



Report of Transport Development Services

Report to the Chief Officer (Highways and Transportation)

Date: 09 February 2021

Subject: Design & Cost Report for S278 Highway Works Associated with the Care Home Development at Manor Farm, Otley Road, Adel, Leeds

Are specific electoral wards affected? If yes, name(s) of ward(s): Adel & Wharfedale	<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 09th April 2020 under application ref 19/03431/FU for the demolition of selected existing buildings and erection of care home and six close care bungalows (class C2) with alterations to existing access, provision of car parking and associated landscaping, retention of original farmhouse and barns as dwelling at Manor Farm. A Location Plan 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 creation of a new site access off A660 Otley Road; provision of right-turn ghost lane; and local widening of A660 to accommodate approved lane widths. A general Access Arrangement plan of the highway works (drawings ref: SCP/190274/F13 Rev B) is 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.

3. **Resource Implications**

- The developer will meet the Council's costs, estimated to be £5,000 staff 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 as outlined in section 3 of this report and shown on plan ref: SCP/190274/F13 Rev 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; and
- c) give authority to incur expenditure of £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 demolition of selected existing buildings and erection of care home and six close care bungalows (class C2) with alterations to existing access, provision of car parking and associated landscaping, retention of original farmhouse and barns as dwelling at Manor Farm.
- 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.
- 1.3 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 on 09th April 2020 under application ref: 19/03431/FU for the demolition of selected existing buildings and erection of care home and six close care bungalows (class C2) with alterations to existing access, provision of car parking and associated landscaping, retention of original farmhouse

and barns as dwelling at Manor Farm. The location of the buildings can be seen on the Location Plan 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 creation of a new site access off A660 Otley Road; provision of right-turn ghost lane; and local widening of A660 to accommodate approved lane widths.
- 2.3 A general Access Arrangement plan of the highway works (ref: SCP/190274/F13 Rev B) is provided at **Appendix 3** of this report.
- 2.4 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: 19/03431/FU. The proposed works are shown on plan ref: SCP/190274/F13 Rev B attached at **Appendix 3** of this report and comprise:
 - Construction of a new site access on the A660 Otley Road;
 - A local widening of the carriageway in the vicinity of the new site access through a reduction in the width of the grass verge on the west side of Otley Road;
 - Reconstruction / resurfacing of the grass verge affected by the kerb re-alignment to footway to the north and south of the new access;
 - Relocation of existing street lighting columns to back edge of footway along the extent of the road affected by the kerb re-alignment / resurfacing of the verge to the north of the new site access;
 - Provision of right-turn ghost lane on the A660 Otley Road into the development;
 - 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 14th November 2020. Questions have been raised and answered regarding the proposed access arrangements and its impact on the safety of cyclists. The proposed site access arrangements have been presented to the Leeds Cycle Forum Subgroup (on 17th March 2021) and the feedback received was that they had concerns regarding the

possible creation of a pinch-point through the introduction of a ghost right-turn lane. An option put forward by the subgroup to address this was to remove this right turn lane from the proposal altogether. Having considered this suggestion the consensus is that given the AADT (Annual average daily traffic) flows on Otley Road exceed the threshold level of 13,000 two-way traffic flows (DMRB CD123 Geometric Design of at-grade Priority and Signal-controlled Junctions) then a right-turn lane should be provided in the interest of highway safety. In order to overcome the concerns raised a widening of the north and south bound running lanes to the recommended 3.5m, through a further widening of Otley Road can be considered. Alternatively a reduction in the width of the right-turn lane to 2.5m could be done to increase both running lane widths to 3.5m. These options will be considered as part of the Stage 1 and 2 Road Safety Audits and the outcome of these taken into account as part of the detailed design process.

- 4.1.2 Emergency Services and WYCA: The Emergency Services and WYCA were consulted via email dated 12th 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.
- 4.1.4 Environmental Team: The Environmental Studies Team were consulted via email dated 26.11.2020 and they have confirmed that the Authority will not have a duty to make offers of noise insulation to nearby residential properties and there would be no need to carry out 'Before' and 'After' noise measurements.

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 access to the site for pedestrians and vehicles, through the provision of new footway leading up to the development and a new vehicular access, 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 the development.
- 4.3.2 A Stage 1 Road Safety Audit was not undertaken prior to the determination of the application due to restrictions at that time on carrying out site meetings. It was agreed with Traffic Engineering that this can be carried out in conjunction with the Stage 2 RSA. The S38 Team has confirmed that whilst not safety audits have yet been received any issues identified by these will be addressed through the detailed design stage.

Climate Emergency

4.3.3 The works will provide safer and improved pedestrian and vehicular access to the new care facility, 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 £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 2017	FORECAST				
	£000's	£000's	2017/18	2018/19	2019/20	2020/21	2021 on
			£000's	£000's	£000's	£000's	£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						
TOTALS	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Authority to Spend required for this Approval	TOTAL	TO MARCH 2017	FORECAST				
	£000's	£000's	2017/18	2018/19	2019/20	2020/21	2021 on
			£000's	£000's	£000's	£000's	£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)	0.0						
TOTALS	5.0	0.0	0.0	0.0	0.0	5.0	0.0
Total overall Funding (As per latest Capital Programme)	TOTAL	TO MARCH 2017	FORECAST				
	£000's	£000's	2017/18	2018/19	2019/20	2020/21	2021 on
			£000's	£000's	£000's	£000's	£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	5.0					5.0	
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						
Total Funding	5.0	0.0	0.0	0.0	0.0	5.0	0.0
Balance / Shortfall =	0.0	0.0	0.0	0.0	0.0	0.0	0.0

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 in 09th April 2020 under application ref 19/03431/FU for the demolition of selected existing buildings and erection of care home and six close care bungalows (class C2) with alterations to existing access, provision of car parking and associated landscaping, retention of original farmhouse and barns as dwelling at Manor Farm, Otley Road, Adel, Leeds.
- 5.2 The planning consent requires a package of highway works briefly comprise the construction of a new site access on the A660 Otley Road; a local widening of the carriageway in the vicinity of the new site access through a reduction in the width of the grass verge on the west side of Otley Road; reconstruction / resurfacing of the grass verge affected by the kerb re-alignment to footway to the north and south of the new access; relocation of existing street lighting columns to back edge of footway along the extent of the road affected by the kerb re-alignment / resurfacing of the verge to the north of the new site access; provision of right-turn ghost lane on the A660 Otley Road into the development;.
- 5.3 The general arrangement plan of the highway works (drawing ref: SCP/190274/F13 Rev B) is 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 drawing ref: SCP/190274/F13 Rev 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; and
- c) give authority to incur expenditure of £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 - Location Plan

8.3 Appendix 3 - Access Arrangement Plan - SCP/190274/F13 Rev B