

REPORT OF NEW WORKS & RECORDS MANAGER, HIGHWAY
MAINTENANCE DIVISION

REPORT TO HEAD OF
TRANSPORT, TRAFFIC AND
PARKING SERVICES
12th July 2013

TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 247.
PROPOSED STOPPING UP OF HIGHWAY AT BROWN LANE, CITY
CENTRE, SHEFFIELD

1.0 PURPOSE

1.1 To seek authority to support the proposed stopping up of part of Brown Lane, City Centre, Sheffield.

2.0 BACKGROUND

2.1 The Department for Transport National Transport Casework Team has contacted the City Council, as a statutory consultee, in respect of an application for a proposed highway closure under the Town and Country Planning Act 1990 Section 247.

2.2 The application has been submitted by B N P Paribas on behalf of Sheffield Hallam University, seeking the closure of part of Brown Lane in the City Centre area of Sheffield as shown by hatching on the plan enclosed as Appendix A. Full detailed planning permission was granted by the City Council on 13th May 2013 (ref. 13/00467/FUL) for erection of a building to be used for university educational purposes.

2.3 The application site has been the subject of two previous applications. The original was refused by the City Council on 24th July 2010, for amongst other reasons, "The development would also erode and harm the character of the Cultural Industries Quarter Conservation Area. In particular the loss of Brown Lane is considered to result in the loss of part of the original grid system that is a fundamental characteristic of the conservation area". Another concern was the provision of access for the public through an atrium that would be constructed over Brown Lane. A subsequent application that addressed these concerns was approved in December of that year, but construction never went ahead.

2.4 The main thoroughfare through the proposed building from Arundel Gate to Eyre Lane along the existing route of Brown Lane shall remain open to the public on a permissive basis, between 0800 hours and 2200 hours Monday to Friday. In the future event that the building is formally opened and advertised as being open on Saturday for staff and students, this thoroughfare shall also be accessible to the public between 1000 hours and 1700 hours as a minimum.

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, the applicant has consulted the usual sources and has been in discussion with affected parties concerning the resiting and protection of their equipment.

4.0 LEGAL IMPLICATIONS

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

5.0 HIGHWAY IMPLICATIONS

- 5.1 Brown Lane connects Arundel Gate with Arundel Lane via Eyre Lane and Arundel Street in the City Centre. Although fully accessible on foot as a thoroughfare, the only vehicular use of the subject length of highway, between Arundel Gate and Eyre Lane, is for access to the existing public car park. This car park will close as a result of the proposed development, removing the need for this access.

- 5.3 The loss of this section of highway therefore should not affect the public's enjoyment of this area. The closure is necessary for the approved development and bearing in mind that permissive access on foot along the subject length of highway will be available within the prescribed hours, will have only limited detrimental effect on the surrounding highway network and its users.

6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 The main thoroughfare through the proposed building from Arundel Gate to Eyre Lane along the existing route of Brown Lane shall remain open to the public on a permissive basis between prescribed hours for access on foot and those with limited mobility.

7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 The new development is considered to be sympathetic to the existing street layout and general appearance of the highway in the area. Limited permissive public pedestrian access along Brown Lane is secured by a planning condition.

8.0 FINANCIAL IMPLICATIONS

- 8.1 If the development goes ahead, the area will be de-accrued from the highway maintenance budget.
- 8.2 All costs associated with, and arising from, the application for the permanent highway closure, and consequent works on site, shall be met by the applicant.

9.0 CONCLUSION

- 9.1 Based on the above information, I have no objections to the proposed closure of part of Brown Lane, City Centre, as shown by hatching on the plan included as Appendix A.

10.0 RECOMMENDATIONS

- 10.1 No objections are raised to the proposed stopping-up of part of Brown Lane, as shown by hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with the Statutory Undertakers with regards to such of their mains and services that may be affected.
- 10.2 Authorise the Director Legal Services to notify The Department for Transport National Transport Casework Team of this decision.

Steve Mate

Principal Engineer, Highway Records.

12th July 2013

HEAD OF TRANSPORT, TRAFFIC AND PARKING SERVICES

Signed

Date