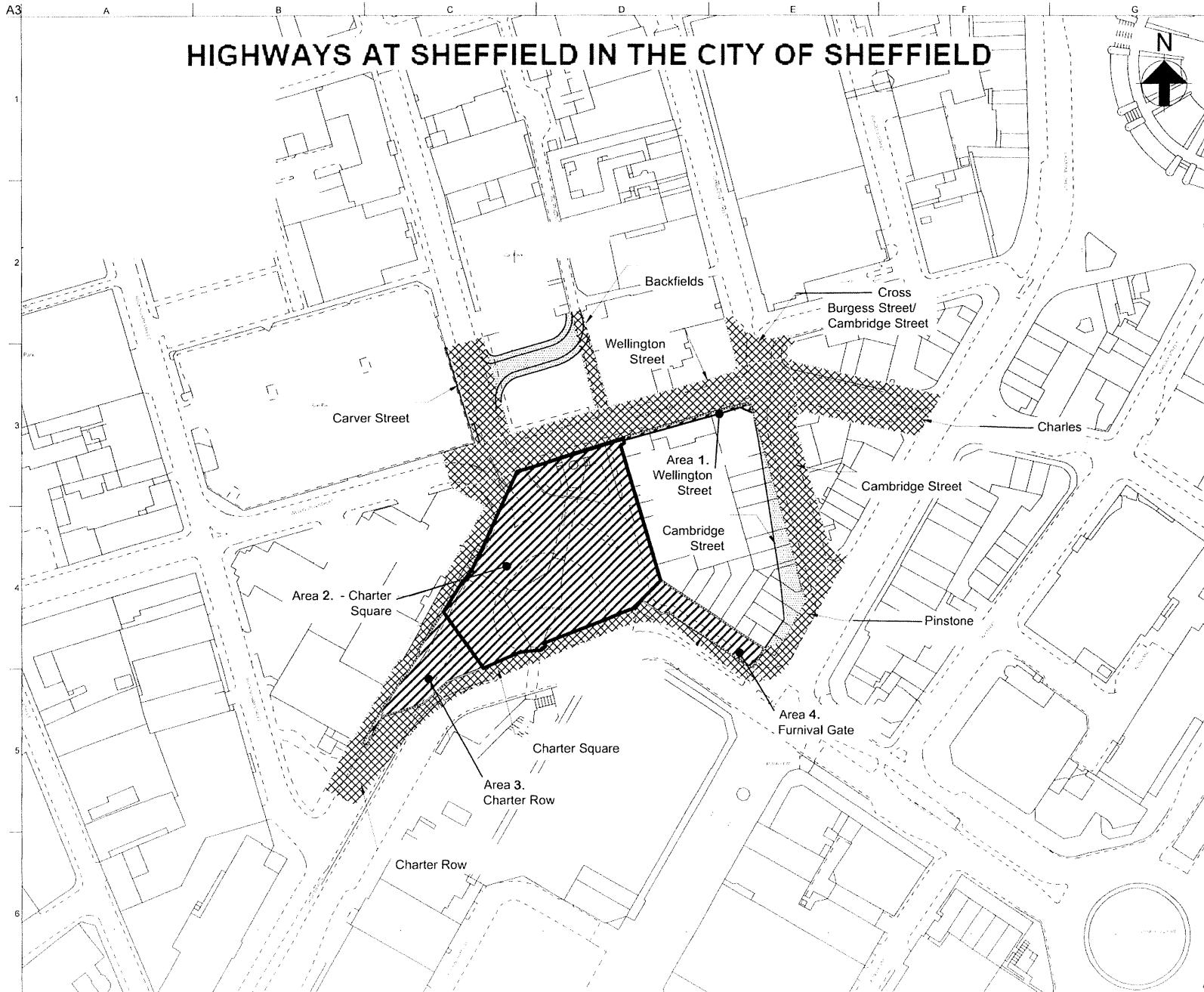
Richard Day
Principal Engineer
Highway Records & Address Management
Highway Maintenance Division

7 November 2016

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


Signed


Date 9 November 2016




Appendix A

to Appendix 1
Key Scale 1:1250 at A3

Highways to be stopped up 

Highways to be improved 

New highways to be provided 

National Transport Casework Team

Department for Transport

Plan No: NATTRAN/Y&H/S247/2490

Signed by Authority of the Secretary of State

on.....

Signature.....

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport

Key Plan



SURFACE TREATMENTS

- SS1- SANDSTONE PAVING JOHNSONS CROSLAND HILL Buff colour SHOT SAND FINES approx. 500x500, 750, 800x800mm min 200mm overlap of all joints Refer to laying pattern for further information
- GR1- GRANITE PAVING Portuguese Granite Silver/Mid Grey Colour, details AS GR1 Paving - Water Jet surface finish, sizes: 600x600, 750x800x80mm, include for channel blocks, and key block details as per details
- GR2- GRANITE SETT PAVING as per GR1 Ref. Fine frame textured surface with sawn sides 500x500x50mm cubes
- SS2- Sandstone SETT PAVING as per SS1 Ref. textured surface with sawn sides 100x100x100mm cubes
- BITMAC TEMP SURFACE specification refer to Engineering details
- GR3 GRANITE PAVING G682 Buff colour frame textured finish. Block sizes 250mm x 175mm course widths with lengths 200mm, 300mm, and 400mm min 100mm overlap of all joints refer to laying patterns for further information
- GR4- GRANITE SETT PAVING as per GR1 Ref. Fine frame textured surface with sawn sides 50x50x50mm cubes

FURNITURE / FEATURES

- SCC S.S. City Centre BOLLARD (Refer to drawing N: RPD7671024, RPD7671025, 17AS RATED CORE BOLLARD REQUIRED)
- SCC S.S. City Centre ILLUMINATED BOLLARD (Refer to drawing N: RPD7671024)
- SCC S.S. City Centre LITTER BIN (Refer to drawing N: RPD7671025, RPD7671026, RPD7671027, RPD7671028)
- TIMBER / SANDSTONE BENCH DETAIL with occasional backs and armrests
- SCC S.S. City Centre CYCLE STANDS (Refer to drawing N: RPD7671022)
- TREE LOCATION IN HARD CONSTRUCTION (Refer to drawing N: RVREP-20006 & RVREP-20008, RVREP-20009)
- TREES LOCATIONS IN SOFT CONSTRUCTION (Refer to drawing N: RVREP-20007 & RVREP-20008)
- ILLUMINATED TREE DETAIL 2x LED uplighters
- TREES LOCATIONS IN BESPOKE PROTECTIVE PLANTERS
- Granite seating cubes for building protection 500x500x50 granite finish sides frame textured top allow for rest anchor to agreed FAS riling
- SOILING, SOFT PLANTING AREAS and SLUGS RAIN GARDENS note max soil depth of 400mm
- SCC City centre Granite 'Aquity' Bench with back and arms
- SCC City centre Granite 'Aquity' Bench without back
- Sandstone steps (riser 150mm with a tread 300mm)
- Frameless Glass Balustrade 1.1m high with top hand rail
- Stone and timber pebble seating
- Large sandstone block work seating edge

Appendix B

to Appendix 1

NOTES / REVISIONS:

- Notes:
- The use of this data acts as an agreement to the following statement:
 - Copyright Sheffield City Council. All rights reserved in Chapter IV of the Copyright, Designs and Patents Act 1988 have been generally asserted
 - Do not scale from this drawing
 - All dimensions to be checked on site
 - Report any discrepancies or omissions to the Landscape Architect and Contract Administrator before proceeding
 - This document is to be read in conjunction with the specifications and further contract documentation.
 - This map is based on Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. Crown copyright and database rights Ordnance Survey 10001818

REVISIONS B 215_M_2016 changes to layout and temporary features

PLANNING APPLICATION

SHEFFIELD CITY COUNCIL
DEVELOPMENT SERVICES
URBAN AND ENVIRONMENTAL DESIGN

PROJECT: PROJET CAVENDISH
PUBLIC REALM

USE: SURFACES LAYOUT
STREET FURNITURE

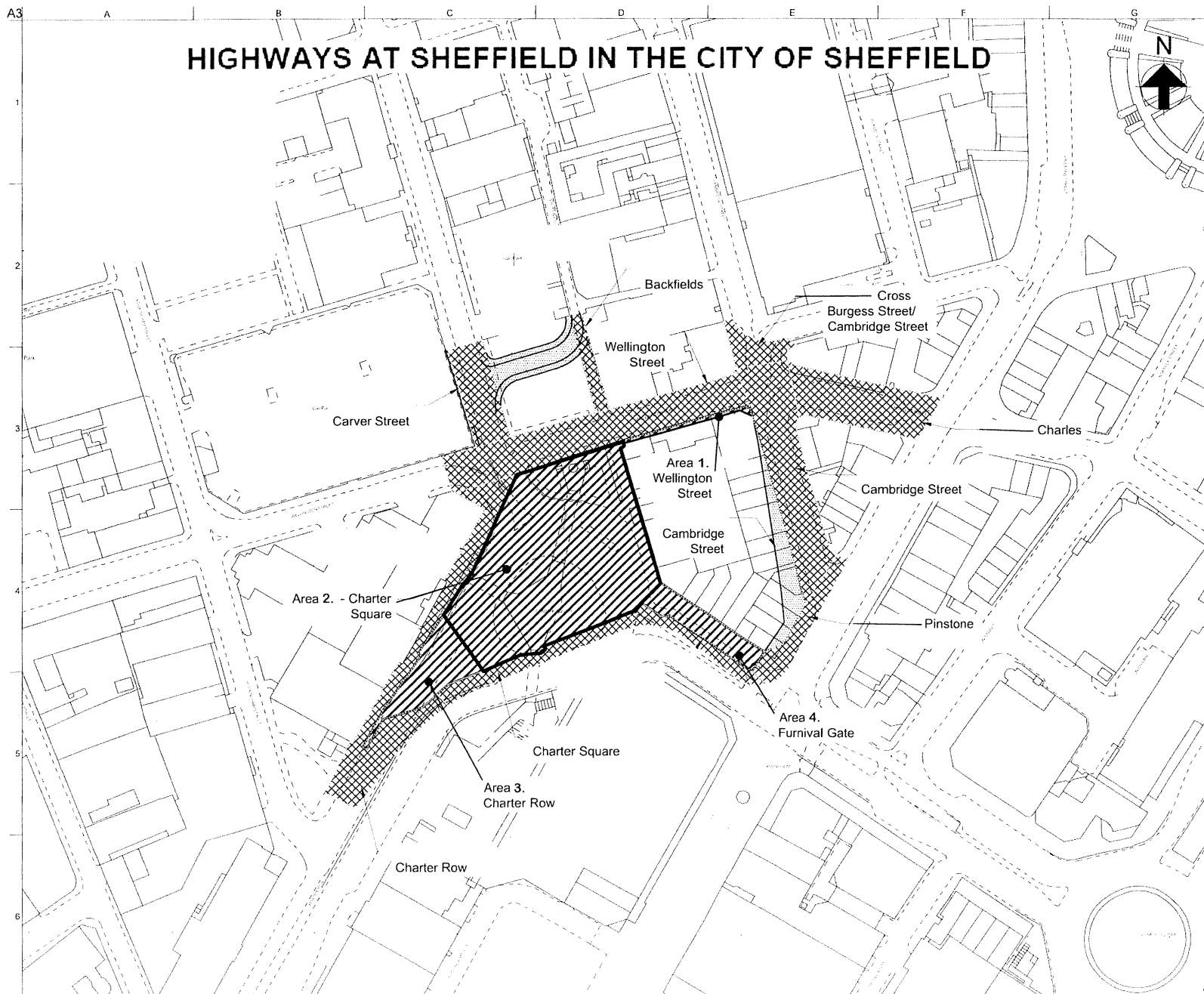
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Drawn by: PC/05189/001 rev B

05/18/16 name:

APPENDIX 2



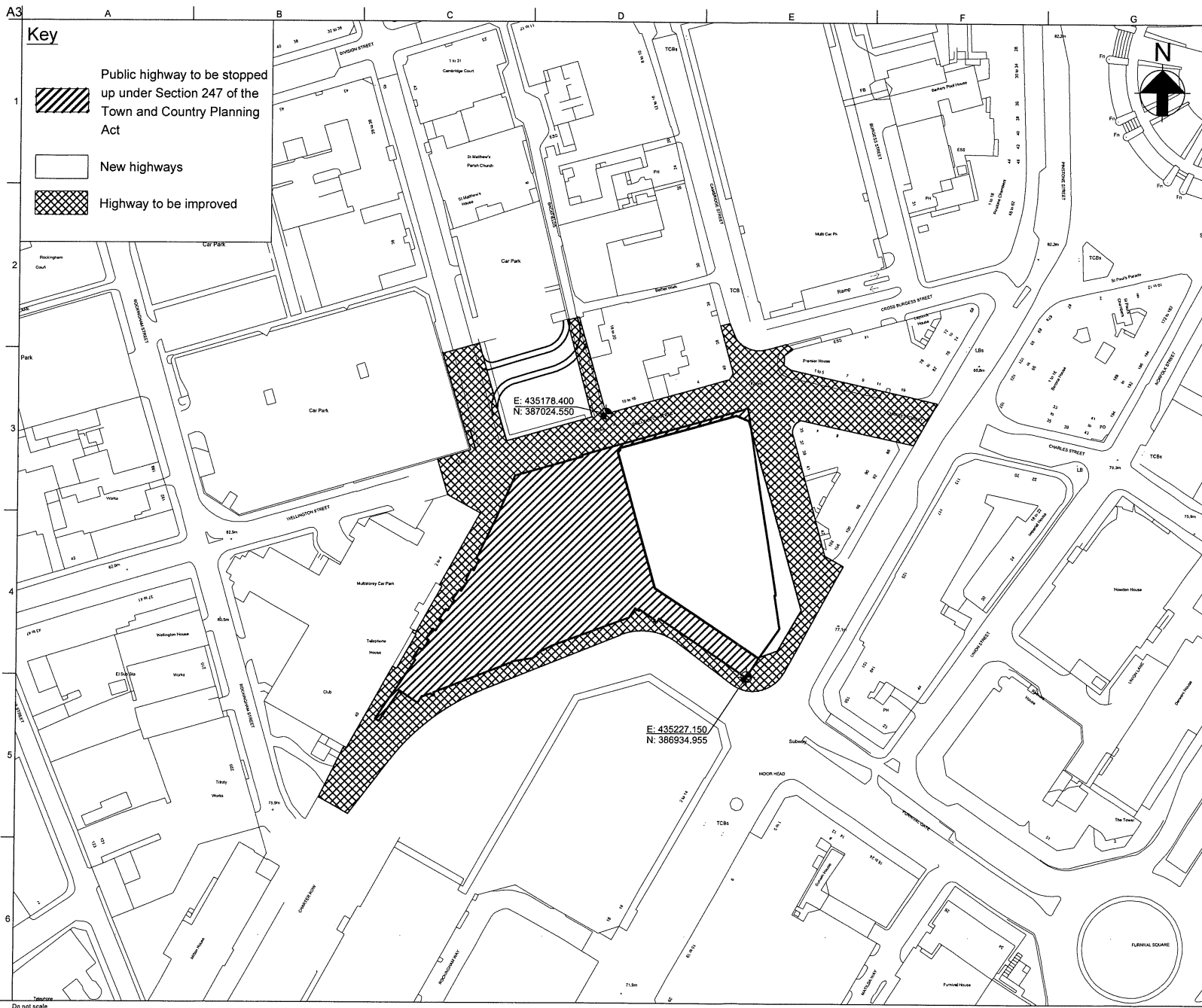
National Transport Case work Team
Department for Transport
Plan No: NATTRAN/Y&H/S247/2490

Signed by Authority of the
Secretary of State
on 28 November 2016

Signature

DAVE CANDLISH
An Official in the
National Transport Case work Team
Department for Transport





Key



Public highway to be stopped up under Section 247 of the Town and Country Planning Act



New highways



Highway to be improved

APPENDIX 3

- Notes:-
1. Drawing status: This drawing is a work in progress and should not be taken as final.
 2. This drawing is based on the following drawings:
 - CHS-ARUP-ZZ-XX-DR-1650 Site-wide Outline Design Highway Alignment, LDA Building Model
 - PRC-LDA-ZZ-M3-A-00001-S1 REV P26, Issued on 10/11/17 for extents of Levels B1, 00, 05, 10 and 20.

| | | | | |
|---|----------|----|------|------|
| P9 | 18/05/18 | OM | IA | IA |
| Boundary Line Updated Issue for S247 Amendment | | | | |
| P8 | 16/04/18 | OM | IA | IA |
| Updated Boundary | | | | |
| P7 | 20/03/18 | OM | IA | IA |
| Minor Amendments to Stopping Up Boundary Issue for S247 Amendment | | | | |
| P6 | 09/02/18 | SD | IA | IA |
| Boundary Line Updated Issue for S247 Amendment | | | | |
| Rev | Date | By | Chkd | Appd |

ARUP

www.arup.com

Client



Project Title

Project Cavendish

Key Plan



Drawing Title

Stopping Up Plan
For TCPA 247 Application

Scale at A3 1:1250

Role

Civil

Suitability

S4 - Suitable for Stage Approval

Acup Job No

249074

Rev






P9

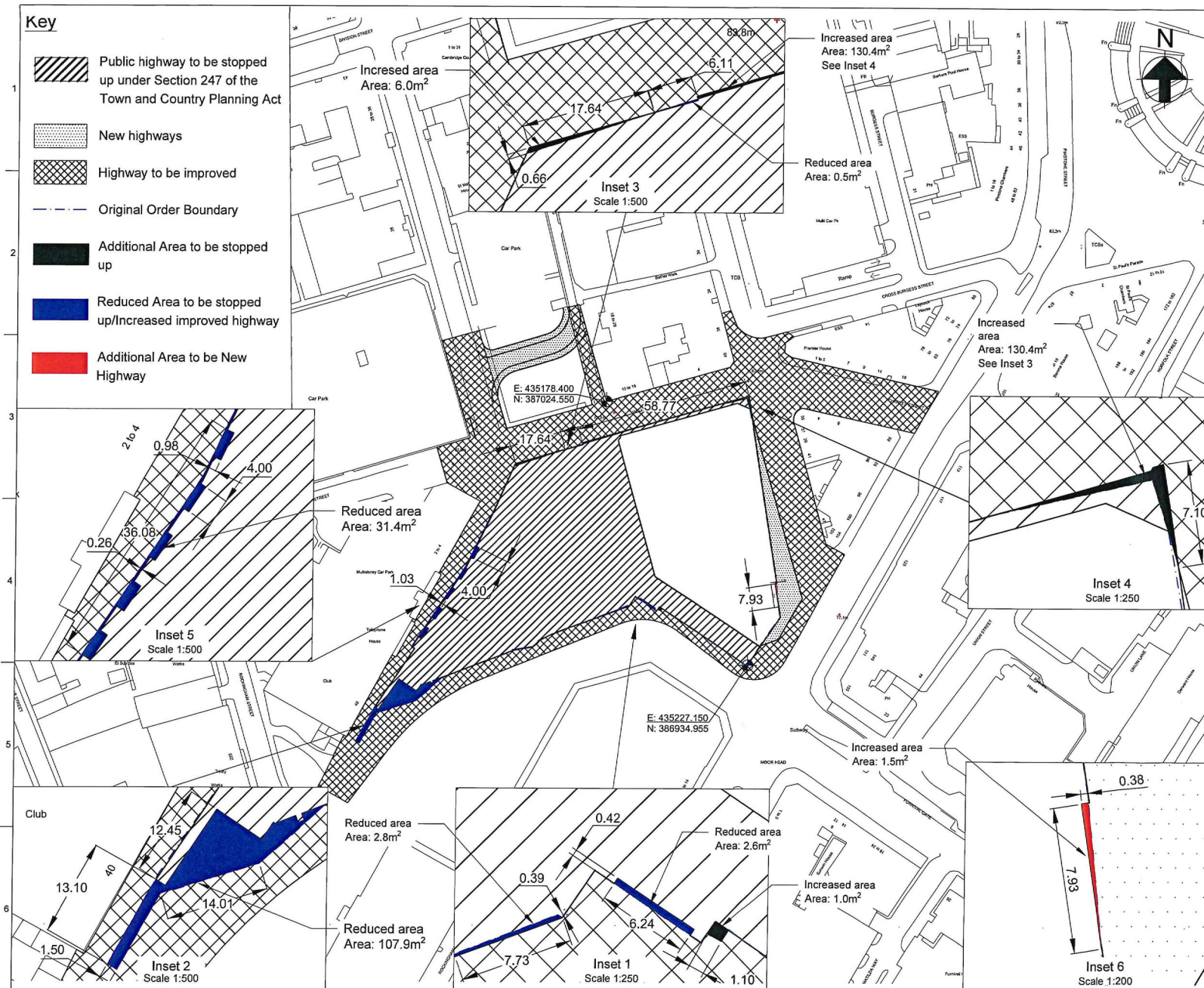
Name

PRC-ARUP-ZZ-XX-DR-D-1602

APPENDIX 4

Key

-  Public highway to be stopped up under Section 247 of the Town and Country Planning Act
-  New highways
-  Highway to be improved
-  Original Order Boundary
-  Additional Area to be stopped up
-  Reduced Area to be stopped up/Increased improved highway
-  Additional Area to be New Highway



NOTES

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- This drawing is based on the following drawings:
 - CHS-ARUP-ZZ-XX-DR-1650 Site-wide Outline Design Highway Alignment, LDA Building Model
 - PRC-LDA-ZZ-ZZ-M3-A-00001-S1 REV P26, Issued on 10/11/17 for extents of Levels B1, 00, 05, 10 and 20.

| | | | | |
|---|----------|----|------|------|
| P12 | 20/07/18 | IA | IA | IA |
| Wellington St area designation corrected | | | | |
| P11 | 21/06/18 | OM | IA | IA |
| Dimensions and Areas Added | | | | |
| P10 | 20/06/18 | OM | IA | IA |
| Original Boundary Added | | | | |
| P9 | 18/05/18 | OM | IA | IA |
| Boundary Line Updated Issue for S247 Amendment | | | | |
| Rev | Date | By | Chkd | Appd |

ARUP

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Client



Project Title

Project Cavendish

Key Plan

Drawing Title

Stopping Up Plan
For TCPA 247 Application

Scale at A3
1:1250

Role
Civil

Suitability
S4 - Suitable for Stage Approval

Arup Job No

249074

Name

PRC-ARUP-ZZ-XX-DR-D-1602

Rev

P12