

DIRECTOR OF CULTURE AND ENVIRONMENT

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
22nd May 2018

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257, PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH SHE\1072 AT MILLHOUSES, SHEFFIELD

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert part of the public footpath at the former Bannerdale site, Millhouses, Sheffield 7 shown as a black line on the plan attached as Appendix A.

2.0 BACKGROUND

- 2.1 This application is made in conjunction with planning application 17/03068/FUL and 17/01012/REM which has been granted conditionally for the erection of 62 dwellinghouses.
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-route part of the public footpath which runs through the site. To be done legally, a Public Path Diversion Order 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, 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 Governance has been consulted and has advised that, if the Council is satisfied that the Footpath needs diverting to enable the approved Development to be carried out, it would be appropriate to process the diversion using the powers contained within Section 257 of the Town and Country Planning Act 1990.

5.0 HIGHWAY IMPLICATIONS

- 5.1 SHE\1072 is a public footpath that commences on the north side of Abbeydale Road, approximately 140 metres south west of the entrance to the Tesco superstore. The path meanders around the western perimeter of Windsor House (900 Abbeydale Road) before heading north across the former Bannerdale Centre then joining footpath SHE\448 just north of the pedestrian entrance to Holt House Grove.
- 5.2 The re-aligned route, shown as a broken black-line on the plan, will link through a new cul-de-sac, shown shaded grey on the plan, providing a pedestrian through route that connects to the unaffected parts of footpath SHE\1072.
- 5.3 Therefore the diversion 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.
- 5.4 The new section of path and cul-de-sac will be adopted, maintained by Streets Ahead, and constructed in accordance with Local Authority specification.

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 (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 The Highway Authority is satisfied that the proposed diversion 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 by Officers.

10.0 RECOMMENDATIONS

- 10.1 Members raise no objections to the proposed diversion of part of footpath SHE\1072, 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 divert part of 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.

Paul Billington
Director Culture and Environment

22nd May 2018

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