 **APPLICATION FOR S38 AGREEMENT**

**HIGHWAYS ACT 1980**

Full S38 – for all works (carriageway, footways and infrastructure including drainage and street lighting) within a new development to be considered for adoption by the highway authority.

Please read the relevant notes for guidance <https://www.suffolk.gov.uk/planning-waste-and-environment/planning-and-development-advice/application-for-works-licence/>.

To enable Suffolk County Council to assess this application for the works, please make payment using the below link and upload your completed application form along with any relevant documentation. <https://residents.suffolk.gov.uk/HighwayAgreementPayment>

**Your application will not be processed without payment.**

**NOTE – The initial fee of £5000 must be supplied with this application.**

**Development Details**

|  |  |
| --- | --- |
| Planning Permission No. |  |
| Parish |  |
| Location / Site Address |  |
| Local Planning Authority |  |
| Development name (as per planning permission) |  |
| Date planning permission granted |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Developer/applicant: | |  | | |
| Address: |  | | | |
| Postcode: |  | | Contact Name: |  |
| Telephone: |  | | Email: |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Design Consultant: | | |  | |
| Address: |  | | | |
| Postcode: |  | Contact Name: | |  |
| Telephone: |  | Email: | |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Applicant’s Solicitor | |  | | |
| Address: | | | | |
| Postcode: |  | | Contact Name: |  |
| Telephone: |  | | Email: |  |

|  |  |  |  |
| --- | --- | --- | --- |
| Names of owners of title of any land to be dedicated as Highway: | | | |
| Address: |  | | |
| Postcode: |  | | |
| Telephone: |  | Email: |  |
| Land Registry Title Number(s) (list if more than one Title Deed) | | | |
|  | | | |
|  | | | |
|  | | | |

|  |  |
| --- | --- |
| Is there a s106 agreement for this development? | Yes / No |
| Date of s106 agreement |  |
| Are there s106 obligations relating to the construction of the Highway Works? | Yes / No |
| Is there a requirement for a Traffic Regulation Order (TRO) on this application? | Yes / No |
| Has payment been made to SCC to organise the TRO application? | Yes / No |
| Are there any planning conditions relating to the construction of the highway works? If yes list below: | Yes / No |
| Has SCC St Lighting Team Designed lighting (additional fee) | Yes / No |

List of Conditions that require discharging –

|  |  |
| --- | --- |
| **Condition No.** | **Text** |
|  |  |
|  |  |
|  |  |

List of drawings with this application (drawings are to be sent electronically as PDFs with the application). Refer to the Design Check List on following page to ensure all relevant documents and drawings are included with the application.

|  |  |
| --- | --- |
| **Title** | **Drawing No.** |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

**Declaration**

I/We hereby apply to enter into a S38 agreement with Suffolk County Council for the works in connection with the above planning approval. I/We accept that the design approval and site inspection fees are payable to the council and accept that the advance payment does not give rise to any obligation on the part of the Council other than to consider the application. I/We understand that no works can commence on the public highway until the agreement is signed and Suffolk Highways Network Assurance team have approved the traffic management arrangements.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name: |  | | Date: |  |
| Planning Permission No. | |  | | |
| Development Name: | |  | | |

**Checklist**

This checklist has been provided to help guide the applicant regarding what documents and drawings are required to be submitted with the S38 application. If elements of the submission are missing, this will prolong the design checking significantly as the details have to be revisited to review how additional information submitted later in the check may impact on other elements of the design. For full descriptions on the listed documents/drawings, see the ‘Guidance for S38 Agreements – Application’

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Document** | **Description** | **Y/N/NA** | **Drawing** | **Description** | **Y/N/NA** |
| Application Form | Ensure all the boxes are completed |  | S38 coloured plan | Elements coloured as shown in guidance |  |
| Land Drainage Consent | Works affecting ditches or watercourses |  | Engineering drawings | including kerbing details |  |
| Land Registry Titles | (copies of Land Registry Titles, including plans) |  | Setting out drawings | showing chainages and widths |  |
| Tender costs | Costed Bill of Quantities |  | Drainage design drawings | showing gullies and include contours |  |
| Site Geotechnical Investigation | Copies of factual and interpretive investigations |  | Soils and Pavement test results | Test data to support design assumptions, including location plan |  |
| Earthworks design reports | calculations and specifications for any earthworks design |  | S104 drawing | Surface water design to be adopted by Water Authority |  |
| Statutory Undertakers drawing | Existing and proposed diversion routes & depths |  | Private utilities | Plan and S50 license |  |
| Pavement design | calculations and specifications for any pavement design |  | Construction details | Detailed cross sections included |  |
| Tree Reports | Include any relevant permission and preservation orders |  | Surface finish drawings | areas of surfacing, plane and inlays, regulating etc. |  |
| Cross sections | On complex designs, indicating existing and proposed levels, vertical elements etc. |  | Street lighting check | Relevant permission from SCC Street Lighting |  |
| Traffic Signals check | Relevant permission from Traffic Signals Team |  | Long sections | indicating existing and proposed levels, vertical elements etc. |  |