

## Guidance on requesting a dropped kerb for a vehicle crossing

A vehicle crossing or dropped kerb is a section of pavement or verge which allows access to a property from the road.

If you would like a vehicle crossing to be installed to access a property you will need our permission as the Local Highway Authority (LHA). This permission is not guaranteed.

If you want a dropped kerb for pedestrian access you can find out more on our [pedestrian dropped kerb page](#).

Make sure you read and understand this guidance before you contact us to request a dropped kerb for a vehicle crossing to your property.

You will require Planning Permission if your proposed vehicle crossing has access to a classified highway. A classified road is a main or trunk road and includes A, B and C class classified roads. Our customer contact centre will be able to advise you of this.

If you already have Planning Permission for your proposed vehicle crossing, please provide the planning reference number in your vehicle crossing application.

If you are seeking to apply for a vehicle crossing that will serve three or more residential properties or a commercial property, then you will need to [apply for a Section 184 permit](#).

### 1. **Your responsibilities**

As the applicant for a vehicle crossing, you will be solely responsible for all planning permissions that may be required.

You must consult us as the Local Planning Authority before any works commence.

You will be solely responsible for ensuring that there are no restrictive covenants preventing access over land between the boundary of the property and the edge of the carriageway.

The carriageway is defined as any LHA adopted highway. This can include:

- grass verges
- pavements
- public rights of way
- designated cycle routes
- highways

If you do not own the land that the proposed accessway will serve or if you are crossing land that is not LHA adopted highway, then you will need to obtain written permission from the landowner.

Written permission must be submitted as part of your application.

Prospective purchasers of a property cannot apply for a dropped kerb until the property sale has completed.

If the land is not adopted highway, you are advised to contact the developer.

It is your responsibility to research into landownership and access rights before applying for a dropped kerb.

## 2. **Your property measurements**

No part of a vehicle parked within your property boundary may overhang the pavement or road. This is because it restricts lawful use for other carriageway users.

You are not permitted to use the pavement or altered verge outside of your property boundary for parking.

For a parking bay and vehicle crossing the measurements from the boundary between your property and the carriageway must allow a minimum:

- 4.8m on unclassified roads from the front of your property wall to the back of the carriageway pavement
- 5.5m on classified roads from the front of your property wall to the back of the carriageway pavement
- 5.5m if there is an existing point of access such as a garage door, bay window, front door or footpath. This ensures a means of escape in the event of an emergency
- 2.4m width is required throughout the parking bay. This may be increased to a minimum of 3.0m to account for restricted vehicle access due to boundary walls, hedges, fences or if the driveway is also used as both vehicular and pedestrian access to the dwelling
- 5.6m width for a double accessway

Vehicles must be parked at right angles to the carriageway to allow a vehicle to manoeuvre into the parking space in one movement.

A maximum gradient of 1:10 for the first 6m of your property driveway is required to avoid the vehicle hitting the driveway surface or putting excessive strain on handbrakes.

## 3. **Electric vehicle (EV) charging points**

We recognise the increasing demand for EV vehicles and off-street EV charging points and the benefits they offer.

We will consider the wider impacts of any application and consider compliance with all the criteria outlined in this guidance.

You are advised to read through and carry out an assessment before purchasing new vehicles or altering your property.

4. **Existing alternative access**

Your application will consider if alterations to private land can be made or if vehicle access already exists to enable off street parking away from the public carriageway.

As the LHA, we must avoid unnecessary alteration or destruction of existing infrastructure that may lead to future maintenance or liability issues at the public expense after readoption.

5. **Blue badge holders**

A parking space for people with disabilities can allow for additional accessibility requirements such as hoists or wheelchair access. Typical dimensions are 3.6 m width and 6m length.

If you are a registered blue badge holder, please state this in your application for consideration when evaluating the request.

You may be eligible for a [disabled facilities grant](#).

6. **Gated accessways**

Any gated accessways must open inwards onto your property. Gates must not open onto the carriageway. A minimum depth of 5m is required from the back edge of the carriageway to the gate post.

To make sure there are clear sightlines you may need to consider recessing the gates and to make sure there is safe access to your vehicle to operate the gates.

7. **Historic access**

If you seek retrospective approval of a vehicle crossing that was installed before 2008 you should state this in your application as we can grant a letter of comfort to provide to your solicitor.

8. **Requests to alter existing on-street parking**

To protect other residents, any marked on-street parking bays such as disabled or permit holder's bays will be retained.

We take into consideration the local parking pressures and the needs of the wider community such as nearby schools, community centres, playing fields, places of worship etc. Extensions to existing accessways remove vital on-street parking and alter established carriageway infrastructure.

If your street has properties that are unable to install off-street parking or already have a significant proportion of off-street parking, limiting on-street parking capacity, your request maybe refused.

9. **Is planning permission required?**

There are several things to consider when assessing whether the creation of a vehicular access and parking area require planning permission.

You will require planning permission if:

- Your proposed accessway enters a classified road. A classified road is a main or trunk road and includes A, B and C class classified roads. Our customer contact centre will be able to advise you of this.
- You require to lay traditional impermeable driveways if over 5m<sup>2</sup>. This is because they cause uncontrolled run-off of rainwater from private properties onto the carriageway. This is to reduce flooding and pollution of watercourses.

If you wish to benefit from permitted development for your proposed parking area, it must be constructed from porous materials or provision made to direct run-off water from the parking area to a permeable or porous surface within your property boundary.

It is an offence under Section 130 and 163 of The Highways Act to discharge water from private property onto the public highway.

You are advised to seek written advice from the local Planning Authority before proceeding.

There are points to consider before proceeding:

- some properties do not benefit from permitted development.
- where any engineering activity is involved, this may be classed as development that requires planning permission such as construction work requiring changes in site elevations.

Where the proposed vehicular access and hard surface isn't limited to the curtilage of your dwelling or "highway" land. This will include grass verges and amenity land.

If your property or proposal involves any of the point above, you are advised to seek written advice from the local Planning Authority before proceeding.

## 10. **Highway dimensions**

A single vehicle accessway consists of 3no. flat and 2no. sloped kerbs (each kerb stone is roughly 0.9m in length, so roughly 4.5m total width).

Grass verges serve a vital role for managing surface water and protecting the highway drainage systems localised flooding. They also possess ecological benefits, regardless of the condition or aesthetic.

To protect grass verges and amenity open space from permanent destruction, any proposed accessway requiring the destruction of a grass area greater than 2m in depth will be refused.

If a pavement and grass verge combined depth is more than 3 meters, the request will be refused. This mitigates unauthorised parking and obstruction of the pavement/verge.

The option of geotextile or other permeable surfacing will not be permitted due to the future maintenance and liability to us after installation.

A maximum gradient of 1:20 is permitted for the accessway from the carriageway to the boundary of your property.

**11. Separate entrance and exit points**

To avoid conflicts in traffic flow, requests for separate entrance/exit points or widening of turning points may be refused unless a significant improvement in the safety to highway users can be demonstrated.

**12. Proximity to road junctions, pedestrian crossings, or bus stops**

To avoid conflicts in traffic flow and risks to other carriageway users, any proposed accessway may not be located within 10m of the corner of a junction, or where it could conflict with the safe operation of pedestrian crossing, bus stop etc. In higher risk areas, this may be increased to 15m.

Some built infrastructure may not be relocated such as bus shelters and build out traffic calming measures.

**13. Visibility**

We assess for adequate visibility when manoeuvring. You are encouraged to improve the fields of view through the management of any asset that lies within your land such as reducing hedge, wall, fence widths or height, or moving bin storage.

Boundary heights of below 0.85m are advised.

If the proposal is near a school or serves other community members of risk, then the maximum height of any boundary should be no greater than 0.6m.

Alteration of the public carriageway will not be permitted if it is identified that private land can be altered first to improve visibility.

A formal assessment by an inspector will seek compliance with industry guidelines for visibility splays provided by the Department for Transport through its [Manual for Streets](#) (MfS) guidance, as well as the design manual for roads and bridges for more rural locations. This ensures safe use for all carriageway users.

Parked cars are not considered obstructions to visibility due to the presence of windows to see approaching traffic.

Visibility Splays (MfS)

This section provides guidance on stopping sight distances (SSDs) for streets where 85th percentile speeds are up to 60 km/h. At speeds above this, the recommended SSDs in the Design Manual for Roads and Bridges maybe more appropriate.

**Table 7.1 Derived SSDs for streets (figures rounded).**

| Speed  | Kilometres per hour | 16 | 20 | 24 | 25 | 30 | 32 | 40 | 45 | 48 | 50 | 60 |
|--|---------------------|----|----|----|----|----|----|----|----|----|----|----|
|  | Miles per hour      | 10 | 12 | 15 | 16 | 19 | 20 | 25 | 28 | 30 | 31 | 37 |
| SSD (metres)   |                     | 9  | 12 | 15 | 16 | 20 | 22 | 31 | 36 | 40 | 43 | 56 |
| SSD adjusted for bonnet length. See 7.6.4                |                     | 11 | 14 | 17 | 18 | 23 | 25 | 33 | 39 | 43 | 45 | 59 |
| Additional features will be needed to achieve low speeds |                     |    |    |    |    |    |    |    |    |    |    |    |

The SSD figure relates to the position of the driver. However, the distance between the driver and the front of the vehicle is typically up to 2.4 m, which is a significant proportion of shorter stopping distances. It is therefore recommended that an allowance is made by adding 2.4 m to the SSD.

**14. Surface water management and drainage**

Suitable drainage must be provided to stop any and surface water entering the public carriageway. Any drainage and surface water must be retained within the boundary of your property.

It is an offence under Section 130 and 163 of The Highways Act to discharge water from private property onto the public highway.

**15. Built street furniture**

If a request requires the relocation of a lamp column we must assess and carry out this work unless you are instructed otherwise by us.

If third party apparatus such as telegraph poles, telecoms cabinets, inspection covers or post boxes etc require alteration, it is your responsibility to contact the third party directly, co-ordinate and pay for the work yourself once LHA permission has been granted. We will advise you if we feel any such alteration is required.

It is best to obtain estimates from utility companies prior to undertaking any works. The costs may be prohibitive to proceed with the proposed accessway.

Not all apparatus is identified until a formal request is made such as underground storage tanks and utilities. The application process consults all potential stakeholders as part of the second phase of the application after the initial assessment has been approved.

There is no guarantee of an accessway being granted, as the application process must consider the results of this utility check.

**16. Protection of trees and roots**

Proposals will be refused if there are trees located on or near the proposed accessway. This is to protect the tree, its roots and any vehicle using the accessway from damage. It also eliminates future maintenance costs and liability

to us from surface erosion caused by future uplift of the roots or the pressures exerted to the roots from repeated vehicular movement.

A zone around a tree called the Root Protection Area (RPA) is calculated to ascertain the area that may not be altered.

RPA in meters = Diameter of the stem in mm at 1.5m above ground level x 0.012  
For example, 600mm stem diameter x 0.012 = 7.2 meters radius that may not be excavated.

#### 17. **Disability Discrimination Act compliance**

You may need to alter existing neighbouring accessway installations. This is common whereby a neighbour already has an accessway and sloped kerb abutting your property boundary/proposed accessway.

We will not permit two sloped kerbs to face back-to-back. This is to protect people from trip hazards, particularly children, those with limited mobility or visual impairments. At inspection, the inspector may advise you to:

- relocate your proposed accessway, or
- agree with your neighbour to alter their accessway

#### 18. **Maintenance and liability**

After an accessway has been built to our required specification, there is a 24 month defect period when you will retain liability to resolve any defects as a result of poor workmanship, or for any claims or injury suffered.

After the defect period has completed, the LHA will readopt the carriageway and resume liability.

The accessway must be built to the industry specification. The specification will be supplied as part of the final pack if your application is approved.

We no longer permit the installation of geotextile or grasscrete surfacing due to the ongoing liability and maintenance costs to the LHA.

#### 19. **Rejected applications**

As outlined above there are many aspects to consider when granting consent for a vehicle accessway. While this information aims to be as informative as possible, it is not exhaustive, and your request may still be refused on grounds that are not able to be provided until completion of the application process.

The outcome from any formal assessment is final and is not subject to challenge.

Decisions will not be influenced though escalation to executive officers or elected members.

Parking pressures created from the personal decision to increase the number of privately owned vehicles in your household does not constitute grounds to challenge.

Vehicle design and highway guidance changes over time, therefore our policy on the minimum property frontage dimensions may also change.

It is not possible to compare neighbouring property accessways to constitute grounds to appeal a refusal.

## 20. **How to apply and what happens next**

If planning permission is needed, the usual planning fees will apply. This is a legal requirement. You may need **both** Planning Permission and Local Highway Authority consent to progress with your application.

If planning permission is not required, then we can register your request and pay the associated administration and formal inspection fee. You will then be allocated a case reference number and one of our Streetcare Inspectors will visit your property to formally assess the proposed accessway, the adopted highway and your property frontage.

Please note the fee is non-refundable.

We aim for this visit to take place within 10 working days from the payment being made. This timescale may slip due to service pressures and priorities. We will endeavour to carry out the assessment at the earliest opportunity.

After the inspector has assessed the proposal, we will send you a letter confirming whether we agree in principle to the request. If agreed, you are asked to then pay a second fee to cover the administration costs of the next application stage (a utilities check and permit admin fee).

**Please note that the second payment must be made within 12 months of the date of our first letter, or you will need to start the process again.**

Upon confirmation of receipt of the fee, we will contact utility companies to confirm the existence of equipment buried under the route of the proposed accessway. The utility companies can take several weeks to respond to our enquiry, so please account for this delay in your development plans.

As soon as we have received all responses, we will print and send this final pack to you, along with your completed permit.

This permit confirms:

- that the work can proceed using an accredited Streetworks contractor
- the number of kerbs that you can change
- any specific conditions relating to your application
- the required work specification and drawings



**It is important that you keep this letter as evidence and send a copy to your solicitor, should you wish to sell your property in the future.**

If you do not receive this pack within six weeks of payment, please contact us. If we are not contacted, it will be assumed the pack has been successfully sent and received.

**Make sure you check your email Junk folder before contacting us.**

Receiving the confirmation letter and final pack means you can then start looking for a qualified streetworks accredited contractor to construct the dropped kerb.

A contractor should have readily available proof that they have obtained this qualification to work safely and with best working practice on the public highway. If they are unable to provide proof, you are advised to seek alternative contractors. This will avoid possible future expense and complications from poor workmanship, should a defect be identified in the 24-month defect period stated in the 'Maintenance and Liability' section above.

Once you have a confirmed date for the work to be done by a qualified Streetworks contractor, you must notify us with at least one week's notice of the start date. We can then arrange for one of our inspectors to visit and assess the standard of the work while it is taking place.

Once you have read and understood this information, you can proceed with a new formal application by calling 01454 868004 or you can visit your local One Stop Shop.

If you have lost your documents for an accessway to your property that was authorised after 2008, please call 01454868000. There will be an admin fee to obtain and historic documentation. If no records exist, you will need to submit a new application by calling 01454 868004.