

**Delegated Decision**

**6 January 2025**

**Highway Adoptions**

**Ordinary Decision**



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## **Report of Neighbourhoods & Climate Change**

Paul Anderson, Strategic Highways Manager

### **Electoral division(s) affected:**

Neville's Cross/Durham South; Willington & Hunwick/Deerness

### **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 Durham City and Brancepeth 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**

## Durham District

Agreement Type: Section 38 Agreement

Developer: Banks Group  
Contact Address: Inkerman House  
St John's Road  
Meadowfield  
Durham  
DH7 8XL

Location: Land south of South College, The Drive, Durham

Details of Works: New commercial access road, footways and street lighting.

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Agreement Type: Section 278 Agreement

Developer: Brancepeth Estates Limited  
Contact Address: The Paddock  
Kirk Merrington  
County Durham  
DL16 7JW

Location: Land adj. Brancepeth Manor Farm, Crook

Details of Works: Passing place to serve extension to existing leisure site.

### **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.

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**Contact:** Phillip Thompson

Tel: 03000 267106

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## **Appendix 1: Implications**

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### **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

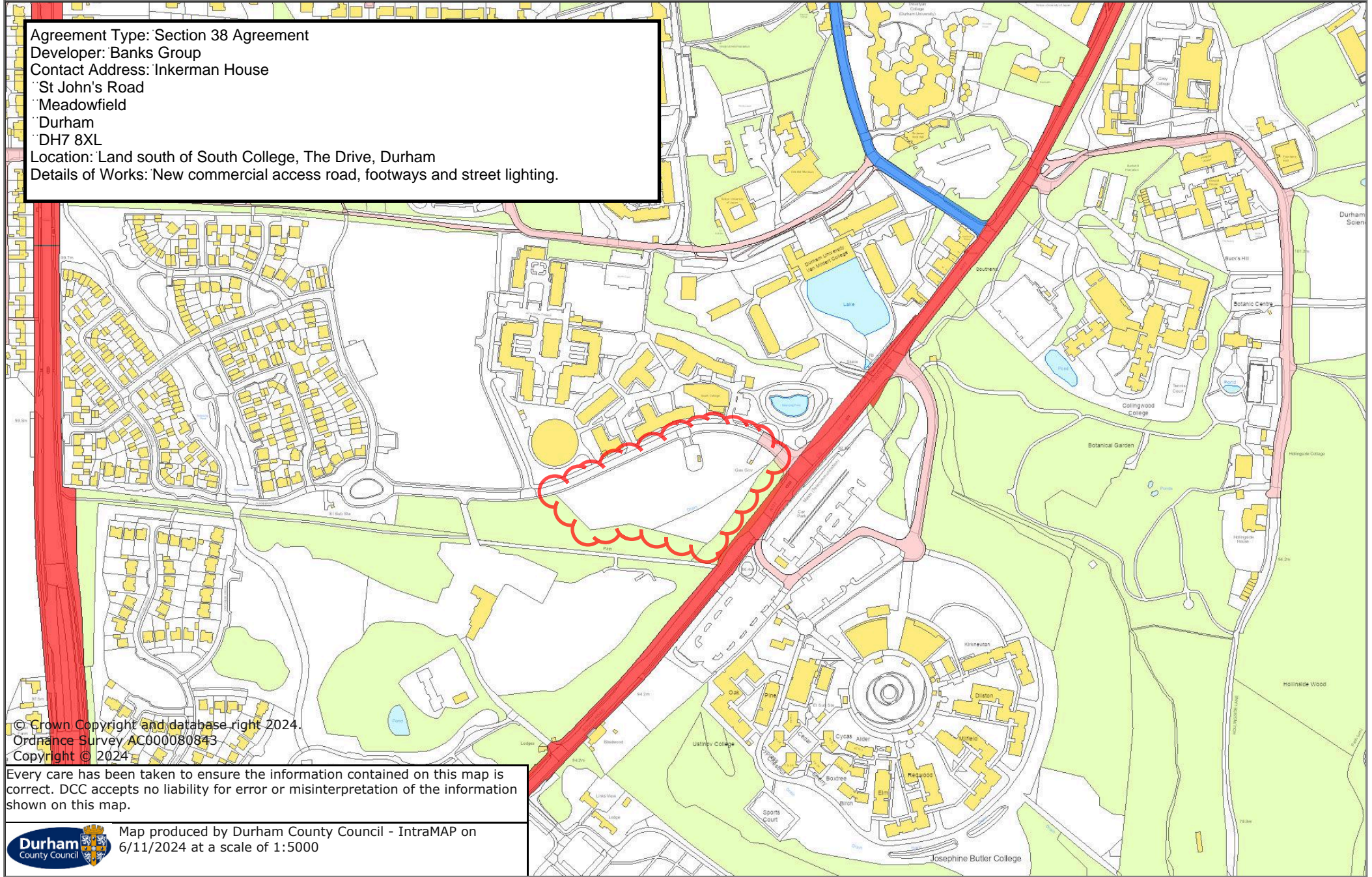
Agreement Type: Section 38 Agreement  
 Developer: Banks Group  
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 St John's Road  
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 Location: Land south of South College, The Drive, Durham  
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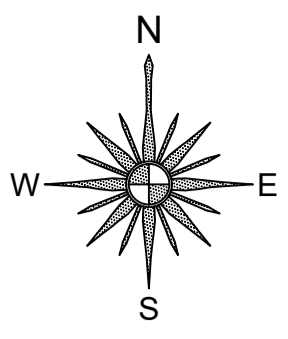
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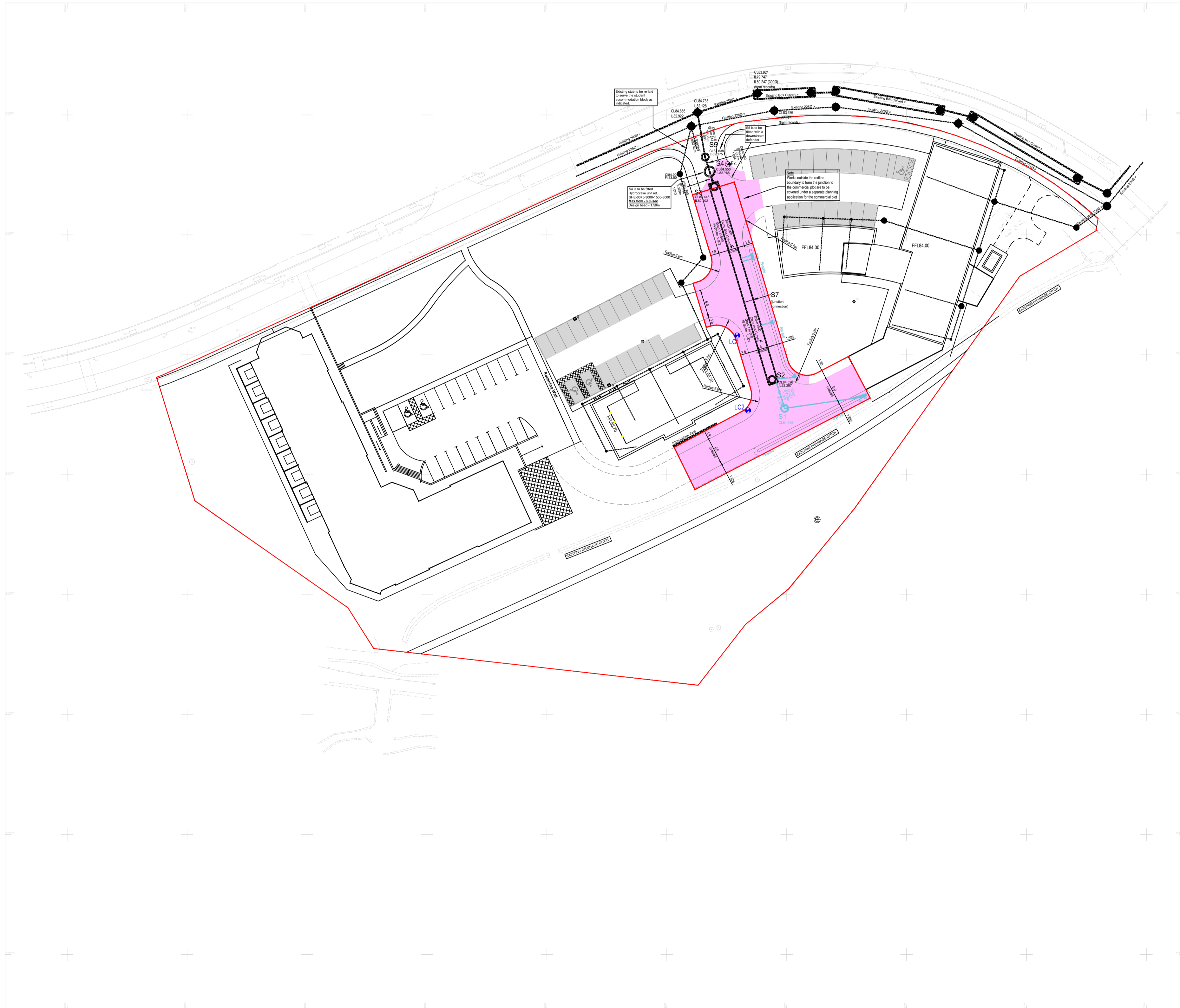
Proposed Section 38/278 Key

Section 38 Area

Highway Gully

Street Lighting  
Refer to Pathway lighting designs and drawings. Ref  
PLL/2024/619

Site Boundary



Durham County Council

**NEIGHBOURHOODS & CLIMATE CHANGE**

**Highway layout approved for use in Agreement**

**CORPORATE DIRECTOR OF NEIGHBOURHOODS & CLIMATE CHANGE**

Date: 22 October 2024

D	Street lighting added	MT	SH	LB	02/08/24
C	Section 38 area extended as agreed with DCC highways	MT	SH	LB	24/07/24
B	Swale outlets moved on Road 1 to reflect the revised road designs	MT	SH	LB	15/04/24
A	Extent of verges revised to suit tree officers comments	MT	SH	LB	27/03/24
0	Initial Issue	MT	SH	LB	23/01/24
Rev.	Description	By	Chk	App	Date

Portland consulting engineers

10 Bankside, The Watermark, Gateshead, Tyne & Wear, NE11 9SY  
T: 0191 4619770 W: www.portlandconsulting.co.uk  
F: 0191 4603028 E: info@portlandconsulting.co.uk

Client **Banks Group**

Project **Commercial Area Access Road (CAAR)  
Mount Oswalds  
Durham**

Drawing Title **Section 38 Layout**

Scale	1:500	Sheet Size	A1
Drawn By	MT	Checked By	SH
Approved By	LB	Date	09/01/24

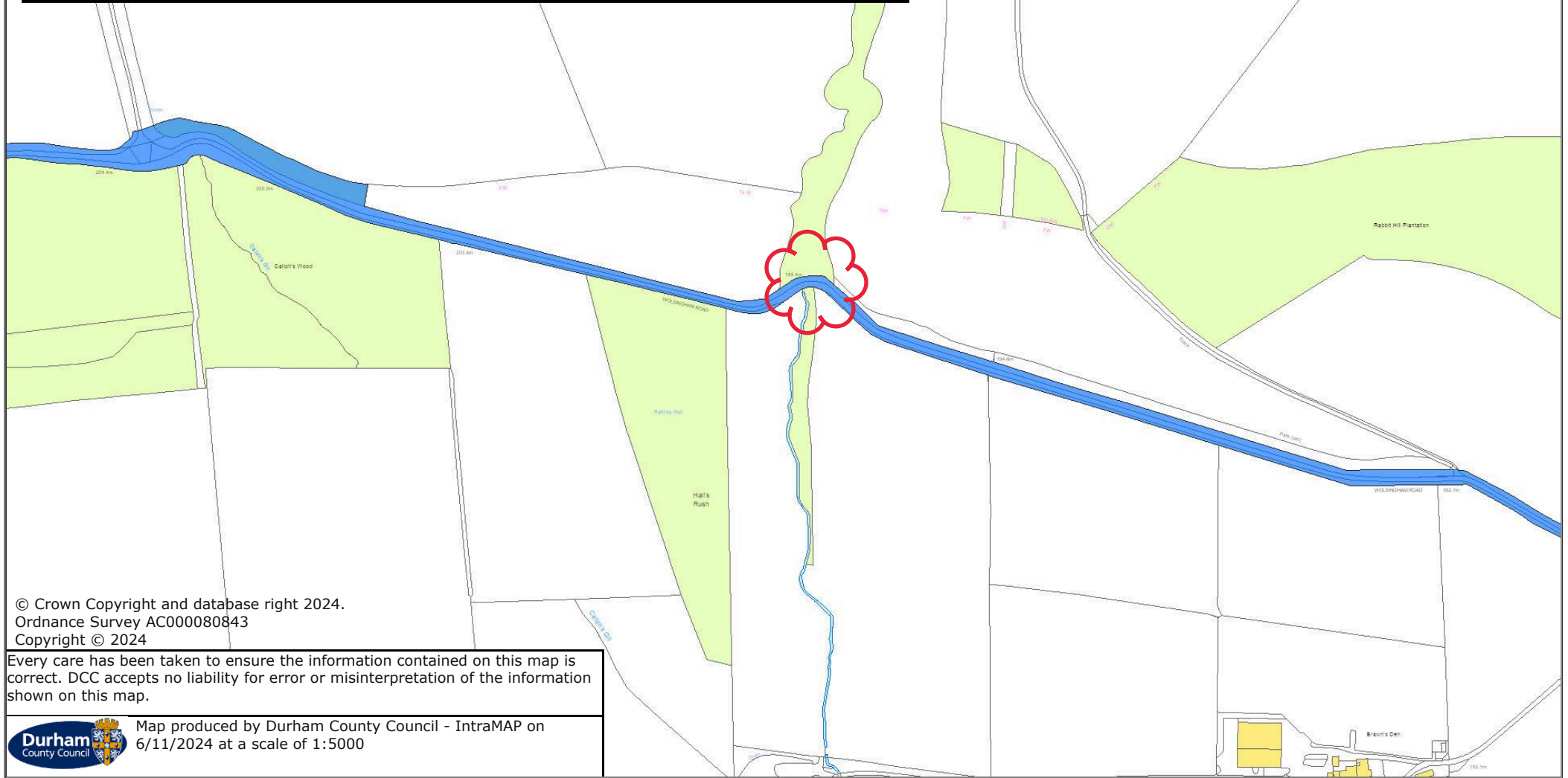
Drawing Status <b>Planning</b>		
Project No.	Drawing No.	Revision
2023108	007-01	D

This drawing and design is for use solely in connection with the above project. This drawing is the copyright of Portland Consulting Engineers, and must not be reissued, loaned or copied without written consent. All dimensions and setting out shall be checked on site before construction. Do not scale from this drawing. This drawing is to be read in conjunction with all other information relevant to the project. Any apparent discrepancy shall be brought to the attention of Portland Consulting Engineers.

ISO 9001 REGISTERED FIRM

# Durham County Council - IntraMAP

Agreement Type: Section 278 Agreement  
Developer: Brancepeth Estates Limited  
Contact Address: The Paddock  
Kirk Merrington  
County Durham  
DL16 7JW  
Location: Land adj. Brancepeth Manor Farm, Crook  
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**EXTERNAL WORKS LEGEND**

- PROPOSED S278 WORKS
- PROPOSED CARRIAGEWAY
- EXISTING ELEVATION  × 0.000m
- PROPOSED ELEVATION  × 0.000m
- PROPOSED SLOPE  -1:15
- BULLNOSED KERB
- MAJOR CONTOUR
- MINOR CONTOUR

**GENERAL NOTES:**

1. THIS DRAWING IS BASED ON ORDNANCE SURVEY AND TOPOGRAPHICAL SURVEY INFORMATION RECEIVED. WE CAN ACCEPT NO LIABILITY FOR DESIGN BASED ON INFORMATION RECEIVED.
2. THIS DESIGN HAS BEEN CARRIED OUT TO APPROPRIATE STANDARDS BUT IT IS TO BE CHECKED IN ACCORDANCE WITH PROCUREMENT AND REQUIREMENTS PRIOR TO THE COMMENCEMENT OF WORKS.
3. ALL LEVELS, DIMENSIONS AND DETAILS TO BE CONFIRMED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF CONSTRUCTION OR FABRICATION.
4. NO EXISTING BELOW GROUND CONDITIONS HAVE BEEN PROVIDED. THEREFORE, ALL INFORMATION IS TO BE VERIFIED FURTHER TO ANY SITE WORKS.
5. NO EXISTING SERVICES INFORMATION HAVE BEEN PROVIDED. THEREFORE, ALL INFORMATION IS TO BE VERIFIED FURTHER TO ANY SITE WORKS.
6. EXISTING GROUND LEVELS AND GROUND PROFILES HAVE BEEN TAKEN FROM THE INFORMATION PROVIDED AND AS SUCH ARE TO BE VERIFIED BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF WORKS. ANY DISCREPANCIES TO BE BROUGHT TO THE ATTENTION OF THE ENGINEER.

**HEALTH & SAFETY AND CDM:**

(THE FOLLOWING ARE TO BE READ IN CONJUNCTION WITH CONTRACTORS RISK ASSESSMENTS)

7. CONTRACTOR TO UNDERTAKE ALL POSSIBLE PRECAUTIONS WHEN EXCAVATING. ALL EXISTING SERVICES INFORMATION TO BE OBTAINED PRIOR TO THE COMMENCEMENT OF WORKS AND IDENTIFIED ON SITE USING CAT SCANNERS. EXCAVATION TO BE UNDERTAKEN WITH DUE DILIGENCE AND HAND DIGGING TO BE ADOPTED WHERE APPROPRIATE.
8. CONTRACTOR TO MINIMISE THE AMOUNT OF TIME ANY EXCAVATIONS REMAIN EXPOSED AND COMPLY WITH LEGISLATIVE AND GOOD PRACTICE GUIDELINES.
9. ALL TASKS TO BE UNDERTAKEN BY SUITABLY TRAINED AND EXPERIENCED OPERATIVES FOLLOWING APPROVED METHOD STATEMENTS WITH ADEQUATE RESOURCE ALLOCATED TO EACH TASK.
10. FOR ANY WORK REQUIRING COMPACTING OF MATERIALS AND CONCRETE, PERSONNEL TO USE SUITABLE PPE AND USE ONLY LOW VIBRATION EQUIPMENT. AMOUNT OF TIME OF USE TO BE LIMITED TO SAFE LEVELS IN ACCORDANCE WITH CONTRACTORS APPROVED METHOD STATEMENTS.
11. APPROPRIATE MANAGEMENT SAFETY PLAN TO BE IN PLACE FOR DEALING WITH POTENTIAL GROUND CONTAMINATION.
12. IN ORDER TO ENSURE THAT THE SIDE EXCAVATIONS REMAIN STABLE DURING EXCAVATIONS, CONTRACTOR TO ASSESS STABILITY AND PROVIDE TEMPORARY SHORING TO ENSURE SAFE WORKING AREA.

Revision	Date	Drawn	Description
P1	25/03/24	JFH	Initial Issue
P2	29/10/24	JFH	Kerb and signing added
P3	05/11/24	JFH	Kerb amended

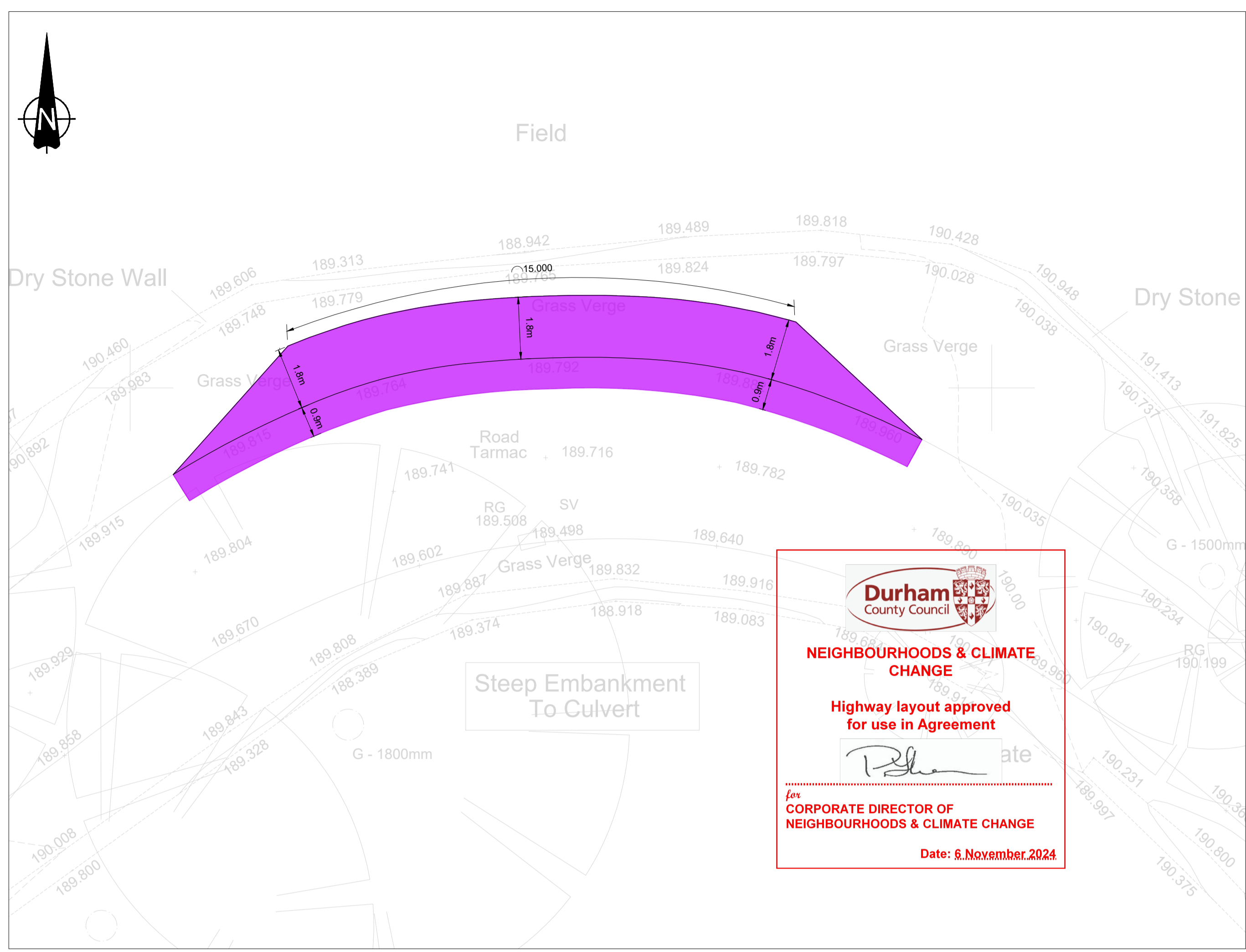
**Client & Project**  
**Initial Developments**  
 Lodge Development

**Address**  
**Lodge Development**  
 Brancapeth Manor Farm  
 Durham  
 DL15 9AS

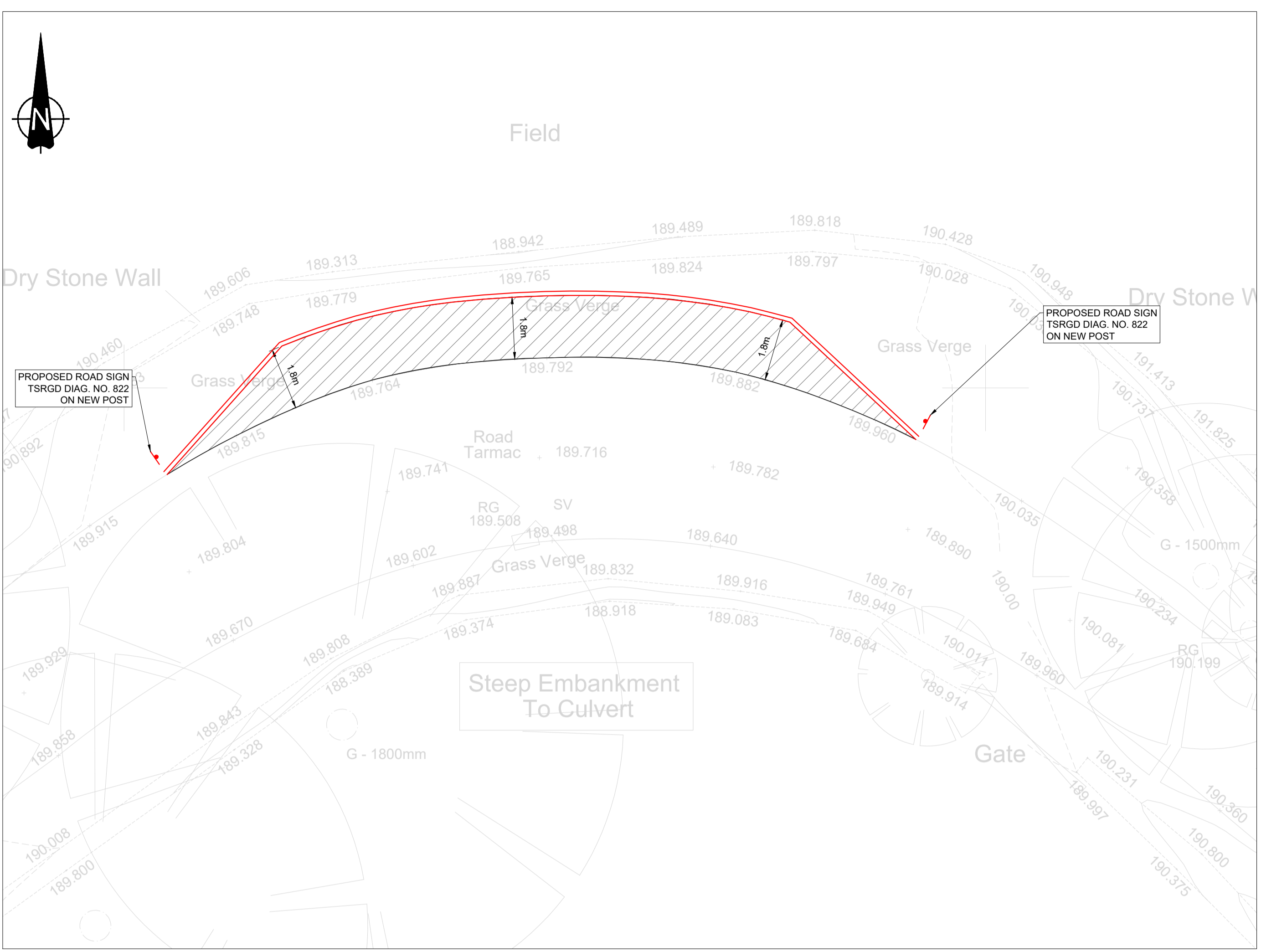
**Drawing Title**  
**Proposed S278 Plan & Details**  
 Passing Place

Status / Stage	Sheet	Scale @ A1	Drawn	Checked
S2	1 of 1	As Indicated	JFH	AW

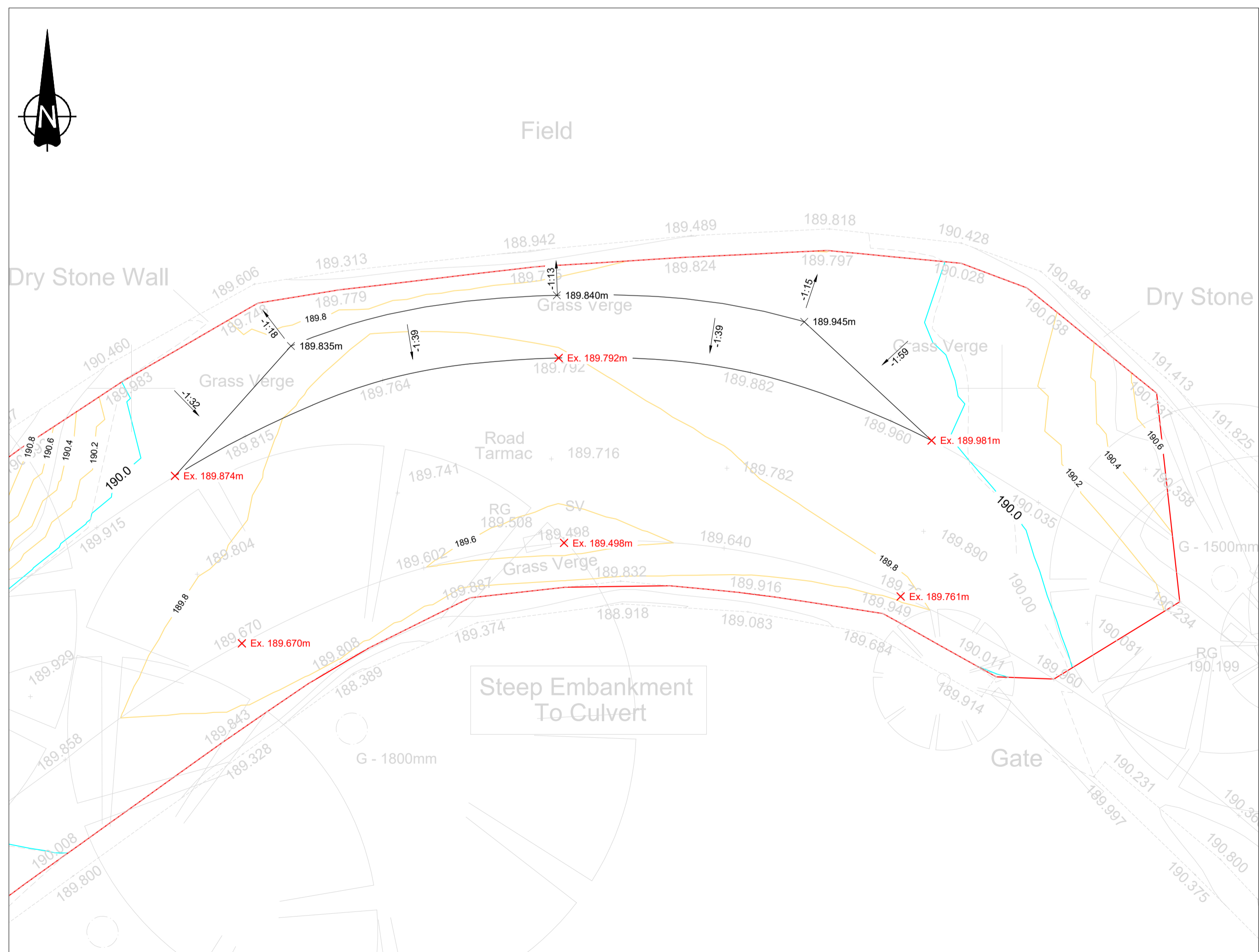
Drawing Number	Revision
S4085-BDN-Z2-XX-DR-C-0300	P3



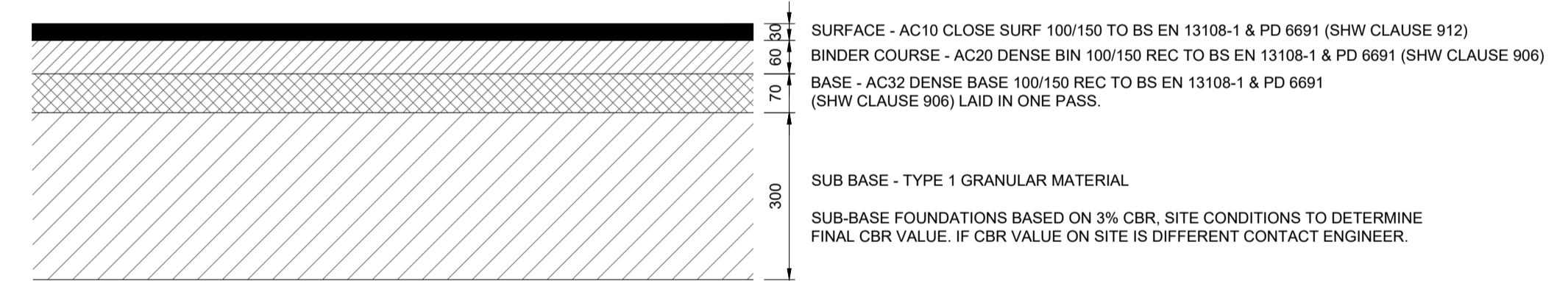
**PLAN OF S278 WORKS**  
 SCALE 1:100



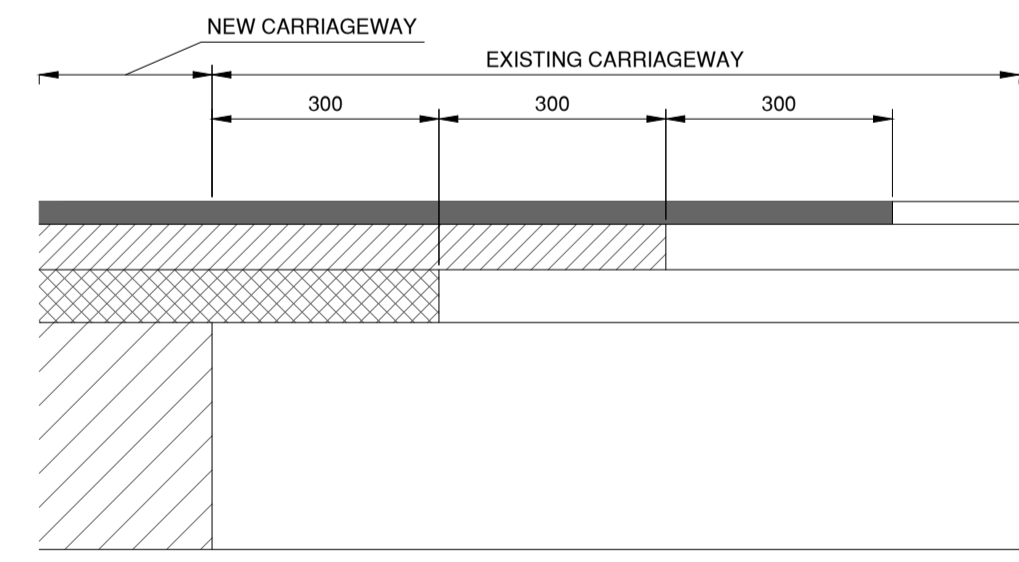
**SURFACE FINISHES PLAN**  
 SCALE 1:100



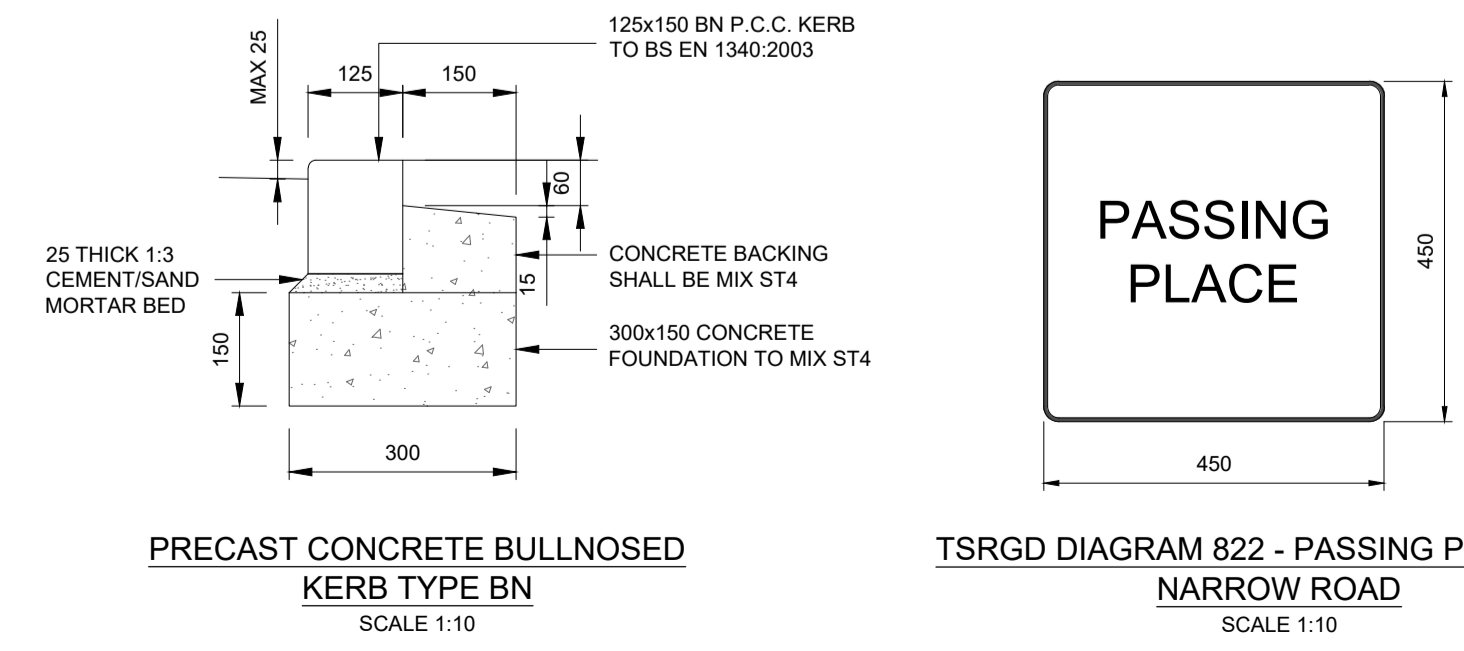
**PROPOSED LEVELS PLAN**  
 SCALE 1:100



**ADOPTABLE CARRIAGEWAY**  
 SCALE 1:10



**SECTION THROUGH NEW/EXISTING HIGHWAY TIE-IN**  
 Scale 1:10



**PRECAST CONCRETE BULLNOSED KERB TYPE BN** SCALE 1:10  
**TSRGD DIAGRAM 822 - PASSING PLACES ON NARROW ROAD** SCALE 1:10