

DELEGATED DECISION

REGENERATION AND LOCAL SERVICES

8th November 2019



SECTION 278 and 38 AGREEMENTS

Report of Regeneration and Local Services Dave Wafer - Strategic Traffic Manager

Electoral Division Affected

Belmont

Purpose of the Report

To consider those roads and footpaths, etc., which have been built by developers to County Council standards, to be converted to highway and become publicly maintained and to issue a Final Certificate and thereby end the Section 38 and 278 Agreements.

Executive Summary

Durham City District

Agreement Type: Section 278 and 38 Agreement

Developer: Able Construction (Northern) Ltd

Contact Address: Park Works,
Sunderland Road,
Felling
Gateshead
NE10 9LR

Location: Cuthbert Avenue, Sherburn

Details of Works: Construction of new access road and footpaths
Erection of new street lighting columns
Installation of new surface water gullies
Associated civils works

Recommendation

The works have been inspected by Liam Jackson from the Highway Assets section of Regeneration & Local Services and Jon Hogarth from the Highway Adoptions Team and they are considered to be an acceptable standard. You are asked therefore to agree to the areas shown pink on the plan to be converted to highway and those areas shown purple reverting back to highway.

Background

Planning permission for the residential development and associated access, landscaping and engineering works was granted 11th February 2016. The roads are subsequently being offered for adoption.

Main Implications

When the adoption process is complete, Durham County Council will become responsible for the future maintenance of the new highway and street lighting and associated liability.

Conclusion

That the County Council accept the section of highway improved under 278 Agreement works revert to being publicly maintained highway and that a Final Certificate is issued.

Background papers

Planning application reference DM/15/02242

Section 38 and 278 Agreement Plan 13N244-110 rev C1

Contact: Jon Hogarth Tel: 03000 263581

Appendix 1: Implications

Legal Implications - Once the works are complete, subject to them being satisfactory, they will be adopted. Once this happens Durham County Council will become responsible for the maintenance of the new highway and infrastructure (the new roads, footpaths, street lighting etc.)

Finance - Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Regeneration and Local Services.

Consultation - None

Equality and Diversity / Public Sector Equality Duty - It is considered that there are no Equality and Diversity issues to be addressed.

Climate Change – No impact

Human Rights - No impact on human rights

Crime and Disorder – Not affected

Staffing – No impact

Accommodation – No impact

Risk – Not applicable

Procurement – Not applicable



WRITE LINES IN ACCORDANCE WITH DHT TRAFFIC SIGNS MANUAL 2005 CHAPTER 5.

ZONA EXISTING GULLIES AND LEADS TO BE REPLACED

LEGEND

- [Red Line] SITE BOUNDARY
- [Blue Area] WORKS TO EXISTING HIGHWAY UNDER A SECTION 278 AGREEMENT
- [Pink Area] EXTENT OF ADOPTABLE FOOTPATH AND HIGHWAY (SECTION 28)
- [Blue Area] ADOPTABLE HIGHWAY & W. DRAINAGE
- [Blue Area] NEW ADOPTABLE HIGHWAY ROAD GULLY
- [Blue Area] EXISTING HIGHWAY ROAD GULLY TO BE ABANDONED
- [CCTV Symbol] EXISTING CCTV COLUMN
- [Proposed Spot Level Symbol] PROPOSED SPOT LEVEL
- [Existing Spot Level Symbol] EXISTING SPOT LEVEL

STREET LIGHTING DESIGNED TO BS 5488-1:2011

- Six High Coruscant Tubular Street Post For Column 4m and Coruscant C.C. Streetlights Luminaire - Ultra Area, 16 LED, 70w, 2000, 2113°
- Six 16 LED Luminaire - 2000°
- The Luminaire will be suspended to base straight support
- Coruscant luminaire height to be 5.5m to 6m with 25% offset to 12m and 50% 12m to 5m
- Double Pole Switched Ledcolum luminaire
- Switch mounted to the column on N.P.G. low voltage system
- Small Street Column and luminaire to be taken up and changed MFC consent application required

Columns to be located at end of all of the front of a property or a minimum of 0.5m from the road edge in paved areas or where there is no footpath and where light is to be obtained

See Durham County Council's Lighting Specification's Document 2010 for all details including Column that regarding standards and treatment for base back of the Lighting Column

NOTES

1. THE CONTRACTOR IS TO CHECK ALL DIMENSIONS AND LEVELS AND REPORT ANY ERRORS OR OMISSIONS TO THE ENGINEER.
2. THIS DRAWING IS TO BE READ ONLY IN CONJUNCTION WITH ALL CONTRACT DOCUMENTS.
3. ALL CONCRETE FOR FOUNDATION TO KERB CHANNELS AND EDGES SHALL BE CLASS GEN1 (B8) UNLESS SHOWN OTHERWISE.
4. ALL KERBS AND CHANNELS SHALL BE HYDRAULICALLY FINISHED AND COMPLY IN ALL RESPECTS WITH BS EN 124:2002.
5. KERBS AND CHANNELS SHALL BE Laid TRUE TO LINE AND LEVEL AND SHALL NOT BE BACKED UP UNTIL INSPECTED AND APPROVED BY THE ENGINEER.
6. ALL CONCRETE FOR MANHOLES, GULLIES AND INFLECT SURFACING SHALL BE CLASS GEN1 UNLESS NOTED OTHERWISE.
7. BITUMINOUS MIXTURES FOR SURFACING TO ROADS & FOOTPATHS ARE TO COMPLY IN ALL RESPECTS TO BS EN 12188
- REFER TO ARCHITECT'S DRAWINGS FOR ALL PLOT SETTING OUT INFORMATION
- REFER TO ARCHITECT'S DRAWINGS FOR SPECIFICATION OF TYPE AND COLOUR OF ALL SURFACE FINISHES
- ALL SOFT LANDSCAPING DESIGN & DETAIL IS BY OTHERS
- SURFACE FINISHES TO BE AGREED BETWEEN ARCHITECT, LOCAL AUTHORITY PLANNING DEPARTMENT AND LOCAL AUTHORITY HIGHWAY ENGINEER

THE PROPOSED STREET LIGHTING SHOWN HAS BEEN DESIGNED AND APPROVED BY DURHAM COUNTY COUNCIL 20.11.2015. M.P.A.N. NO. TO BE PROVIDED TO D.C.C.

BASE COURSE TO EXISTING ROAD MAY NEED TO BE REPLACED. D.C.C. TO CONFIRM

DESCRIPTION	LS	CI	PW	DATE
REPLACE EXISTING ROAD TO 4m	LS <td>CI <td>PW <td>10.11.2015</td> </td></td>	CI <td>PW <td>10.11.2015</td> </td>	PW <td>10.11.2015</td>	10.11.2015
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AMENDMENT	BY	REV	DATE

Client: FOUR HOUSING

Project: CUTHBERT AVENUE SHERBURN ROAD ESTATE DURHAM, DH1 2ED

Drawing Title: PROPOSED SECTION 38 & 278 PLAN

Drawn	LS	Date	28.08.2015
Checked	PW	Date	13.10.2015
Scale	1:200	Original Size	A1

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Authorised Signatory
Sueley McF: CRSD 171 P 26004
Authorised Signatory
G. Wood

Durham County Council
REGENERATION & ECONOMIC DEVELOPMENT
Highway layout approved for use in Agreement
JW Collins
CORPORATE DIRECTOR OF REGENERATION & ECONOMIC DEVELOPMENT
Date: 20th January 2016