

PROPOSED STOPPING-UP OF PARTS OF TWO FOOTPATHS AT PARKLAND
CRESCENT ON THE NEWSTEAD DEVELOPMENT – PHASE A, AND

PROPOSED STOPPING-UP OF A NETWORK OF FOOTPATHS OFF BIRLEY
WOOD DRIVE ON THE NEWSTEAD DEVELOPMENT – PHASE B

1.0 PURPOSE

- 1.1 To seek authority to support the proposed Stopping-up of existing highway and provision of new highway required for the Newstead Estate, Phases A & B, Sheffield, as shown hatched and numbered 1-2 on the plan included as Appendix A and 1-6 on the plan included as Appendix B. Also included as Appendix C is a location plan.

2.0 BACKGROUND

- 2.1 An application to make the two Highways Stopping-Up Orders referred to above, under Section 247 of the Town and Country Planning Act 1990, has been made to the Department for Transport National Transport Casework Team (N.T.C.T.) by the developer Home Group.
- 2.2 Home Group proposes a new housing development in the vicinity of Parkland Crescent (Phase A) and Birley Wood Drive (Phase B). (Note that Birley Wood Drive is wrongly shown as Newstead Road on the developer's plan in Appendix B, although the written description in the Schedule with the draft Order does have the correct street name). Cabinet approved a master plan for the estate in January 2005 as a material planning consideration. Full detailed planning permission for Phase A was granted by the City Council on 30th October 2007(ref. 07/00807/FUL) and Phase B on 7th August 2012 (ref. 12/01293/FUL).
- 2.3 N.T.C.T has contacted the City Council, as a statutory consultee, in respect of the associated proposed Highway closures.
- 2.4 Phases A & B of Newstead are part of the wider Scowerdons, Weakland and Newstead (SWaN) regeneration project. This project is being delivered by the City Council in partnership with Home Group.
- 2.5 The City Council is the current landowner of the site. Land ownership will be transferred to the Home Group on a phased basis once a number of preconditions have been satisfied e.g. vacant possession, demolition works and highway status issues.

- 2.6 The first phases for Newstead development were declared for re-housing on 20th January 2004. Re-housing and demolition are completed for these phases.
- 2.7 Most of Phase A has already been built and occupied; the proposal now is for the one remaining corner of the estate which was not constructed with the rest. Construction of this, and Phase B, is expected to start on site later this year.
- 2.8 In order to facilitate the approved development, it is necessary to permanently stop up the areas of highway shown by hatching on the closure plans included as Appendix A and as Appendix B.

3.0 CONSULTATIONS

- 3.1 In this particular case, it is not the role of the City Council to consult the statutory organizations 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. The N.T.C.T. will also serve notice on any affected bodies, to ensure that they do not object. At the time of writing this report the Council had not been made aware of any objections.

4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal Services has been consulted and has advised that, assuming the areas of highway need to be stopped up to facilitate the approved developments, it would be appropriate to process the closure using powers contained within the Town & Country Planning Act 1990, Section 247.

5.0 HIGHWAY IMPLICATIONS

- 5.1 All of the subject footpaths are unclassified adopted public highway and form part of the highway network in the area.
- 5.2 In order to facilitate the approved developments, it is necessary to permanently stop up the areas of highway shown by hatching on the two plans included as Appendices A & B together with the provision of the new highway for Phase A as identified on the plan included as Appendix A.

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 cost of the accrual of the new piece of highway into the Highway Maintenance Contract will be offset by the saving from the de-accrual of the lengths of highway that are to be closed. The overall effect on the Highway Maintenance Revenue Budget will, therefore, be neutral.

8.2 All costs associated with, and arising from, the application for the permanent highway closure, and consequent works on site, will be met by the applicant.

9.0 CONCLUSION

9.1 Based on the above information, I have no objections to the proposed closure of the areas of highway as shown by hatching and numbered 1-2 on the plan included as Appendix A and 1-6 on the plan included as Appendix B.

10.0 RECOMMENDATIONS

10.1 No objections are raised to the proposed stopping-up of the areas of highway subject to the Order and shown on the plans included as Appendix A and as Appendix B, 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 of Legal Services to notify N.T.C.T. of this decision.

Richard Day

Senior Engineer
Highway Records.

23 October 2012

REPORT APPROVED BY HEAD OF TRANSPORT, TRAFFIC AND PARKING
SERVICES

Signed

Date