

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE
28 October 2020

PROPOSED STOPPING UP OF HIGHWAY AT BACKFIELDS, SHEFFIELD S1 4HJ

1.0 PURPOSE

- 1.1 To seek authority to approve the proposed Stopping Up Order for the permanent closure of part of Backfields, the full length of Bethel Walk and the unnamed road between Carver Street and Backfields (referred to as 'Backfields Link' on the Order plan attached as Appendix A) in the City Centre area of Sheffield.

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 granted planning consent conditionally under reference 20/01895/RG3 for the erection of office building (B1a) with ancillary retail / café/ bar space (A1/ A2/ A3/ A4/ A5) and associated works on land bound by Carver Street, Wellington Street And Backfields (Block H2) Sheffield S1 4FT, and also under reference 20/01437/RG3 for the retention and refurbishment of existing buildings, demolition of associated structures and erection of new buildings to form a mixed use development comprising a communal hall with associated retail space, cafe, bar (A1/A2/A3/A4/A5) flexible business, events and studio space (B1/D1/D2) and associated works on land bound by Cambridge Street, Wellington Street and Backfields, Sheffield S1 4HP.
- 2.4 Both of these planning applications are part of the City Council's 'Heart of the City 2' development project, more details of which can be found at <https://www.heartofcity2.com/>.
- 2.5 The applicant contends that, in order to facilitate the development, it will be necessary to permanently stop up the areas of highway shown by black hatching on the closure plan included as Appendix A.

3.0 CONSULTATIONS

- 3.1 In this 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 Backfields and Bethel Walk are unclassified all-purpose adopted public highways. The road (named Backfields Link on the plan) is an unadopted public highway
- 5.2 A new all-purpose highway linking Carver Street and the remaining length of Backfields will be provided, as shown on the plan, to replace Backfields Link.
- 5.3 As part of the proposed development, all of Bethel Walk, and the part of Backfields proposed for permanent closure as public highway, will be replaced by new public realm spaces to be maintained by the landowner and available for public pedestrian use on a permissive basis, such status being protected by condition 37 on the Planning Consent for 20/01437/RG3:

‘37. Prior to the first occupation of the development a plan shall be submitted to and approved by the Local Planning Authority identifying the areas of public realm that shall be kept open for public access (which shall include a link between Cambridge Street/Backfields/Wellington Street) at all times along with a maintenance strategy for these areas. Thereafter the public shall be permitted unrestricted access to the approved areas at all times (subject to any exceptions agreed within an approved written access strategy) and these areas shall be maintained in accordance with the approved maintenance strategy. Reason: In the interest of the facilitating convenient pedestrian movement and the amenities of the locality.’

- 5.4 The developer asserts that the proposed permanent closure is necessary to facilitate the development.

5.5 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 As a result of this proposed Stopping Up Order and taking in to account the new highway between Carver Street and Backfields, there will be a small overall reduction in financial liability to the Council as Local Highway Authority.

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 Order for the permanent closure of part of Backfields, the full length of Bethel Walk and the unnamed road between Carver street and Backfields (referred to as 'Backfields Link' on the Order plan) in the City Centre area of Sheffield, as shown by black 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.

Mark Reeder
Engineer
Highway Records
Highway Maintenance Division

28 October 2020

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

Signed

Date 30 October 2020

Appendix A

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