

DIRECTOR OF OPERATIONAL SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
10th MARCH 2020

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257, PROPOSED DIVERSION OF FOOTPATH AT WALKLEY PRIMARY SCHOOL.

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert the public footpath adjacent to Walkley Primary School shown hatched black on the plan attached as Appendix A.

2.0 BACKGROUND

- 2.1 On the 27th November 2019 planning permission (ref: 19/02841/FUL) was granted for the redevelopment of Walkley Primary School including construction of a new 2-storey primary school building, demolition of existing school building to accommodate new hard and soft play facilities and alterations to existing access arrangements and public right of way
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-route 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. No objections have been received from those that have responded.
- 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 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 The subject footpath is adopted and maintained by Streets Ahead. It commences at the southernmost point of Majuba Street (off Burnaby Green) and heads in a generally south/south easterly direction to an adopted path which serves Whitehouse Lane and Grammar Street at Walkley, Sheffield 6.
- 5.2 The re-aligned route to be provided, shown stippled on the plan attached as Appendix A, will be of a similar length, width (1.8m to 2.2m) and gradient.
- 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.

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.

10.0 RECOMMENDATIONS

10.1 Members raise no objections to the proposed diversion of the public footpath adjacent to Walkley Primary School, as shown hatched black on the plan included as Appendix A, subject to planning consent and 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 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.

Philip Beecroft

Head of Highway Maintenance

27th February 2020

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