

DIRECTOR OF CULTURE AND ENVIRONMENT

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
20th June 2017

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257, PROPOSED
CLOSURE OF WESTBANK LANE (FOOTPATH) OFF WEST STREET, SHEFFIELD
S1.

1.0 PURPOSE

1.1 To seek authority to process the Public Path Extinguishment Order required to close the footpath named Westbank Lane, off West Street, Sheffield, shown hatched black on the plan attached as Appendix A.

2.0 BACKGROUND

2.1 On 26th January 2017, planning consent (ref: 16/03726/FUL) was given for the demolition of existing office block and former bar and erection of an 11 storey building for purpose built Student Accommodation (Sui Generis) comprising 284 student bed spaces and associated facilities. The development boundary is shown as a redline on the plan attached as Appendix A.

2.2 In order to enable the approved development to be carried out, it is necessary to stop up the footpath which runs through the site. To be done legally, an appropriate legal Order to close the footpath must first be made and confirmed.

3.0 CONSULTATIONS

3.1 Consultations have been carried out with Statutory Undertakers (i.e. utility companies), the Emergency Services, and other relevant bodies.

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 Governance has been consulted and has advised that, if the Council is satisfied that the Footpath needs closing to enable the approved Development to be carried out, 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 Westbank Lane is an adopted cul-de-sac footpath off West Street in the City Centre of Sheffield.

5.2 As a cul-de-sac footpath Westbank Lane provides little or no benefit to highway users, mainly providing an access to the rear of properties that will be demolished as part of the development.

5.3 The closure of this 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.

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 the Council (Highway Maintenance Division) in association with this proposal will be met by the Applicant.

8.2 As a result of this closure there will be a slight reduction in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

9.1 The Highway Authority is satisfied that the proposed closure of the footpath is necessary to enable the approved Development to be carried out. Based on all of the above information, the application is supported.

10.0 RECOMMENDATIONS

- 10.1 Members raise no objections to the proposed closure of Westbank Lane (footpath), off West Street, Sheffield as shown 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 Governance to
- a. take all necessary action to close the footpath by order 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 and withdrawn prior to the order being confirmed.

Steve Robinson
Head of Highway Maintenance

20th June 2017

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