

DELEGATED DECISION REPORT

REGENERATION AND LOCAL SERVICES

17th March 2020



SECTION 38 AGREEMENTS

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

Electoral Division Affected

Chester-le-Street West Central

Purpose of the Report

To consider those developments which have been proposed by developers and which require Section 38 Agreements to be entered into with them under the provisions of Section 38 of the Highways Act 1980 for the construction and subsequent adoption of the roads and footpaths, etc. which they are developing.

Executive Summary

Chester le Street District

Agreement Type: Section 38 Agreement

Developer: Taylor Wimpey North East
Contact Address: Rapier House,
Colima Avenue,
Sunderland,
SR5 3XB

Location: B6313 Bluehouse Bank, Pelton Fell
B6313 Picktree Lane, Chester le Street

Details of Works: Construction of a new residential roads
Construction of new residential footpaths
Erection of new street lighting columns
Installation of new surface water gullies
Traffic calming infrastructure
Associated civils work

Recommendations and reasons

The details of the proposed residential development works at Durham have been checked by Jon Hogarth from the Highway Adoptions Section, Regeneration & Local Services and are considered to be in accordance with Durham County Councils standards and specifications.

I therefore recommend that the Section 38 Agreement which will allow the works to proceed be entered into.

Background

- 1 Planning permission was granted for the residential development, associated access and traffic calming infrastructure on 12th August 2019 (planning reference DM/18/00379)
- 2 The extent of the works to be covered under this Agreement is shown on the approved plan references;
Drawing 1743-21 Revision P9

Details of any alternative options considered and rejected when making the decision

None

Main Implications

When the development Agreement works are complete and they have been inspected, approved and adopted, Durham County Council will become responsible for the future maintenance of the amended areas of highway, infrastructure and all associated liability.

Conclusion

That the Section 38 Agreement detailed in the report be entered into.

Contact: Peter Armstrong Tel: 03000 267054

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 - None

Human Rights - No impact on human rights

Crime and Disorder – Not affected

Staffing – No impact

Accommodation – No impact

Risk – Not applicable

Procurement – Not applicable