

Delegated Decision

20 June 2024

Highway Adoptions

Ordinary Decision



Report of Neighbourhoods & Climate Change

Paul Anderson, Strategic Highways Manager

Electoral division(s) affected:

Evenwood, Barnard Castle East

Purpose of the Report

To consider those developments/schemes which have been proposed by developers and which require Section 38/278 Agreements to be entered into with them under the provisions of Section 38 & 278 of the Highways Act 1980 for the construction and subsequent adoption of the roads and footpaths, etc. which they are developing.

Recommendation

The details of the proposed works at Hamsterley, Bishop Auckland and Staindrop have been checked by Phillip Thompson from the Highway Adoptions Section, Neighbourhoods & Climate Change and are considered to be in accordance with Durham County Councils standards and specifications.

I therefore recommend that the Section 38/278 Agreements which will allow the works to proceed be entered into.

Background

Teesdale District

Agreement Type: Section 38/278 Agreement

Developer: Forric Homes (Hamsterley) Ltd
Contact Address: Miler House
West Road
Tantobie
Stanley
DH9 9RX

Location: Green View Lodge, Hamsterley, Bishop Auckland

Details of Works: New access roads, parking bays, associated footways, footpaths and street lighting.

Agreement Type: Section 38/278 Agreement

Developer: Homes By Carlton
Contact Address: 15 Parsons Court
Welbury Way
Aycliffe Business Park
County Durham
DL5 6ZE

Location: Sudburn Avenue, Staindrop

Details of Works: New access roads, parking bays, associated footways, off-site footway and street lighting.

Options

None

Main 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 (the new roads, footpaths, etc.)

Finance

Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Neighbourhoods & Climate Change.

Conclusion

That the 38/278 Agreements detailed in the report be entered into.

Contact: Phillip Thompson

Tel: 03000 267106

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 (the new roads, footpaths, etc.)

Finance

Financed by private developers. Future maintenance will be carried out and financed by D.C.C, Neighbourhoods & Climate Change.

Consultation

No

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

None.

Accommodation

No impact.

Risk

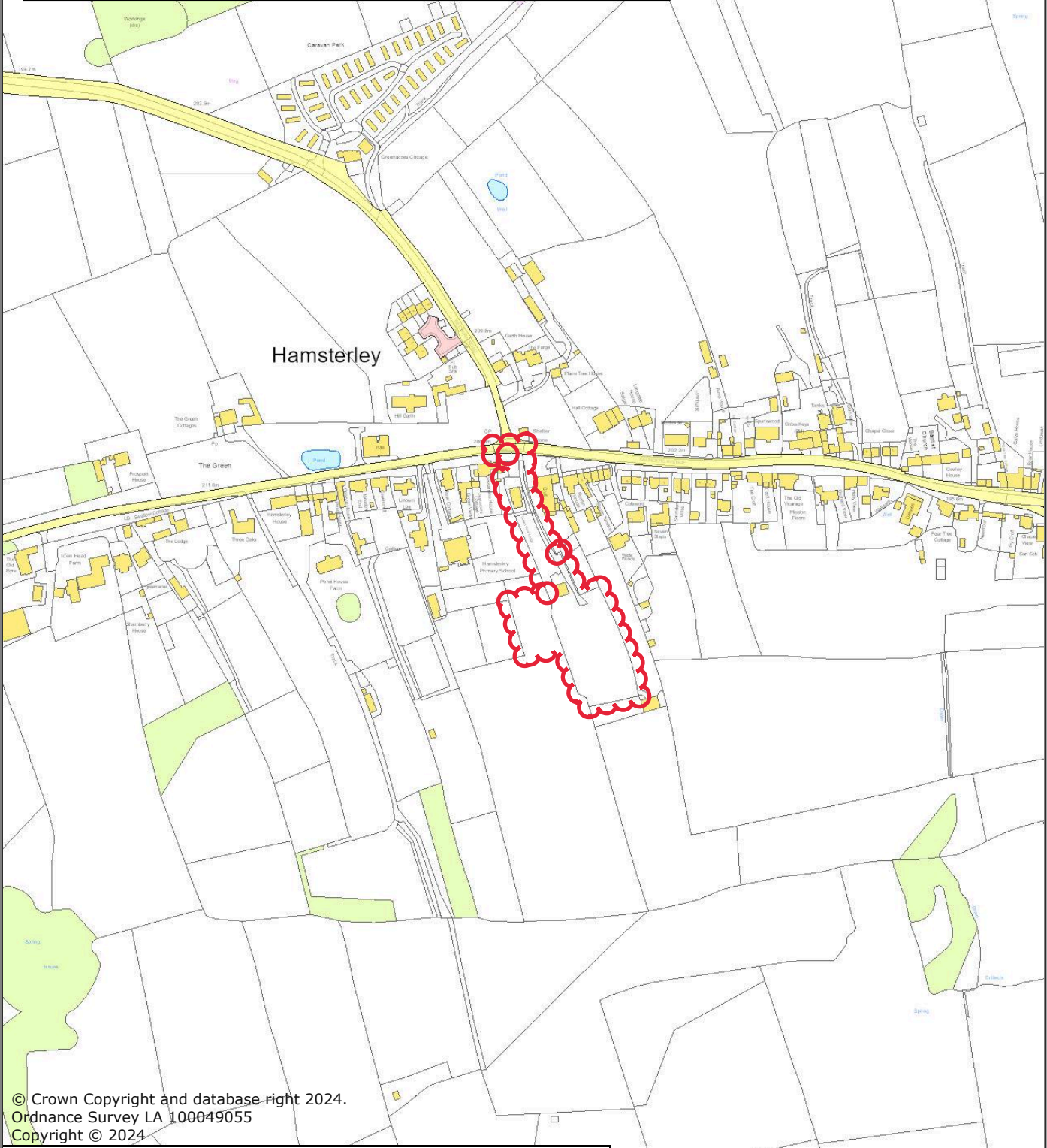
Not applicable.

Procurement

Not applicable.

Durham County Council - IntraMAP

Agreement Type: Section 38/278 Agreement
Developer: Forric Homes (Hamsterley) Ltd
Contact Address: Miller House
West Road
Tantobie
Stanley
DH9 9RX
Location: Green View Lodge, Hamsterley, Bishop Auckland
Details of Works: New access roads, parking bays, associated footways
footpaths and street lighting.

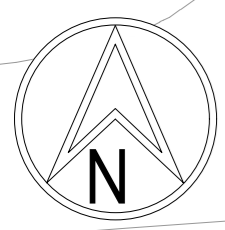


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NEW GULLY TO BE POSITIONED AT TANGENT POINT AND CONNECT INTO EXISTING CW SEWER ON SAUNDERS AVENUE

- GENERAL SAFETY NOTES:**
- WHERE THE BASE (ROAD BASE) HAS BEEN USED AS A TEMPORARY RUNNING SURFACE DURING THE CONTRACT IT SHALL BE THOROUGHLY CLEANED AND POWER WASHED AS NECESSARY. AFTER DRYING AND IMMEDIATELY BEFORE THE BINDER COURSE IS LAID A TACK COAT OF BITUMEN EMULSION CLASS #1-40 OR #1-40 TO #24M SHALL BE APPLIED AT A RATE OF 0.25-0.5 LITRES/SQ METER.
 - ALL RADIUS KERBS WITH A RADIUS OF 12m OR LESS SHALL BE FORMED WITH PROPRIETARY RADIUS KERBS.
- HEALTH & SAFETY:**
- CONTRACTOR SHOULD BE AWARE OF GENERAL CONSTRUCTION RISKS TO PREVENT SLIPS, TRIPS AND FALLS AND TAKE NECESSARY PRECAUTIONS WITHOUT SPECIAL INSTRUCTION.
 - CONTRACTOR TO PROVIDE TRENCH SUPPORTS AS APPROPRIATE AND ENSURE THAT PLANT REMAINS A SAFE DISTANCE FROM TRENCHES PRIOR TO INSTALLING DRAINAGE.
 - THE TIME THAT EXCAVATIONS ARE OPEN ON SITE SHOULD BE KEPT TO A MINIMUM AND ALL TRENCHES SHOULD BE SURROUNDED BY A BARRIER.
 - CONNECTIONS TO EXISTING SEWERS TO BE MADE BY APPROVED CONTRACTOR ONLY.
 - CONTRACTOR TO MAKE OPERATIVES AWARE OF ASSOCIATED DANGERS TO HEALTH SUCH AS LEPTOSPIROSIS (WELLS DISEASE) AND RECOMMENDED PRECAUTIONS. ADEQUATE WELFARE FACILITIES AND PROTECTIVE CLOTHING TO BE PROVIDED AS REQUIRED.
 - UNFINISHED MANHOLES MUST BE COVERED WITH LOAD BEARING MATERIALS AND SURROUNDED WITH BARRIER.
- PIPES & CABLES:**
- CONTRACTOR TO OBTAIN ALL SERVICE RECORDS PRIOR TO WORKS COMMENCING.
 - SERVICE RECORDS TO BE REFERRED TO PRIOR TO WORK COMMENCING. CONTRACTOR TO PROCEED WITH CAUTION AND SERVICES TO BE LOCATED BY HAND DIG AND PROTECTED ACCORDINGLY.
- EXCAVATION/FILL:**
- CONTRACTOR TO ENSURE RELEVANT MEASURES ARE TAKEN TO KEEP PLANT AND PEOPLE A SAFE DISTANCE FROM STEEP SLOPES DURING THE WORKS.
 - CONTRACTOR TO ENSURE THAT PROCEDURES ARE IN PLACE TO KEEP PEOPLE A SAFE DISTANCE FROM WORKING PLANT WHERE NECESSARY.
 - CONTRACTOR TO REFER TO GROUND INVESTIGATION REPORT FOR CONTAMINATION TESTS AND TO PROVIDE ADEQUATE WELFARE FACILITIES AND PROTECTIVE CLOTHING AS REQUIRED.

- DESIGN NOTES:**
- ALL WORKS TO COMPLY WITH CURRENT VERSION OF THE FOLLOWING DOCUMENTS:
 - DESIGN MANUAL FOR ROADS AND BRIDGES (DMRB)
 - SPECIFICATION FOR HIGHWAY WORKS (SHW)
 - LOCAL AUTHORITY DESIGN GUIDE AND SPECIFICATION
 - PRIOR TO COMMENCING WORKS THE CONTRACTOR SHOULD INVESTIGATE AND LOCATE AS NECESSARY ANY STATUTORY UNDERTAKERS EQUIPMENT WITHIN THE NEW ACCESS AND DISCUSS REQUIREMENTS FOR LOWERING/DISPROVAL AND PROTECTION WITH THE RELEVANT UNDERTAKER. ALL WORKS WITHIN THE PUBLIC HIGHWAY TO MEET LOCAL AUTHORITY REQUIREMENTS. CONTRACTOR TO APPLY FOR ROAD OPENING NOTICES ETC AS REQUIRED.
 - CBR VALUE NOT AVAILABLE. ROAD CONSTRUCTION DETAIL SUBJECT TO CONFIRMATION OF CBR VALUES. CONTRACTOR TO ALLOW FOR LAB TESTS TO BE UNDERTAKEN IN AGREEMENT WITH LOCAL AUTHORITY HIGHWAY ENGINEER PRIOR TO WORKS COMMENCING.
 - PROPOSED LEVELS HAVE BEEN BASED ON THE EXISTING TOPOGRAPHICAL SURVEY PROVIDED BY THE CLIENT.
 - PROPOSED DRAWING BASED ON THE LATEST ARCHITECTURAL LAYOUT PROVIDED BY THE CLIENT.
 - SLOPES GREATER THAN 1 IN 4 MAY REQUIRE STABILISATION. GEOTECHNICAL ENGINEER TO BE CONTACTED TO CONFIRM REQUIREMENTS.

- S38/S278 KEY**
- DEVELOPER LAND OWNERSHIP BOUNDARY
 - AREA ADOPTED UNDER SECTION 38 AGREEMENT
 - AREA SUBJECT TO S278 WORKS
 - ADOPTABLE HIGHWAY GULLY
 - ADOPTABLE HIGHWAY DRAINAGE
 - PROPOSED SURFACE WATER DRAINAGE (S104)
 - PROPOSED FOUL WATER DRAINAGE (S104)

TO BE READ IN CONJUNCTION WITH RWO DRAWING D500 KERBS AND SURFACING PLAN AND D700 ROAD CONSTRUCTION DETAILS

- LIGHTING KEY**
- PROPOSED GALVANISED TUBULAR STEEL LIGHTING COLUMN OF 6.0 METRE NOMINAL HEIGHT WITH A PLANTED BASE AS SUPPLIED BY FABRIKAT AS PER DURHAM COUNTY COUNCIL SPECIFICATION.
- Luminaire Type: Urbis Schreder Axia
 Luminaire Reference: Axia 2.1 5187 500mA NW 740 14w
 Mounting Type: Post top mounted

SUBJECT TO LOCAL AUTHORITY APPROVAL

18.11.23	REVISED TO LATEST LAYOUT	RL	AE	5
25.10.23	REVISED TO SUIT OCC HIGHWAYS COMMENTS	RL	AE	4
13.09.23	STREET LIGHTING DESIGN ADDED	RM	RL	3
09.08.23	LEVELS REVISED FOLLOWING DISCUSSION WITH CLIENT	RL	AE	2
13.07.23	FIRST ISSUE	RL	AE	1
Date	Revisions	Drawn	Checked	Rev

Dwg Status **FOR APPROVAL**

NORTH EAST
0191 2585632

YORKSHIRE
0113 535 3500

RWO
CONSULTING ENGINEERS

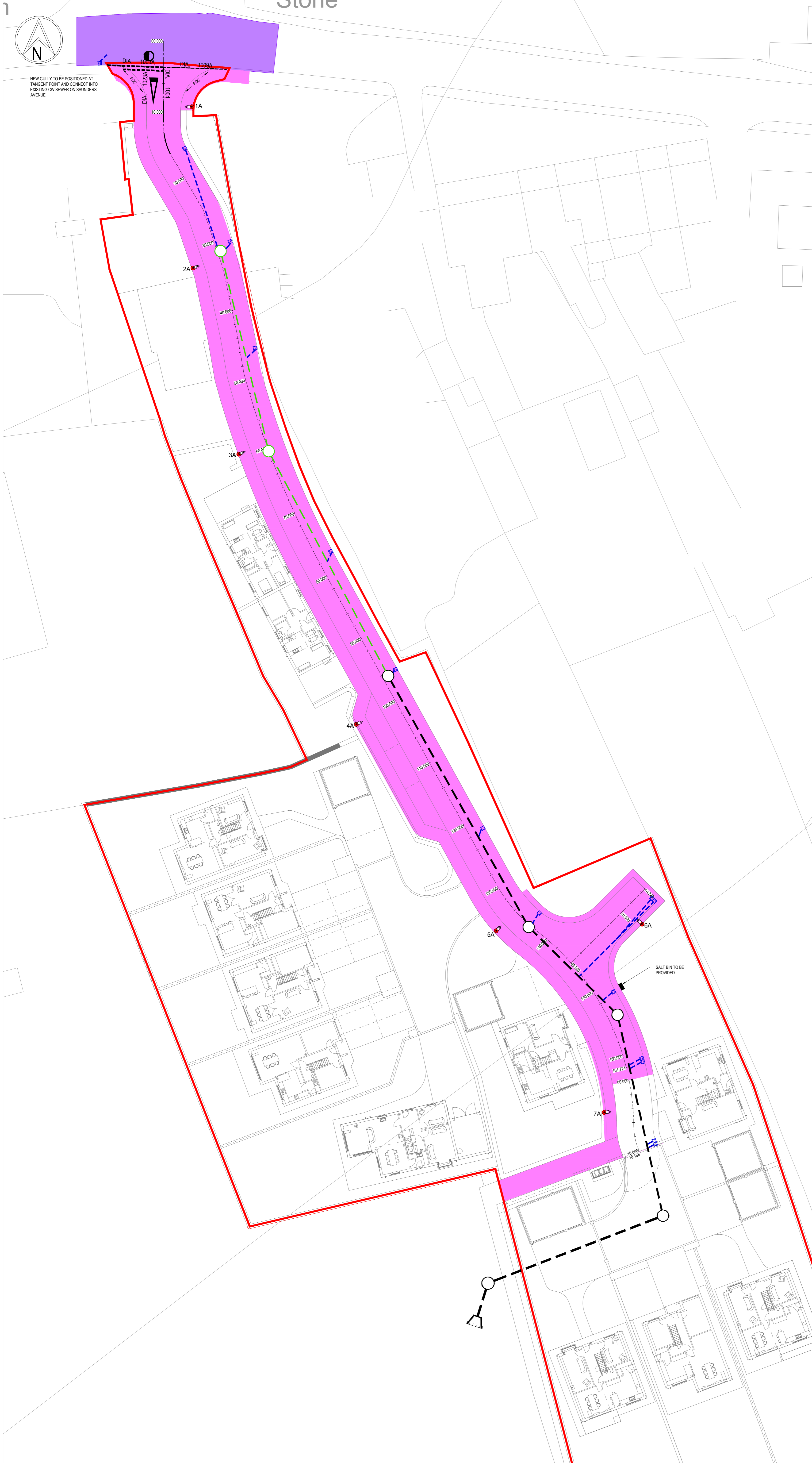
WWW.RWO.GROUP
INFO@RWO.GROUP

Client
FORRIC DEVELOPMENTS

Project
**GREEN VIEW
HAMSTERLEY**

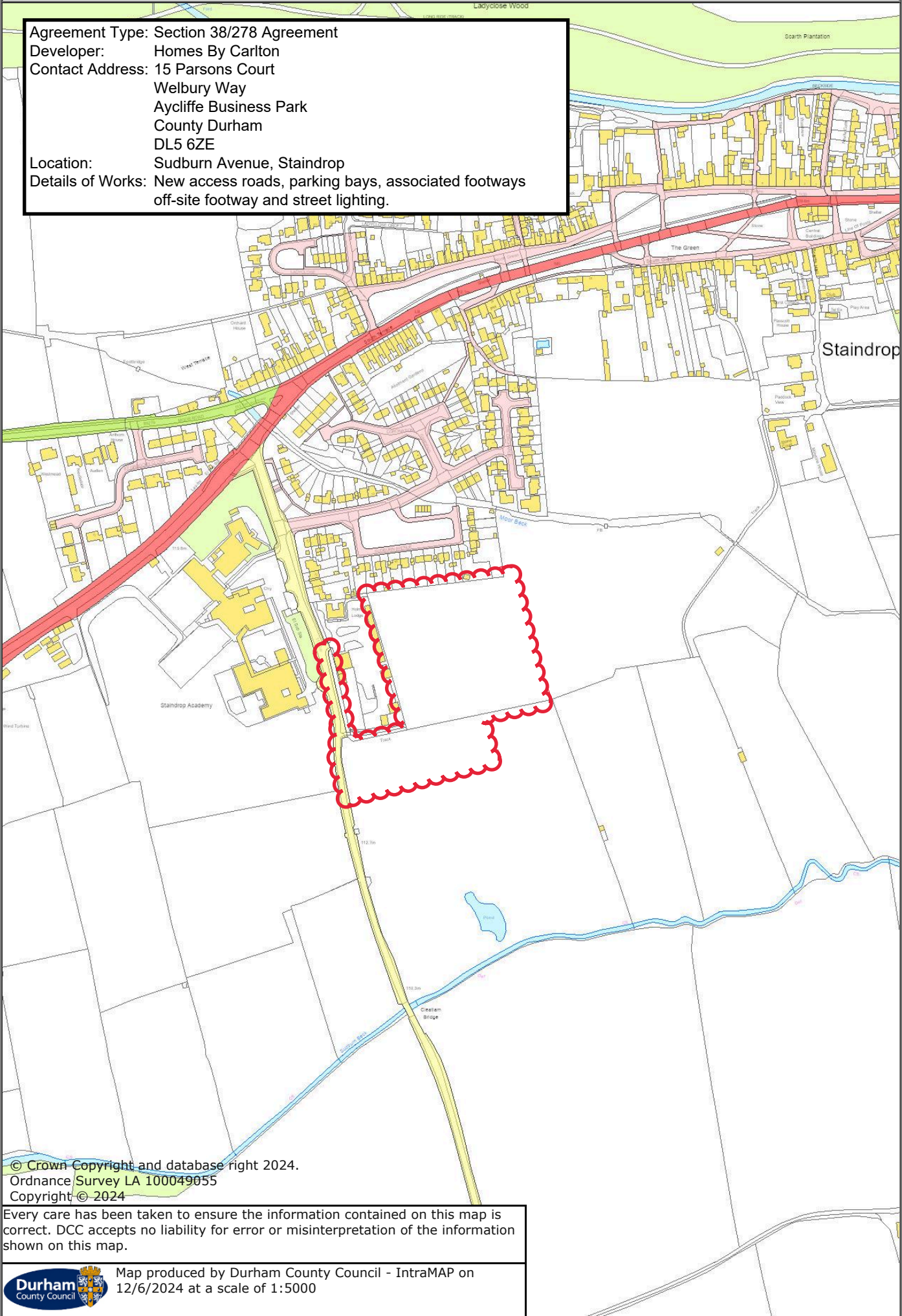
Title
S38 & S278 WORKS PLAN

DO NOT SCALE	Scale @ A1: 1:250	Drawn	RL	Checked	AE	Date	13.07.23
Job No	21141	Dwg No	D800	Rev	5		




Durham County Council - IntraMAP

Agreement Type: Section 38/278 Agreement
 Developer: Homes By Carlton
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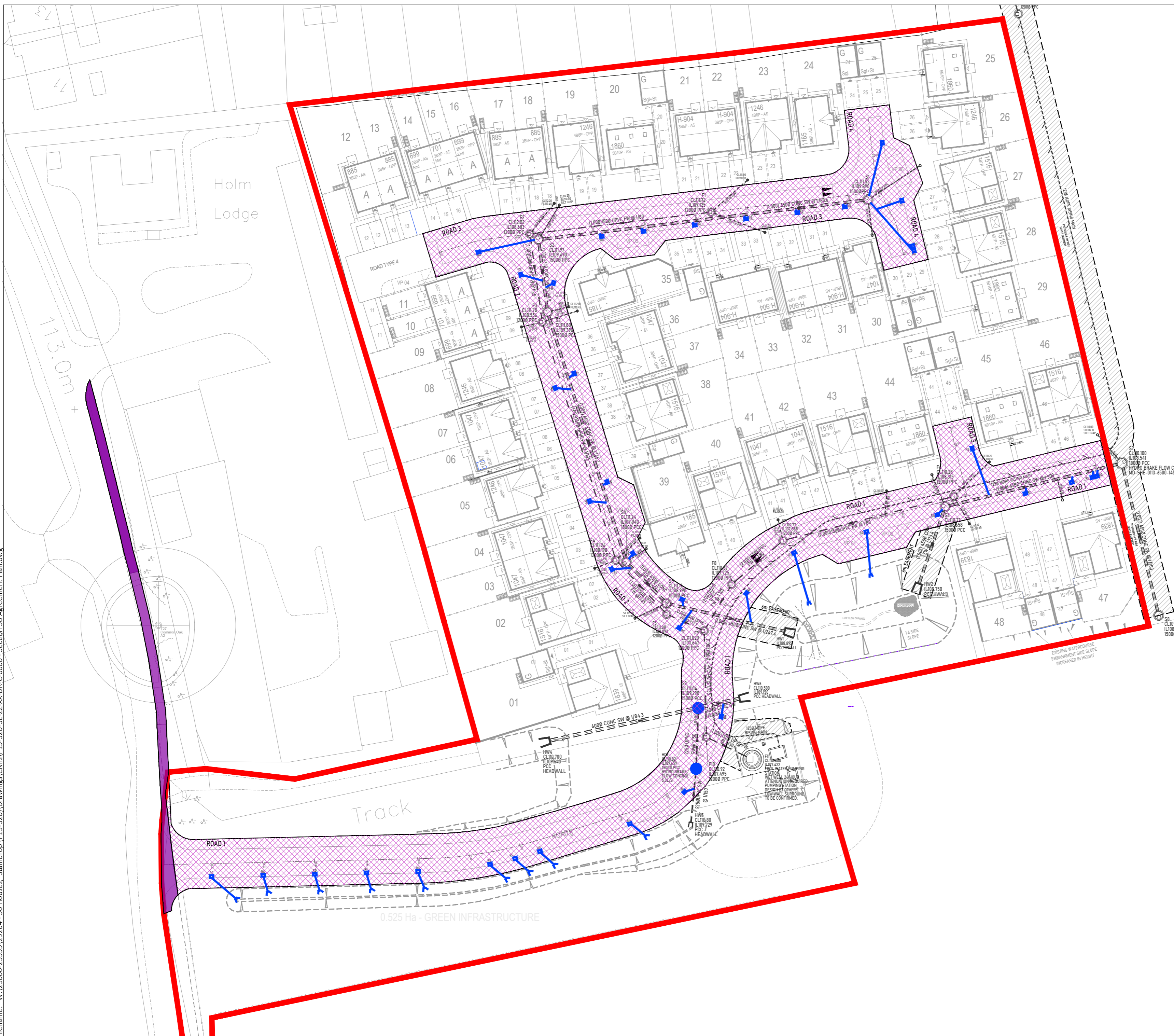


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Filename: W:\290000-299999\29264 - 50 Houses, Staindrop (P19-320)\Drawings\Civils\P19-320-3E-ZZ-XX-DR-C-6000 - Section 38 Agreement Plan.dwg



NOTES

- SITE BOUNDARY
- ADOPTABLE CARRIAGEWAY/FOOTPATH/VERGE S38 WORKS (TO BE OFFERED FOR ADOPTION)
- EXISTING ADOPTABLE HIGHWAY WORKS S278 WORKS (WORKS TO EXISTING HIGHWAY)
- ADOPTABLE HIGHWAY DRAIN & MANHOLE (HIGHWAY DRAIN & MANHOLE OFFERED FOR ADOPTION)
- ADOPTABLE ROAD GULLY (ROAD GULLY OFFERED FOR ADOPTION)

SUBJECT TO THE APPROVAL OF ALL RELEVANT AUTHORITIES

REVISIONS

Rev.	Revision Notes	Date	Drawn By	Checked Approved
P03	UPDATED TO SUIT S38 COMMENTS RECEIVED 07/05/24	13/05/24	JF	MP MP
P02	UPDATED TO SUIT S38 COMMENTS RECEIVED 21/03/24	28/03/24	JF	MP MP
P01	INITIAL ISSUE	20/12/23	HP	MP MP

Hydrock

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e: newcastle@3econsult.com

CLIENT
HOMES BY CARLTON

PROJECT
RESIDENTIAL DEVELOPMENT
STAINDROP, COUNTY DURHAM

TITLE
SECTION 38/278 AGREEMENT PLAN

HYDROCK PROJECT NO. P19-320	SCALE @ A2 1:500	
STATUS DESCRIPTION SUITABLE FOR INFORMATION		STATUS S2
DRAWING NO. P19-320-HYD-ZZ-XX-DR-C-6000		REVISION P03