

**Report of Transport Development Services**

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

**Date: 15 December 2020**

**Subject: Design & Cost Report for S278 Highway Works Associated with the Housing Development at Stonebridge Mills, Stonebridge Lane, Farnley, Leeds**

Are specific electoral wards affected? If yes, name(s) of ward(s): Farnley & Wortley	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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? If relevant, access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary**

**1. Main issues**

- Planning permission was granted in September 2019 (ref: 18/02140/FU) for a development comprising change of use of mill buildings to provide 30 dwellings and the construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Mills. A location plan (ref: 15-6053 P01 C) is provided at **Appendix 2** of this report

The planning consent requires a package of highway improvements, described in more detail below in Section 3, however the works briefly comprise the widening of Stonebridge Lane and resurfacing of the northern footway; relocation of pedestrian refuge island at the entrance to Stonebridge Lane off the roundabout; revised TRO on Stonebridge Lane; construction of pedestrian crossing with refuge on Stonebridge Lane; new footway and pedestrian refuge on Tong Road to provide crossing facilities; resurfacing of the footpaths from Tong Road to the bus stops. A general arrangement plan of the highway works (drawings ref: 114134-1001-C and 114134-1101-B) are 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 Minor Section 278 Agreement to enable the highway works to be carried out.

- This report seeks authority to negotiate terms and enter such 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, to amend traffic regulation orders and give authority to incur expenditure.

## 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 TRO costs and £5,000 staff fees to check the design and inspect the works, all of which will be fully funded through the Section 278 agreement.
- As part of the planning approval a S106 contribution of £25,000 has been secured from the developer and is to be used by the council towards the delivery of a pedestrian crossing on Stonebridge Lane south of the Ring Road.

## **Recommendations**

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

- a) note the detail of the highway works as outlined in section 3 of this report and shown on plans ref: 114134-1001-C and 114134-1101-B 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) authorise the City Solicitor to advertise a Draft Traffic Regulation Order to amend the existing TRO on Stonebridge Lane to accommodate the new development site access and existing access on the opposite side of the road and shown on plan ref: 114134-1010 attached at **Appendix 5** of this report; and if no valid objections are received, to make, seal and implement the Orders as advertised; and
- d) give authority to incur expenditure of £10,000 TRO costs and £5,000 staff checking and inspection fees to be fully funded by a developer through a 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 change of use of mill buildings to provide 30 dwellings and the construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Mills.
- 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, described in Section 3.1, are designed and constructed by the

developer at their expense, with the Council checking the design and construction, with step in rights, and preparing amendments to the existing Traffic Regulation Order on Stonebridge Lane at the developer's expense.

- 1.3 To request the City Solicitor to advertise a Draft Traffic Regulation Order to amend the existing TRO on Stonebridge Lane to accommodate the new development site access and existing access on the opposite side of the road; and if no valid objections are received to make, seal and implement the orders.
- 1.4 To give authority to incur expenditure associated with the checking and supervision of the highway works associated with the development.

## **2. Background information**

- 2.1 Planning permission has been granted (ref: 18/02140/FU) for the change of use of mill buildings to provide 30 dwellings and the construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Mills. The location of the buildings can be seen on plan ref: 15-6053 P01 C at **Appendix 2** of this report.
- 2.2 The planning consent requires a package of highway improvements described in detail in Section 3 below, the works briefly comprise the widening of Stonebridge Lane and resurfacing of the northern footway; relocation of pedestrian refuge island at the entrance to Stonebridge Lane off the roundabout; revised TRO on Stonebridge Lane; construction of pedestrian crossing with refuge on Stonebridge Lane; new footway and pedestrian refuge on Tong Road to provide crossing facilities; resurfacing of the footpaths from Tong Road to the bus stops.
- 2.3 General arrangement plans of the highway works (114134-1001-C and 114134-1101-B) are provided at **Appendix 3** of this report.
- 2.4 As part of the planning approval a S106 contribution of £25,000 has been secured from the developer and is to be used by the council towards the delivery of a pedestrian crossing on Stonebridge Lane south of the Ring Road. This is shown indicatively on plan ref: TM/11/425/GA/01 provide at **Appendix 4** of this report.
- 2.5 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 Off-site highway works have been agreed to improve pedestrian accessibility & connectivity to the new residential development granted planning permission under ref: 18/02140/FU. The proposed works are shown on plans ref: 114134-1001-C and 114134-1101-B attached at **Appendix 3** of this report and comprise:
  - A widening of the carriageway through a reduction in the width of the footway on the north side of Stonebridge Lane adjacent to the roundabout;
  - Relocation of the pedestrian refuge island and the construction of a pedestrian crossing point at the entrance to Stonebridge Lane off the roundabout;
  - Construction of a pedestrian refuge island and pedestrian crossing point to the east of the proposed site access on Stonebridge Lane;
  - Revision to the existing Traffic Regulation Order on Stonebridge Lane;
  - Uncontrolled pedestrian crossing point on Tong Road;

- Resurfacing of existing footpaths leading from Tong Road to bus stops;
- All associated civils works including (inter alia) signs, lighting, road markings and drainage;
- Any Statutory undertaker's works resulting from the works described above.

3.2 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 14<sup>th</sup> November 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 12<sup>th</sup> November 2020, no adverse comments have been received at the time of writing this report.
- 4.1.3 Internal consultation has taken place with colleagues in Highways and Transportation Services. 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, through the provision of new pedestrian crossing points, new footway and footpath resurfacing, and the works will be designed to accommodate the needs of all users.

### 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 has been undertaken and the issues identified by the audit will be addressed through the detailed design stage.

## Climate Emergency

4.3.3 The works will improve pedestrian connections to the new dwellings, thereby helping to offset the carbon footprint of the development.

### 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	TO MARCH	FORECAST				
	£000's	2017 £000's	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>
Authority to Spend required for this Approval	TOTAL	TO MARCH	FORECAST				
	£000's	2017 £000's	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>15.0</b>	<b>0.0</b>	<b>0.0</b>
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH	FORECAST				
	£000's	2017 £000's	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>15.0</b>	<b>0.0</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 (ref: 18/02140/FU) for a development comprising Change of use of mill buildings to provide 30 dwellings and the construction of 82 new dwellings (112 dwellings in total) with associated access and landscaping at Stonebridge Mills, Stonebridge Lane, Wortley, Leeds.
- 5.2 The planning consent requires a package of highway works briefly comprise the widening of Stonebridge Lane and resurfacing of the northern footway; relocation of pedestrian refuge island at the entrance to Stonebridge Lane off the roundabout; revised TRO on Stonebridge Lane; construction of pedestrian crossing with refuge on Stonebridge Lane; new footway and pedestrian refuge on Tong Road to provide crossing facilities; resurfacing of the footpaths from Tong Road to the bus stops.
- 5.3 The general arrangement plans of the highway works (drawings ref: 114134-1001-C and 114134-1101-B) are provided 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 as outlined in section 3 of this report and shown on ref: 114134-1001-C and 114134-1101-B 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) authorise the City Solicitor to advertise a Draft Traffic Regulation Order to amend the existing TRO along Stonebridge Lane report, and shown on plan ref: 114134-1010 attached at **Appendix 5** of this report; and if no valid objections are received, to make, seal and implement the Orders as advertised; and
- d) give authority to incur expenditure of £10,000 TRO costs and £5,000 staff checking and inspection fees to be fully funded by a developer through a Section 278 Agreement.

## 7. Background documents

7.1 None.

## 8. Appendices

8.1 Appendix 1 - EDCI

8.2 Appendix 2 - 15-6053 P01 C - Location Plan

8.3 Appendix 3 - 114134-1001-C and 114134-1101-B – General Arrangement Drawings

8.4 Appendix 4 – TM-11-425-GA-01 HWT(1) - Indicative Pedestrian Crossing Point  
Location Plan

8.5 Appendix 5 - 114134-1010 – TRO Amendment Plan