

9th August 2021

PROPOSED STOPPING UP OF PART OF NEWSTEAD ROAD, PART OF BIRLEY MOOR AVENUE AND ASSOCIATED FOOTPATHS ON LAND BETWEEN BIRLEY MOOR AVENUE, NEWSTEAD AVENUE, NEWSTEAD ROAD AND PARKLANDS CRESCENT, IN THE BIRLEY DISTRICT OF SHEFFIELD.

1.0 PURPOSE

- 1.1 To seek authority to process the Highway Stopping-Up Order required for closing part of Newstead Road and part of Birley Moor Avenue, shown hatched black on the plan attached as Appendix A (hereby referred to as the plan), and the full length and part lengths of the associated footpaths shown solid black on the plan.

2.0 BACKGROUND

- 2.1 The City Council (the applicant) is seeking to permanently close the areas of all-purpose highway shown hatched black and the footpaths shown as solid black lines on the plan, to facilitate development on land between Birley Moor Avenue, Newstead Avenue, Newstead Road and Parklands Crescent.
- 2.2 Subject to the approval of this report an application will be made to the Department for Transport (DFT), for the permanent Stopping-Up Order under Section 247 of the Town and Country Planning Act 1990.
- 2.3 Planning consent is currently being sought, under reference 21/03193/RG3,87J for the erection of 5 Older person independent living (OPIL) residential buildings comprising a total 123 one and two bed apartments, community hall and café facilities. And the erection of a supported living residential building, housing 18 1 bed apartments. Combined total of 141 residential dwellings, associated hard and soft landscaping throughout and designated vehicle parking.
- 2.4 In order to facilitate the approved development, the applicant contests that it is necessary to permanently stop up the areas of all-purpose highway and footpaths, shown on the plan by black hatching and solid black lines, respectively.

3.0 CONSULTATIONS

- 3.1 Consultation with the Statutory Undertakers and other relevant bodies will be carried out by the DFT's National Transport Casework Team (N.T.C.T) as part of the application.

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 Newstead Road and Birley Moor Avenue are adopted all-purpose highways in the Birley area of Sheffield.
- 5.2 The footpaths, shown as solid black lines on the plan, are adopted.
- 5.3 The closure will remove areas of all-purpose highway and footpaths that previously served as access to housing (now demolished).
- 5.4 New areas of highway will be created as part of this proposal. These are shown stippled on the plan.
- 5.5 The highways remaining within the boundaries of the development are to be improved. These are shown cross-hatched on the plan.
- 5.6 Therefore, closure of these highways should not affect the public's enjoyment of the area. The closures are necessary for the proposed development, and it is considered that they will have no detrimental effect on the surrounding highway network and its users.

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 All costs accruing to the Highway Maintenance Division associated with this proposal will be met by the Applicant (including commuted sums for future maintenance if applicable).
- 8.2 Therefore there will be no increase in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

- 9.1 Based on the above information, I have no objections to the proposed closures as shown hatched black on the plan.

10.0 RECOMMENDATIONS

- 10.1 Raise no objections to the proposed Stopping Up Order for the permanent closure of parts of Newstead Road and Birley Moor Avenue (shown hatched black on the plan), and the full lengths and part lengths of the associated footpaths (shown solid black on the plan).
- 10.2 Authorise the Director of Legal and Governance to take all necessary action on the matter under the powers contained within the Town and Country Planning Act 1990, Section 247, and to apply to the Department for Transport for an Order to close the said areas of highway.

Mark Reeder

Engineer
Highway Records.

9th August 2021

REPORT APPROVED BY HEAD OF Strategic Transport and Infrastructure

Date 12 August 2021

APPENDIX A

-  Footpath to be stopped up
-  All-purpose highway to be stopped up
-  Highway to be improved
-  New highway to be provided

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