



## SHEFFIELD CITY COUNCIL Planning & Highways Committee

**Report of:** Director of Regeneration & Development Services

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**Date:** 17 December 2013

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**Subject:** PROPOSED CLOSURE OF PUBLIC FOOTPATH  
LINKING WYBOURN HOUSE ROAD AND  
MALTRAVERS PLACE, WYBOURN, SHEFFIELD.

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**Author of Report:** Mark Reeder 0114 273 6125

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**Summary:** To seek authority to process the Highway Stopping-Up Order required to close the footpath linking Wybourn House Road and Maltravers Place in the Wybourn area of Sheffield.

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**Reasons for Recommendations:** In order to facilitate the approved development (ref: 13/00638/FUL), it is necessary to permanently stop up this public footpath.

**Recommendations:**

1. To note that no objections are raised to the proposed closure of the footpath linking Wybourn House Road and Maltravers Place, as shown by hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.
  2. Authority be given to the Director of Legal and Governance to
    - a. take all necessary action to close the footpath under the powers contained within Section 257 of the Town and Country Planning Act 1990.
    - b. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.
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**Background Papers:** None

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**Category of Report:** \*Open/~~Closed~~ \*(delete as appropriate)

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## DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING  
AND HIGHWAYS COMMITTEE  
17 December 2013

### PROPOSED CLOSURE OF PUBLIC FOOTPATH LINKING WYBOURN HOUSE ROAD AND MALTRAVERS PLACE, WYBOURN, SHEFFIELD.

#### 1.0 PURPOSE

- 1.1 To seek authority to process the Highway Stopping-Up Order required to close the footpath linking Wybourn House Road and Maltravers Place in the Wybourn area of Sheffield.

#### 2.0 BACKGROUND

- 2.1 On 22<sup>nd</sup> May 2013, planning consent was given for the erection of 88 dwellings with associated car parking accommodation and landscaping works on land between Wybourn House Road and Maltravers Place (ref: 13/00638/FUL). The Planning Application boundary is identified by a red line on the plan included as Appendix A.
- 2.2 In order to facilitate the approved development, it is necessary to permanently stop up the public footpath shown by hatching and solid black on the plan.
- 2.3 A location plan is attached as Appendix B.

#### 3.0 CONSULTATIONS

- 3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies, including footpath societies.
- 3.2 Not all the consultees had responded at the time of writing this report. Of those that have responded no objections have been received.
- 3.3 If any negative comments relating to the application are received before the Planning and Highways Committee meeting, they will be reported verbally.

#### 4.0 LEGAL IMPLICATIONS

- 4.1 The Director of Legal and Democratic Services has been consulted and has advised that, assuming the footpath shown hatched needs stopping up to allow the development to proceed, it would be appropriate to process the closure using the powers contained within Section 257 of the Town and Country Planning Act 1990.

## 5.0 HIGHWAY IMPLICATIONS

- 5.1 The subject footpath is an adopted public highway linking Wybourn House Road and Maltravers Place.
- 5.2 An alternative route will be created off Wybourn House Road (see approved planning application plan attached as Appendix C) providing vehicular and pedestrian access to the new development with a pedestrian link to Maltravers Place. Consequently, closure of the footpath should not adversely affect the public's enjoyment of the area and will have no detrimental effect on the surrounding highway network and its users.
- 5.3 There are two street lighting columns along the route that will require removal. The applicant is to arrange for their disconnection and removal following successful completion of the closure process and is currently liaising with the Highway Maintenance Contractor.

## 6.0 EQUAL OPPORTUNITY IMPLICATIONS

- 6.1 No particular equal opportunity implications arise from the proposals in this report.

## 7.0 ENVIRONMENTAL IMPLICATIONS

- 7.1 No particular environmental implications arise from the proposals in this report.

## 8.0 FINANCIAL IMPLICATIONS

- 8.1 All costs accruing to Highway Maintenance Division in association with this closure application will be met by the applicant.
- 8.2 The cost of disconnection and removal of the Street Lighting will be met by the applicant.
- 8.3 There will be no increase in liability on the Highway Maintenance revenue budget as a result of this highway closure. If the application is successful the area will be de-accrued from the Highway Maintenance contract.

## 9.0 CONCLUSION

- 9.1 Based on the above information, the proposed closure of the footpath linking Wybourn House Road and Maltravers Place, shown by hatching on the plan included as Appendix A, is supported.

## 10.0 RECOMMENDATIONS

10.1 No objections are raised to the proposed closure of the footpath linking Wybourn House Road and Maltravers Place, as shown by hatching on the plan included as Appendix A, subject to satisfactory arrangements being made with Statutory Undertakers in connection with any of their mains and services that may be affected.

10.2 Authority be given to the Director of Legal and Democratic Services to

- c. take all necessary action to close the footpath under the powers contained within Section 257 of the Town and Country Planning Act 1990.
- d. confirm the Order as an Unopposed Order, in the event of no objections being received, or any objections received being resolved.

Steve Robinson  
Head of Highway Maintenance

17<sup>th</sup> December 2013