

Delegated Decision

21 January 2025

Highway Adoptions

Ordinary Decision



Report of Neighbourhoods & Climate Change

Paul Anderson, Strategic Highways Manager

Electoral division(s) affected:

Delves Lane, Lanchester & Leadgate and Medomsley

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 Delves Lane have been checked by Nick Bennions 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

Derwentside District

Agreement Type: Section 38/278 Agreement

Developer: Miller Homes North East
Contact Address: Equinox House
3 .2 Silver Fox Way
Cobalt Business Park
Newcastle upon Tyne
NE27 0QJ

Location: Land North of Delves Lane, Consett

Details of Works: New residential access roads, parking bays, footways, footpaths, and street lighting. Creation of PRT to access development including localised carriageway widening, new public transport infrastructure, footway improvements 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 267 106

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

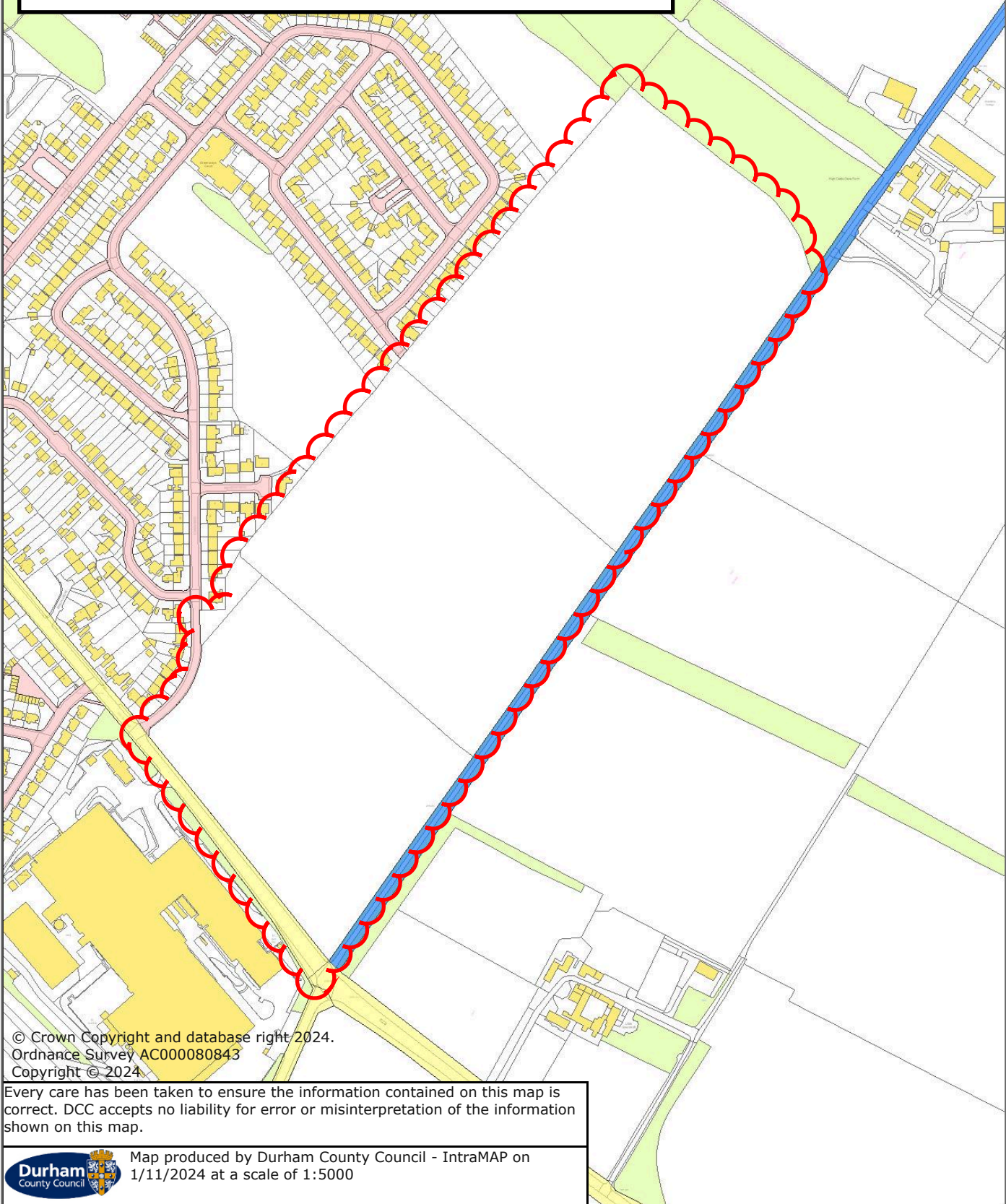
Not applicable.

Procurement

Not applicable.


Durham County Council - IntraMAP

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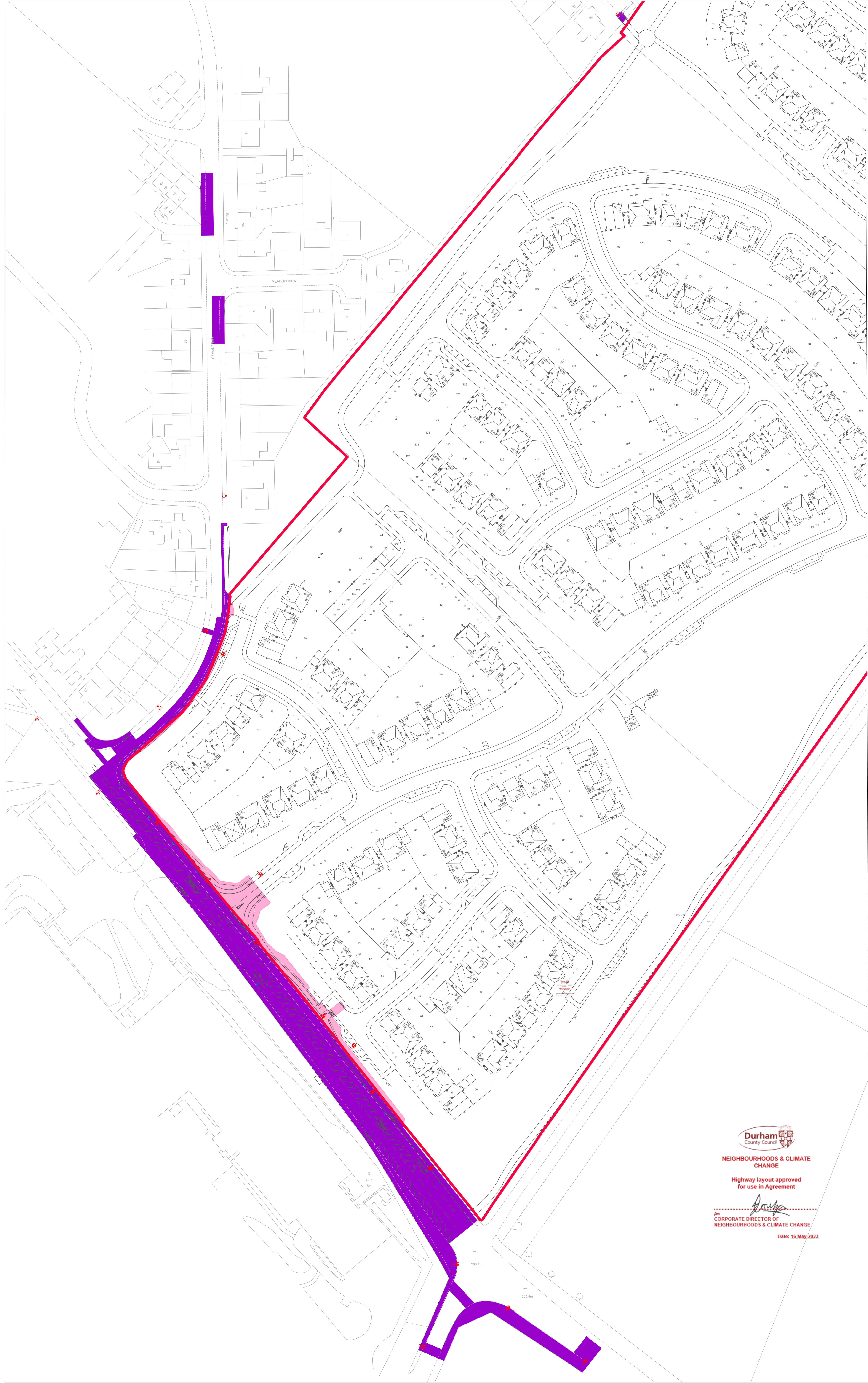
Every care has been taken to ensure the information contained on this map is correct. DCC accepts no liability for error or misinterpretation of the information shown on this map.

 Map produced by Durham County Council - IntraMAP on 1/11/2024 at a scale of 1:5000

- General Notes:**
1. DO NOT USE THIS DRAWING IN ISOLATION. This drawing has been prepared as part of a set and should be read in conjunction with all other drawings. Any discrepancies or design queries should be reported to the engineer prior to completion of work and commencement of work. Following completion of work it is assumed that the designer and Contractor are in full agreement with the design drawings (with the exception of any minor queries only).
 2. The Contractor shall be responsible for the engineering design (including structural, geotechnical, ground investigation, existing utilities surveys, and specialist design items). The engineering design must be done in conjunction with all third party stakeholders prior to commencing work. Queensberry Design Ltd are not responsible for any third party information or results.
 3. House type working drawings are to be used in conjunction with the plot setting out drawings.
 4. Drawing errors will remain preliminary until full technical approval is received from local authority and planning authorities. Works commencing prior to technical approval are done at our own risk and may be subject to change.
 5. The Contractor is required to prepare appropriate construction method statements for all aspects of approved work. This should include any temporary protection works.
 6. Land drainage is not permitted to discharge into the public sewer network. Any need for land drainage should be assessed by the ground worker and drainage design consultant and approved by the local authority prior to plot completion.
 7. The Contractor is required to ensure that all drainage works prior to commencing work, the final drainage condition of the roads must be noted and recorded.
 8. The Contractor must monitor the 'as built' progress of each construction stage (roadworks and drainage) and be available for the final stages of construction to be checked before installation. For this reason the design of any levels, external works, retaining walls, and plot drainage are to be used as guidance only.

- Highways:**
1. All highway works to be carried out in accordance with The Design Manual for Roads and Bridges (DMRB) or the Manual of Contract Documents for Highway Works, Specification for Highway Works (SHP) (SHP) and the current local authority highway design guide.
 2. Highway authority to be notified in the Contract prior to the commencement of works.
 3. All safety contracts, opening notices etc. as required under The Highway Act are to be obtained by the Contractor.
 4. Details of works shown as for guidance only and shall be read against all drawings.

- Key:**
- Orange line: Demarcate development on the boundary.
 - Red line: Extent of Works under Section 36.
 - Purple line: Extent of Works under Section 278.
 - Blue dashed line: Adoptable Highway Change.
 - Red circle with 'A': Adoptable Road Lighting.



Durham County Council

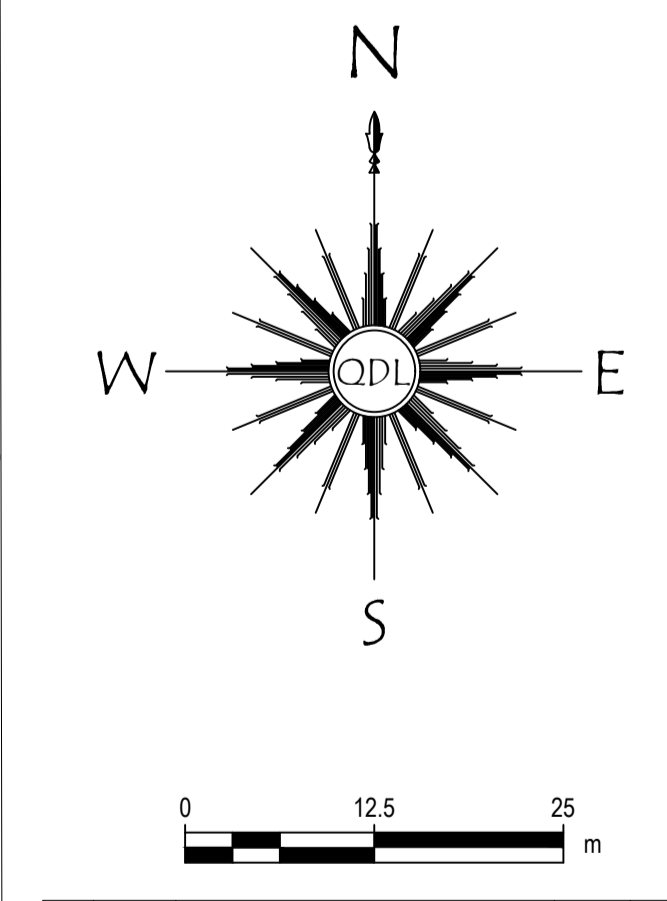
NEIGHBOURHOODS & CLIMATE CHANGE

Highway layout approved for use in Agreement

[Signature]

CORPORATE DIRECTOR OF NEIGHBOURHOODS & CLIMATE CHANGE

Date: 16 May 2023



Rev	Date	Revision Details	Drawn	Checked
F	09.12.2024	MODIFIED TO REFLECT DESIGN DEVELOPMENT AND INCORPORATE FURTHER DCC COMMENTS.	MK	AL
E	15.07.2024	MODIFIED TO REFLECT FURTHER DCC LIGHTING AMENDMENTS.	MK	AL
D	27.08.2024	MODIFIED TO REFLECT REVISED LIGHTING DESIGN FOLLOWING FURTHER DCC COMMENTS.	MK	AL
C	04.11.2022	MODIFIED FOLLOWING DCC COMMENTS.	MK	AL
B	25.07.2022	LIGHTING DESIGN INCORPORATED.	MK	AL
A	16.05.2022	FOR DCC DESIGN REVIEW.	MK	AL
-	21.04.2022	DRAFT FOR CLIENT COMMENT.	MK	-

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QUEENSBERRY DESIGN
INCORPORATED
10 NORTH EAST OFFICE
SUITE 101, MILLER HOUSE, GATESHEAD, NE11 9JN
0191 488 4888
www.queensberrydesign.co.uk

Client: MILLER HOMES

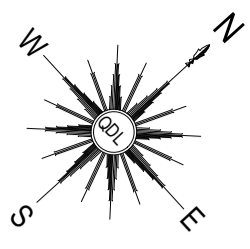
Project: Delves Lane Consett

Title: Section 278 Legal Agreement

Drawn: MK, Checked: AL, Date: APRIL 2022

Project Number: QD1724-16-11

Scale: CONTRACTUAL, 1:500 (@ A0)



NEIGHBOURHOODS & CLIMATE CHANGE

Highway layout approved for use in Agreement

Beaverson

for
CORPORATE DIRECTOR OF
NEIGHBOURHOODS & CLIMATE CHANGE

Date: 11th December 2024

Only PDF/DWG Issues of this drawing are controlled. All other formats (eg. DWG/AutoCAD FILES) are UN-controlled and are used at your own risk.

- General Notes**
- DO NOT USE THIS DRAWING IN ISOLATION. This drawing has been prepared as part of a set, and must therefore be read in conjunction with all other drawings. Any discrepancies or design queries must be reported to the engineer prior to completion of work and commencement of work. Following completion of work it is assumed that developer and contractor are in full agreement with the design drawings (with the exception of pre-order queries only).
 - Third party information is used to prepare the engineering design including, architectural layout, ground investigations, existing utility records, and specialist design items. The engineering design must therefore be read in conjunction with all third party information prior to commencing work. Queensberry Design Ltd is not responsible for any third party information or details.
 - House type working drawings are to be used in conjunction with the plot setting out drawing.
 - Drawings shall remain preliminary until full technical approval is received from local authority and sewerage undertaker. Works commenced prior to technical approval are done at risk and may be subject to change.
 - The contractor is expected to prepare appropriate construction method statements for all aspects of approved work. This should include any temporary protection works.
 - Land drainage is not permitted to discharge into the public sewer network. Any need for land drainage should be assessed by the ground worker and landscaper during construction and placement of gardens on an individual plot basis. If land drainage designs are required, they should be approved prior to plot completion.
 - The contractor is expected to cross check all drainage inverts prior to commencing work, this may involve completion of trial holes if any works have been implemented.
 - The contractor must monitor the "as built" progress of each construction stage (especially sewerage works) and, to enable the next stages of construction to be checked before installation. For this reason the design of, floor levels, external works, retaining walls, and plot drainage are to be read as guidance only.

- Highways**
- All highway works to be carried out in accordance with the current local authority design guide and specification.
 - All excavations below proposed and existing highways to be back filled with granular Type 1 sub base and well compacted in layers not exceeding 150mm, unless otherwise agreed.
 - Highway authority to be notified by the contractor prior to the commencement of works.

- Adoptable Drainage**
- All adoptable drainage works to be in accordance with the "Codes for Adoption" as well as the approved drawings.
 - Proposed concrete manhole rings to comply with the relevant provisions of BS5911: Part 200.
 - All brickwork to be Class B engineering complying with the relevant provisions of BS 3201. Concrete blocks may be used if their specification is the same as Class B engineering bricks. Please seek approval from relevant water authority before using.
 - Manhole covers and frames shall comply with the relevant provisions of BS EN 124 and be of a non-slip, non-shearing design.
 - Loaders that are required in Type A manholes are to comply with "Codes for Adoption".
 - Concrete must be either C20 sulphate resistant portland cement with high strength concrete topping to the bedding or C25 ordinary portland cement.
 - 50mm Concrete surround is required around pipes where the depth from finished surface to soffit of pipe is less than 100mm. This may be reduced to 50mm within open space.
 - The location of existing drainage that is within close proximity to the proposed site works, which is not to be diverted, should be confirmed by the contractor and reported to the developer to ensure it corresponds to that shown on the engineering layout and that no proposed works are affected.
 - The position, line and gradient of all existing drainage separate should be confirmed on site prior to the commencement of the works. Any discrepancies must be reported to the engineer immediately.
 - The connection of foul and surface water drainage to the existing public sewer system shall be subject to the approval of the local sewerage undertaker. The contractor is expected to apply for relevant permits prior to commencing the work.
 - Roads and sewerage contractor must inform water authority prior to works commencing.
- Existing Services**
- Any existing services which may be affected by the proposed works should be located by means of a hand dig in close liaison with the statutory service authorities. The contractor shall inform the developer of any services that affect the proposed design. Contractor to notify statutory service authorities prior to commencement of work.
- As Constructed Information**
- Refer to note H above. It is the contractor's responsibility to provide the following as constructed drawings to the developer upon the completion of the works covered by the contract:
- Position/orientation of all adoptable manholes.
 - Invert and cover levels of all adoptable manholes.
 - New gully positions and connectors.
 - Position and depth of service ducts for water, gas, electric, BT, cable and street lighting, stabling site and sewer lines.

LEGEND

Proposed adoptable Foul manhole	F1	
Proposed adoptable Storm manhole	S1	
Proposed adoptable Combined manhole	C1	
Existing adopted Foul manhole	es F1	
Existing adopted Storm manhole	es S1	
Existing adopted Combined manhole	es C1	
Existing adopted Combined sewer to be abandoned	es C1-X	
Proposed highway to be cambered		
Proposed highway to have crossfall		
Proposed highway gully		
Retaining walls and steps		
Unsurpassed (unsewered) light gully (edge protection required over 600mm to kerb)		
Backslop to be shown below DPC		
Flashing Reg Sheet - 300mm Gully 100mm Rise		
Refer - These should not exceed 1.3 adjacent to adoptable highways		
Proposed finished ground level		
DPC levels must NOT be altered without informing the designer. Please refer to Architects layout for details of proposed bracing and walls.		

Section 38 Key

- Proposed S38 Highway works
- Proposed Adoptable Gully
- Site Boundary

Rev	Date	Revision Details	Drawn	Checked
F	08.10.24	DRAWING RENAMED FURTHER TO PHASING OF SECTION 38 AGREEMENT.	AM	DH
E	15.05.24	HIGHWAY COMMENTS RECEIVED FROM DURHAM	DH	DH
D	30.01.24	GULLY POSITIONS REVIEWED - ROAD 4A	DH	DH
C	23.10.23	REVISED FOLLOWING SECTION 38 COMMENTS. VERGE SECTIONS REMOVED.	DH	DH
B	27.07.23	MOVEMENT OF RAISED TABLE RAMPS AVOIDING DRIVE CROSSINGS	DH	DH
A	20.09.22	UPDATED FOLLOWING A REVISED SITE LAYOUT AND SECTION 38 COMMENTS. ADOPTABLE LIGHTING DESIGN ADDED.	DH	DH
-	18.05.22	INITIAL ISSUE	DH	DH

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QUEENSBERRY DESIGN
CIVIL, STRUCTURAL, ARCHITECTURAL & GEOTECHNICAL CONSULTANTS

NORTH EAST OFFICE
5 THE STAFFS, THE WATERMARK,
GATESHEAD, TYNE AND WEAR NE11 9BN
T: 0191 460 9000

NORTH WEST & YORKSHIRE OFFICE
2A ST MARTIN'S LANE, YORK, YO1 6LN
T: 01904 500662

www.queensberrydesign.co.uk

Client: **MILLER HOMES**

Project: **DELVES LANE CONSETT**

Title: **SECTION 38 LAYOUT OVERALL**

Drawn	Checked	Date	18.05.22
DH	DH		
Drawing Number	QD1724-16-01		
Drawing Status	Scale	Rev	F
FOR APPROVAL	1:1000 - A1		

REFER TO STANTON LIGHTING DESIGN DRAWINGS SLD3-S343-V2-0 FOR DETAILS.

ADAPTABLE LIGHTING DESIGN KEY

Proposed 6m galvanneal Tubular Steel Column complete with Post Top Mounted lumens (Type and inclination as below)

Proposed 6m galvanneal Tubular Steel Riser and lower Column complete with Post Top Mounted lumens (Type and inclination as below)

Column No. Bracket Type Lumens Type

Lumen Types:

A - Thorn lumen Pro S 12LED MV 300mA WS lumens installed with 0° tilt complete with Lucy Zodon SS2A 3018 lumens photocell and to power pre-set dimming profile - IP23, 20W/6000K
Durham Standard of lumens: T87
Lumen Charge Code: 42 0005 0000 100

B - Thorn lumen Pro S 12LED MV 500mA ES lumens installed with 0° tilt complete with Lucy Zodon SS2A 3018 lumens photocell and to power pre-set dimming profile - IP23, 30W/6000K
Durham Standard of lumens: T87
Lumen Charge Code: 42 0018 0000 100

C - Thorn lumen Pro S 12LED MV 300mA ES lumens installed with 0° tilt complete with Lucy Zodon SS2A 3018 lumens photocell and to power pre-set dimming profile - IP23, 30W/6000K
Durham Standard of lumens: T87
Lumen Charge Code: 42 0011 0000 100

D - Thorn lumen Pro S 36LED MV 700mA ES lumens installed with 0° tilt complete with Lucy Zodon SS2A 3018 lumens photocell and to power pre-set dimming profile - IP23, 30W/6000K
Durham Standard of lumens: T177
Lumen Charge Code: 42 0028 0000 100
Photocell Charge Code: 54 0001 1000 100

Lumen dimming profile set to:
Dark at 22.00hrs - 100%
23.00hrs to 03.00hrs - 75%
04.00hrs to 05.00hrs - 50%
06.00hrs to Dawn - 100%

Proposed 50mm orange duct to house PVC/DMC/PC cable (to be per manufacturer's) buried at 400mm covered by kerbpath, 750mm covered by road crossings (open road shown for road crossings)

Proposed Drainage - 450mm x 450mm complete with 8125 cover and frame (minimum clearance of 1.5m from road side)

DP