

TEAM MANAGER, HIGHWAY RECORDS

REPORT TO HEAD OF STRATEGIC TRANSPORT AND INFRASTRUCTURE

3rd May 2019

PROPOSED STOPPING UP OF PART OF AN UNNAMED HIGHWAY OFF SKYE
EDGE AVENUE, PART OF PARTRIDGE VIEW, PART OF STARLING MEAD AND
PART OF WREN BANK, SHEFFIELD, S2

1.0 PURPOSE

- 1.1 To seek authority to object to the proposed Stopping Up Order for part of an unnamed highway off Skye Edge Avenue, part of Partridge View, part of Starling Mead, and part of Wren Bank, Sheffield, S2.

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.) by a developer.
- 2.2 N.T.C.T. has contacted the City Council, as a statutory consultee, in respect of the proposed closure.
- 2.3 The applicant is seeking the closure of part of an unnamed highway off Skye Edge Avenue, part of Partridge View, part of Starling Mead, and part of Wren Bank, Sheffield, S2. Planning consent has been granted conditionally to allow the erection of 113 dwellings, under application reference 18/03851/FUL.
- 2.4 In order to facilitate the approved development, the applicant contests that it is 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 particular 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. At the time of writing this report the Council had not received notification of any third party 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 development, 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 The unnamed highway off Skye Edge Avenue is an adopted footpath. Partridge View, Starling Mead and Wren Bank are adopted all-purpose highways.
- 5.2 Closure of the full extent of the unnamed highway off Skye Edge Avenue, as shown in Appendix A, would result in an area of adopted footpath being cut off from the existing highway. Consequently it is our view that the closure in this area should be amended as shown in fig.1 on the plan included as Appendix B.
- 5.3 Prior to the conditional granting of planning consent at its 12 March 2019 Planning and Highways Committee meeting, the Council raised concerns with the applicant with regards to the 'gated' nature of the development. In response the applicant submitted an amended plan (included as Appendix C) that shows the gates removed at the access to car parks at Starling Mead and Partridge View. (Providing these gated areas would have made it necessary to close the highway as shown on the Order plan included as Appendix A). Consequently it is now our view that the full extent of closure at Starling Mead and Partridge View, as shown on the Order plan, is not necessary to facilitate the development, and the extents to be closed should be amended to reflect this at these locations, as shown in fig.1 and fig.2 on the plan included as Appendix B.
- 5.4 During the planning application process, the plan attached as Appendix D was submitted as a variation of the original layout plan (YK5616-104A included as Appendix E). But this amendment is not reflected in the draft Order Plan, which shows that this part of Wren Bank as proposed to be stopped up.
- 5.5 In view of these concerns, officers wish to object to the current Stopping Up application, pending correction by the applicants of the highway extents proposed for closure in the Order plan.

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 There will be no increase in liability on the Highway Maintenance Revenue Budget as a result of this highway closure.

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 information in section 5 of this report, I have objections to the proposed stopping up of part of an unnamed highway off Skye Edge Avenue, part of Starling Mead, part of Partridge View, and part of Wren Bank, Sheffield, as shown by hatching on the plan included as Appendix A, on the grounds that:

- closing part of the area of unnamed highway will result in an area of adopted footpath being cut off from the public highway network, as highlighted in paragraph 5.2.
- parts of the area proposed for closure are not necessary to facilitate the development, as highlighted in paragraph 5.3.
- part of the application does not meet the requirement of the associated planning permission, as highlighted in paragraph 5.4.

10.0 RECOMMENDATIONS

10.1 Raise an objection to the proposed stopping up of part of an unnamed highway off Skye Edge Avenue, part of Starling Mead, part of Partridge View, and part of Wren Bank.

10.2 Authorise the Director of Legal Services to notify N.T.C.T. of this decision.

10.3 If the applicant:

- submits an amended application showing the extents of the highway closure as shown in Appendix B, or other extents mutually agreed with the Highway Authority which address the concerns raised in Section 5 of this report;
- and NTCT re-advertise, or re-consult on, the Order accordingly

then authorise the Director of Legal Services to withdraw the Council's objection.

Mark Reeder

Engineer
Highway Records.

3rd May 2019

REPORT APPROVED BY HEAD OF Strategic Transport and Infrastructure

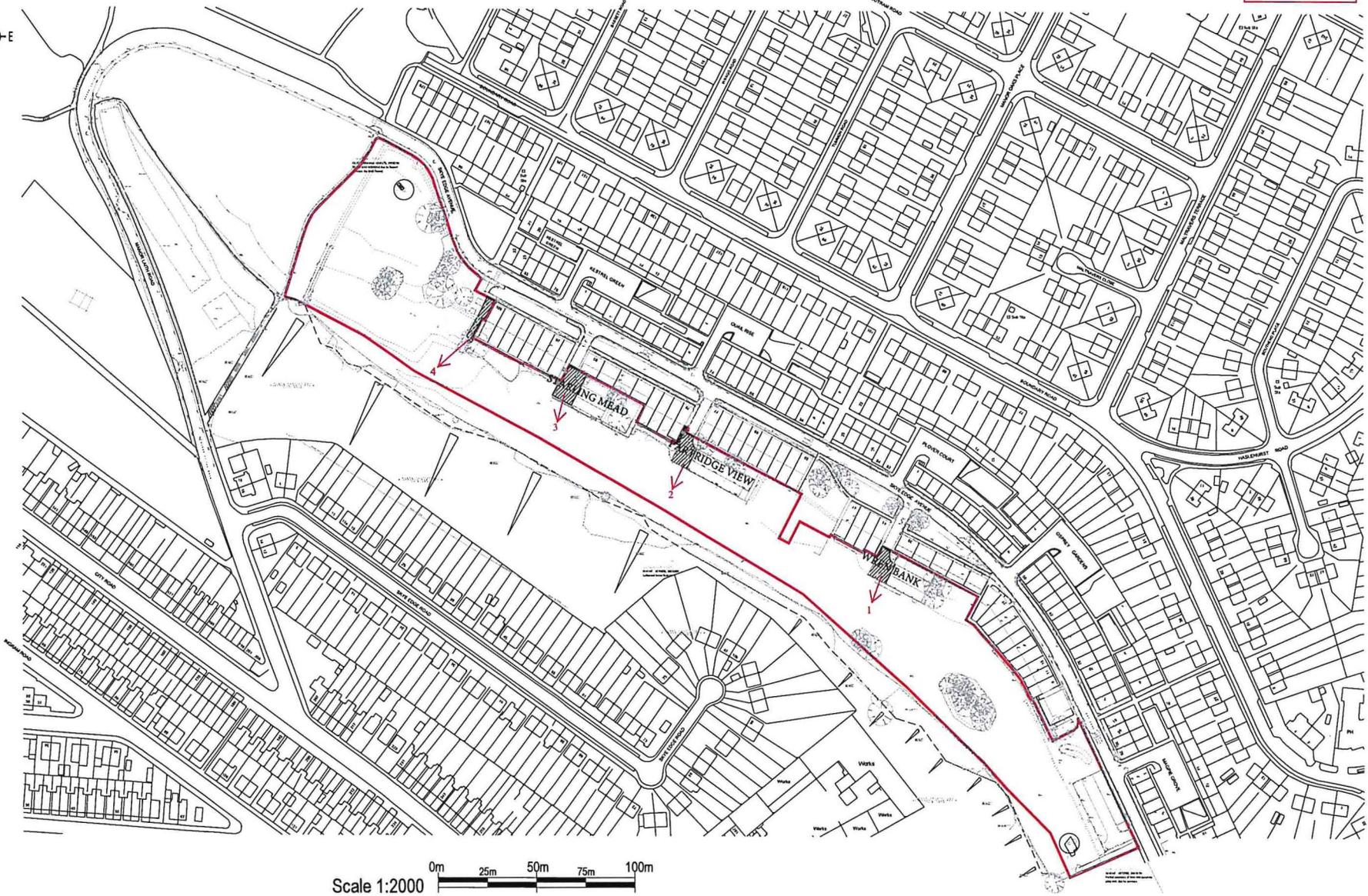
Signed

Date



HIGHWAY AT SHEFFIELD IN THE CITY OF SHEFFIELD

APPENDIX A



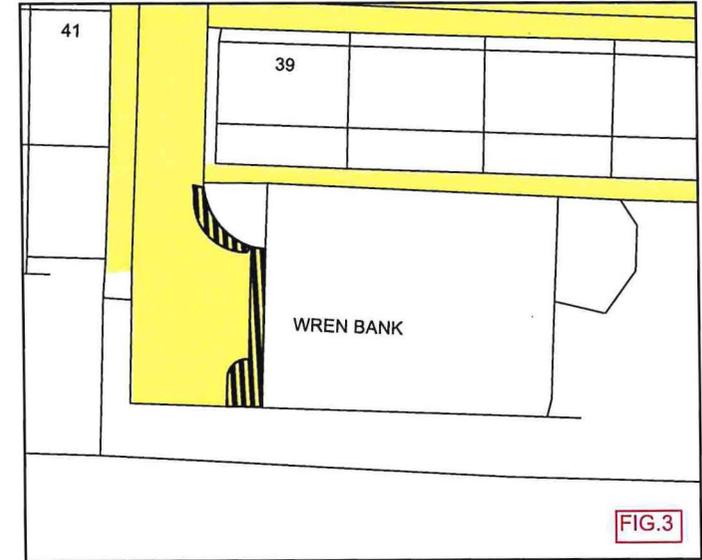
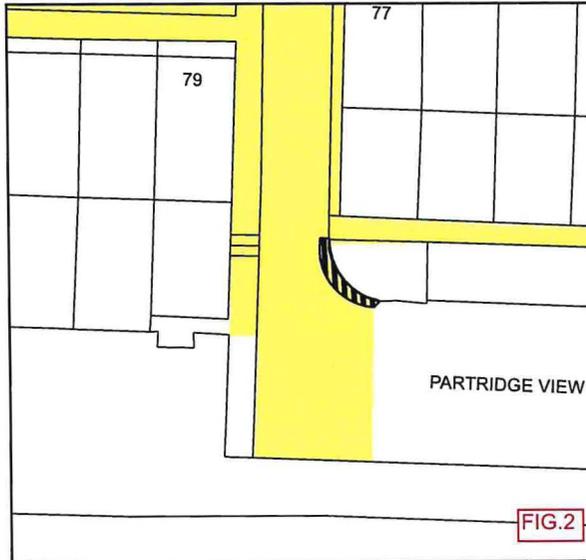
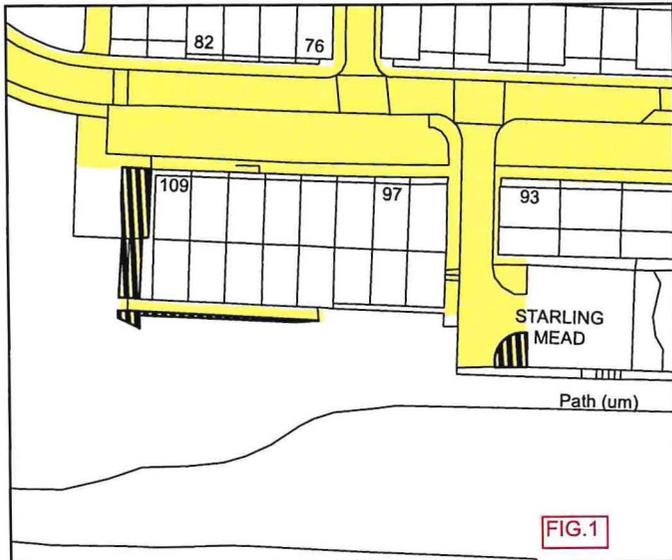
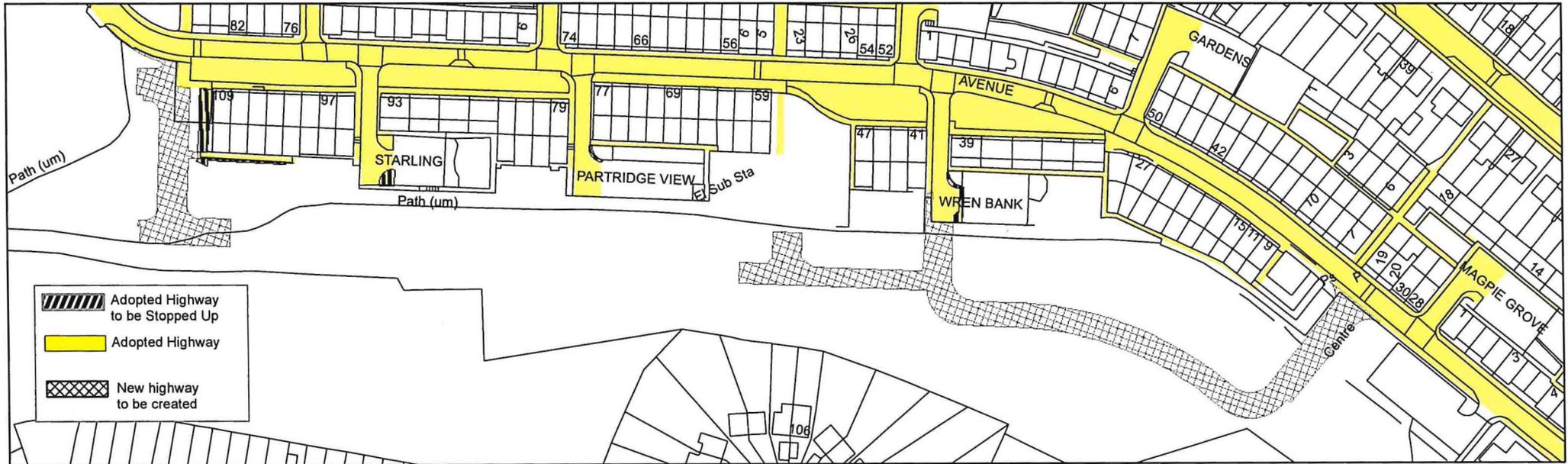
Scale 1:2000
0m 25m 50m 75m 100m

Key Scale 1:2000 @ A3 Highway to be stopped up 	National Transport Casework Team Department for Transport Plan No: NATTRAN/YSH/S247/3728	Signed by Authority of the Secretary of State on2019 Signature..... DAVE CANDLISH An Official in the National Transport Casework Team Department for Transport

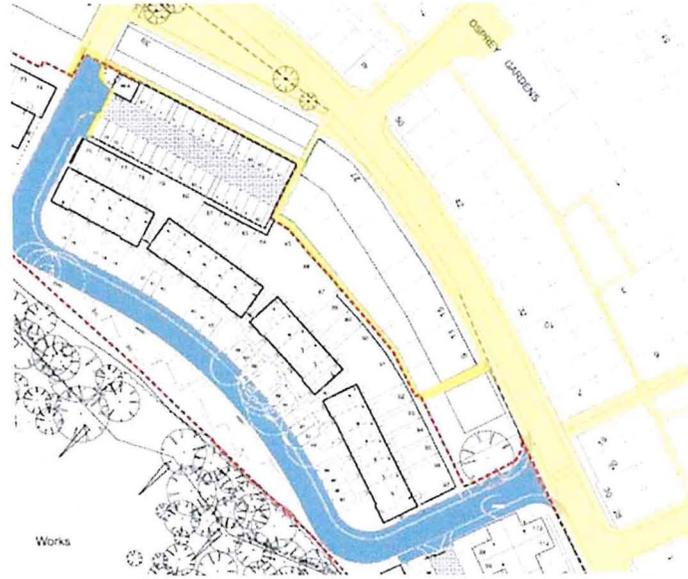


PERMANENT HIGHWAY CLOSURES REQUIRED TO FACILITATE
DEVELOPMENT OFF SKYE EDGE AVENUE

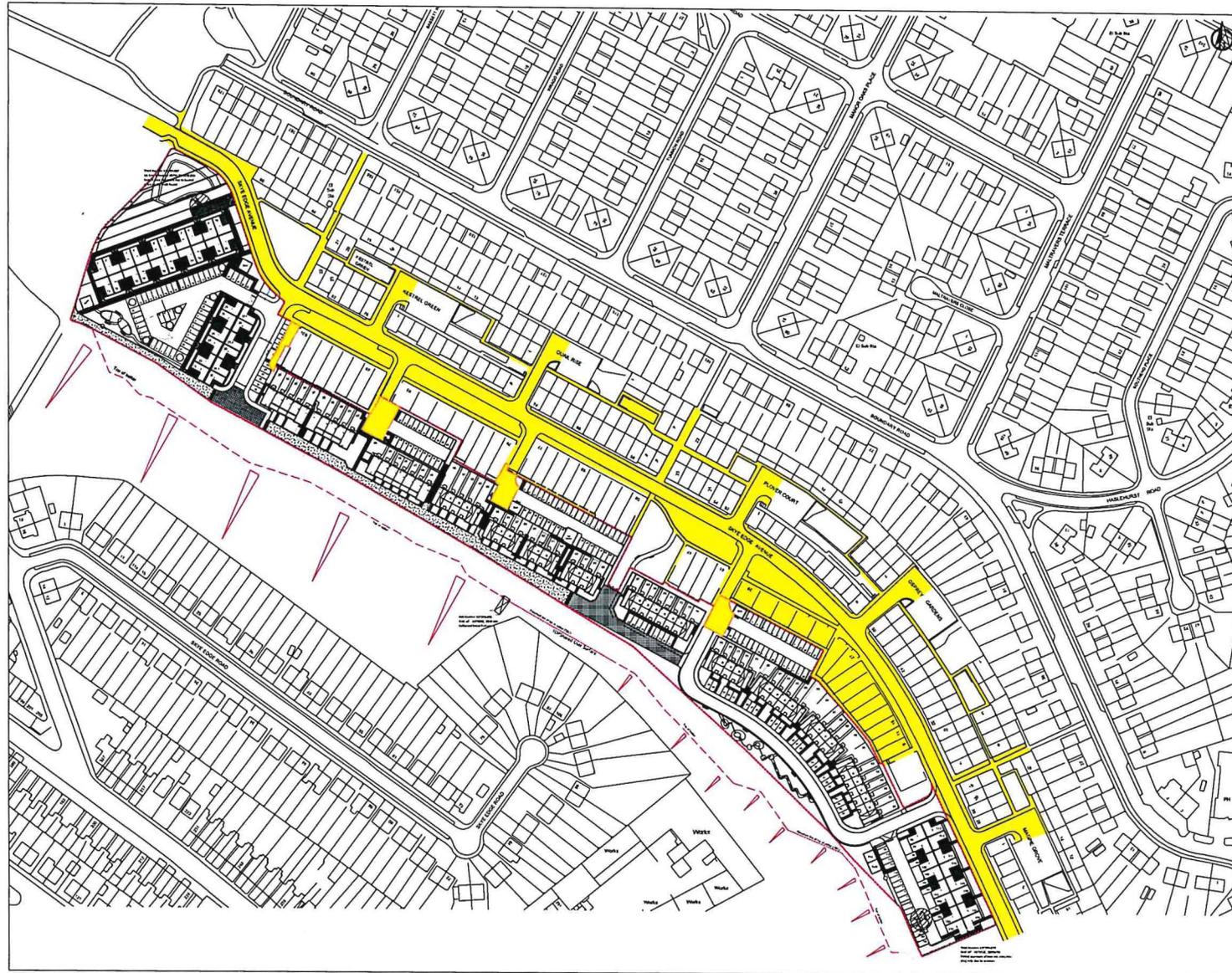
APPENDIX B



APPENDIX D



APPENDIX E



- KEY
- Site Boundary
 - Publicly Adopted Highway
 - Adopted Highway Within Site Limits

A UPDATED MATCH		HC	DK	AB	OS
DESIGNED BY	CHECKED BY	DATE	SCALE	DATE	STATUS
HC	DK	AB	1:1000	10.12.18	PRELIMINARY

SKYE EDGE

SITE LAYOUT & PUBLIC HIGHWAY OVERLAY

PLACEFIRST

Matrix

YK5616-104