

Vehicle Crossing Licence - Dropped Kerb

Information and Guidance for Applicants

Introduction

A vehicular crossing, often referred to as a dropped kerb, is where the kerbs are lowered from their normal height and the pavement or verge is reconstructed to strengthen it to take the weight of the vehicle driving across it to give access into a property. The permission is granted under S184 of the Highways Act 1980.

This document gives you some guidance and information about the process of applying for and constructing a dropped kerb.

General Information

These are points to consider, to help you to decide whether or not you want to apply for a dropped kerb.

- If you are the tenant of a housing association or other leasehold property, you should seek the consent/agreement of your landlord.
- There must be sufficient space on your property to park a vehicle without it overhanging the public highway. This would normally be 4.8 m long by 3 m wide. You may wish this to be wider to allow room either side of the car.
- It is strongly advised that you apply for your dropped kerb permission and receive a decision on this, prior to doing any work. Please also see the section on planning permission.
- It is advisable that you create the area within your property to park the car prior to constructing your dropped kerb.
- Any gates that may be fitted, must open inward.
- If there is any street furniture, such as a road sign, in the proposed position of the access, the location should be altered to avoid the obstacle, if possible. If this is not feasible, then the applicant will have to pay for the cost of the relocation of the street furniture.
- If there are any street lights owned by Herefordshire Council in the proposed position of the access, the location should be altered to avoid the street light, if possible. If they do need to be relocated, and it is possible to relocate them, the applicant will be responsible for all costs.
- If there is a tree within the verge outside the property, then any new access must be located so that it does not disturb the roots. This is essentially the area covered by the tree canopy.
- Highway trees will not normally be removed to facilitate a dropped kerb.

- If an existing access to a property becomes redundant due to the installation of a new access in an alternative location, the pavement will need to be raised back to the original level as part of the works.

Safety Considerations

When considering an application for a dropped kerb, we have to consider safety. Any application may be refused or modified on the grounds of safety. We will not approve an application if we consider that the vehicle movements may be hazardous. When deciding whether to apply for a dropped kerb, these points need to be considered.

- You need adequate visibility to be able to see other vehicles and pedestrians using the highway when you enter and exit your drive.

Situations where vehicle movements may be hazardous also include:

- close to a junction
- near a pedestrian crossing
- adjacent to traffic calming/traffic islands that would make turning difficult
- by bus stops where passengers may be waiting to get on or off a bus

This list is not exhaustive and each application will be considered on its own merits.

Planning Permission

If the access is located on an A, B or C class road, then planning permission will be required for either a new access or alterations to the existing access. This needs to be resolved before permission can be given for the dropped kerb. Even though you may have planning permission, you still need a dropped kerb permission as well. If you are not sure of the class of road on which your property is located, please contact us and we can advise.

When you have received planning permission, you can apply for the dropped kerb, giving your planning permission number.

Planning permission is not normally required if the access is on to an unclassified road. However, it will be required if the access forms part of more extensive works, such as a new dwelling. It may also be required if the property is other than a house for a family e.g. flat, maisonette, is a listed building, or an industrial premises.

If you are unsure, please contact the Planning Department.

Specific planning rules apply to householders who want to pave over their front gardens. Further information can be found at the following websites:

<http://www.planningportal.gov.uk/permission/commonprojects/pavingfrontgarden/>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7728/pavingfrontgardens.pdf

If you are unsure, please contact the Planning Department.

Applying For A Dropped Kerb

Once you have considered the information above, and wish to apply for a dropped kerb, please complete the application form and return it to us.

Application Fees

The application fee for a dropped kerb is £220, as at January 2023. Please check for any changes to this. This is payable in two parts, the first part is with the application form and is a non-returnable fee of £100. The second part has to be paid when the notification is returned before construction is carried out, this is £120.

Following Your Application

Once your application has been received, an inspection will be carried out to see whether it can be approved or not. The site will be visited by one of our Locality Steward Team who will contact you if they have any queries.

If your application is successful, you will receive written approval to go on to the next stage. Please note it can take up to 8 weeks before you receive a decision.

The permission will be valid for three years. If the works are not implemented within that period, the permission will lapse and you will have to do apply again.

If your application is not successful, you will receive reasons in writing why it has been refused.

Building Your Dropped Kerb

Once you have received your written approval, you will need to think about getting your dropped kerb built. These are some points to consider:

- The applicant will be responsible for appointing a contractor and all costs involved.
- If you would like Balfour Beatty to give you a quotation, please let us know.
- Neither Herefordshire Council nor its agent, Balfour Beatty Living Places, will be liable for any damage or costs incurred.
- The access must be constructed to the correct specification, vehicular crossing construction, see Appendix 1, unless otherwise stated in your permission letter.
- The persons carrying out the work must be insured for a sum of £5 million to cover Third Party Liabilities.
- The persons carrying out the work must be certified to work in the highway by holding the relevant NRSWA Qualifications.
- Any and all permits required for work affecting the highway i.e. Temporary Traffic Lights, Road Closure Orders, must be applied for, and the permits granted, before any work is commenced. Your contractor may be able to advise whether or not these are necessary.
- The provision of any Temporary Traffic Lights which may be necessary will require separate approval. An application form can be obtained by telephoning (01432) 261800 or emailing Hereford.streetworks@BBlivingplaces.com

- If a Road Closure Order is necessary to safely carry out the construction work, this will require a separate application and approval. An application form can be obtained by telephoning (01432) 261800 or emailing Hereford.streetworks@BBlivingplaces.com
- When working on the highway, the site is properly delineated and signed in accordance with Chapter 8 of the Traffic Signs Regulations and the Code of Practice for Safety at Street Works. Provision must be made for the safe passage of non-vehicular traffic throughout the works.
- If highway storm drainage systems laid under the vehicular crossing are to be exposed, concrete protection 150 mm deep is to be placed around and above the pipe construction.
- It is an offence under the Highways Act 1980 to allow water to discharge on the highway. As such any water must be contained and disposed of within the property, such as through a soak away.
- Where an existing footway is being altered, the full width of the footway must be reconstructed to give an even cross fall from the back edging to the front of the new kerbs. There must also be an edging kerb placed at the rear of the reconstructed footway.

Appointing A Contractor

We would advise that you obtain quotations from several different contractors. Once you have appointed the contractor, agree with them when you would like the work done.

Complete the notification form and return it to the office together with the second application fee of £120. Please note that the form must be returned at least 10 days before work is proposed.

Inspections will be carried out by the Locality Steward Team to ensure that the standard of work is satisfactory and completed properly. Once this has been done, we will contact you to start the 12 Month Maintenance Period. During this time you will be responsible for any defects in the crossing.

At the end of the 12 Month Maintenance Period, please return notification form to enable the end of maintenance inspection to be carried out. Once this has been done, assuming it is satisfactory, then the crossing becomes the responsibility of the highway authority. You will receive confirmation from us together with the notification form. Please keep this documentation safe as you may need it should you ever decide to move home.

Your Data

The data you provide will be used to process your application to have a dropped kerb under S184 of the Highways Act 1980.

Your information will be viewed by the team that has the responsibility for administering the dropped kerb regulations on behalf of Herefordshire Council and it will be shared where we are legally obliged to do so.

This data will be retained as required in order to maintain records on dropped kerbs within the County of Herefordshire.