



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 4th September 2015

Subject: Proposed diversion of part of the public footpath on the west side of Hallam Primary School, Fulwood, S10

Author of Report: Mark Reeder 0114 2736125

Summary:

To seek authority to process the Public Path Diversion Order required to divert part of the adopted public footpath linking Redmires Road and the public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood.

Reasons for Recommendations

Raise no objections to the diversion of the adopted public footpath linking Redmires Road and public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, 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.

Recommendations:

Authority be given to the Director of Legal and Governance to

1. 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.
2. 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as an unopposed Order, in the event of no objections being received, or any objections received being resolved and withdrawn prior to the Order being confirmed.
3. Submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

Background Papers:

Category of Report: OPEN

DIRECTOR OF REGENERATION AND DEVELOPMENT SERVICES

REPORT TO PLANNING
AND HIGHWAYS COMMITTEE
4th September 2015

PROPOSED DIVERSION OF PART OF THE PUBLIC FOOTPATH ON THE WEST SIDE OF HALLAM PRIMARY SCHOOL, FULWOOD, SHEFFIELD S10

1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Diversion Order required to divert part of the adopted public footpath linking Redmires Road and the public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, Sheffield, shown by a solid black line on the plan included as Appendix A.

2.0 BACKGROUND

- 2.1 The application is made in conjunction with planning application 14/02000/RG3, for which approval has been given for the demolition of parts of infant school buildings, alterations and extension to retained buildings and extension to provide additional classrooms, provision of multi-use games area, car parking and external works. The Planning Application boundary is identified by a red line on the plan included as Appendix B.
- 2.2 In order to enable the approved development to be carried out, it is necessary to re-align one of the footpaths that run through the site. To enable this to take place, 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 adopted public footpath linking Redmires Road and public footpath numbered SHE/297 needs to be diverted to enable the development to be carried out, it would be appropriate to divert the footpath by making a legal Order using the powers contained within Section 257 of the Town and Country Planning Act 1990 (TCPA 1990).

4.2 An Order made under Section 257 does not come into effect until it is confirmed. In accordance with Schedule 14 of the TCPA 1990, an Order may not be confirmed until interested parties have been given the opportunity to object to the making of the Order.

4.3 Where no objections are received to the Order (or if they are received and then subsequently withdrawn) the Order may be confirmed by the Council without modification. If there are unresolved objections then the Order must be confirmed by referral to the Secretary of State.

5.0 HIGHWAY IMPLICATIONS

5.1 The subject path is an adopted public footpath crossing the Hallam Grange Primary School site.

5.2 A re-aligned route will be adopted, maintained by Streets Ahead and continue to provide pedestrian access between Redmires Road and public footpath numbered SHE/297, which runs east-west through the school site. The new footpath will be 2 metres wide throughout and will be similar in length to the existing route. Consequently, the diversion of this public 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 if applicable). Therefore there will be no increase in liability on the Highway Maintenance revenue budget.

9.0 CONCLUSION

9.1 The Council is satisfied that the proposed diversion of the footpath is necessary to enable the development to be carried out. Based on all of the above information, the application is supported.

10.0 RECOMMENDATIONS

10.1 Raise no objections to the diversion of the adopted public footpath linking Redmires Road and public footpath numbered SHE/297 at Hallam Grange Primary School, Fulwood, Sheffield, as shown by a solid black line 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 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.
- c. submit the Order to the Secretary of State for confirmation in the event that objections are received which cannot be resolved.

Steve Robinson
Head of Highway Maintenance

4th September 2015

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