

Driveways and Dropped Kerbs

If you need to drive across the footway and/or verge to gain access to your property from the road but there is no dropped kerb, you will need to apply for permission to construct a vehicle crossover.

These works are done at the property owner's expense, by a contractor that you employ. The council does not install crossovers.

The process that you need to follow ensures the safety of other road users and pedestrians, and prevents damage to the road or footway. Provision of a crossover requires the construction of two separate areas: the 'hardstand' or driveway on the property; and the 'vehicle crossover' or dropped kerb, which crosses the public footway and verge between the road and the property. The same process is followed if you want to widen or re-profile an existing crossover.

An application needs to satisfy the requirements of a number of council departments before it can proceed, including highways and planning.

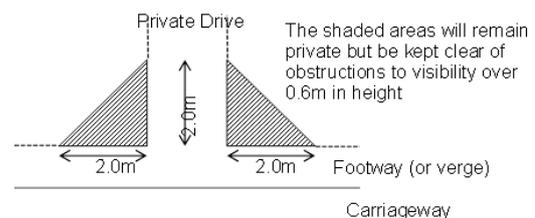
Highways Requirements

The hardstanding must be a minimum length of 4.5 metres at right angles to the road (or the length of your car if this is longer), and a minimum width of 2.75 metres. Your application will be refused if your driveway is smaller than this or if there is not enough space available to build a hardstand that meets this requirement. If the crossover is wider than 2.75 metres the hardstand must be at least 4.5 metres long across the entire width of the crossover. It is not necessary to have the hardstand built before you apply for the crossover, but it must be in place and accessible in order for a sign off to be issued once the crossover has been built.

The usual width of a crossover is 2.75 metres plus any tapered kerbs. The maximum width of a crossover that will be allowed is 5.5 metres including any tapered kerbs.

A visibility splay must be clear of obstructions over 0.6 metres in height (see diagram) to allow adequate visibility of pedestrians.

Carriageway visibility will also be taken into account, and the crossover must be at least 10 metres from any junction. Other barriers to visibility such as bends, hills, etc will also be taken into account when assessing the safety of a proposed crossover.



If you are applying for a second crossover to serve the same property there must be at least 5 metres between the two crossovers.

If your property is within a controlled parking zone your application will also be passed to the parking team to assess. If they give permission you will need to pay for the removal of any parking bays or other related work. The cost of this work will be shown in the permission letter you receive.

If your planned crossover falls within one metre of street furniture such as a street light your application will be passed to the relevant council team to assess. If they give permission you will need to pay for moving the street light. The cost of this work will be shown in your permission letter.

If your planned crossover falls within one metre of a street tree, or if there are indications that the roots of a street tree cross the area of your proposed crossover, your application will be passed to the arboriculture team to assess. If they give permission they may require measures to be taken to protect or replace the tree. The required measures and/or cost of the work will be shown in your permission letter.

Your contractor must have New Roads and Street Works Act accreditation at both Operative and Supervisor levels, and Public Liability Insurance for a minimum of £10 million.

Planning Requirements

You may require planning permission for the new crossover / access or associated works. It is your responsibility to check if planning permission is required before you start any works. The Highway Vehicle Crossover application is separate from the Planning process. Being granted permission for one does not mean that you have permission for the other, and there is no guarantee that if one is granted the other will also be approved.

If you do require planning permission you will need to make a separate application to the planning department which will take a minimum of 6 weeks to process and receive a decision. Any breach of planning requirements could lead to enforcement action being taken.

For further details please go to the planning portal at:

www.planningportal.co.uk/info/200125/do_you_need_permission

Costs

Getting a dropped kerb is a two stage process, and there are separate fees for each stage. The Stage One fee is £75. If you are granted permission for your crossover the Stage Two fee is £100. In addition to this you will have to pay your contractor to carry out the work to your crossover; and if planning permission is required there are separate fees for this.

Stage One

Complete the Vehicle Crossover Application form and return it, with the fee, to the Vehicle Crossovers team (address provided on the form). Please note that if the form is not fully completed it will be returned to you and your application will not be processed until all required information is provided.

An officer will visit your property to assess your application. If you would like to be present when the visit takes place please indicate this on the form and the officer will contact you to arrange a mutually convenient date and time.

Once the site visit has taken place the officer will decide whether permission can be granted. If there are other considerations (street lights, permit parking, street trees, etc) they will be referred to the relevant council team at this point. We aim to inform you of the decision approximately six weeks from receiving your completed application form and payment.

If your application is refused you will receive a letter explaining the reasons for the refusal. If you want to reapply addressing the reasons for the refusal you must start Stage One again, with a new application form and fee.

If your application is granted; you will receive a letter confirming that you have been given permission and a licence application pack. Please read the permission letter

carefully as there may be conditions attached that mean you cannot build the crossover exactly as shown in your original application. This permission is valid for a period of six months. If Stage Two is not begun within this period you must start the application process again at Stage One with a new application form and fee.

Stage Two

Ask your contractor to complete the Licence Application Pack and return it, with the fee, to the Vehicle Crossovers team (address provided on the form). Copies of the following documents must also be provided:

- Operatives' and Supervisors' New Roads and Street Works Act Accreditation
- Contractor's Public Liability Insurance for a minimum of £10 million
- copies of plans showing the location of utility companies' plant (water, gas, electric, telecoms, etc)
- Materials Licence applied for (if required)

When everything has been received and a construction date agreed a licence will be issued to your contractor.

Work must not begin until the licence has been issued. Please note that it is an offence under Sections 131 and 133 of the Highways Act 1980 for any person to unlawfully open the highway.

Once your contractor has completed the work in the highway an officer will visit your property again to check that the crossover has been constructed in accordance with the permission. You will then receive a letter confirming that it is satisfactory. You must not allow vehicles to use the crossover until you have received this letter. You should keep the letter safe, as you will need it to prove you have a legal crossover.

If the crossover has not been constructed in accordance with the permission you will receive a letter explaining what needs to be changed. If further works are required on the highway your contractor must apply for a new licence to carry out these works. If changes need to be made on your property (such as building your hardstand) you must let us know when they have been completed. An officer will then visit the property again to check that it is now satisfactory. If it is, you will receive a letter confirming this. You must not allow vehicles to use the crossover until you have received this letter. You should keep the letter safe, as you will need it to prove you have a legal crossover.

You or your contractor will be responsible for any remedial works required on your new crossover for a period of two years after it has been built. After this guarantee period has elapsed Brighton & Hove City Council as the Highway Authority will again be responsible for its maintenance to the prescribed standards.

Road Markings

If you live in a controlled parking zone and have paid for the removal of any parking bays and/or the installation of double yellow lines, this work will be carried out once we have checked that the crossover has been constructed in accordance with your permission.

If you do not live in a controlled parking zone you can request a white return line to highlight your access and deter parking across your driveway.

Temporary Crossovers

You may need to build a temporary crossover to facilitate access for construction traffic to a development site. If the temporary crossover is part of your Demolition Environmental Management Plan (DEMP) or Construction Environmental Management Plan (CEMP) then permission will not be granted until the DEMP or CEMP has been approved. If the temporary crossover is to be incorporated into a new access to the development when it is complete then this will be part of your Section 278 works agreement. Otherwise the highway must be returned to its original layout when the development is complete and the temporary crossover no longer required.

Contact Numbers

Below are telephone numbers for departments you may need to contact:

- Planning Team01273 292222
- Vehicle Crossovers Team01273 290729
- Controlled Parking Team.....01273 292387
- Street Lighting Team01273 292517
- Arboriculture (Trees)01273 292187
- White Return Lines.....01273 292387