

Cumberland Council

Vehicle Access Crossing: - Guidance

Content

1. What is a vehicle access crossing?
2. Why is it needed?
3. Permitted types of vehicles.
4. Is planning permission needed.
5. Hard surface to your drive.
6. How to apply.
7. Contractors.
8. Is there enough space in your garden.
9. Is the access wide enough?
10. Separate entrance and exit
11. Distance from road junctions
12. Visibility requirements
13. Shared accesses
14. Drainage
15. Lamp columns and street furniture
16. Trees
17. Gates
18. Consent of owner
19. Refusal
20. Cost
21. Applicants' responsibility

General information for vehicle access crossings

1. What is a vehicle access crossing?

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

2. Why is it needed?

We do not allow you to drive over a pavement or verge unless a vehicle crossing has been authorised and installed. This is because you may damage the pavement and/ or any pipes or cables that are buried underneath it. The crossing allows you to pass safely from the carriageway preventing any obstructions to the highway. Cumberland Council has powers under the Highways Act 1980 to serve a notice on offenders and recover its reasonable costs.

3. Permitted types of vehicles

A domestic vehicle crossing may only be used by a private of light goods (or similar) vehicle. It may not be used by heavy goods vehicles or mechanical equipment. If a delivery, such as a skip, is made to the property and in doing so the delivery damages the crossing, any repairs will be the responsibility of the occupier.

4. Is planning permission needed?

Planning permission is needed for either a new access or to amend an existing access if your property is located where the access is: -

- located on a classified road
- in a conservation area
- to a listed building
- likely to affect a tree which is protected by a Tree Preservation Order
- required for business purposes

To determine if your access requires planning permission please refer to the planning department Cumberland Council.

NB – properties subject to planning permission must also meet the vehicle crossover criteria.

5. You may need planning permission to hard surface your drive

If the surface area to be covered is more than 5m square, planning permission will be needed to lay traditional, impermeable driveways that do not control rainwater running off or onto roads. You will not need planning permission if a new / replacement driveway uses permeable surfacing or if the rainwater is directed to a lawn or border to drain naturally. For further advice and guidance on permeable surfacing visit the planning portal www.planningportal.gov.uk or contact the planning department at Cumberland Council.

6. How to apply

Cumberland Council has designated its assessment criteria based on national safety guidelines with measurements so that no hazardous manoeuvring on the highway is necessary to obtain access to and from the property.

If after reading the criteria set out below and the terms and conditions you decide that you would like to proceed, please fill in an application to Construct a Domestic/Light Duty Vehicular Access (Footway/Verge Crossing) and send it the address given on the form.

The application form is available to download at <https://www.cumberland.gov.uk/parking-roads-and-transport/streets-roads-and-pavements/street-licences-and-permits/>

Alternatively, please telephone our Highways Hotline on 0300 303 2992 (during office hours) to request a form to be sent by post.

On receipt of your application, an officer will assess your application and if suitable we will then consult with your nominated contractor for a proposed start date. If you are a leaseholder or do not own the property, you will be required to provide written permission from the freeholder or owner of the property prior to a vehicle access crossing being provided.

If your application is rejected, you will be advised in writing with a full explanation.

7. Contractors

A permit to conduct the work will be issued to your contractor who must agree a suitable starting date, duration of works and traffic management details with Cumbria Highways. Contractors must have public liability cover and the relevant Streetworks accreditation.

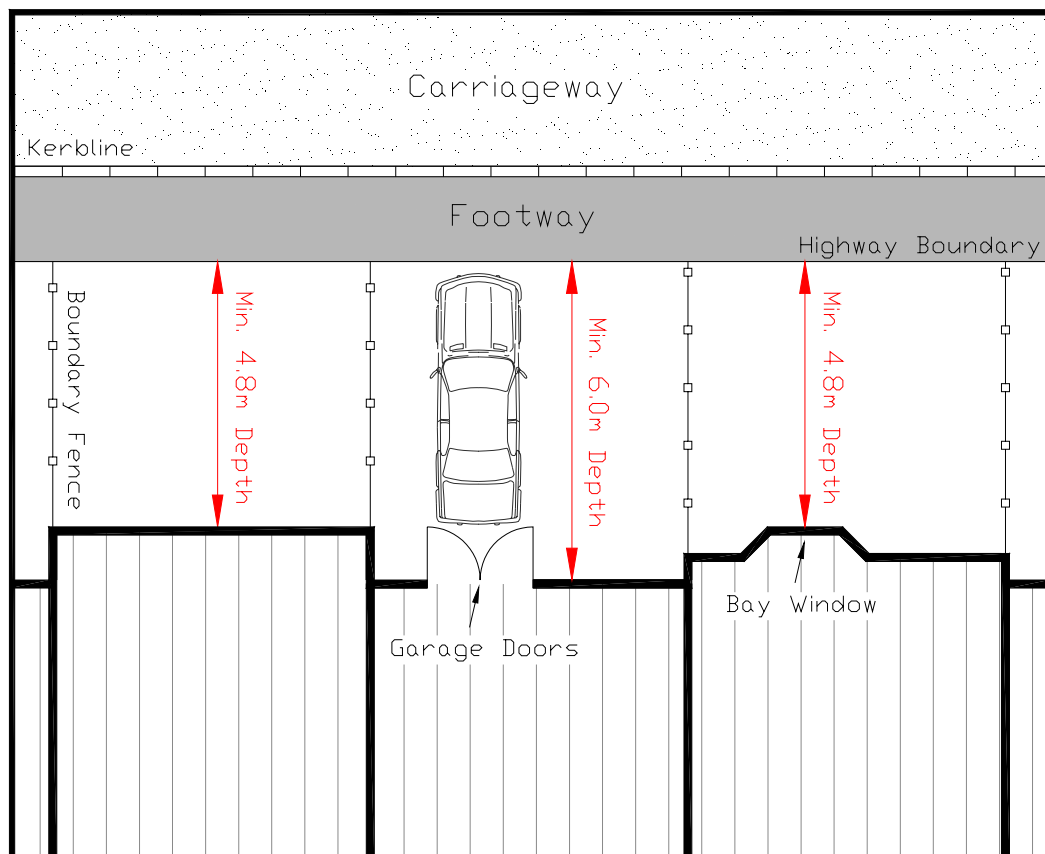
Space and safety criteria

Before submitting your application, you are advised to check your proposal against the following criteria: -

8. Is there enough space in your garden?

No part of a vehicle parked within your property may project on to or over the highway. The vehicle access crossing may not be used as a parking area and no part of it is exempted for the purpose of footway parking. To comply, the parking space must be: -

- at least 4.8m long between the back of the pavement or property boundary (the face of any wall; fence or hedge for example) and the front of your building.
- at least 6m long where the parking area is in front of a garage or door.



Except where there is an overriding safety issue, parking parallel to the highway is not allowed. The parking space must be: -

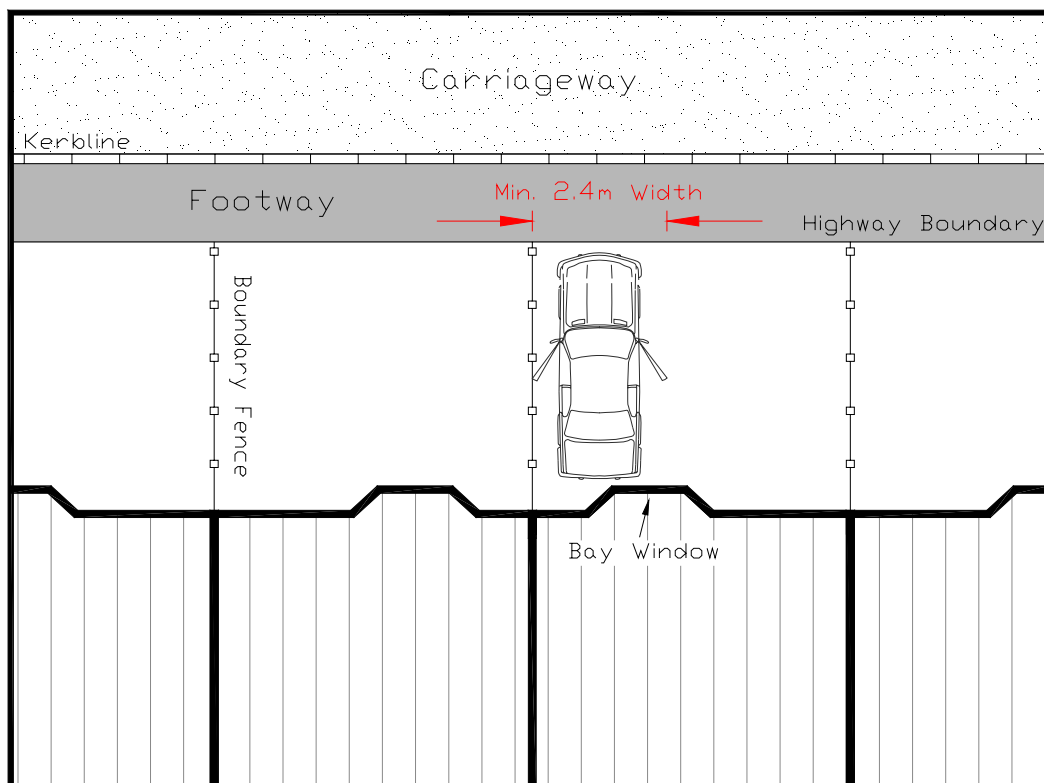
- at a right angle to the highway with the vehicle able to enter and exit the property in one movement.
- There must be no adjusting movements of a vehicle made on the highway when entering or exiting the property.

The policy of the Highway Authority in relation to the minimum depths has changed over time. This may mean that properties in your road have a vehicle access crossing that does not comply with the above criteria and appears in all respects to be very similar to your own proposals. Nevertheless, you will need to comply with the standards set out above and the fact that someone else may have a shorter parking space will not be considered when assessing your proposals.

9. Is the access wide enough?

For a single width access serving no more than one dwelling: -

- a minimum width between gate posts of 2.4m is required through the entire parking bay. This dimension is the absolute minimum and cannot be reduced. There must be no obstructions in this area (for example a bay window or tree). The maximum width of a single access is 2.75m. For a double/multiple vehicle crossing the maximum width is 4.8m.



10. Separate entrance and exit

The general rule is that - increasing the number of points on a highway where vehicles turn, increases the potential for traffic conflict. Therefore, applications for two access crossings to a single property, or a second access point where one already exists, will not normally be approved for domestic dwellings unless there is compelling evidence that it will add significantly to highway safety.

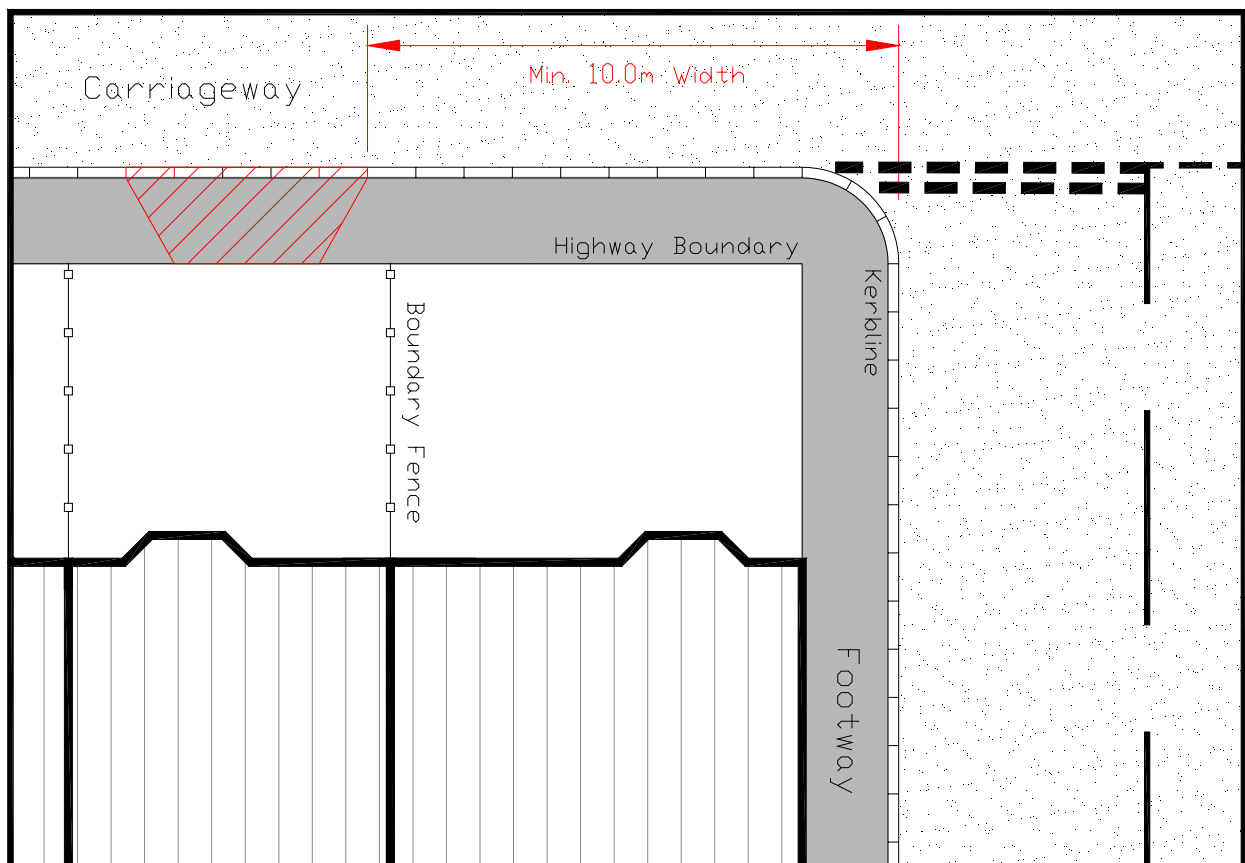
For such applications to be considered, the applicant will need to show: -

- How a second access will add to the safety of the access arrangements
- Why such added safety cannot be achieved from a single access, or by improving or repositioning an existing access.

11. Distance from road junctions

If the location of the proposed crossing is closer than 10m to a road junction it would create a serious hazard and the application will be refused. This dimension may be increased to 15m on major roads or near too busy junctions.

If the property is situated directly on the junction of two roads, it will generally be safer to situate the access on the minor, side road. Accordingly, you may be asked to amend your proposals to comply with this requirement.



12. Visibility requirements

Will you be able to see pedestrians and vehicles clearly enough to drive out of the driveway without causing danger to yourself or other road users.

Probably the most important contribution to road safety is the provision of adequate visibility. Adequate visibility enables road users to see a potential hazard in time to slow down or stop comfortably before reaching it.

The application will be refused if the crossing does not meet visibility requirements set within published industry standards. Greater visibility may be required on faster, busier roads.

Cumberland Council considers each request on its own merits. Consideration will be given to the driver's line of vision in both the vertical and horizontal planes.



To determine the exact level of visibility required, a site inspection will be needed from an experienced officer.

13. Shared access

Where the occupiers of two adjacent properties share a driveway and wish to build a double width crossing to serve the two sites, one occupier should act on behalf of both parties.

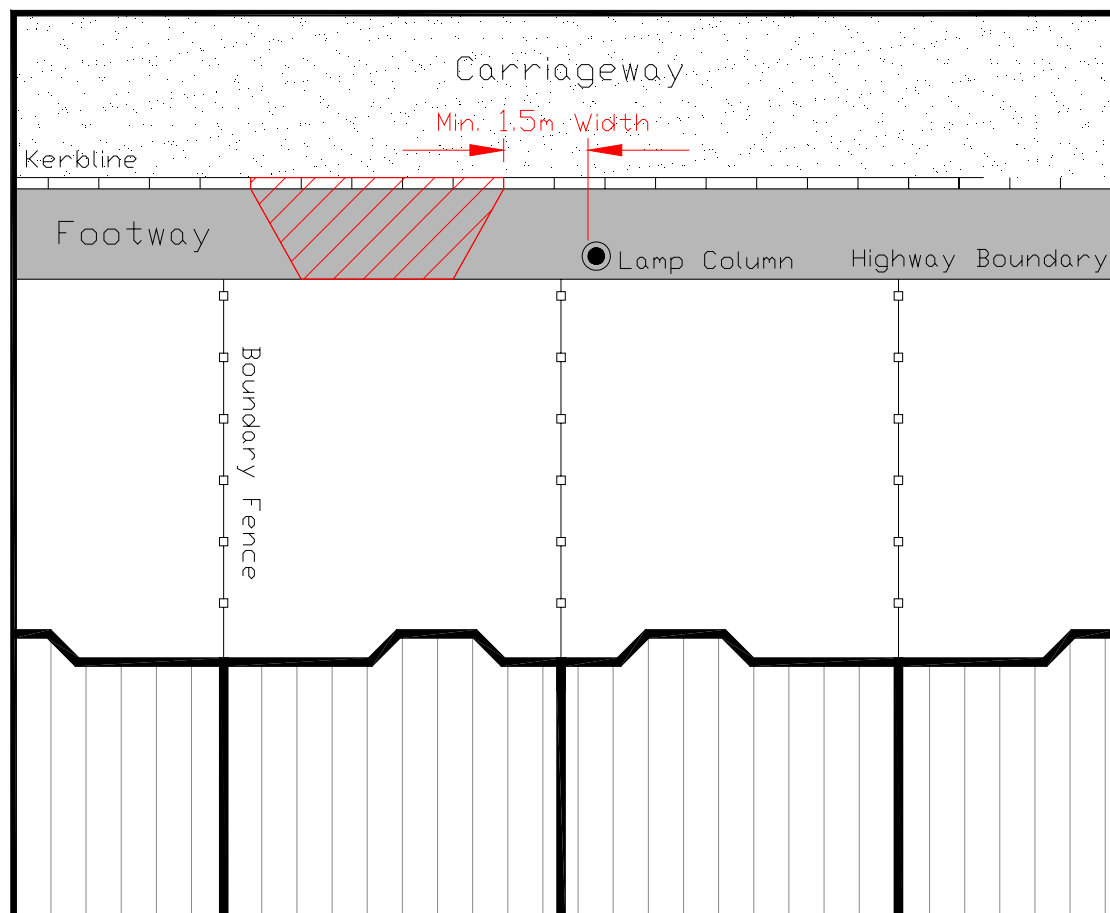
14. Drainage

The parking area within your property must be built so that water does not drain from it across the highway. Suitable drainage must be provided within the boundaries of your property (see also above under - You may need planning permission to hard surface your drive).

Where works affect the flow of an ordinary watercourse then under the terms of the Flood and Water Management Act 2010; Land Drainage Act 1991; and Water Resources Act 1991; you also need consent from the LFRM team:

<https://cumbria.gov.uk/planning-environment/flooding/consenting.asp>

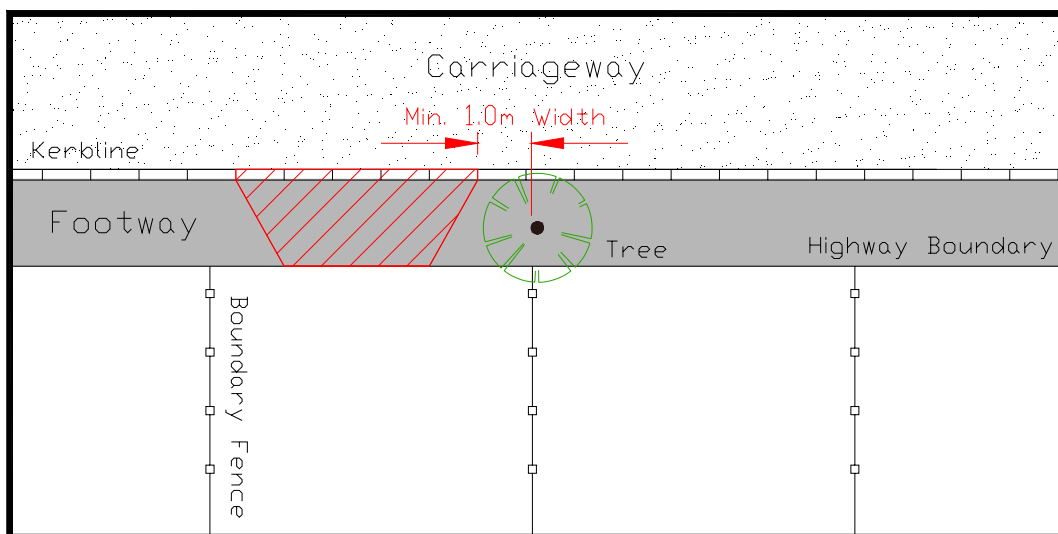
15. Lamp columns and street furniture



All street furniture, lamp columns and utility plant need to be situated at least 1.5m from the location of the top of the ramped kerb of the proposed crossover. Any street furniture, lamp columns and utility plant within 1.5m must be relocated at the expenses of the applicant.

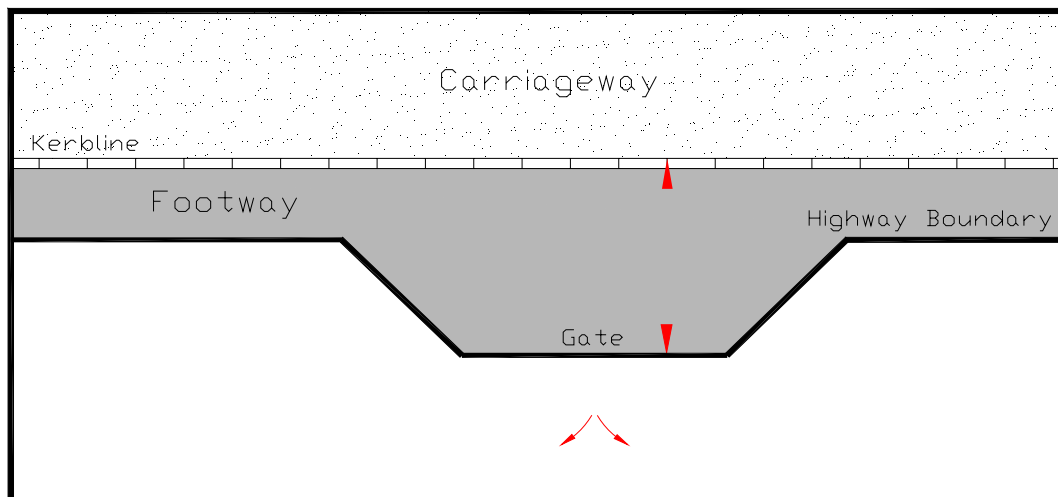
16. Trees

Applications requiring the removal of a highway tree are likely to be refused. There must be a minimum of 1m from the base of the tree to the top of the ramped kerb of the proposed crossover.



17. Gates

If gates are to be fitted across the vehicle entrance to your property, they must not open outwards across the highway. Additionally, on busy roads they must be set back at least 5m from the edge of the carriageway to allow the driver to park clear of the highway whilst opening the gates. Remember, sufficient space must exist within the site for the gates to close.



18. Are you the owner of the property or do you have their consent?

If you are not the freehold owner of the property, you will need to obtain the permission of the owner for the construction to be undertaken before Cumberland Council will consider your application.

19. Refusal

It is unusual for a request to be refused. However, if your proposed crossing puts other road users at risk or seriously interferes with the free flow of traffic on a busy road, then it may be turned down. Notwithstanding the Guidelines above, in certain circumstances it will be necessary for the Council as Highway Authority, to refuse to allow the construction of a footway crossing to your premises. In these circumstances you will be informed in writing of the reason why permission has been refused.

Reasons for refusal may include:

- Planning grounds
- Land ownership objections
- Local parking implications
- Safety implications such as poor sight lines at the proposed access point
- The proposed access is near a road hump, road safety feature etc.

The Council's decision as to whether the application will be approved or refused is final. An appeal will not be considered due to parking conditions in your area or where you feel that an access that has already been built in your road or elsewhere does not comply with the current criteria for approval and should not have been approved. The presence of other historic substandard accesses cannot be accepted as mitigation.

20. Costs

The estimated cost will vary depending on individual circumstances since it is based on the cost of the work required to construct the proposed crossing.

21. Your responsibility

The applicant will be solely responsible for all planning permissions that may be required. Consultation with the Local Planning Authority must be made before any works commence.

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

To apply for a license or permit email streetworks@cumberland.gov.uk or telephone our Highways Hotline on 0300 303 2992.