

SURREY COUNTY COUNCIL

CABINET MEMBER FOR PROPERTY & WASTE

DATE: 26 November 2024

**LEAD OFFICER: OWEN JENKINS, EXECUTIVE
DIRECTOR HIGHWAYS, INFRASTRUCTURE & PLANNING**



**SUBJECT: APPROPRIATION OF SCC LAND TO ADOPTED HIGHWAY, LAND
ALONG MARLBOROUGH HILL, DORKING AT DENE STREET LEARNING
CENTRE**

ORGANISATION STRATEGY PRIORITY AREA: ENABLING A GREENER FUTURE

Summary Of Issue:

This report seeks approval for the appropriation of Council owned land held by the Dene Street Learning Centre, Dorking to become part of the adopted highway.

It is the requirement of the new development at this site under Condition 25 of the granted planning permission 2022/0085 to construct a new footway along the site frontage onto Marlborough Hill. This will facilitate the proposed accesses to the new Children's Home and 'No Wrong Doors' Facility currently being built in the south of the site.

The Organisation Strategy sets out the council's contribution to achieving the aims and ambitions set out in the Community Vision 2030 (the 2030 Vision). This report seeks to facilitate the construction of a new footway to facilitate a safer and more comfortable route for pedestrians. The new access arrangement will promote active travel particularly when accessing the new facilities. This will help deliver one of the Council's priority objectives of enabling a greener future.

Recommendation:

It is recommended that the Cabinet Member:

Agrees to the Appropriation of the SCC owned land as illustrated in Annexe A as public highway upon completion of the works and prior to first occupation of the development.

Reason For Recommendation:

It is the requirement of the new development at this site under Conditions 24 & 25 of the granted planning permission 2022/0085 to construct a new footway along the site frontage onto Marlborough Hill. This will facilitate the proposed accesses to the new Children's Home and 'No Wrong Doors' Facility currently being built in the south of the site.

To bring about the appropriation, the Council needs to exercise its powers under s122 of the Local Govt Act 1972 in relation to appropriation of land where County land is no longer required for the purpose for which it is currently held.

Details:

Planning permission was granted at this site on 14th April 2023 under SCC planning reference 2022/0085 for the development of the conversion of the former learning centre building and the erection of a new building to provide residential accommodation falling within Class C2 (Residential Institutions) and Class C3 (Dwellinghouses) with associated parking, access and landscaping.

Conditions 25 of the said planning permission requires the construction of a new footway along the site frontage onto Marlborough Hill.

The Technical Approval of this proposed footway has been issued by SCC Transport Development Planning (TDP) as would be the case for any development works that are to become adoptable highway. The approved scheme is shown in Annexe B. The footway width varies between 1.5m and 1.8m for the length of land to be appropriated.

The new footway land is recommended to be appropriated as public highway to ensure it will be maintained by SCC Highways to maintain a safe and comfortable route for pedestrians.

Consultation:

Transport Development Planning have engaged with the Council's Land & Property team throughout the project and have consulted the Highway Information team and the Environment Legal team too.

Financial and value for money implications:

The works are part of the approved planning permission for the development of the site under SCC planning application 2022/0085. There are no adverse financial implications for the Council.

Section 151 Officer commentary:

The Council continues to operate in a very challenging financial environment. Local authorities across the country are experiencing significant budgetary pressures. Surrey County Council has made significant progress in recent years to improve the Council's financial resilience and whilst this has built a stronger financial base from which to deliver our services, the cost of service delivery, increasing demand, financial uncertainty and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a continuation of the need to deliver financial efficiencies and reduce spending in order to achieve a balanced budget position each year.

In addition to these immediate challenges, the medium-term financial outlook beyond 2024/25 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority, in order to ensure the stable provision of services in the medium term.

As such, the Section 151 Officer supports the proposed appropriation of Council owned land to become part of the adopted highway.

Legal implications:

The 1972 Local Government Act provides that a non-metropolitan county council may (subject to certain notification requirements where land is held as public open space - not applicable in this case) appropriate for any purpose for which the council are authorised to acquire land by agreement any land which belongs to the council and is no longer required for the purpose for which it is held immediately before the appropriation

The developer must undertake works on the land prior to its appropriation as highway. This will be facilitated by way of approval from the council’s Land & Property team. The formal appropriation will thereafter take place prior to the occupation of the development as per the planning permission.

Equalities and Diversity:

The works enabled by the appropriation provide a new footway which connects the existing footways south of the site and at the junction of the Dene Street. The footway width will vary between 1.5m and 1.8m which meets the council’s standards for inclusive mobility.

Age	All works on existing highway or works which will become highway are the subject of technical assessment which includes the need to ensure safe access for all road users, including all equality strands. Where it is practical and feasible to do so any new works are required to be compliant with the Disability Discriminations Act (replaced by the Equality Act) and therefore any impacts are positive, rather than negative.
Belief / Faith	None. There are no issues relating to highways and transport considerations that affect this strand
Disability	New development often results in the need for new vehicle crossovers, junctions, or other works to the existing highway to facilitate the new traffic brought about by the development. Any new highway infrastructure would have a positive impact on this strand. There would be no negative impacts providing appropriate care is taken to ensure the safe movement and access for all users through the detailed design.

Gender	The Office for National Statistics suggests that women carry out more trips than men for shopping and the school run, where as for commuting and business this pattern is reversed; (Focus on gender – September 2008). For other types of trips, the percentage split is broadly similar. Encouraging travel to or from a proposed development by sustainable modes will marginally have a greater impact on women for trips relating to the school run or for shopping purposes. Similarly encouraging sustainable forms of travel would have a greater impact on men for business or commuting trips. Notwithstanding it is not expected that these differential impacts will have a negative impact.
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Other implications:

The potential implications for the following Council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	No significant implications arising from this report.
Public Health	No significant implications arising from this report.

WHAT HAPPENS NEXT:

- The developer will enter into a license to undertake the works on County owned land, as part of their road construction for the loop road.
- Following the construction of the works to an adoptable standard the footway will become an adopted highway through this appropriation.

Contact Officer: Ralph Harvey-Kelly

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Consulted:

Transport Development Planning have engaged with colleagues in the Council’s Land & Property team.

Annexes:

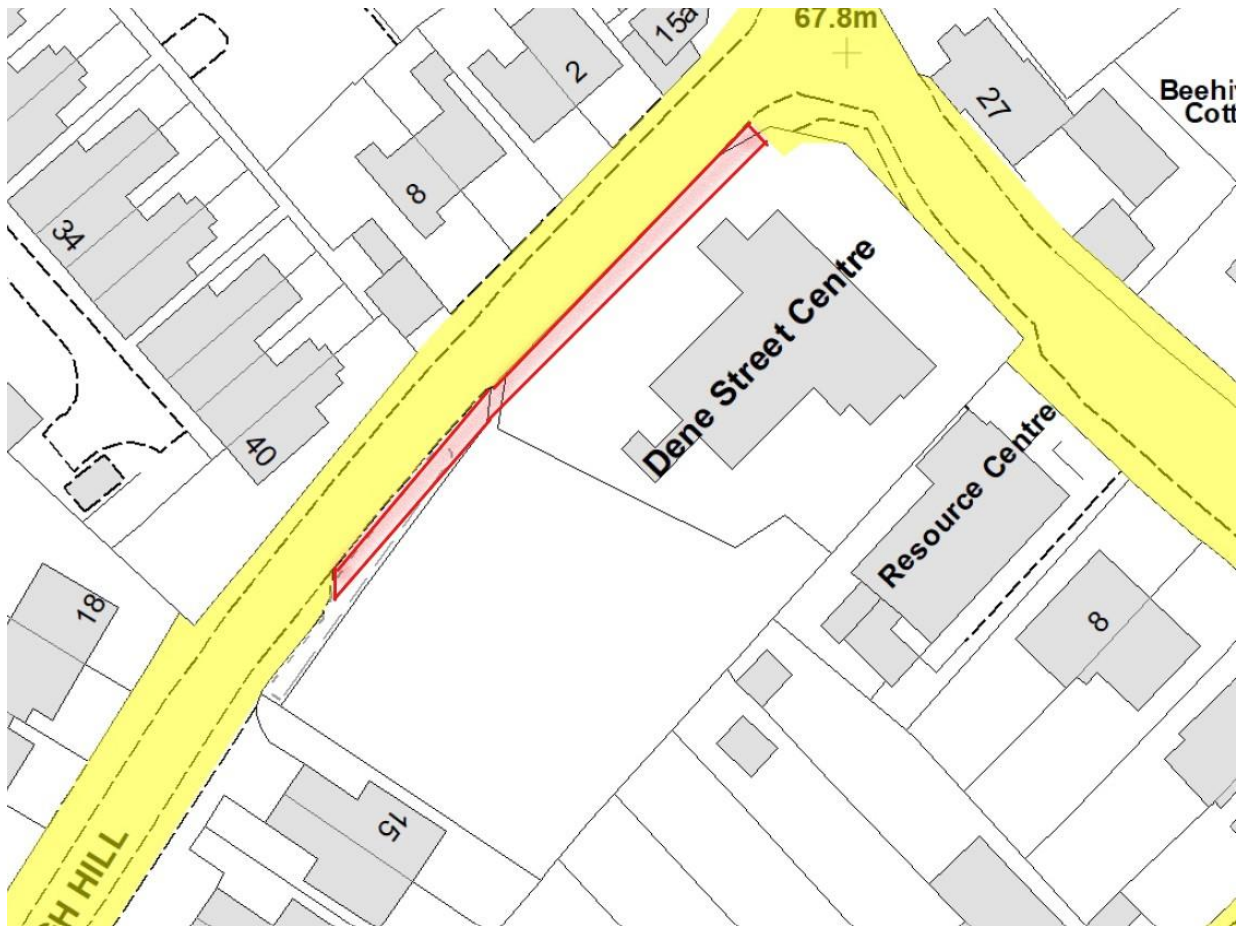
- A - EXTENT OF LAND TO BE APPROPRIATED**
- B – APPROVED CONSTRUCTION LAYOUT**

Sources/background papers:
None

ANNEXE A

EXTENT OF LAND TO BE APPROPRIATED

Note: Not to Scale. Red area shows approximate extent of land to be appropriated.
Yellow area shows existing public highway.



ANNEXE B

Approved Construction Layout

Note: Not to Scale.

Figure 1: Approved layout

- NOTES**
- This drawing is to be read in conjunction with all relevant Engineering and Accessibility drawings and with the Specification.
 - For setting out work in accordance with the Specification.
 - All dimensions are in millimetres and shall be in metric unless otherwise stated.
 - Construction shall be in accordance with the relevant standards.
 - Contractor to submit to the Engineer, prior to construction, a method statement for any proposed work.
 - This drawing is based on A12000 Site Plan and A120000-Access-01-01-01-0101 - Proposed Site Plan for the 'Dorking Children's Home'.
 - The proposed road layout is shown in red on the Access Operational Impacts Report Ref. C020000-01-01-01-0101.
 - Topographical survey provided by Terrain Surveys dated Aug 2021.
 - All Highway Works shall be in accordance with the MCHW (Manual of Contract Documents for Works and Supply) Council Standard Detail Drawings.
 - All works are to be inspected by the Surrey County Council Development Engineer or Statutory Authority as appropriate.
 - Extent of proposed earthworks shall be confirmed by the Engineer.
 - All existing gullies within the extent of works are to be retained.

- KEY**
- Proposed 10270 public footpath. For details refer to drawing No. 02004.
 - Proposed 10270 heavy automatic use vehicle crossover. For details refer to drawing No. 02004.
 - Section through proposed public footpath. For details refer to drawing No. 02002.
 - Section through proposed vehicle crossover. For details refer to drawing No. 02005.
 - Section through proposed vehicle crossover. For details refer to drawing No. 02005.

- WARNING**
- ROADWORKS AHEAD TO UNUSUAL OR SIGNIFICANT RISKS DURING THE CONSTRUCTION PROCESS ARE IDENTIFIED ON THIS DRAWING AS:**
- NOTE: THE TOTAL WORKS TO BE CONSTRUCTED AS SHOWN ON THIS DRAWING ARE SUBJECT TO THE APPROVED CONTRACT DOCUMENTS, WHICH ARE AVAILABLE TO VIEW AT THE PROJECT INFORMATION CENTRE AND ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT DOCUMENTS. THE CONTRACT DOCUMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT DOCUMENTS. THE CONTRACT DOCUMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF THE CONTRACT DOCUMENTS.
- ROADWORKS SPECIFIC TO THIS DRAWING:**
- Works within the Highway
Shaded yellow
Tree roots

TECHNICAL APPROVAL

Check	Date	Signature	Position
1	15/08/2023	[Signature]	Author
2	15/08/2023	[Signature]	Checked
3	15/08/2023	[Signature]	Drawn
4	15/08/2023	[Signature]	Design
5	15/08/2023	[Signature]	Reviewed
6	15/08/2023	[Signature]	Approved

Surrey County Council

S278 General Arrangement

Dorking Children's Home
Dense Street, Dorking

Drawing No: **101908-SWH-XX-XX-DF-C-0801-F07**

Scale: 1:500

Project: Dorking Children's Home

Author: [Name]

Checked: [Name]

Drawn: [Name]

Design: [Name]

Reviewed: [Name]

Approved: [Name]

Date: 15/08/2023

Project Information Centre

101908-SWH-XX-XX-DF-C-0801-F07

Scale: 1:500

Project: Dorking Children's Home

Author: [Name]

Checked: [Name]

Drawn: [Name]

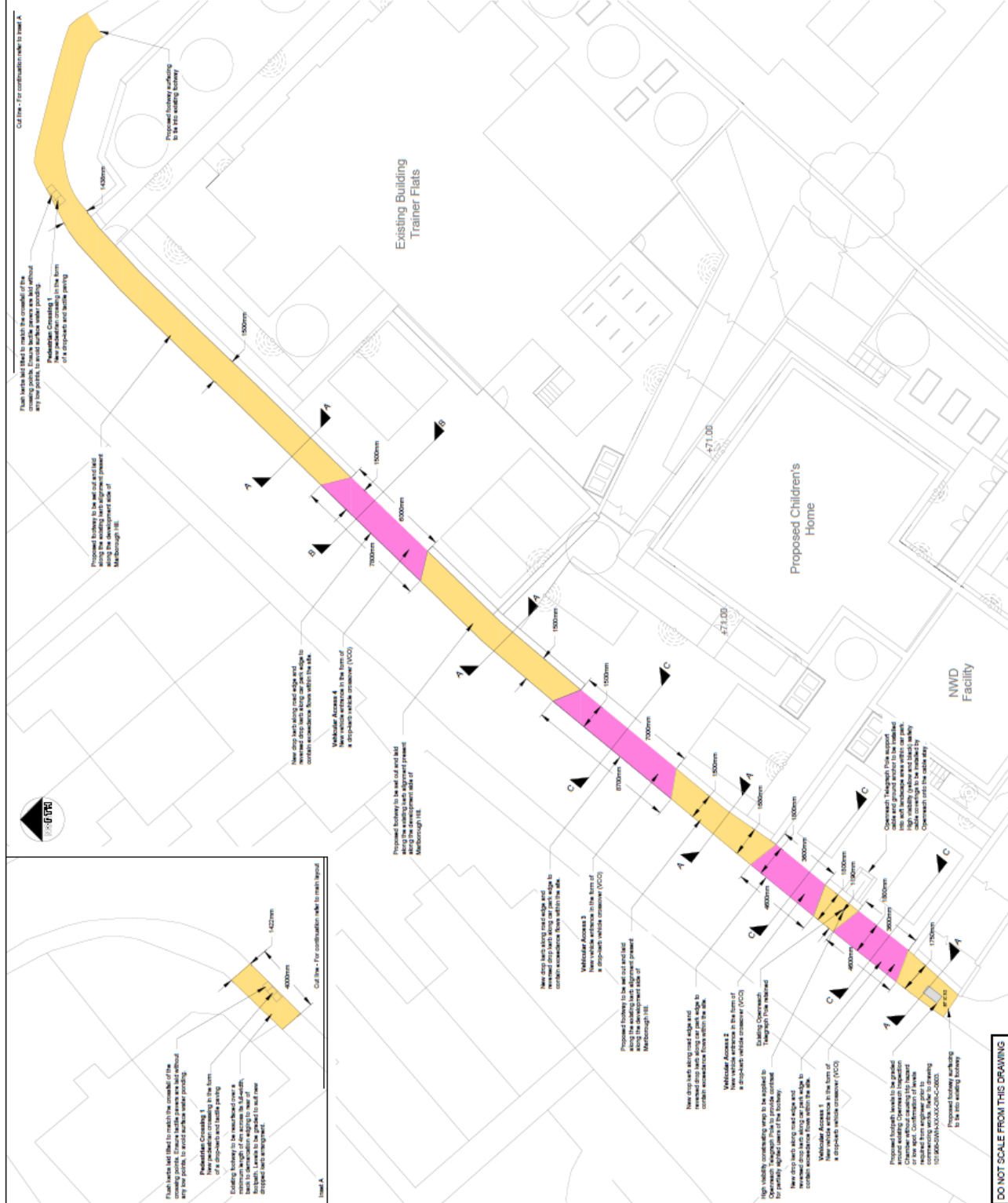
Design: [Name]

Reviewed: [Name]

Approved: [Name]

Date: 15/08/2023

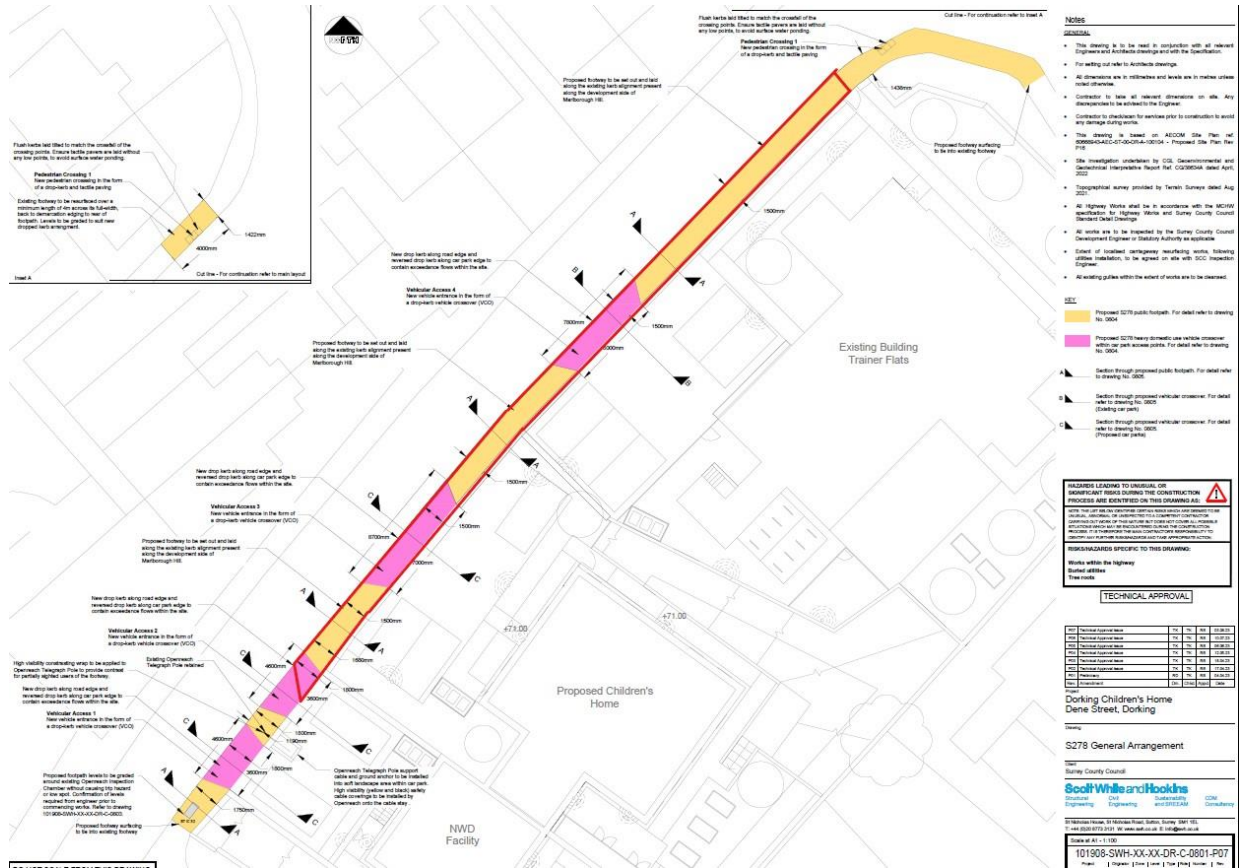
Project Information Centre



DO NOT SCALE FROM THIS DRAWING

Figure 2: Construction layout with area to be appropriated

Land to be appropriated shown in red.



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