

## DIRECTOR OF OPERATIONAL SERVICES

### REPORT TO PLANNING AND HIGHWAYS COMMITTEE 2nd February 2021

#### TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257. PROPOSED CLOSURE OF FOOTPATHS OFF HARBOROUGH ROAD, MANOR PARK, SHEFFIELD 2.

##### 1.0 PURPOSE

- 1.1 To seek authority to process the Public Path Closure Order required to close footpaths between Harborough Road, Harborough Rise and Beaumont Road North in the Manor Park area of Sheffield, shown as a solid black line on the plan attached as Appendix A.

##### 2.0 BACKGROUND

- 2.1 On the 30<sup>th</sup> September 2020 planning permission (ref: 20/00014/FUL) was granted for the erection of 47 dwellings (including 2, 3 and 4 bedroom properties) with associated car parking, roads, footpaths and landscaping works on land at Harborough Road, Beaumont Road North and Harborough Rise at Manor Park, Sheffield 2.
- 2.2 In order to enable the approved development to be carried out, it is necessary to close the footpaths that run through the site which are shown as solid black lines on the plan attached as Appendix A, replacing them with the new Highways shown stippled on the plan 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. 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 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 The footpath shown on the plan in Appendix A from points A to F (via points B, C, D and E) is an adopted public footpath. The footpath shown between points G and H, is also an adopted public footpath.
- 5.2 The footpath shown between points B to E on the plan has no recorded legal status. However, as it appears to have been used by the public for some time it is considered prudent to include it within this proposal. Doing so will prevent any public rights from being established if the application is successful.
- 5.3 As part of the new development a new cul-de-sac all-purpose highway and link footpath will be provided. These are shown on the plan included as Appendix B.
- 5.4 Therefore the closure of the existing footpaths 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 the future maintenance of the new Highways, 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 closure of these footpaths 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 footpaths between Harborough Road, Harborough Rise and Beaumont Road North, shown as solid black lines 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 footpaths 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.

*Gill Charters*

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Head of Highway Maintenance

3<sup>rd</sup> February 2021

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