

17th July 2017

HIGHWAYS ACT 1980 – SECTION 116

PROPOSED CLOSURE OF PART OF DYCHE ROAD AND PART OF DYCHE CLOSE,
JORDANTHORPE, SHEFFIELD 8

1.0 PURPOSE

To seek authority to process the Stopping-Up Order required for closing part of Dyche Road and part of Dyche Close in the Jordanthorpe area of Sheffield.

2.0 BACKGROUND

- 2.1 The applicant is seeking to close the area shown by black hatching on the plan attached as Appendix A. The applicant contends that this area is no longer needed as public highway.
- 2.2 The subject area is within land owned by the applicant and no neighbouring land owners will be affected.
- 2.2 Planning permission under number 14/03630/FUL has been given for the construction of 4 dwellings. A previous application to close this and an adjacent area of highway was made to the Department for Transport's National Transport Casework Team (NTCT) under section 247 of the Town and Country Planning Act 1990. This application was rejected by NTCT due to errors made within the application and because the developer had already obstructed the highway by part constructing a dwelling within the subject area.
- 2.3 No complaints have been received at any time regarding the enclosure of the highway.

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 none have equipment within the proposed area of closure.

4.0 LEGAL IMPLICATIONS

- 4.1 Legal Services have been consulted and have advised that, assuming the areas of highway are unnecessary, it would be appropriate to process the closure using the powers contained within Section 116 of the Highways Act 1980.

5.0 HIGHWAY IMPLICATIONS

5.1 Dyche Road and Dyche Close are adopted all-purpose highways.

5.2 As a result of this development a new footway will be provided within the existing highway verge alongside Dyche Road and Dyche Drive, as shown on the plan included as Appendix A. As such it is considered that the proposed closure will not have a detrimental impact on the surrounding highway network and its users and will not affect the public's enjoyment of the area.

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 environmental implications associated with this closure.

8.0 FINANCIAL IMPLICATIONS

8.1 There will be a slight reduction in liability on the Highway Maintenance Revenue Budget as a result of this highway closure.

8.2 Any associated costs, relating to the proposals, 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 by black hatching on the plan included as Appendix A.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the proposed closure of part of Dyche Road and part of Dyche Close, Jordanthorpe, Sheffield, as shown by hatching 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 116 of the Highways Act 1980 and to apply to the Magistrates' Court for an Order to stop-up the said area of highway.

Mark Reeder
Engineer
Highway Records

17th July 2017

REPORT APPROVED BY HEAD OF STRATEGIC TRANSPORT AND
INFRASTRUCTURE

Signed  Date 18.07.17.



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Appendix A



Highway to be closed



Adopted Highway to be closed using
Town and Country Planning Act



New footway to be
created within existing
highway verge

