

## Report of Transport Development Services

### Report to the Chief Officer (Highways and Transportation)

Date: 11 August 2020

**Subject: Design & Cost Report for S278 Highway Works Associated With Residential Development at Warwick House and Belgrave House, Wade Lane, Leeds, LS2 8NL**

**Capital Scheme Number: 33362**

Are specific electoral wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): Little London and Woodhouse		
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the decision be open for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, access to information procedure rule number:		
Appendix number:		

## Summary

### 1. Main issues

- Planning permission was granted in November/December 2018 across a series of planning applications (refs: 18/06007/DPD; 18/06008/DPD; 18/06078/FU and 18/06079/FU) for the extension and conversion of two office blocks in to residential accommodation. The location of the buildings (Warwick House and Belgrave House) can be seen on location plan 03-01 Rev D at **Appendix 2** of this report.
- The planning consent requires a package of highway improvements described in detail in Section 3 below, the works briefly comprise a staggered informal crossing point over the existing central island on Wade Lane which necessitates alterations to kerbing and the existing Traffic Regulation Orders. A general arrangement plan of the highway works is shown on drawing VD19041-S278-100 Rev G provided at **Appendix 3** of this report.
- To meet the requirements of the planning permission and deliver the highway alterations the applicant has requested that Leeds City Council, as Highway Authority, enters into a Section 278 Agreement to enable the highway works to be carried out.

- This report seeks authority to negotiate terms and enter a Minor S278 Agreement for the highway works in order to allow the developer to complete the detailed design and construction of the works under the supervision of the Council.

## 2. **Best Council Plan Implications** (click [here](#) for the latest version of the Best Council Plan)

- The planned highway works will contribute to the Best Council Plan by maintaining and improving the safety of Leeds residents and enabling safe pedestrian, cycle and vehicular access in the local community.

## 3. **Resource Implications**

- The developer will meet the Council's costs, estimated to be £10,000 for traffic regulation order costs and £5,000 fees to check the design and inspect the works, all of which will be fully funded through the Section 278 agreement.

## **Recommendations**

The Chief Officer (Highways and Transportation) is requested to:

- a) note the detail of the highway works shown in outline in section 3 of this report and shown on plan VD19041-S278-100 Rev G attached at **Appendix 3** of this report;
- b) give authority to negotiate the terms of and enter into an agreement with the developer under the provisions of Section 278 of the Highways Act 1980; whereby the works associated with the development are carried out by the developer and overseen by the Council.
- c) give authority to request the City Solicitor to advertise a draft Traffic Regulation Order to alter the extents of an existing taxi rank and protect a new informal crossing point with No Waiting At Any Time restrictions as shown on drawing VD19041-S278-100 Rev G shown at **Appendix 3**; and if no valid objections are received, to make, seal and implement the Order as advertised; and
- d) give authority to incur expenditure of £10,000 TRO costs and £5,000 staff checking and inspection costs, all to be fully rechargeable to the developer through the Section 278 agreement.

## 1. **Purpose of this report**

- 1.1 The purpose of this report is to note the principle of the implementation of highway works associated with the extension and conversion of two office blocks in to residential accommodation at Warwick House and Belgrave House, Leeds (planning refs: 18/06007/DPD; 18/06008/DPD; 18/06078/FU and 18/06079/FU).
- 1.2 To obtain authority to negotiate the terms of and enter into an Agreement under the provisions of Section 278 of the Highways Act 1980, whereby the associated highway works are designed and constructed by the developer at their expense, with the Council checking the design and construction, with step in rights, and preparing a Traffic Regulation Order for waiting restrictions at the developer's expense.
- 1.3 To request the City Solicitor to advertise a draft traffic regulation order and if no valid objections are received to make, seal and implement the order. Indicative details of the proposed TRO alterations are included on drawing VD19041-S278-100 Rev G shown at **Appendix 3**.

- 1.4 To give authority to incur expenditure associated with the checking and inspection of the highway works associated with the development.

## **2. Background information**

- 2.1 Planning permission (planning refs: 18/06007/DPD; 18/06008/DPD; 18/06078/FU and 18/06079/FU) has been granted for the extension and conversion of two office blocks in to residential accommodation comprising 120 flats at Warwick House and Belgrave House, Leeds. The location of the buildings can be seen on drawing 03-01 Rev D provided at **Appendix 2** of this report. The development incorporates on-site cycle parking and sustainable travel options will be promoted through a travel plan.
- 2.2 The planning consent requires a package of highway improvements described in detail in Section 3 below, the works briefly comprise an informal crossing point on Wade Lane which necessitates alterations to existing traffic regulation orders. A general arrangement plan of the highway works is provided at **Appendix 3** of this report.
- 2.3 To meet the requirements of the development, the applicant has requested that Leeds City Council, as Highway Authority, enters into a Section 278 Agreement to enable the developer to complete the detailed design and construction of the highway works under the supervision of the Council.

## **3. Main issues**

- 3.1 The development site consists of two former office blocks (Warwick House and Belgrave House) adjacent Wade Lane and Belgrave Street in the city centre. A series of planning consents enable conversion of the office blocks to residential accommodation.
- 3.2 Off-site highway works have been agreed to improve crossing facilities on the adjacent street Wade Lane. The proposed works are shown on drawing VD19041-S278-100 Rev G shown at **Appendix 3** of this report and comprise:
  - a) Alterations to the existing central island which separates east and westbound carriageways on Wade Lane, including the closure of an existing opening and some widening of the island in order to accommodate a new pedestrian route along the central island
  - b) Provision of a staggered informal crossing across the existing central island with tactile paving and dropped kerbs to assist pedestrians across Wade Lane
  - c) A build out on Wade Lane adjacent to Belgrave Street to narrow the crossing distance on the south side of Wade Lane
  - d) Relocation of the give way marking for Belgrave Street/Wade Lane junction and provision of white hatching to meet with the alignment of the existing coach parking bay to its east and the new crossing point to its west
  - e) An extension to the existing taxi bay at its south western end to replace the section lost to accommodate the new crossing point at its north eastern end
  - f) Alterations to the existing Traffic Regulation Orders to accommodate the new crossing point

- g) All associated civils works including (inter alia) signs, lighting, road markings and drainage
- h) Any Statutory undertakers works resulting from the works described above

3.3 Section 278 of the Highways Act 1980 allows Highways Authorities to enter into agreements with developers for the execution of highway works at the developer's expense. The preconditions for an agreement under Section 278 of the Highways Act 1980 are, first, that the Highway Authority should be satisfied that it will be of benefit to the public to enter into an agreement for the execution of the works and, secondly, that the work must fall within the Highway Authority's powers of road building, improvement and maintenance.

## **4. Corporate considerations**

### **4.1 Consultation and engagement**

- 4.1.1 Ward Members: Ward Members were consulted by email dated 25<sup>th</sup> February 2020 and again on 14<sup>th</sup> May 2020, no comments have been received at the time of writing this report.
- 4.1.2 Emergency Services and WYCA: The Emergency Services and WYCA were consulted via email dated 25<sup>th</sup> February 2020 and again on 14<sup>th</sup> May 2020, no adverse comments have been received at the time of writing this report.
- 4.1.3 Representatives of the taxi industry were consulted by email dated 20<sup>th</sup> April 2020 and again on 14<sup>th</sup> May 2020. The consultation elicited a response from representatives of Unite and Streamline Taxicabs, no adverse comments were made regards the permanent works and it was acknowledged that the same number of taxi cabs should be able to continue to use the rank as at the present time. Representative asked to be kept informed of when the works are expected to commence and whether there will be any temporary closures or diversions whilst the works are carried out.
- 4.1.4 Internal consultation has taken place with colleagues in Highways and Transportation Services and also with the RNIB located at Fairfax House. Any substantive comments will be taken into account as part of the detailed design process.

### **4.2 Equality and diversity / cohesion and integration**

- 4.2.1 An EDCI Impact Assessment has been carried out on the Section 278 Process and is attached as **Appendix 1**. The assessment confirmed that individual designs put forward as part of this process, will take into account the needs of each of the equality characteristics and will aim to meet Section 278 (4) which states that "A highway authority shall not enter into an agreement under this section unless they are satisfied that it will be of benefit to the public". As part of the design and construction process further equality screenings and impact assessments will be undertaken as required.
- 4.2.2 The proposals will contribute to improved accessibility to the site for pedestrians, the works will be designed to accommodate the needs of all users. The site is located in a densely developed inner city area with a diverse population and it is

anticipated that a large majority of residents would walk when travelling to or from the site. The highway works seek to improve pedestrian links for all highway users through provision of an informal crossing point protected by Traffic Regulation Orders to control vehicular parking adjacent.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 The proposed highway works which allow the development to take place accord with the West Yorkshire Local Transport Plan and other policies in that they provide a safe means of access for all users of the highway, to and around, the development.
- 4.3.2 A Stage 1 Road Safety Audit will be undertaken and any issues identified by the audit will be addressed through the detailed design stage.

#### Climate Emergency

- 4.3.3 The works will improve the pedestrian connections to the new building, thereby helping to offset the carbon footprint of the development. The series of planning applications associated with the works provide on-site cycle parking and sustainable travel options will be promoted through a travel plan.

### **4.4 Resources, procurement and value for money**

- 4.4.1 The developer will meet the Council's costs, estimated to be £10,000 for traffic regulation order costs and £5,000 fees to check the design and inspect the works, all of which will be fully funded through the Section 278 agreement.
- 4.4.2 Funding: The developer will fund the total cost of the scheme, including works costs, statutory undertakers costs and the cost of staff fees.
- 4.4.3 Staffing: The design and supervision of the works can be carried out within the existing staff resources.

Funding Approval :	Capital Section Reference Number :-							
Previous total Authority to Spend on this scheme	TOTAL £000's	TO MARCH 2017 £000's	FORECAST					
			2017/18 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	0.0							
FURN & EQPT (5)	0.0							
DESIGN FEES (6)	0.0							
OTHER COSTS (7)	0.0							
<b>TOTALS</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>
Authority to Spend required for this Approval	TOTAL £000's	TO MARCH 2017 £000's	FORECAST					
			2017/18 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 on £000's	
LAND (1)	0.0							
CONSTRUCTION (3)	0.0							
FURN & EQPT (5)	0.0							
DESIGN FEES (6)	5.0					5.0		
OTHER COSTS (7)	10.0					10.0		
<b>TOTALS</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>15.0</b>	<b>0.0</b>	
Total overall Funding (As per latest Capital Programme)	TOTAL £000's	TO MARCH 2017 £000's	FORECAST					
			2017/18 £000's	2018/19 £000's	2019/20 £000's	2020/21 £000's	2021 on £000's	
LCC Supported Borrowing	0.0							
Revenue Contribution	0.0							
Capital Receipt	0.0							
Insurance Receipt	0.0							
Lottery	0.0							
Gifts / Bequests / Trusts	0.0							
European Grant	0.0							
Health Authority	0.0							
School Fundraising	0.0							
Private Sector	0.0							
Section 106 / 278	15.0					15.0		
Government Grant	0.0							
SCE ( C )	0.0							
SCE ( R )	0.0							
Departmental USB	0.0							
Corporate USB	0.0							
Any Other Income ( Specify)	0.0							
<b>Total Funding</b>	<b>15.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>15.0</b>	<b>0.0</b>	
<b>Balance / Shortfall =</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	

#### 4.5 Legal implications, access to information, and call-in

- 4.5.1 The works are exempt from call in being a consequence of and in pursuance of a regulatory decision

#### 4.6 Risk management

- 4.6.1 The total cost of the highway works and staff fees are fully developer funded.

### 5. Conclusions

- 5.1 Planning permission has been granted (refs: 18/06007/DPD; 18/06008/DPD; 18/06078/FU and 18/06079/FU) for the extension and conversion of two office blocks in to residential accommodation at Warwick House and Belgrave House, Leeds.
- 5.2 The planning consent requires a package of highway works briefly comprising an informal crossing point on Wade Lane and alterations to existing Traffic Regulation Orders to accommodate the new crossing point.
- 5.3 The highway works are shown in outline on drawing VD19041-S278-100 Rev G attached at **Appendix 3** of this report.
- 5.4 To meet the requirements of the development and deliver the highway alterations, the applicant has requested that Leeds City Council, as Highway Authority, enters

into a Section 278 Agreement to enable the developer to complete the detailed design and construction of the highway works under the supervision of the Council.

## **6. Recommendations**

6.1 The Chief Officer (Highways and Transportation) is requested to:

- a) note the detail of the highway works shown in outline in section 3 of this report and shown on plan VD19041-S278-100 Rev G attached at **Appendix 3** of this report;
- b) give authority to negotiate the terms of and enter into an agreement with the developer under the provisions of Section 278 of the Highways Act 1980; whereby the works associated with the development are carried out by the developer and overseen by the Council.
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- d) give authority to incur expenditure of £10,000 TRO costs and £5,000 staff checking and inspection costs, all to be fully rechargeable to the developer through the Section 278 agreement.

## **7. Background documents**

7.1 None.

## **8. Appendices**

8.1 EDCI Screening

8.2 Appendix 2 - 03-01 Rev D Location Plan

8.3 Appendix 3 - VD19041-S278-100 GA Rev G