

Working in partnership

Vehicle Crossing Guidance for Domestic Property

Please read this document carefully before submitting an application

A vehicle crossing provides a legal means of allowing you to access your driveway safely using a car or other domestic vehicle. The kerbs are dropped from their normal height and the pavement and/ or verge is strengthened to take the weight of the vehicle crossing it.

Each site will be assessed individually and against the current standards. Similar installations within the local area will not automatically result in approval of a given application. Older, historic crossings in the same vicinity do not necessarily mean a new crossing will be approved.

Legal Considerations

Driving over a footway or verge to gain access to property adjoining the highway without a suitably constructed vehicle crossing may cause damage to the pavement and any pipes or cables that run underneath it. This will potentially lead to enforcement action and possible prosecution under the Highways Act 1980. The Highways Act 1980 S184 allows the property owner / occupier to apply to the highway authority for alterations to the highway to provide vehicular access to their property.

In some circumstances, planning permission may be required for a vehicle crossing. Such as:

- The proposed access is on to a classified road (A, B, or C Road)
- The property involved is not a single residence (Flat, Maisonette, commercial or industrial property).
- The property is a listed building
- The off-highway parking area is proposed to be greater than 5m² and constructed from material that is non-porous (concrete/ block paving/ asphalt concrete or other).

Residents should check with North East Lincolnshire Council Planning Services to confirm whether planning permission is required.

Working in partnership

Where planning permission is required, confirmation will be required that this has been granted in your application.

Requirements

Tenants of Council, housing association, private landlord, or leasehold property

If you are applying for a vehicle crossing for a rental or leasehold property you will need to provide written permission from the landlord / housing association / freeholder. A copy of this permission will need to be submitted with your application.

Home owners

It is recommended that you check the deeds of the property to confirm there is no covenant restricting the provision of a vehicle crossing to the property, or for parking a vehicle within the boundaries of the property. It is the homeowners responsibility to undertake this check.

Space Criteria

You must have sufficient room on your property for a vehicle to be parked without it overhanging the public highway. The minimum requirement for a car to be parked on the owner's property at right angles to the road is **5 metres** deep by **2.5 metres** wide. The width may need to be increased at the Council's discretion in order to provide safe entry and exit.

Where there are gates at the front of the property these must open into the property. Gates opening outwards onto the highway are not permitted having regard to the safety of highway users.

Vehicle crossings are approved on the basis that vehicles will drive out forward onto the highway. On classified roads, vehicles will be required to enter the property in forward gear, so adequate space will be required to turn within the property.

The Council will decide the final size and position of the vehicle crossing.

Other Considerations

- ❖ Vehicle crossings will not be approved where it is considered that they encroach onto or affect a junction area and create an unacceptable risk of conflict between highway users. Vehicle crossings within 10 metres of a junction are therefore unlikely to be approved.

Working in partnership

- ❖ Should it be the intention to provide a loose gravelled driveway or parking area on your property, you must ensure a mechanism is put in place to retain the gravel so it doesn't spread onto the highway.
- ❖ Relocation of Street Furniture (e.g. Street lighting/ signs/bus stops) to provide for a crossing will require careful consideration by the highway authority. Where these works are approved they would be at your expense.
- ❖ It should be noted that a standard vehicle crossing installation would not necessarily accommodate all vehicle types. This could be due to a high degree of road camber or a steep driveway, which may cause grounding issues for either or both the front and rear overhangs of a vehicle. This may be particularly evident for longer, modified or sports models of vehicle. Further modifications to the highway to accommodate such vehicles would be at your expense. However it may not always be practical to undertake these further modifications, having regard to the safety of all highway users.
- ❖ The advisory carriageway road marking, as denoted in the Traffic Signs Regulations and General Directions 2007 (diagram 1026.1), and commonly known as an 'H' or 'I' bar, will not be permitted for use in front of domestic vehicle crossings.
- ❖ A vehicle crossing is installed to allow access from the highway to private property. It is not permitted to park on the vehicle crossing. Doing so may be considered an obstruction of the highway under Section 137 of the Highways Act 1980, and is enforceable under the civil parking enforcement by way of a penalty charge notice.
- ❖ Advice on paving front gardens and new laws on requirements for planning permission can be found via the following links:
<http://www.planningportal.gov.uk/permission/commonprojects/pavingfrontgarden/>
<https://www.rhs.org.uk/advice/profile?pid=738>
- ❖ Under the Highways Act 1980, it is illegal to allow water to flow from a private property on to the highway. If the proposed hard standing area within your own property is to be constructed from a non-porous material such as concrete, asphalt concrete or some block paving types, surface water from the area will need to be directed to a drainage system within your own property. If the proposed non-porous area exceeds 5 square metres, planning permission will be required.

Working in partnership

Who will construct my vehicle crossing?

The work can be carried out by the Council. ENGIE, as highway agent to the Council, provides a quotation and construction service for the installation of a vehicle crossing.

Please see the section entitled **How do I apply?** for further details.

Once an application has been received and approved, an officer will visit the property to assess the proposed site and take appropriate photographs and measurements. Within four weeks of permission being granted to construct a vehicle crossing, information will be posted to you in the form of a written quotation detailing the total cost and methods of payment. If there are any problems associated with approving the proposed crossing site you will be notified accordingly.

Alternatively, if you decide not to accept the quotation, then you may employ a suitably qualified contractor to construct your vehicle crossing. Contractors are required to have a minimum of £5 million public liability insurance, and they must be Streetworks accredited. Should you decide to instruct a contractor to undertake the works, a S184 Licence will be required, and the following charge will apply (in addition to the quotation for the works from your chosen contractor):

Administration charge – for contractors

A charge of £100 (payable in advance) is required for issue of a Section 184 Licence to construct a vehicle crossing on the public highway. This charge covers administrative costs and site inspections as follows:

- Initial site assessment
- Site inspections for excavation and construction of the works.
- Post construction inspection

Cost of Vehicle Crossing

The cost will depend on the amount of work that needs to be done. The typical cost of a standard vehicle crossing over a two metre wide footway, is between £800 - £1000.

However, there are factors that can increase this figure:

- The size and location of the crossing
- Protection or diversion of utility apparatus within the highway (e.g. cables, pipes, service boxes)
- Relocation of street furniture e.g. street lighting column



Working in partnership

- Relocation of highway signs from boundary walls (e.g. Street name plates)
- Where specific traffic management requirements are required for construction (usually for busier roads, or near schools).

How do I apply ?

Please complete the online application form on the North East Lincolnshire Council Website, accessible on the following web page:

<https://www.nelincs.gov.uk/roads-parking-transport/road-repairs-and-maintenance/dropped-kerb/>

Alternatively email your request to: customer.requests@nelincs.gov.uk